

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
 200 Oceangate, Suite 1000
 Long Beach, CA 90802-4302
 (562) 590-5071

**W 16b**

Filed: 2/1/10
 49th Day: 3/22/10
 180th Day: 7/31/10
 Staff: AJP-LB
 Staff Report: 11/18/03
 Hearing Date: 3/10-12/10
 Commission Action:

STAFF REPORT: REGULAR CALENDAR

APPLICATION NUMBER: 5-10-021

APPLICANT: Community Corporation of Santa Monica

PROJECT LOCATION: 430-508 Pico Boulevard, Santa Monica

PROJECT DESCRIPTION: Demolition of 6 residential structures (14 units) and construction of a three story, 40,185 square foot, 32 unit affordable family housing project, with 54 parking spaces within a subterranean one level garage.

Lot Area:	24,539 sq. ft.
Building Coverage:	13,321 sq. ft.
Pavement Coverage:	6,118 sq. ft.
Landscape Coverage:	5,100 sq. ft.
Parking Spaces:	54
Zoning:	OP4- High Multiple Family
Ht above final grade:	35 ft.

LOCAL APPROVALS RECEIVED: City of Santa Monica Approval in Concept

SUBSTANTIVE FILE DOCUMENTS: Santa Monica certified Land Use Plan

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends **APPROVAL** with special conditions on the basis that the project, as conditioned, conforms with the public access and resource protection policies of the Coastal Act. Special Conditions include, 1) a future improvements condition placing the applicant on notice that any change to the proposed project will require a permit or amendment; 2) landscaping; and 3) compliance with the City's water quality requirements.

RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. MOTION, STAFF RECOMMENDATION AND RESOLUTION FOR 5-10-021:

Staff recommends that the Commission make the following motion and adopt the following resolution:

MOTION: *I move that the Commission approve Coastal Development Permit #5-10-021 pursuant to the staff recommendation.*

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO APPROVE THE PERMIT:

The Commission hereby approves a permit, subject to the conditions below, for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the provisions of Chapter 3 of the California Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a local coastal program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/ or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternative that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

1. Future Development

This permit is only for the development described in coastal development permit No. 5-10-021. Except as provided in Public Resources Code section 30610 and applicable regulations, any future development as defined in PRC section 30610, including, but not limited to, a change in the density or intensity of use land, or change from the project description, as proposed by the applicant, shall require an amendment to Permit No. 5-10-021 from the California Coastal Commission or shall require an additional coastal development permit from the California Coastal Commission or from the applicable certified local government.

2. Landscape Plan

A. Prior to issuance of the coastal development permit, the applicant shall submit, for review and approval of the Executive Director, a landscaping plan. The plan shall be prepared by a licensed landscape architect. To minimize the need for irrigation and minimize encroachment of non-native plant species into adjacent areas, all landscaping shall consist of native and/or drought tolerant non-invasive plant species. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council (formerly known as the California Exotic Pest Plant Council), or as may be identified from time to time by the State of California shall be utilized on the property. No plant species listed as a 'noxious weed' by the State of California or the U.S. Federal Government shall be utilized within the property. All plants employed on the site shall be drought tolerant (low water use) plants identified by U. C. Davis and the Water Resources Board.

B. The permittee shall undertake development in accordance with the final plans approved by the Executive Director pursuant to this condition. Any proposed changes to the approved plans shall be reported to the Executive Director in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations.

3. Water Quality Standards

With the acceptance of this permit the applicant agrees to comply with all applicable City of Santa Monica water quality requirements as required under the City's Municipal Code that are in effect at the time of approval of this permit.

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. Project Description and Location

The applicant proposes to demolish six residential structures (14 units) and construct a 35 foot high, three story, 40,185 square foot, 32 unit (2 to 3 bedrooms) affordable family housing development, and 54 parking spaces within a subterranean parking garage. Grading will consist of 10,446 cubic yards of excavation to a depth of approximately 25 feet for the subterranean garage and driveway.

The proposed site is located at 430-508 Pico, east of Fourth Street, in the City of Santa Monica (see Exhibit No. 1 and 2). The six existing residential structures to be demolished are located on five legal parcels, totaling 24,539 square feet in area. The proposed project will occupy approximately 13,321 square feet of the 24,539 square foot lot, or approximately 54% of the site. The project will consist of two buildings around an open courtyard with open walkways connecting the buildings. The project site is zoned OP4, Ocean Park High Multiple Family. Under the OP4 zoning, the maximum height limit is 35 feet, and maximum unit density is 1 dwelling unit for each 1,250 square feet of lot area, with an allowable density bonus of 50% more units for deed-restricted low income households. The proposed project is consistent with the 35 foot height limit and will be allowed a density bonus of 10.5 units for a total of 32 units, as proposed.

The low income units will be deed restricted by the City for rental to low income families whose incomes do not exceed 80% of the area median income, based on the median income of approximately \$56,400 for a four-person household based on current HUD income estimates. The City's deed restriction is effective for 55 years from Certificate of Occupancy.

The surrounding area is developed with multi-family residential along the east side of Pico Boulevard along with a 9 story hotel. On the west side of Pico Boulevard is a high school (Santa Monica High).

The applicant, Community Corporation of Santa Monica, is a community-based non-profit corporation that develops and manages affordable housing in the Los Angeles metropolitan area, primarily in the City of Santa Monica. They have developed or assisted

in developing over 1,300 units on over 70 properties and manages about 1,100 units of its own properties.

B. Parking

Section 30252 of the Coastal Act states in Part:

The location and amount of new development should maintain and enhance public access to the coast by... (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation...

In addition, policy #20 of the Santa Monica certified Land Use Plan states in part that:

New development shall provide adequate parking to meet all demands created by the development...

Through past Commission permit action the Commission has established for multi-family residential development a parking ratio of 2 parking spaces per unit, plus 1 guest parking space per every seven units. Based on this parking ratio, the 32-unit project would require 69 parking spaces. However, because the project will be a low-income housing project (less than 80% of average median income) it is expected that the parking demand will be less than market rate residential.

The Commission, in past permit actions, has found that under certain circumstances, the parking demand generated by residential projects that provide low to very low-income housing (from 60% to less than 80% of average median income) is less than that generated by market-rate units. The Commission has found that with the location of bus stops, service routes, shopping areas, and medical facilities within close proximity to low income and senior housing projects there would be greater use of public transportation and less demand for car ownership for such development.

In past Commission permit actions, the Commission has approved eight housing projects since 1988 in the City of Santa Monica with reduced parking. These past projects included senior citizen housing projects, single-room occupancy housing projects, a housing project for tenants with HIV/Aids, and three low-income family housing projects. The three low-income housing projects approved by the Commission included a 20-unit with 34 parking spaces, with a parking ratio of 1.7 parking spaces per unit [5-96-229(Community Corporation of Santa Monica)]; a 44-unit with 82 parking spaces, with a parking ratio of 1.86 parking spaces per unit [5-03-270(Community Corporation of Santa Monica)]; and a mix use development consisting of commercial space, 164 market rate residential, and 160 low income units. The low income units had 197 parking spaces, and a parking ratio of 1.23 [5-06-226(City of Santa Monica Redevelopment Agency)].

Based on previous parking studies that were prepared in 2003 and 2008 (Linscott, Law & Greenspan) for the City's low income housing projects, the low-income projects previously approved by the Commission have more than adequate parking and have a surplus of

parking. The parking analysis surveyed the Commission's previously approved projects including three other affordable housing projects in the City of Santa Monica. The survey showed that tenants in similar low income family housing projects, located in or just outside of Santa Monica's coastal zone, are less likely to own cars than higher income persons. The analysis included surveys of the parking lots for each project during the early morning and afternoon hours (weekday between 10:00 p.m. and 12:00 am; 2:00 a.m. and 4:00 a.m.; and weekend between 11:00 a.m. and 3:00 p.m.). Based on the survey, the average parking rate was 1.23 spaces per unit in 2003 and 1.11 spaces per unit in 2008 on the weeknights, and .85 spaces per unit on the weekend (2008).

In the proposed low-income housing project the applicant will provide residential parking at a total ratio of 1.68 (54 parking spaces for the 32 units). The amount of parking provided is consistent with the average parking ratio for similar projects surveyed in the general area, including the three projects approved by the Commission.

As in the similar affordable housing projects, the proposed project is located near public transportation lines, with bus service along Pico Boulevard and nearby Main Street (see Exhibit Nos. 10 and 11) and the project is also within close proximity to the City's downtown commercial area. Therefore, necessary shopping areas, medical facilities and transportation facilities for tenants of this project are within close proximity or within easy access which will help reduce the need of vehicle ownership.

Based on the parking studies submitted, the location of the project site, and on past Commission permit action, the proposed 54 parking spaces for the 32-unit low-income housing project will be sufficient parking to support the demand generated. However, any change from the proposed low-income rental units to higher income rentals, or to a market rate residential project, which may have an impact on the parking demand generated by the project could adversely impact coastal access. If the on-site parking demand increases due to a change in the housing type, residents will be forced to park on the nearby streets due to inadequate on-site parking, which will exacerbate residential parking problems which could impact beach parking as residents park closer to the beach area and take up street parking that supports beach use. Therefore, to ensure that these units remain as low-income rental units for the life of the project as approved by this permit, any conversion of these units to a higher income requirement will require a coastal permit or an amendment to this permit. To ensure that parking impacts on coastal access or recreation are mitigated, Special Condition No. 1 requires a new coastal development permit, or an amendment to this coastal permit, for any change from the project description as proposed by the applicant. The Commission, therefore, finds that only as conditioned will the project not adversely impact coastal access and will be consistent with Section 30252 of the Coastal Act and with the applicable policies of the City's certified LUP.

C. Development

Section 30250 of the Coastal Act states in part that:

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have a significant adverse effects, either individually or cumulatively, on coastal resources.

Section 30251 of the Coastal Act states in part that:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

The proposed project will consist of a 35 foot high, 32 unit residential development with frontage along Pico Boulevard. Pico Boulevard in this area consists of one to three story residential developments, as well as a nine story hotel located to the east. The proposed project has been designed to be compatible with the development in the surrounding area and is articulated to break up the massing of the building to conform to the pattern of surrounding development and will include landscaping to help further break up the massing. The proposed project, because it is located over a ¼ mile from the beach area and is within a developed area with buildings of similar scale, will not have an adverse impact on coastal views or scenic resources.

The open areas and yard areas will be landscaped with a xeriscape design which incorporates low and moderate water use plants. However, the proposed plant palette includes plants, such as the Mexican Fan Palm (*Washingtonia robusta*), that are considered invasive plants. The Commission has found in past permit actions throughout the area that the Mexican Fan Palm is a highly invasive non-native plant and new landscaping should not include invasive non-native plants, including the Mexican Fan Palm. The Mexican Fan Palm, which grows to approximately 100 feet, propagates through seed dispersal. Although the seeds are rather large, and are not dispersed great distances by the wind, seeds are commonly dispersed into other areas by birds and animals. These future seedlings produced by additional trees have the potential to adversely impact native flora and fauna found in other areas along the coast through direct competition for space, and through the trees providing habitat for pest species, such as starlings and rodents, that adversely impact the native habitat through increased competition and increased predation of native species.

Although the Mexican Fan Palm is abundant in the area, the planting of additional trees and other invasive plants will significantly increase the number of seeds being deposited in the area which could create problems with any eradication efforts due to the increase number of seedlings that could germinate throughout the area. Therefore, as a special condition of the

permit the applicant shall submit and implement a landscape plan that consists of drought tolerant, non-invasive plants. The Commission, therefore, finds that only as conditioned will the proposed project will be compatible with the character and scale of the surrounding uses and not have significant adverse effects on coastal resources in conformance with Sections 30250 and 30251 of the Coastal Act.

D. Control of Polluted Runoff

Section 30230 states:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The proposed project poses a potential source of pollution due to contaminated runoff from the proposed parking lot and other hardscape. The City, to mitigate potential impacts for all development, has adopted an Urban Runoff Ordinance. The ordinance requires projects to incorporate best management practices with extensive recommendations and measures to reduce or prevent contaminants from running off the site. The City requires all new development to achieve twenty- percent reduction of the projected runoff for the site and the use of oil and water separators or clarifiers to remove petroleum-based contaminants and other pollutants. The City's Best Management Practices are designed to treat, infiltrate or filter the amount of stormwater runoff up to the 85% percentile for a 24 hour storm event. Furthermore, the City has a new state-of-the-art stormwater treatment facility that treats all dry weather storm runoff. Runoff from all new development is directed to existing stormdrains, which direct stormwater to the treatment facility.

Coastal Commission water quality staff has previously reviewed the City of Santa Monica's water quality standards for similar projects and have determined that the City's standards are consistent with standards imposed by the Commission. To ensure that the development complies with the City requirements, a special condition is necessary that requires the applicant to agree to comply with the water quality requirements of the City.

The Commission, therefore, finds that, as conditioned, the development will be consistent with Section 30230 and 30231 of the Coastal Act.

E. Local Coastal Program

Section 30604(a) of the Coastal Act states that:

Prior to certification of the Local Coastal Program, a Coastal Development Permit shall be issued if the issuing agency, or the Commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).

In August 1992, the Commission certified, with suggested modifications, the land use plan portion of the City of Santa Monica's Local Coastal Program, excluding the area west of Ocean Avenue and Neilson Way (Beach Overlay District), and the Santa Monica Pier. On September 15, 1992, the City of Santa Monica accepted the LUP with suggested modifications.

The subject site is suitable for residential development as proposed. As proposed the project will not adversely impact coastal resources or access. The Commission, therefore, finds that the proposed project will be consistent with the Chapter 3 policies of the Coastal Act and will not prejudice the ability of the City to prepare implementation for a Local Coastal Program consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

F. CEQA

Section 13096(a) of the Commission's administrative regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. The City is the lead agency for CEQA compliance and has determined that the residential project is exempt from the provision of CEQA pursuant to Section 15061(b)(3).

There are no feasible alternatives or mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the proposed project is found consistent with CEQA and the policies of the Coastal Act.

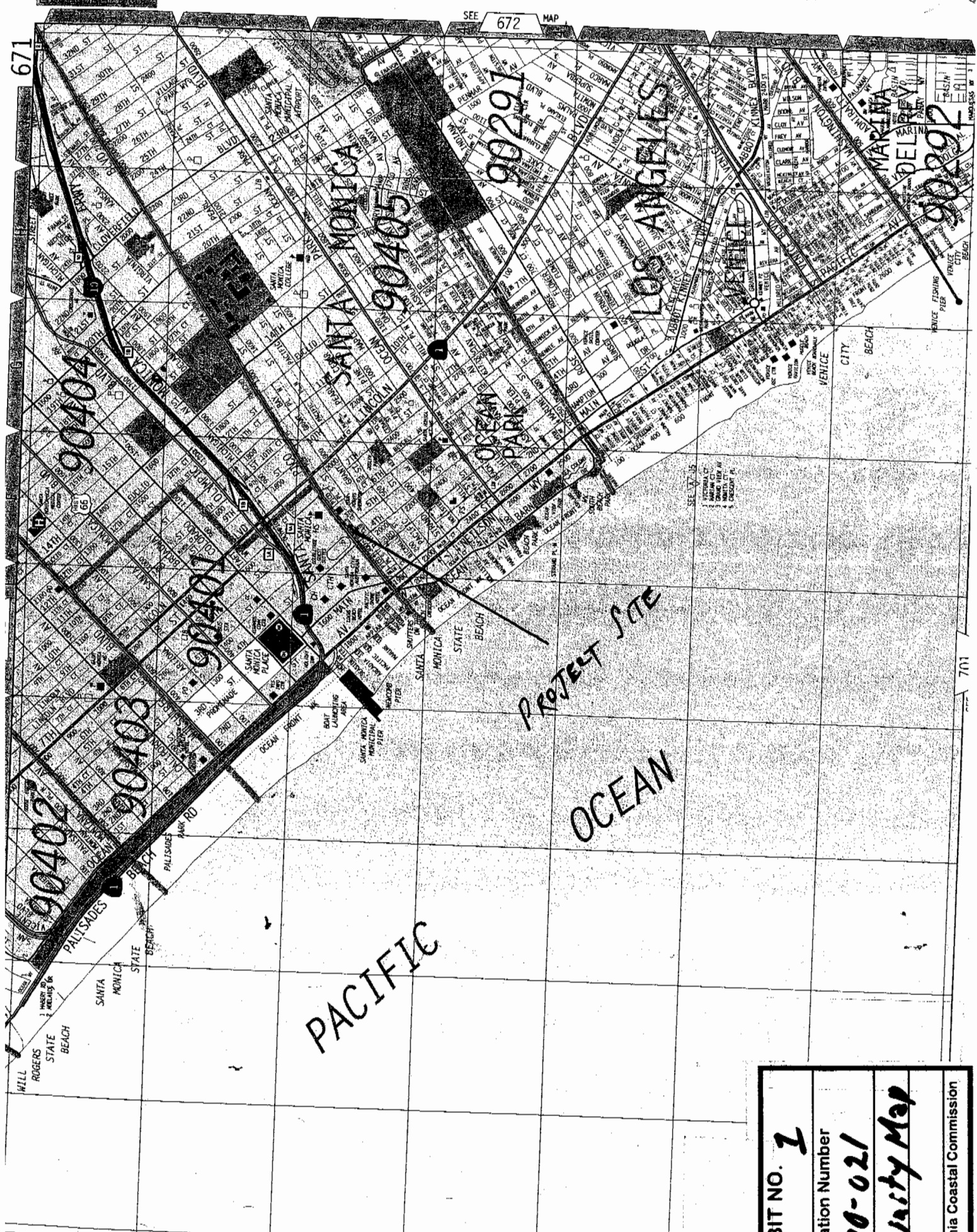


EXHIBIT NO. 1
Application Number 5-10-021
Vicinity Map
California Coastal Commission

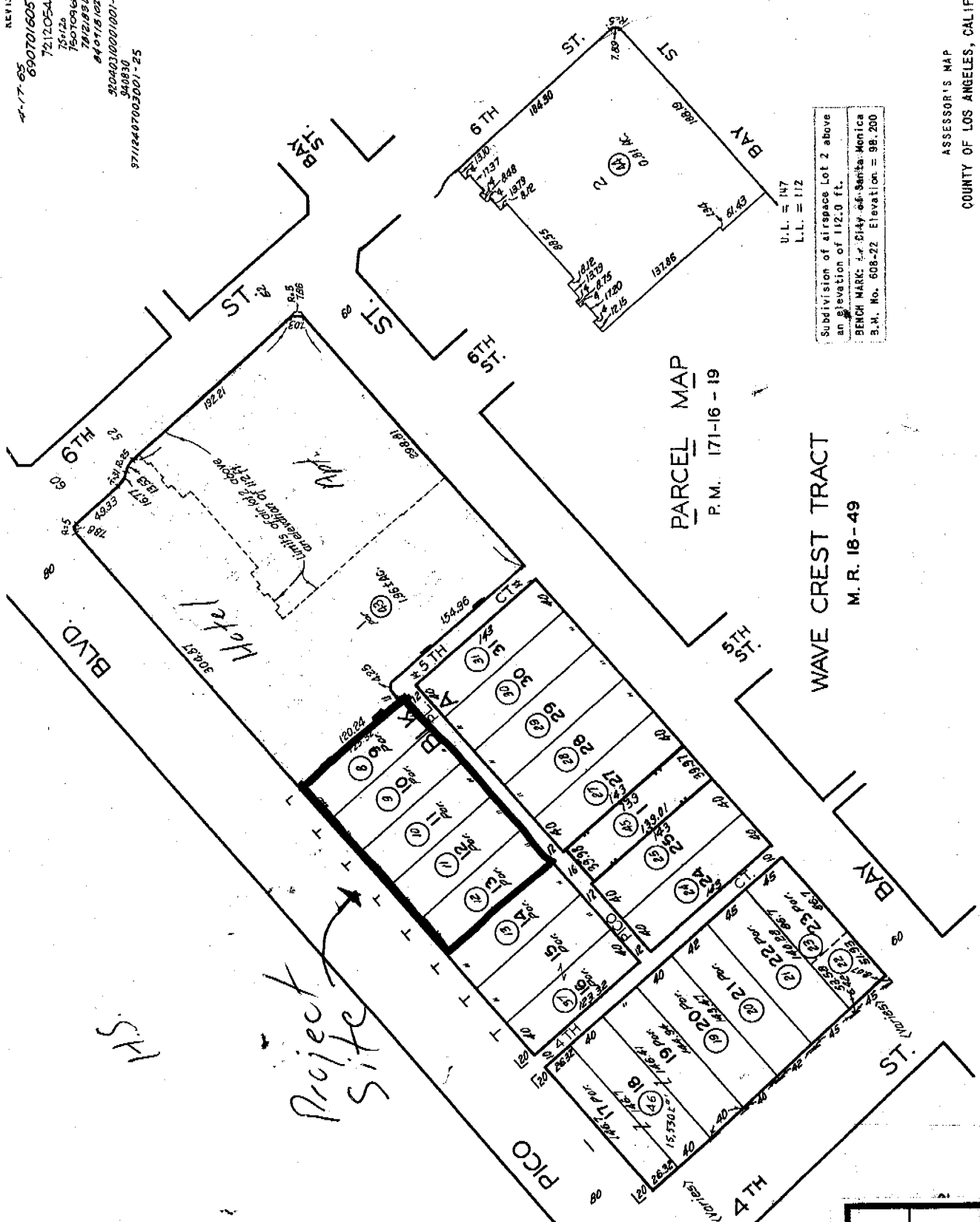
REVISED
 4-17-65 690701605
 721205401
 756124
 150709606
 781218992
 840118102-65
 92040310001001-07
 940830
 97112407003001-25

4289 11 1998
 1" = 80'

H.S.

Project Site

CONDOMINIUM
 PARCEL MAP
 P.M. 250-58-59



PARCEL MAP
 P.M. 171-16-19

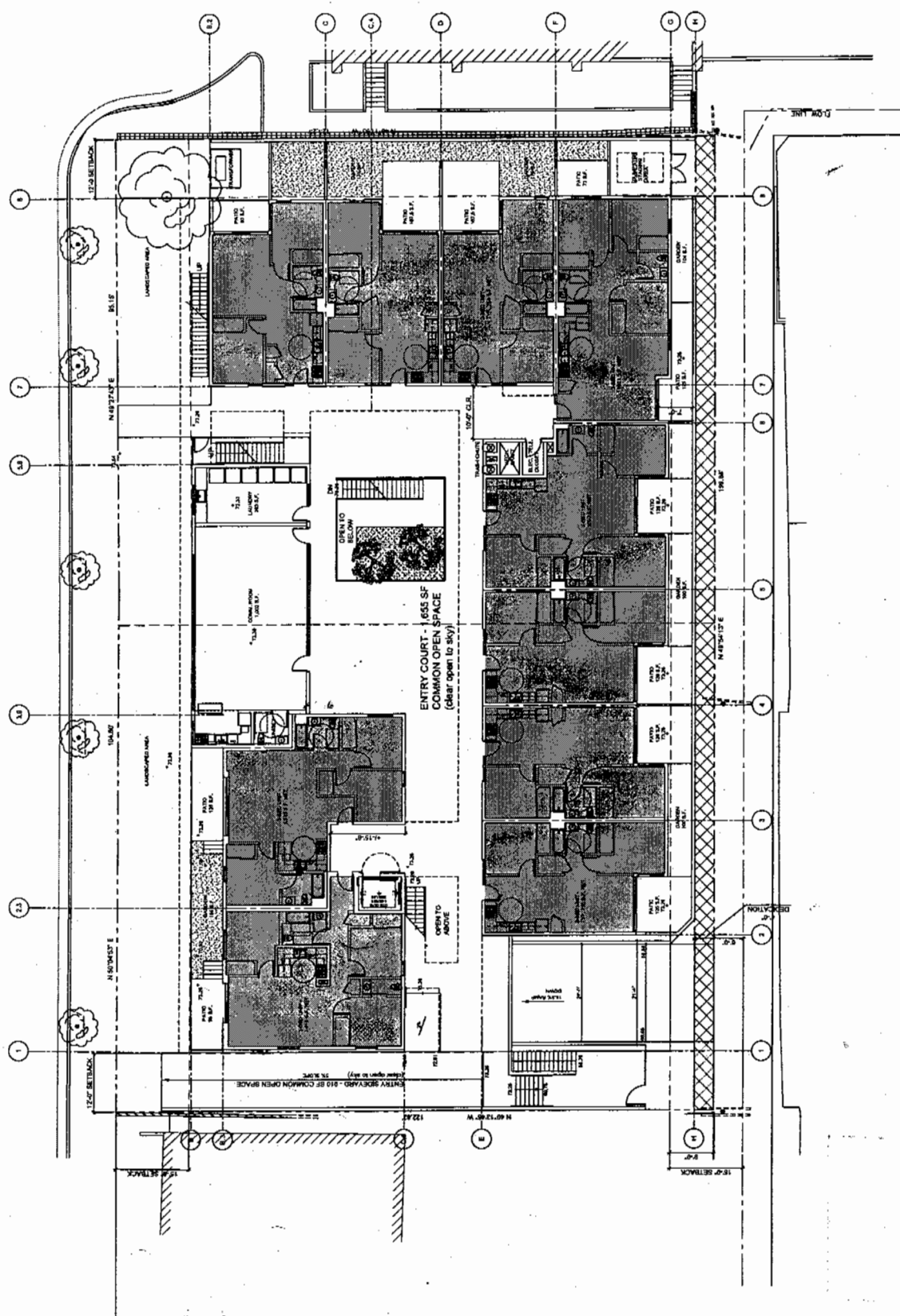
WAVE CREST TRACT
 M.R. 18-49

U.L. = 147
 L.L. = 112
 Subdivision of airspace Lot 2 above
 an elevation of 112.0 ft.
 BENCH MARK: City of Santa Monica
 S.M. No. 608-22 Elevation = 98.200

ASSESSOR'S MAP
 COUNTY OF LOS ANGELES, CALIF.

EXHIBIT NO. 2
Application Number 5-10-021
Parcel Map
California Coastal Commission

- REVISIONS**
- | NO. | DATE | DESCRIPTION |
|-----|----------|----------------------|
| 1 | 05/10/10 | ISSUED FOR PERMITS |
| 2 | 05/10/10 | REVISIONS TO PERMITS |
| 3 | 05/10/10 | REVISIONS TO PERMITS |
| 4 | 05/10/10 | REVISIONS TO PERMITS |
| 5 | 05/10/10 | REVISIONS TO PERMITS |
| 6 | 05/10/10 | REVISIONS TO PERMITS |
| 7 | 05/10/10 | REVISIONS TO PERMITS |
| 8 | 05/10/10 | REVISIONS TO PERMITS |
| 9 | 05/10/10 | REVISIONS TO PERMITS |
| 10 | 05/10/10 | REVISIONS TO PERMITS |
| 11 | 05/10/10 | REVISIONS TO PERMITS |
| 12 | 05/10/10 | REVISIONS TO PERMITS |
| 13 | 05/10/10 | REVISIONS TO PERMITS |
| 14 | 05/10/10 | REVISIONS TO PERMITS |
| 15 | 05/10/10 | REVISIONS TO PERMITS |
| 16 | 05/10/10 | REVISIONS TO PERMITS |
| 17 | 05/10/10 | REVISIONS TO PERMITS |
| 18 | 05/10/10 | REVISIONS TO PERMITS |
| 19 | 05/10/10 | REVISIONS TO PERMITS |
| 20 | 05/10/10 | REVISIONS TO PERMITS |
| 21 | 05/10/10 | REVISIONS TO PERMITS |
| 22 | 05/10/10 | REVISIONS TO PERMITS |
| 23 | 05/10/10 | REVISIONS TO PERMITS |
| 24 | 05/10/10 | REVISIONS TO PERMITS |
| 25 | 05/10/10 | REVISIONS TO PERMITS |
| 26 | 05/10/10 | REVISIONS TO PERMITS |
| 27 | 05/10/10 | REVISIONS TO PERMITS |
| 28 | 05/10/10 | REVISIONS TO PERMITS |
| 29 | 05/10/10 | REVISIONS TO PERMITS |
| 30 | 05/10/10 | REVISIONS TO PERMITS |
| 31 | 05/10/10 | REVISIONS TO PERMITS |
| 32 | 05/10/10 | REVISIONS TO PERMITS |
| 33 | 05/10/10 | REVISIONS TO PERMITS |
| 34 | 05/10/10 | REVISIONS TO PERMITS |
| 35 | 05/10/10 | REVISIONS TO PERMITS |
| 36 | 05/10/10 | REVISIONS TO PERMITS |
| 37 | 05/10/10 | REVISIONS TO PERMITS |
| 38 | 05/10/10 | REVISIONS TO PERMITS |
| 39 | 05/10/10 | REVISIONS TO PERMITS |
| 40 | 05/10/10 | REVISIONS TO PERMITS |
| 41 | 05/10/10 | REVISIONS TO PERMITS |
| 42 | 05/10/10 | REVISIONS TO PERMITS |
| 43 | 05/10/10 | REVISIONS TO PERMITS |
| 44 | 05/10/10 | REVISIONS TO PERMITS |
| 45 | 05/10/10 | REVISIONS TO PERMITS |
| 46 | 05/10/10 | REVISIONS TO PERMITS |
| 47 | 05/10/10 | REVISIONS TO PERMITS |
| 48 | 05/10/10 | REVISIONS TO PERMITS |
| 49 | 05/10/10 | REVISIONS TO PERMITS |
| 50 | 05/10/10 | REVISIONS TO PERMITS |



PROJ. PLACE
 1234567890
 1234567890
 1234567890

SCALE
 1/8" = 1'-0"

DATE PRINTED
 05/10/10

PROJECT NUMBER
 1234567890

PROJECT TITLE
 1234567890

ARCHITECT
 1234567890

REGISTERED ARCHITECT
 1234567890

PROFESSIONAL SEAL

A3.10

1ST FLOOR PLAN
 SCALE: 1/8" = 1'-0"

EXHIBIT NO. 4

Application Number
5-10-021

Typical Floor Plan

California Coastal Commission

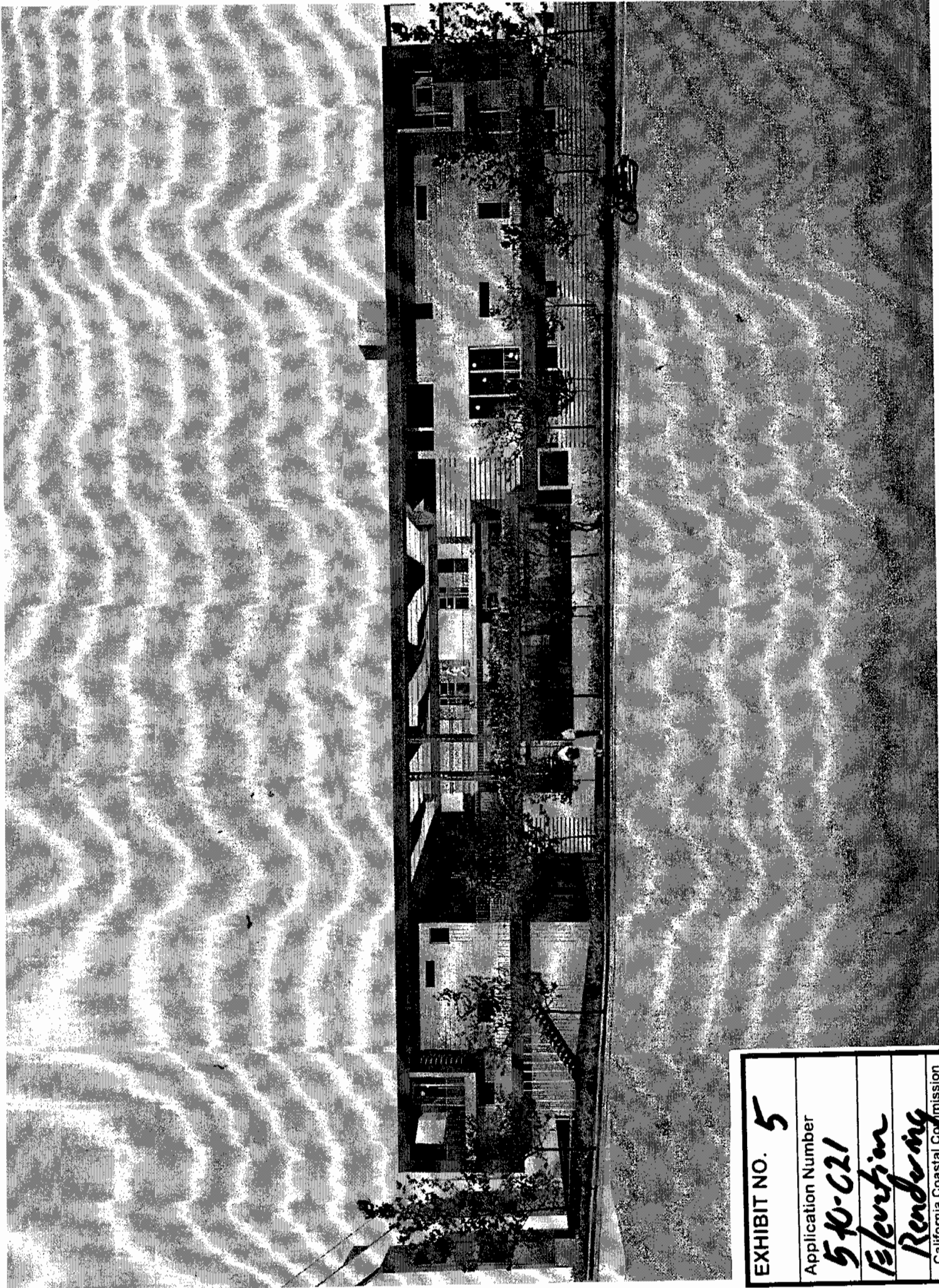


EXHIBIT NO. 5

Application Number

540-C21

Isleview

Rendering

California Coastal Commission