



Agenda Item #: _____

Staff Report

City of Manhattan Beach

TO: Honorable Mayor Wilson and Members of the City Council

THROUGH: Geoff Dolan, City Manager

FROM: Richard Thompson, Director of Community Development
Alex Plascencia, Assistant Planner

DATE: January 4, 2005

SUBJECT: Consideration of a Planning Commission Decision Approving a Variance to Allow Continued Vehicle Access (Driveway) on Laurel Avenue, Instead of Rear Alley, in Conjunction With the Construction of a New Single Family Residence on the Property Located at 3613 Laurel Avenue.

RECOMMENDATION:

Staff recommends that the City Council **RECEIVE** and **FILE** this report.

FISCAL IMPLICATION:

There are no fiscal implications associated with the recommended action.

BACKGROUND:

The subject application is requesting approval of a variance to allow continued vehicle access along Laurel Avenue in conjunction with a proposed new single-family residence. Currently, the property is improved with a single-family residence built in 1953 with garage access along Laurel Avenue. The property is zoned RS (Single-Family) and located in Area District II. Section 10.12.030(Q) of the Manhattan Beach Municipal Code (M.B.M.C.) requires properties abutting an alley in Area Districts I and II to take access from the alley. A variance is required for the proposed project since access is proposed off Laurel Avenue. If approved the garage would be permitted to be built along Laurel Avenue, and not the alley.

DISCUSSION:

The subject property is located along Laurel Avenue, on the west-side of the street between Rosecrans Avenue to the north and 36th Street to the south. The lot is rectangular in shape, and is approximately 5,940 square feet (55' x 108') in area. The subject property's unusual circumstance is that 36th Place (alley), a 15 foot wide alley, dead-ends behind the subject property rather than running parallel to the rear property line as in most alley configurations (only three such instances with this configuration exist in the City).

The proposed project consists of the demolition of the existing single-story structure and construction of a new single-family residence. The size of the dwelling has not been determined,

but the applicant intends to build less than 3,600 square feet in living area, in order to preserve yard area.

The Planning Commission, at its regular meeting of December 8, 2004 **ADOPTED** Resolution No. PC 04-22 (4-0, with Commissioner Savikas absent) approving the subject variance. At this meeting, Commissioner O'Connor indicated that he felt that the applicant should possibly be refunded the variance application fee. Commissioner O'Connor stated that he felt that the code did not intend to address properties such as the subject property. Refunds for processing applications are not recommended since the application fees cover Staff time for research and report preparation. The applicant spoke and described that his goal of preserving rear yard area would be assisted by having the driveway along Laurel Avenue. No other members of the public spoke at the Planning Commission meeting nor any written comments submitted.

ALTERNATIVES:

The alternatives available to the City Council include:

- 1.) **APPEAL** the decision of the Planning Commission and schedule the subject item for a public hearing.

cc: W. Anthony and Angela Velleca

Attachments:

- Resolution PC 04-22
- PC Minutes, 12/8/04
- PC Staff Report, 12/8/04
- Plans (separate/not available electronically)
- Applicants Narrative and Findings (not available electronically)
- Site Location Map

RESOLUTION NO. PC 04-22

**RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF MANHATTAN BEACH
APPROVING A VARIANCE TO ALLOW
CONTINUED VEHICLE ACCESS FROM LAUREL
AVENUE, INSTEAD OF THE REAR ALLEY IN
CONJUNCTION WITH A NEW SINGLE FAMILY
RESIDENCE AT 3613 LAUREL AVENUE.**

**THE PLANNING COMMISSION OF THE CITY OF MANHATTAN
BEACH DOES HEREBY RESOLVE AS FOLLOWS:**

Section 1. The Planning Commission of the City of Manhattan Beach hereby makes the following findings:

- A. Pursuant to applicable law, the Planning Commission of the City of Manhattan Beach conducted a public hearing on December 8, 2004, to consider a variance application for the property located at 3613 Laurel Avenue (Lot 4, Tract 1638).
- B. The project applicant is W. Anthony and Angela Velleca property owners of the subject site.
- C. The public hearing was advertised pursuant to applicable law, testimony was invited and received at said hearing.
- D. The proposed project consists of a new single family residence.
- E. The subject site comprises 5,940 square feet. The lot is zoned "RS" (Residential, Single-Family), Area District II, and is designated Low Density Residential in the General Plan as are all the surrounding land uses.
- F. The alley terminates at the rear of the subject property, instead of being parallel to the rear lot line.
- G. The alley behind the subject property is 15 foot wide, requiring all of the vehicle turnaround area occur on site instead of being able to use the alley as turnaround area.
- H. The purpose of the requested variance is to provide relief from the requirements of Section 10.12.030(Q) regarding the lots in Area Districts I and II be required to take vehicle access from adjoining alleys.
- I. The application involves taking access from Laurel Avenue instead of the rear alley as required for street-alley lots abutting alleys in Area Districts I and II.
- J. The project has been determined to be exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303.
- K. Pursuant to the Manhattan Beach Municipal Code, 10.84.060 (B), the following findings are made regarding the variance application:
 - 1. An unusual circumstance exists in that the rear alley terminates behind the subject property, instead of being parallel to the rear property line. Strict application of the requirements of this title would result in peculiar difficulties because the 15 foot alley forces the applicant to provide the vehicle turnaround area on his property while other properties area able to use the alley as a turnaround area.
 - 2. There is no evidence that granting the subject variance will be detrimental to the public good as the proposed building design will be consistent with neighboring buildings within the nearby area. Most properties along

RESOLUTION NO. PC 04-22

Laurel Avenue, including the subject property have garage access along the front. Allowing continuation of this vehicular access would not result in any substantial detriment to the public good, natural resources, property, public health, safety or general welfare.

3. The subject variance does not constitute a grant of special privilege inconsistent with other properties within the vicinity and in the same zoning district and area district. Properties to the west of the subject property are part of a separate tract subdivided prior to the requirement for alley access. The subject property was subdivided independently as part of a separate tract of lots facing Laurel Avenue. Further, because the property currently has vehicle access along Laurel Avenue there is no special privilege. In fact, the subject property would be denied the same privilege as other properties along Laurel Avenue belonging to the same tract if the variance were not approved.

Section 2. The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the variance subject to the following conditions:

1. The rear yard setback shall be 12.4 feet for the full width of the lot.
2. All development must occur in substantial compliance with the plans and materials presented to the Planning Commission at their regular meeting of December 8, 2004, subject to any special conditions set forth below. Any substantial deviation from the approved plans must be reviewed and approved by the Planning Commission. Future modifications to the proposed residence considered unsubstantial shall be permitted as determined appropriate by the Community Development Director.
3. The variance shall expire two years after the date of approval, with the option for future extensions, in accordance with the Manhattan Beach Municipal Code (MBMC) Section 10.84.090 (A). The applicant or authorized agent prior to the expiration of the two-year period shall request said time extension in writing.
4. Any questions of intent or interpretation of any conditions will be resolved by the Planning Commission.
5. This Resolution shall become effective when all time limits for appeal as set forth in MBMC Section 10.100.030 have expired.
6. The subject variance shall be developed in conformance with all applicable development regulations of the City of Manhattan Beach Municipal Code.
7. No discharge of construction wastewater, building materials, sediment or debris shall be permitted into the public right of way.
8. The applicant agrees, as a condition of approval of this project, to pay for all reasonable legal and expert fees and expenses of the City of Manhattan Beach, in defending any legal actions associated with the approval of this project brought against the City. In the event such a legal action is filed against the project, the City shall estimate its expenses for the litigation. Applicant shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.

Section 3. Pursuant to Government Code Section 65009 and Code of Civil Procedure Section 1094.6, any action or proceeding to attack, review, set aside, void or annul this decision, or concerning any of the proceedings, acts, or determinations taken, done or made prior to such decision or to determine the reasonableness, legality or validity of any condition attached to this decision shall not be maintained by any person unless the action or proceeding is commenced within 90 days of the date of this resolution and the City Council is served within 120 days of the date of this resolution. The Department of Community

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Development shall send a copy of this resolution to the applicant, and if any, the appellant at the address of said person set forth in the record of the proceedings and such mailing shall constitute the notice required by Code of Civil Procedure Section 1094.6.

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of December 8, 2004 and that said Resolution was adopted by the following vote:

**AYES: Kuch, O'Connor, Simon,
Chairman Montgomery**

NOES:

ABSTAIN:

ABSENT: Savikas

RICHARD THOMPSON,
Secretary to the Planning Commission

Sarah Boeschen
Recording Secretary

PLANNING COMMISSION MINUTES

December 8, 2004

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1 that there is an effect when there is a loss of three parking spaces on the street a block from the
2 beach resulting from the renovation of both the subject and adjacent properties. He said that the
3 parking will be improved for the property owners because it is legally required, but it will result
4 in a decrease in parking for the public. He indicated that the project is not built out to the
5 maximum buildable floor area that is permitted; however, the setbacks and open space are the
6 minimum permitted and the building height is the maximum allowable. He said that in this case
7 the Code allows more square footage than can be built on the lot, and he feels the formula for
8 determining buildable floor area should be reviewed. He said, however, that the project is in
9 compliance, and he would support the proposal.

10
11 Commissioner Kuch said that he supports the proposal.

12
13 Commissioner Simon commented that the residents of the subject property currently park on the
14 street, and the fact that the parking will be located on the property balances out the loss of
15 parking on the street. He commented that he appreciates staff's presentation and would support
16 the proposal.

17
18 Commissioner O'Connor commented that the addition of parking would improve the condition
19 on the street to the extent that the residents actually park in the on-site spaces. He said that
20 garage spaces are not always used for parking; however, they generally are used in the beach
21 area more than in other areas.

22
23 Chairman Montgomery said that the project is consistent with the General Plan and Local
24 Coastal Program, and he would be in support.

25
26 A motion was MADE/SECONDED (Kuch/Simon) to **ADOPT** the draft Resolution to
27 **APPROVE** Coastal Development Permit & Parcel Map 60863 to allow proposed construction of
28 a new two unit residential condominium at 125 1st Street

- 29
30 AYES: Kuch, O'Connor, Simon, Chairman Montgomery
31 NOES: None
32 ABSENT: Savikas
33 ABSTAIN: None

34
35 Director Thompson explained the 15 day appeal period and stated that the item will be placed on
36 the City Council's Consent Calendar for their meeting of January 4, 2005.

37
38 **04/1208.3 VARIANCE to Allow Continued Vehicle Access (Driveway) on Laurel**
39 **Avenue, Instead of Rear Alley, in Conjunction with the Construction of a**
40 **New Single Family Residence at 3613 Laurel Avenue**

41

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1 Assistant Planner Plascencia summarized the staff report. He said that the reason for the
2 application is that the Code requires the property to take access from the alley; however, the
3 alley does not run parallel to the rear property line and terminates behind the subject lot. He
4 indicated that the applicant's goal for the new home is to retain as much of the rear yard as
5 possible, and they feel that the proposed configuration is the best option. He commented that
6 currently there is a drain behind the subject property where the alley ends. He indicated that an
7 agreement with Public Works would need to be met regarding providing for drainage while
8 allowing for a driveway if alley access is required. He said that there is a finding for an unusual
9 circumstance in that the alley terminates behind the subject property rather than a typical alley
10 configuration where the alley runs parallel to the rear property line. He said that staff
11 determined that the proposal would not be detrimental to the public good and would not grant a
12 special privilege. He commented that the driveway has always been located on Laurel Avenue.

13
14 Chairman Montgomery opened the public hearing.

15
16 **Tony Velleca**, the applicant, said that they desired to provide a yard area for their children to
17 play. He pointed out that they would be permitted to build a maximum of 4,100 square feet, and
18 they are proposing 3,600 square feet. He commented that he collected signatures in support from
19 all of the adjacent residents along Laurel Avenue and 36th Street.

20
21 Chairman Montgomery closed the public hearing.

22
23 Commissioner Simon indicated that the applicant's situation is unique with the alley ending
24 perpendicular to the property, and such a hardship does justify a Variance. He said that the
25 proposal would be consistent with the other homes in the area, and he would support the project.

26
27 Commissioner Kuch indicated that he concurs with staff's recommendation.

28
29 Commissioner O'Connor stated that he concurs with staff's recommendation, and it is very clear
30 that the Ordinance did not intend to address properties such as the subject lot. He stated that
31 although he understands that staff was under legal necessity to impose the Variance process, he
32 feels the homeowner has been inconvenienced unnecessarily because of the manner in which the
33 Code failed to address his property. He asked whether there is any ability to refund the
34 applicant's Variance fee. He also asked whether one of the other two properties that has the
35 identical situation comes forward to the City whether they would need to go to the same process.

36
37 Director Thompson indicated that staff examined the proposal carefully when it first came before
38 them and finally made the determination that the Code was being applied fairly and consistently.
39 He commented that variance fees have not been refunded in the past; however, staff can pass
40 Commissioner O'Connor's request to refund the fee to the City Council.

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1 Chairman Montgomery indicated that all of staff’s analysis that is put into such proposals is the
2 reason behind imposing the variance fee, he does understand why staff did impose a variance in
3 this case.

4
5 Commissioner Simon commented that he agrees with the statement of Chairman Montgomery
6 that the reason for the fee is that expenses are incurred once the process is commenced. He
7 indicated that the situation is one where a variance should not apply; however it was determined
8 to be applicable. He said that he would not disagree with Commissioner O’Connor that it is a
9 case where all of the City’s citizens should bear this situation rather than one family.

10
11 A motion was MADE/SECONDED (O’Connor/Simon) to **ADOPT** the draft Resolution to
12 **APPROVE** a Variance to allow continued vehicle access (driveway) on Laurel Avenue, instead
13 of rear alley, in conjunction with the construction of a new single family residence at 3613
14 Laurel Avenue, with a recommendation to the City Council that they consider refunding the
15 Variance application fee to the applicant.

- 16
17 AYES: Kuch, O’Connor, Simon, Chairman Montgomery
18 NOES: None
19 ABSENT: Savikas
20 ABSTAIN: None

21
22 Director Thompson explained the 15 day appeal period and stated that it will be placed on the
23 City Council’s Consent Calendar for their meeting of January 4, 2005.

24
25 **04/12008.4 VARIANCE to Allow New Parking Lot Light Poles and Lights in Front**
26 **Parking Lot to Exceed Maximum Allowable Height and Maximum**
27 **Allowable Lighting Level at 1200 North Sepulveda Boulevard**

28
29 Director Thompson said that staff received a number of e-mails regarding concerns with the light
30 levels resulting from the proposed lighting. He pointed out that the applicant has installed gates
31 to restrict access to the rear of the property in response to concerns previously expressed.

32
33 Associate Planner Moreno summarized the staff report. He stated that the issues raised
34 regarding the proposal include replacing existing nonconforming 35 foot light poles; exceeding
35 the maximum 3 foot candle illumination standard for commercial sites; and exceeding the
36 maximum 30 foot height limit for structures. He said that there are currently nine 35 foot tall
37 light poles and four 12 foot tall light poles on the subject property. He indicated that the
38 proposal is to remove the existing poles in front of the store and to replace them with eight new
39 light poles that would include new concrete footings. He indicated that the proposal would also
40 include the replacement of three existing poles along Manhattan Beach Boulevard with three
41 new 35 foot poles. He said that because the poles are nonconforming, the applicant has only

**CITY OF MANHATTAN BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

TO: Planning Commission

FROM: Richard Thompson, Director of Community Development

BY: Alex Plascencia, Assistant Planner

DATE: December 8, 2004

SUBJECT: Variance to allow Continued Vehicle Access from Laurel Avenue, instead of the Rear Alley in Conjunction with a Proposed Single-Family Residence located at Laurel Avenue (Velleca).

RECOMMENDATION

Staff recommends that the Planning Commission **ADOPT** the attached draft resolution **APPROVING** the subject application (Exhibit A).

APPLICANT/OWNER

W. Anthony and Angela Velleca
3613 Laurel Avenue
Manhattan Beach, CA 90266

BACKGROUND

The applicant has submitted an application requesting approval of a variance to allow vehicle access to required garage parking from a driveway apron along Laurel Avenue instead of the rear alley. The applicant has submitted detailed reasons to support their request (Exhibit B). The application is part of a proposal to build a new single-family residence. Section 10.12.303(Q) of the M.B.M.C. states the following:

(Q) Parking/Garage Location, Street-Alley Lots. When a street-alley lot in Area Districts I and II adjoins an improved alley, all vehicle access to parking shall be provided from the alley.

The subject property is located at 3613 Laurel Avenue, zoned RS (Single Family) and is located in Area District II. It was originally developed in 1953 with a single story residence, attached two-car garage with vehicle access from Laurel Avenue. The existing dwelling and garage would be demolished and the new residence would comply with all development standards and front street access would be consistent with other lots along Laurel Avenue. Since Section 10.12.030 of the Manhattan Beach Municipal Code requires lots adjoining alleys in Area Districts I and II to take access from the alley, a variance is required for the proposed project.

PROJECT OVERVIEW

<u>Location:</u>	West side of Laurel Avenue, south of Rosecrans Avenue, 36 th Place ends behind the subject property (Exhibit C)	
<u>Legal Description:</u>	Lot 4, Block 10, Tract No. 1638	
<u>Area District:</u>	II	
<u>Zoning:</u>	RS, Residential Single Family	
<u>Neighboring Uses & Zoning</u>	RS/Residential	
<u>Parcel Size:</u>	5,940 sq. ft. (4,600 sq. ft. minimum required)	
<u>Buildable Floor Area:</u>	<u>Allowable</u> 4,101 sq. ft.	<u>Proposed</u> Less than 3,600 sq. ft. ¹
<u>Parking:</u>	<u>Required</u> 2 (enclosed) ²	<u>Proposed</u> 2 (enclosed)
<u>Building Setbacks:</u>	<u>Required</u>	<u>Proposed</u>
Front Yard,	20'	N/A ³
Side Yard (north)	5'	
Side Yard (south)	5'	
Rear Yard	12.4'	
<u>Additional Front Yard Setback:</u>	<u>Required</u> 475.2 sq. ft. (8%)	<u>Proposed</u> N/A

¹ Applicant's objective is to stay under 3,600 sq ft of buildable floor area.

² Less than 3,600 sq. ft.= 2 enclosed parking spaces

³ Final plans pending Planning Commission decision.

DISCUSSION

The applicant is seeking a variance from Section 10.12.030 (Property Development Regulations) of the Manhattan Beach Municipal Code (MBMC) to allow vehicle access along Laurel Avenue (front). The subject property is rectangular in shape, approximately 5,940 square foot lot (55' x 108'), fronts on Laurel Avenue, and 36th Place (15 foot wide alley) ends behind the subject property (Exhibit C).

The proposed project would consist of demolition of the existing single story structure and the construction of a new single family dwelling. Plans for the residence have not been completed because the decision by the Planning Commission may determine the final design. It is intended, however, if approved that the new home will be under 3,600 square feet of living area, in order to conserve as much ground for a yard.

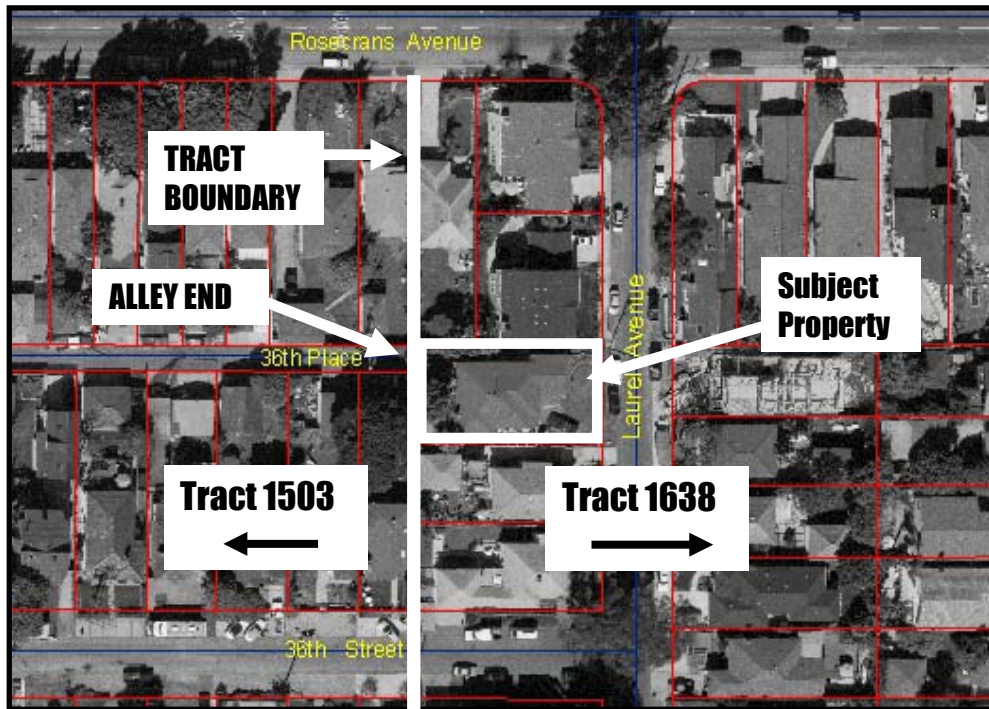
Site Analysis

The subject property has a special circumstance because 36th Place (the alley) is not parallel to Laurel Avenue, rather 36th Place terminates behind the applicant's property. In fact, the subject lot is only one of only three such instances that exist in the City all of which are on Laurel Avenue:

1. 3613 Laurel Avenue—36th Place
2. 3403 Laurel Avenue—33rd Place
3. 3201 Laurel Avenue—31st Place

The lots to the west of the subject property along 36th Street and Rosecrans Avenue have a typical alley orientation with the alley parallel to rear lot lines. Because Title 10 of the M.B.M.C. defines a Street-Alley Lot as "*A lot having frontage on a street and alley*" (which applies to the subject property) the subject site is required to provide alley access.

The subject property does have a special and unusual circumstance which is that 36th Place terminates behind the lot instead of being parallel to the rear lot line. Staff research finds the subject property is part of Tract 1638 (recorded in 1912) which include lots fronting on Laurel Avenue and extending east of Laurel Avenue. Tract 1503 (recorded in 1911) includes the properties west of the subject property as well as the alley extending west. This shows the subject property was subdivided independently of the alley. The following diagram shows the subject property, tract boundary and surrounding properties.



The rear yard setback for properties adjoining an alley is measured from the alley centerline. This is allowed because the alley typically provides a buffer from the opposing lot across the alley. The unusual alley orientation results in an uneven rear yard setback for this property: the portion of the lot adjoining the alley has a 7.5 foot setback while the portion not adjoining the alley has a 12.4 foot rear yard setback (based on the lot's depth).

Another issue is the fact that, when access is taken from the alley, a minimum 15-foot long vehicle backup area is required, which, like the setback, is measured from the alley centerline. However, because of the narrow alley width and the unusual orientation, the applicant is forced to provide the back-up area almost entirely on his property, as opposed to using the alley, as is typical for regular street-to-alley lots. The applicant has illustrated this point in Exhibits 4, 5, and 6 of this submittal and notes that up to 813 square feet of his lot would have to be a driveway if access were required from the alley, compared to 150 square feet for other "Tree Section" lots with normal alley orientation. Therefore to use the alley for access would be in conflict with the applicant's objective to have as big a rear yard and ground level open space as possible.

Neighborhood Compatibility

Section 10.12.030(Q) of the M.B.M.C. is a design mechanism in the zoning code in that it eliminates the possibility of garages and garage doors from overpowering the front elevations of a dwelling. However, because the property was originally improved with a garage access in front, allowing vehicle access to continue along Laurel Avenue would be consistent with other properties along the street. This continued access would not impact the neighborhood since most properties along Laurel Avenue have vehicle access

at the front. In fact, the original dwelling has a side-loading garage which hides the garage door opening from public view.

Alley Drainage

The Public Works Department has provided comments regarding alley access. Currently, water drains to the east in the alley toward the subject property and has two drop inlets that catch most of the water. At the end of the alley there is a concrete headwall that stops water from entering the subject property from the alley. This headwall allows the water to be collected behind the subject property and drain back into the storm drain system. If the garage is placed in the rear of the property off the alley, the headwall would be eliminated creating potential for drainage or flooding problems. If alley access is required, significant coordination between the property owner and Public Works Department would be required to remedy this drainage issue.

Variance Findings

Variances are intended to resolve practical difficulties or unnecessary physical hardships that may result from the size, shape, or dimensions of a site or the location of existing structures thereon; from geographic, topographic, or physical conditions on the site or in the immediate vicinity. The City's Zoning Code, Section 10.84.060 (B) is based upon State Law and requires that each of three findings must be met in order for a variance to be approved. These required findings are detailed below:

1. *Because of special circumstances or conditions applicable to the subject property, including narrowness and hollowness or shape, exceptional topography, or the extraordinary or exceptional situations or conditions, strict application of the requirements of this title would result in peculiar and exceptional difficulties to, or exceptional and/or undue hardships upon, the owner of the property.*

As noted, the subject property is unusual because the alley terminates at the rear property line. Strict application of the requirements of this title would result in peculiar difficulties because the 15 foot alley forces the applicant to provide a bigger vehicle turnaround area almost entirely on his property while other properties are able to use the alley as turnaround area. As demonstrated the required turnaround removes a sizeable portion of area that otherwise would be a backyard.

2. *The relief may be granted without substantial detriment to the public good; without substantial impairment of affected natural resources; and not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety or general welfare.*

Relief may be granted without substantial detriment to the public good, as the proposed building addition and remodel would not conflict with neighboring buildings within the vicinity. Most properties along Laurel Avenue, including the subject property have garage access along the front. Allowing continuation of this vehicular access would not

result in any substantial detriment to the public good, natural resources, property, public health, safety or general welfare.

For these same reasons there is no evidence that granting the subject variance will have negative impacts on natural resources; and will not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety or general welfare. In fact, alley access would require modifications to the alley for drainage purposes.

3. *Granting the application is consistent with the purposes of this title and will not constitute granting of a special privilege inconsistent with limitations on other properties in the vicinity and in the same zoning district and area district.*

The subject variance does not constitute a grant of special privilege inconsistent with other properties within the vicinity and in the same zoning district and area district. Although properties to the west take vehicle access from 36th Place, they are part of a separate tract (No. 1503) developed prior to the requirement for alley access. The subject property was subdivided independently as part of a separate tract (No. 1638). Further, because the property currently has vehicle access along Laurel Avenue granting the variance would not be a special privilege. In fact, the subject property would be denied the same privilege as other properties along Laurel Avenue belonging to the same tract.

ENVIRONMENTAL DETERMINATION

The proposal is exempt from the requirements of the California Environmental Quality Act (CEQA) due to determination that it has no potential for causing a significant effect on the environment, per CEQA Guidelines Section 15303.

CONCLUSION

The applicant's goals are to build a single-family residence, with garage access from Laurel Avenue while preserving yard area. Staff finds that allowing the continued vehicle access along the Laurel Avenue as part of the proposed new residence is appropriate, and the findings for a variance can be met. Staff recommends that the Planning Commission adopt the attached draft resolution, thereby approving the project.

A public hearing notice has been sent to property owners within 500 feet of the subject site. At the writing of this report, Staff has received no comments regarding the subject variance.

ALTERNATIVES

The alternatives available to the Planning Commission include:

1. **APPROVE** the subject variance application and **ADOPT** the attached “draft” Resolution with the recommended finding and conditions.
2. **APPROVE** the subject variance application and **ADOPT** the attached “draft” Resolution with revised and/or additional findings and conditions.
3. **DENY** the subject variance application based on appropriate findings.

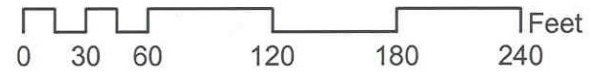
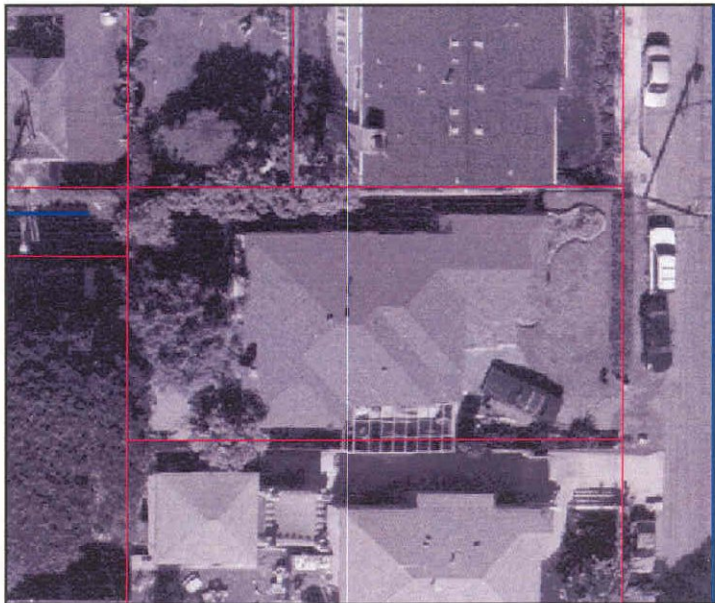
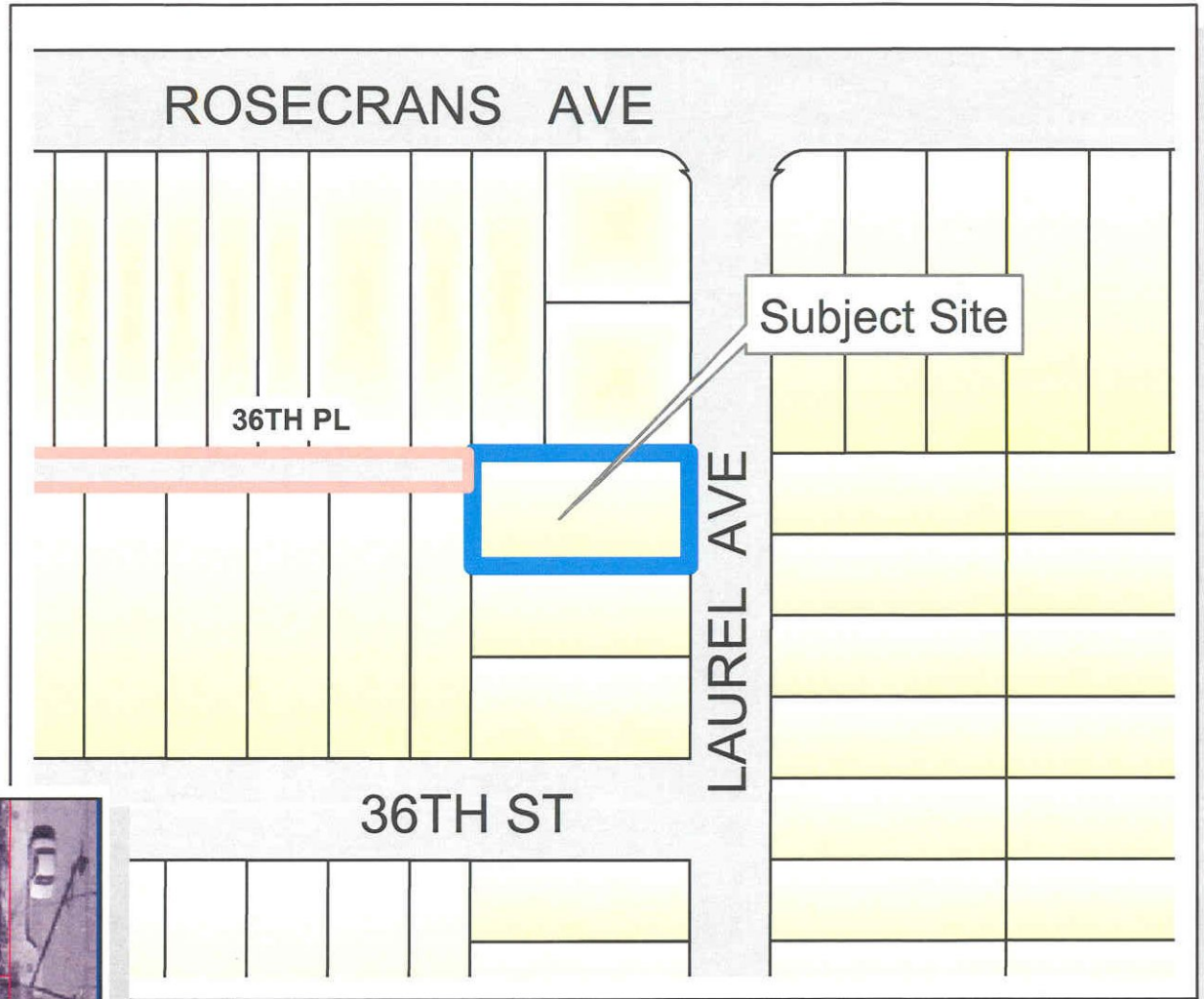
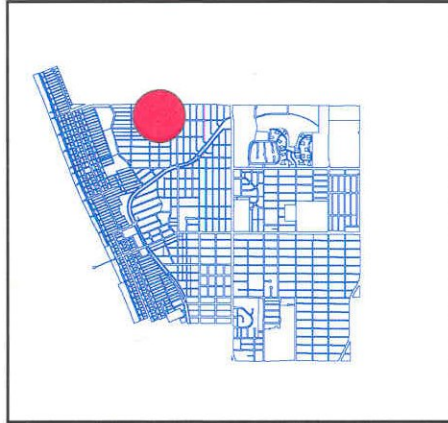
Attachments:


Exhibit A	Draft Resolution
Exhibit B	Applicants Narrative and Findings (not available electronically)
Exhibit C	Site Location Map

cc: W. Anthony and Angela Velleca

Vicinity Map

3613 Laurel Ave



 (RS) Residential Single Family

