



Administrative Report

J.2., File # PC21-2488

Meeting Date: 5/20/2021

To: PLANNING COMMISSION

From: ANTONIO GARDEA, SENIOR PLANNER

TITLE

PUBLIC HEARING FOR CONSIDERATION OF AN EXEMPTION DECLARATION AND VARIANCE FOR A REDUCED REAR YARD SETBACK TO CONSTRUCT A NEW ATTACHED TWO-CAR GARAGE, WITH A SECOND-STORY ADDITION ABOVE, ON PROPERTY LOCATED IN A LOW-DENSITY MULTIPLE-FAMILY RESIDENTIAL (R-2) ZONE.

APPLICANT: STEWART AND CHIKAKO HOFFMAN

ADDRESS: 2323 CLARK LANE

CASE NO: VAR-2021-02

RECOMMENDATION:

1. Open public hearing and administer oath;
2. Take testimony from staff, applicant, and interested parties;
3. Close public hearing and deliberate;
4. Adopt a resolution by title only approving the request subject to the findings and conditions contained therein:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH, CALIFORNIA, APPROVING AN EXEMPTION DECLARATION AND GRANTING THE REQUEST FOR A VARIANCE TO ALLOW THE CONSTRUCTION OF A NEW TWO-CAR GARAGE WITH A SECOND-STORY ABOVE ATTACHED TO THE MAIN RESIDENCE ON PROPERTY LOCATED WITHIN A LOW-DENSITY, MULTIPLE-FAMILY RESIDENTIAL (R-2) ZONE AT 2323 CLARK LANE.

BACKGROUND

The site is located at the northwest corner of Mackay Lane and Clark Lane. The subject site is zoned Low-Density Multiple-Family Residential (R-2). The property is generally rectangular in shape with a lot width of approximately 50 feet and a lot depth of approximately 90 feet. The lot size is approximately 4,445 square feet, which makes this property legal nonconforming, in terms of both minimum lot depth (100 feet) and minimum lot size (5,000 square feet). The property slopes upward from the street east/west and north/south. The property is developed with a single-family residence (859 sf) and a detached, single-car garage (c. 1953/1954). The existing house is also a legal, non-conforming building in terms of minimum required parking spaces (two enclosed parking spaces are required per single-family dwelling unit).

On July 17, 2014, the Planning Commission granted a four-foot, two-inch (4'-2") setback Variance for a proposed addition with a two-car garage to the subject property (P.C. Case No. 2014-07-PC-008). The applicants (owners) were unable to proceed with the project within the 36-month vesting window and the land use entitlement expired. The property owners are now seeking a similar entitlement.

The primary structure (single-family residence) and detached accessory structure have different setback requirements. The existing setbacks comply with the zoning code requirements as the table that follows indicates.

Table 1: Setbacks				
	House		Garage	
Setback	Required	Provided	Required	Provided
Front (S - Clark)	20' Avg.	25.5'	5'*	8'
Side (W)	5'	14.6'	0	10'
Side (E- MacKay)	5'	10.0'	0	17.5'
Rear (N)	15' Avg.	25.5'	0	5'

*Min. Building Separation

Surrounding properties are multi-family, multi-story structures with the exception of the property to the rear (north) that is 60' x 50' in size and is developed with a single-story, single-family residence. Five of the seven properties around the intersection of Clark and MacKay Lanes have been granted exceptions by the Planning Commission and the Land Use Administrator. The following setback Modifications and parking Variances have been granted to immediately adjacent properties:

- 1305 MacKay Lane - (Modification Case No. M-99-17)
- 1204 MacKay Lane (P.C. Case No. 1846-87-58)
- 2401 Clark Lane (P.C. Case No. 1846-91-12)
- 2322 Clark Lane (P.C. Case No. 1846-77-87)
- 1304 MacKay Lane (P.C. Case No. 98-12)

The application includes signatures from surrounding residents, including a letter from the property owner immediately to the north, indicating their support of the project.

DETAILED DESCRIPTION OF REQUEST:

The property owner seeks a Variance to allow the construction of a two-story addition (accessory dwelling unit) with an attached two-car garage that encroaches into the required setback. The applicant is proposing to demolish the existing single-car detached garage and construct an attached two-car garage with a street-facing setback that will allow two vehicles to be parked on the driveway without obstructing the public sidewalk or street. The existing residence will remain as is.

The portion of the project that requires the discretionary approval of the Planning Commission is the request for a Variance that would allow the newly constructed, two-car attached garage and second story accessory dwelling unit (ADU) to have a rear setback of five feet. Once the garage becomes attached to the residence, the entire structure must meet the required rear setback of the R-2 zone,

which is an average of fifteen (15) feet, but no point less than ten (10) feet at any point.

EVALUATION OF REQUEST:

Addition (Garage)

The property owner has the option to undertake an addition without providing additional parking spaces, under the legal non-conforming provisions of the Zoning Code. Under this option, the property owners would experience substantial disruption. In order to complete the project, the addition would need to be constructed over the existing structure. Staff discussed a number of options with the applicant, including removing the existing garage and replacing it with a two-car, single-story garage located toward the northwest corner of the property and replacement of the garage with an ADU.

The location of the current residence makes it impractical to provide a two-car garage on the property. The difficulty with the subject property stems from the fact that it is substandard in terms of lot depth and lot size. The least disruptive option allowing the owners to reinvest in their property and provide the on-site parking spaces is to undertake the addition in the proposed location subject to the Planning Commission's consideration of the setback Variance for the two-car garage.

Setbacks

The setback requirements are different for primary structures and detached accessory buildings (the detached garage in this case): 1) Municipal Code Section 10-2.513 (e) (3) states, "[t]he rear setback shall average no less than fifteen (15) feet, but at no point be less than ten (10) feet"; and 2) Municipal Code Section 10-2.1500 (c) (4) states no rear setback is required, except for habitable structures, garages facing an alley, or reverse corner lots. As noted above, the house and garage are both considered conforming (in terms of setbacks) as an existing primary residence and detached accessory structure.

It is not physically possible to remove the existing garage and replace it with an attached, two-car garage that complies with the required 15-foot rear setback without removing portions of the house. As noted above, the house is set back approximately 25 feet, six inches. The minimum interior width of a two-car garage is 18 feet, which thereby requires a minimum of 33 feet distance to the property line. The proposed garage is approximately 20 feet in width, leaving a five-foot rear setback. The setbacks for the proposed project are as follows:

Setback	Required	Existing	Proposed
Front (South)	20' Average	25.5'	25.5'
Exterior (West) <u>Side</u> (MacKay Lane)	5' Minimum	10'	10'
Interior Side (West)	5' Minimum	14.6'	14.6'
Rear (North)	15' Average, 10' Min.	5' (Ex. Garage)	5' Min.

Outdoor usable open space

Typically, the rear yard is the outdoor useable open space. Many of the R-2 zoned properties are

developed with two units. The front-facing garage prohibition outlined within the Residential Design Guidelines poses a design challenge for dwelling units at the front half of the property. Depending on the location and lot width, the private yard of the front unit may be located in the 20-foot space between the two units. However, this configuration requires that the garage be side-loaded and placed towards the front of the property. The house would have to be demolished and reconfigured to comply with these restrictions.

Since this is a single-family residence, a minimum outdoor living area of 800 square-feet is required. As a side note, the required minimum space is reduced for condominium units and apartments to 450 and 400 square feet, respectively. In this case, the interior yard on the west side of the house serves as the private yard. The entire side yard counts as the outdoor useable open space, which is approximately 565 square feet in area. Because it is directly accessed from the living (great) room, the area counts as twice the actual size - 1,130 square feet. As such, the required minimum outdoor living space of 800 square feet is met. In addition, the front yard and side yard facing MacKay Lane substantially exceed the minimum required setbacks.

Accessory Dwelling Unit

The applicant indicates that the long-term intention of the project is to create an accessory dwelling unit, under the non-streamlined provisions of the Zoning Code. As a multiple-family zoned property, the ADU is subject to setback and height limitations.

Parking

An ADU located within ½ mile of a bus station is exempt from parking and no replacement parking is required for an ADU that replaces an existing garage. Thus, the garage could simply be replaced with an ADU (approx. 700 sf in size) with no on-site parking. If replacement parking is provided, the spaces may be provided in any configuration on the lot.

In the short term, the proposed project is beneficial to the owners as they intend to use the addition as an office space. In the long term, the project may be beneficial to surrounding residents as it could help increase the availability of on-street parking in the immediate vicinity. Currently, the property has only one enclosed parking space, and a substandard driveway (10' vs. 19' Req.). The proposed addition will have four parking spaces within the site: two spaces in a garage and two spaces on the driveway.

Findings

Pursuant to Section 10-2.2510 of the Redondo Beach Municipal Code, the Planning Commission may grant Variances from development standards where it is demonstrated that there are special circumstances applicable to the property. A Variance can only be granted when the Planning Commission makes the following findings of fact, as included in the draft Resolution (attached):

1. There are special circumstances applicable to the property, including size, shape, topography, location, or surroundings, such that the strict application of the zoning provisions deprives such property of privileges enjoyed by other property in the vicinity and under identical zone designation; *The property is unique in terms of its small size which is approximately 50 feet in width and 90 feet in depth for a total area of 4,500 square feet. The strict application of the Zoning Code requires removal of a portion of the house to provide an attached, two-car*

garage. The position of the house does not leave adequate space for an addition with a two-car detached garage; a minimum, 33-foot distance is necessary. The distance from the house to the rear (north) property line is 25 feet, which is insufficient to provide an 18-foot wide garage separated by 15 feet from the rear property line. An alternative detached garage would leave a very narrow six-foot separation between the house and a garage and a narrow, 12 by 15 foot space behind the garage. Surrounding properties abutting to the north and across the street on MacKay and Clark Lanes have been granted various exceptions to the Zoning Code allowing additions to the single-family homes.

2. Any Variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated; *The granting of a setback Variance is not a special privilege, nor would it be inconsistent with the limitations on other similar properties in that other residences are developed with reduced rear yard setbacks. Specifically, the properties at 1305 MacKay Lane and 1204 Clark Lane were granted a Modification permit and a Variance permit for reduced rear yard setbacks to build an addition to an existing house and a deck attached to a legal non-conforming house, respectively.*
3. The granting of a Variance shall not be contrary to the objectives of the Comprehensive General Plan. *The site is within an area designated as low-density, multiple-family residential and the construction of the addition is consistent with the Land Use Element goals, objectives, and policies for residential development (Objectives 1.11, & 1.12). The addition is designed with a similar form, exterior finishes and details as the existing house, conveys the visual character of the surrounding neighborhood, and provides adequate open space and privacy.*

The requested rear yard setback Variance is necessary to remodel and reinvest in a home that is reflective of the character and design of surrounding houses. Therefore, granting the Variance application would enable the property owners to enlarge their home in the same manner as other R-2 properties in the vicinity. The approval of a Variance for a reduced rear setback is justified. Staff recommends approval of the proposed project.

ENVIRONMENTAL STATUS:

The proposed project is Categorical Exempt from the preparation of environmental documents pursuant to Section 15301 (Existing Facilities) of the Guidelines to Implementation of the California Environmental Quality Act (CEQA).

ATTACHMENTS

Exemption Declaration
Draft Resolution
Application
Architectural Drawings