



Administrative Report

J.1., File # PC20-1547

Meeting Date: 10/15/2020

To: PLANNING COMMISSION

From: STACEY KINSELLA, ASSOCIATE PLANNER

TITLE

PUBLIC HEARING TO CONSIDER AN APPEAL OF THE ADMINISTRATIVE DESIGN REVIEW DECISION FOR THE CONSTRUCTION OF A NEW DETACHED ACCESSORY DWELLING UNIT (ADU) ON PROPERTY LOCATED WITHIN A LOW-DENSITY MULTIPLE-FAMILY ZONE (R-2)

APPLICANT: Terry and Leigh Gasparovic

PROPERTY OWNER: Same as applicant

ADDRESS: **719 Elvira Avenue**

CASE NO: APL-2020-02

RECOMMENDATION:

1. Open the public hearing, administer oath, take testimony, and deliberate;
2. Close the public hearing; and
3. Adopt a resolution by title only denying an appeal and upholding the administrative denial for a detached accessory dwelling unit over 16 feet in building height behind an existing two-story single family residence located within the Low-Density Multiple-Family Residential (R-2) zone at 719 Elvira Avenue subject to the findings contained therein.

BACKGROUND

The subject site is located on Elvira Avenue between Knob Hill Avenue and Topaz Street, just west of Pacific Coast Highway. The property has an existing two-story single-family residence with a detached garage in the rear yard. The garage is accessible via a concrete ribbon driveway along the southern side yard. City permit records reflect that both the house and the garage were built in 1924. This property is listed in the City's Historic Resources Survey as a B-rated potential historic resource.



The applicants recently acquired this property and spoke with staff several times regarding the historic status as well as the potential to both restore and develop the site. The owners intend to demolish the existing garage and replace it with a new larger garage that will also include an Accessory Dwelling Unit (ADU). Various versions of preliminary plans were reviewed with the Community Development Director during weekly staff meetings and informal feedback was provided to the owners.

Throughout the discussion process, staff has advised that the proposed detached rear structure could either meet the Development Standards outlined for the R-2 Zone for an allowed second residence/condo or meet the minimum requirements imposed by the State regulations for ADUs. The proposal does not meet the standards for the R-2 Zone second residence/condo (does not meet rear setbacks) and exceeds the requirements the State has imposed for local jurisdictions regarding height.

The applicants requested a formal written response from the Community Development Director. Thus, they submitted an Administrative Design Review application with architectural plans on June 22, 2020. The submittal included two designs options for an ADU, with the first option proposing a one-story 1,152 square foot detached structure and the second option proposing a two-story 1,496 square foot detached structure. On July 20, 2020 the Community Development Director provided a Notice of Administrative Decision outlining the Planning Division's support of the one-story option reduced to a height of 16 feet per the State-regulated maximum height limit for detached ADUs. The Notice of Administrative Decision states that the Planning Division does not support the two-story option, as the height far exceeds the State-regulated maximum 16 foot height requirement. If the applicants wish to pursue the larger, two-story structure, they could do so as a second residence/condo by adjusting the proposed rear setback. The Notice of Administrative Decision was appealed by the applicants on July 29, 2020.

EVALUATION OF REQUEST

Accessory Dwelling Units

The most recent State ADU regulations were signed into law in October 2019 and became effective on January 1, 2020. The Department of Housing and Community Development (HCD) provided

further guidance on what the revised State regulations entail through a memorandum published on January 10, 2020.

The Planning Commission recently reviewed draft ADU Ordinances on September 17, 2020. Of the four main types of streamlined ADUs reviewed by the Planning Commission, the proposed project falls under the streamlined single family detached new construction category. Although this is a multifamily zoned lot, there is only a single family dwelling existing on the site, and therefore this category of streamlined ADU is applicable. This type of ADU requires 4 foot side and rear setbacks, there must be a five foot minimum distance between structures for fire protection or otherwise meet the fire code, and the City must allow up to 16 feet in overall building height. The maximum ADU size limit for streamlined detached ADUs on a lot with a single family dwelling unit is 800 square feet. Because this site is located within the Coastal Zone, the proposed ADU requires a Coastal Development Permit (CDP) public hearing waiver. The applicants have not processed a CDP application yet as they have not achieved approval for their desired design.

The Proposed Project

The one-story design option includes a new 1,152 square foot detached structure located in the rear yard of the existing site. The detached structure would include a new two-car garage 745 square feet in size and the adjacent dwelling unit would be 407 square feet in size. The side setback on the southern side would be 5 feet and the side setback on the northern side would be 6 feet. The rear western setback would be 7 feet. The overall building height is proposed to be 19 feet. Exterior materials include wood windows, horizontal wood siding, and a composition shingle roof.

The two-story design option includes a new 1,496 square foot detached structure also to be located in the rear yard of the existing site. The detached structure would include a new two-car garage 716 square feet in size on the first floor and a new ADU 780 square feet in size on the second floor. The second floor ADU would be accessible via an enclosed stairway located on the northern side of the building. The side setback on the southern side would be 5 feet and the side setback on the northern side would be 11 feet. The rear western setback would be 8 feet. The overall building height is proposed to be just over 23 feet. Exterior materials include wood windows, horizontal wood siding, and a composition shingle roof. This design option also includes a bay window feature in the second story living room.

Both of the design options meet the minimum 4-foot side and rear required setbacks as well as the 5-foot required setback between the ADU and the existing house. The proposed floor area for either ADU design option is less than 800 square feet, which meets the streamlined ADU requirements for new construction on a lot with an existing single family dwelling. The State requires that local agencies provide for a building height of up to 16 feet. Each of the design proposals exceed 16 feet in building height, therefore not meeting that streamlined ADU requirement.

The Development Standards

Per the Redondo Beach Municipal Code Section 10-5.513, lots within the R-2 Zone that are 6,000 square feet in size or greater can be developed with one dwelling unit for each 2,984 square feet of

lot area. The Los Angeles County Assessor's data shows that this site is 50 feet in width and 150 feet in depth for a total area of 7,500 square feet. This lot, therefore, can accommodate two separate residences.

The R-2 development standards require that detached dwelling units have a 20-foot setback between the structures, a 5-foot setback to the side property lines, and an average 15-foot setback to the rear property line. Each residence needs to have a minimum of 400 square feet of outdoor living space and two enclosed parking spaces. Lastly, residences on an R-2 lot are allowed to have two stories and be up to 30 feet in overall building height.

If the applicants opted to create a rear residence instead of an ADU, they could obtain the building height that they desire. The two-story design option is proposed well below the 30-foot height limit and the only setback they would need to adjust is the rear setback (15-foot average required). The yard space between the ADU and the house is large enough to accommodate 400 square feet of outdoor living space for each unit. The garage area would need to be expanded to accommodate four parking spaces, though, as a potentially historic site, the applicants could explore a Historic Variance for reduced parking.

Historic Status

The existing house is identified in the City's Historic Resources Survey as a B-rated Craftsman structure built in 1924. B-rated structures are less distinctive than A-rated structures (the most ideal rating), however, they are often well-designed and may have a relationship to an important person or event in the City's history. The Craftsman style of architecture was the most popular building style in the City during the 1920s. This building exhibits many characteristics of the Craftsman style including the heavy use of wood siding and trim, a prominent entry porch with tapered porch columns, and the use of single or double-hung windows.

Staff has had several conversations with the owners that the property appears to be eligible for historic designation. Research confirms that the house is 96 years old and has had very few alterations over the years. While it is unclear if the house is tied to an important person or event, the style of the home is certainly tied to the early development of the City.

Typically, a Certificate of Appropriateness application would be required for exterior alterations to a potentially historic resource. The Preservation Commission Minor Alterations Subcommittee reviews minor projects for compatibility with the existing historic resource. This includes, but is not limited to, a review of architectural style, exterior materials, and overall scale.

Appeal

The applicants submitted an appeal (see attached) of the Community Development Director's decision on July 29, 2020. The appeal includes several points, which are summarized below:

1. The City did not have an active ADU Ordinance in January 2020, therefore, the applicants contacted HCD directly. HCD told the applicants that their two-story plans are acceptable.

2. The applicants provided drawings for a two-story design to the Planning Division on February 12, 2020. The drawings were later rejected by the Planning Division.
3. The applicants provided the plans again to the Planning Division on February 26, 2020 along with copies of the email discussions with HCD. The Planning Division rejected the plans again based upon the two-story design.
4. The Planning Division suggested that the applicants submit an Administrative Design Review application. The applicants also included plans for a one-story option with a raised roof for privacy and storage. The drawings were rejected by the Planning Division.
5. The ADU designs are below the roof of the existing residence and the surrounding structures.
6. The size and height of the two design options are not unusual for ADUs being built in Redondo Beach.
7. The applicants wish to build a structure that is approximately half the size of the condominiums that could be built on an R-2 lot.

The City has not yet adopted new ADU Ordinances addressing the laws that came into effect in January. Draft ordinances were reviewed by the Planning Commission on September 17, 2020 and introduced by the City Council on October 6, 2020. Since January, however, the Planning Division has been adhering to the guidance provided by HCD within the memorandum dated January 10, 2020 and with the State regulations that became effective January 1, 2020.

The applicants have indeed provided a variety of informal plans to the Planning Division for review. Staff has reviewed sketches created by the applicants themselves as well as more detailed architectural plans created by a local designer. Informal feedback has been provided to the applicants on multiple occasions. Per the Memorandum issued by the HCD on January 10, 2020, for a streamlined detached accessory dwelling unit, local agencies need to permit an ADU with 4 foot side and rear yard setbacks, up to 800 square feet in size, and a height up to 16 feet. The ADU design options are appropriate in relationship to size and setbacks, but HCD only requires that local agencies provide for a building height up to 16 feet which the ADU design options exceed. Furthermore, the 16-foot height requirement is more closely aligned with the City Municipal Code Section 10-5.1500 which states that accessory structures shall have a maximum overall building height of 15 feet.

The applicants requested formal written feedback from the Planning Division, thus, they were directed to submit an Administrative Design Review (ADR) application. The ADR application was submitted on June 22, 2020 and included a one-story ADU design option and a two-story ADU design option. The Notice of Administrative Decision was provided on July 20, 2020 which stated support for the one-story design option at a modified building height from what was proposed to a maximum height of up to 16 feet.

The one-story design option will indeed be lower than the surrounding buildings. The two-story design option may be lower than other adjacent buildings, however, the exact height of the neighboring properties is not known at this time.

There have been several ADUs constructed within the City of Redondo Beach that were permitted prior the current legislation. The City's original ADU Ordinances were adopted in April 2019. Prior to April 2019, the City adhered to HCD guidelines and State regulations allowing for two-story ADUs.

With the current guidance, local agencies are only mandated to allow up to 16 feet in overall building height. Certainly, a streamlined ADU could be 2 stories, but it still would need to meet the 16' height limit.

The applicants are proposing two different design options that are somewhere in between an Accessory Dwelling Unit and the R-2 development standards outlined within the City Municipal Code. The applicants can simply build a second residence/condo that can be up to 30 feet in overall building height with just a minor adjustment to the proposed rear setback. Alternatively, the applicant could modify the one-story ADU design with a minor adjustment to height.

CONCLUSION

The property owners are allowed to construct a new detached streamlined Accessory Dwelling Unit towards the rear of the existing site that adheres to the standards outlined by the State regulations (4' side and rear yard setbacks, up to 16' in height, and up to 800 square feet in size). The owners are also allowed to construct a new rear residence that adheres to the development standards for the R-2 multi-family zone. The design options proposed exceed the mandated overall building height of up to 16 feet. The applicants have the option to explore an ADU with an overall building height of up to 16 feet, or they can explore a second residence/condo with an overall building height of 30 feet, making the adjustment to meet rear setback requirements.

ATTACHMENTS

Draft Resolution
Administrative Design Review application
Architectural Drawings One-Story Design Option
Architectural Drawings Two-Story Design Option
Notice of Administrative Decision
Appeal Documents
Project History