

CALIFORNIA COASTAL COMMISSION

SOUTH COAST AREA
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Filed: 11/27/95
49th Day: 1/15/96
180th Day: 5/25/96
Staff: AJP-LB
Staff Report: 12/12/95
Hearing Date: 1/9-12/96
Commission Action:

**RECORD PACKET COPY**STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 5-95-241

APPLICANT: Santa Monica Hotel Assoc. Ltd.

AGENT: Susan Masterman

PROJECT LOCATION: 1701-1715 Ocean Front Walk, Santa Monica

PROJECT DESCRIPTION: Demolition of a single-family residence and a bicycle rental shop and construction of three, four-unit, two-story, Bed and Breakfast facilities, with a total 12 parking spaces, a new 720 square foot bicycle rental shop with terrace above, and a 5 foot wide pedestrian accessway.

Lot area:	20,000 sq. ft.
Building coverage:	7,588 sq. ft.
Landscape coverage:	1,553 sq. ft.
Parking spaces:	12
Zoning:	R3R-Medium Density Multiple Residential
Project density:	1 unit per 1,250 square feet
Ht abv nat. grade:	30 ft.

LOCAL APPROVALS RECEIVED: Approval In Concept; Conditional Use Permit 93-001, 95-003, 95-004, 95-005; Variances 95-009, 95-010, 95-016

SUBSTANTIVE FILE DOCUMENTS: CDP #5-93-361 (Caplan)

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends that the Commission approve the proposed project with no special conditions.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval

The Commission hereby grants a permit for the proposed development on the grounds that the development, as conditioned, will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, 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 of the Coastal Act, is located between the sea and first public road nearest the shoreline and is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

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. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. 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.
7. 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 Condition: None

IV. Findings and Declarations.

The Commission hereby finds and declares as follows:

A. Project Description and History

The applicant proposes to demolish a single-family residence and a 625 square foot bicycle rental establishment and the construction of three four-unit, two-story, Bed and Breakfast facilities, with a total 12 parking spaces. Each four-unit facility will measure approximately 2,874 square feet in size. The applicant also proposes a new 720 square foot bicycle rental establishment with terrace above, and a pedestrian accessway.

The property consists of four contiguous lots totalling 20,000 square feet. The existing rental establishment and single-family residence are located on separate but adjoining lots (lots 3 and 4). The lot (lot 3) with the rental shop also contains an existing pedestrian walkway leading from Appian Way to the Promenade. The walkway is privately owned but is open to the public through the expressed permission of the owner. The walkway will be relocated and improved along the southern property line of the lot. The pathway will continue to be available to the public and will provide midblock access from Appian Way to the Promenade. The other two lots (lots 5 and 6) are improved with landscaping but do not contain any structures.

To the north and across Pacific Terrace is a public beach parking lot; to the south is a multifamily residential development; to the east and across Appian Way is the 349-room Loews Hotel; and to the west is Ocean Front Walk (Promenade) and sandy beach.

The property is located approximately 700 feet south of the Santa Monica Pier, between Appian Way and the pedestrian promenade, in the City of Santa Monica. This area, between the Pier and Pico Boulevard, is one of the most active recreation-oriented areas of Santa Monica beach. The area contains a number of recreational facilities, such as volleyball courts, swings, children's play area, exercise equipment, chess game area, and pedestrian promenade. The area also contains a small group of shops selling food and beach-related items and a mix of apartments and public parking lots.

The proposed site is within the City's Beach Overlay District. The boundary of the Beach Overlay District is the area west of Ocean Avenue and Neilson Way (excluding the Pier area) extending from the City's northern boundary line to the southern boundary line. The Beach Overlay District was created with the passage of a voter initiative (Proposition S). The initiative prohibits hotel and motel development, and restaurants over 2,000 square feet, in the Beach Overlay District but the initiative was not certified by the coastal Commission.

In 1987 the Commission certified, with modifications, a LUP for the entire coastal area of the City of Santa Monica. The City, however, did not accept the LUP as certified. Then in 1992 the City resubmitted the LUP. The Commission certified the LUP with suggested modifications. The certified LUP, however, excluded all areas within the Beach Overlay District. The Commission deferred certification of this area because the Commission found that Proposition S discouraged visitor-serving uses along the beach, resulting in an adverse impact on coastal access.

In February 1994 the Commission approved the demolition of three single-family residences and construction of a tennis court as an interim use of the property. The applicant, Santa Monica Hotel Associates, who own the Loews Hotel directly across Appian Way, wanted to improve the site by removing the dilapidated structures that occupied the site. The City, however, prohibits the removal of structures without a proposed replacement project to ensure that properties do not remain vacant. Therefore, the applicant proposed a private residential tennis court. The Commission approved the tennis court with a special condition that the tennis court would be removed within five years to ensure that the private low-priority use would not preclude redevelopment of the site with a visitor serving commercial use consistent with Section 30211 and 30222 of the Coastal Act.

Along with the tennis court application the applicant also submitted a coastal development permit application for a eight-unit condominium project. The applicant subsequently withdrew the application for the condominium project once the applicant received approval from the City of Santa Monica for the Bed and Breakfast facility.

B. Recreation -- Ocean Front

Section 30221 of the Coastal Act states:

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Section 30222 of the Coastal Act states:

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

The proposed project is located between the first public road (Appian Way) and the sea. The Coastal Act requires that public coastal recreational facilities shall have priority over other types of development on any private land suitable for such use. Sections 30221 and 30222 gives priority land use to visitor-serving commercial and public recreational facilities on public and private oceanfront and upland areas where necessary.

Santa Monica beach is the most heavily used beach in the Los Angeles area and possibly in the State. As the population continues to increase beach use will also increase placing a greater demand on recreational facilities and increasing the need for visitor serving commercial and recreational type uses.

The subject 20,000 square foot property is located in an area that contains a mix of multiple-family residential, visitor-serving commercial development and State beach parking lots. These four lots are located along the Promenade and close to the Pier and beach hotels and are suitable for visitor-serving commercial recreational development. One of the basic Coastal Act goals is to maximize public recreation and access to the beaches. The proposed

development is a priority use and developing this lot with a use that will provide visitor accommodations and a commercial facility providing low-cost recreational activities along the beach front will provide greater opportunities to the public for coastal access and public opportunities for coastal recreation. Therefore, the Commission finds that as proposed the project will be consistent with Section 30211 and 30222 of the Coastal Act.

C. Public Access--Parking

Section 30211 of the Coastal Act states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30252(4) of the Coastal Act states in part that:

The location and amount of new development should maintain and enhance public access to the coast by providing adequate parking facilities.

As stated Santa Monica beach is one of the most heavily used beaches in southern California. Santa Monica beach offers many amenities to attract and serve visitors, which include the City's wide beach, beach bike path, public pier, beach park, shopping areas, restaurants and hotels.

To support the large number of visitors to the beach area the City provides a number of public beach parking lots along the beach area. There is also street parking available for beach goers in the general areas of the beach.

Although the City provides a number of public parking lots, to ensure that the public beach lots and surrounding public parking are reserved for the general beach going public, the Commission has found that hotels and other commercial businesses must provide on-site parking to support their generated demand.

Through hearing and voting the Commission has established parking standards that have been consistently applied to projects within the City's coastal zone. For over-night accommodations the Commission has required a parking ratio of one parking spaces per unit. For rental establishments the ratio is one parking space per 500 square feet.

Based on the Commission's established standards the proposed bed and breakfast should provide a total of 12 parking spaces. The bed and breakfast facility is providing 12 parking spaces to support the facility and is consistent with the Commission parking requirements.

The 720 square foot bicycle rental establishment should provide 2 parking spaces based on the Commission's parking standards. The proposed bicycle rental establishment is proposed with no on-site parking. However, allowing the applicant to demolish and rebuild the relatively small rental establishment with no-site parking will not adversely impact coastal access. The bicycle rental establishment will not adversely impact coastal access because the existing rental establishment is an established use that has operated as such since prior to the Coastal Act. Furthermore, the rental establishment will not generate a significant parking demand because it is

an ancillary beach use providing beach related rental equipment, such as bicycles and roller skates, to beach day users and to overnight guests of the surrounding hotels. Beach goers that rent bicycles or roller skates from the current establishment park in the nearby public beach lots, the closest being approximately 200 feet away, or park at the Pier and stroll along the Promenade to the rental establishment.

Moreover, the applicant is proposing to enhance public access on the site by improving the site with a terrace above the rental shop, which will overlook the Promenade and beach area, and develop a pedestrian walkway that will be open to the public.

The Commission finds that the proposed rental establishment is a relatively small establishment and is not a destination use, therefore, it will not generate a significant parking demand. Furthermore, as proposed, the project will enhance public access by maintaining and improving an existing low-cost recreational opportunity and providing over-night visitor accommodations. The Commission, therefore, finds that the proposed project is consistent with Section 30251 and 30252 of the Coastal Act.

D. Development

Section 30250 of the Coastal Act states:

(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 significant adverse effects, either individually or cumulatively, on coastal resources. . .

Section 30251 of the Coastal Act states:

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 land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

The proposed project is located just south of the public beach pier. The area is developed with a mix of retail establishments, hotels and single and multiple-residential development. The Commission has approved three hotels in the immediate area over the last ten years. Other developments approved by the Commission in the area include the placement of artwork on the beach and improvements to the promenade.

Views of the ocean and coastline are offered from along the Promenade. The proposed project will be located on the landward side of the Promenade, consistent with existing development, and will not adversely impact views to

or along the ocean. Furthermore, the applicant is proposing a pedestrian terrace above the rental establishment. This terrace will provide the public additional viewing opportunities.

As proposed the project will be consistent with past Commission permit action for the area and will be consistent with the community character and scale of the surrounding area. The Commission finds, therefore, that as proposed, the project will be consistent with Section 30250 and 30251 of the Coastal Act.

E. Local Coastal Program

Section 30604 of the Coastal Act states:

(a) 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.

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 area within the Beach Overlay District was excluded from certification due to Proposition S discouraging visitor serving uses along the beach resulting in an adverse impact on coastal access and recreation. In deferring this area the Commission found that, although Proposition S and its limitations on development, were a result of a voters initiative, the policies of the LUP were inadequate to achieve the basic Coastal Act goal of maximizing public access and recreation to the State beach and did not ensure that development would not interfere with the public's right of access to the sea.

The subject site, because of its proximity to the Pier, pedestrian promenade and State beach parking lots, is suitable for visitor-serving commercial or recreational development. The Commission finds that the proposed visitor serving facility is consistent with the Chapter 3 policies of the Coastal Act and will not prejudice the ability of the City to prepare Land Use Plan policies for the Beach Overlay District (deferred area) and a Local Coastal Program implementation program consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

F. CEQA

Section 13096 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 proposed project is consistent with the public access and recreation policies of the Coastal Act. 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.

5952F

Site

[illegible]

OCT 24 1995

CALIFORNIA
COASTAL COMMISSION
SOUTH COAST DISTRICT

INSET MAP.

SEE  C

1 24TH PL
2 25TH PL
3 26TH PL
4 27TH PL
5 28TH PL
6 29TH PL
7 30TH PL

SEE 

1 VIRGINIA CT
2 CARROLL AV
3 CARROLL CN CT
4 LINNIE CN CT
5 HOWLAND CN CT
6 SHERMAN AV
7 SHERMAN CN CT
8 GRAND CN CT
9 STRONG PL
10 EASTERN CT
11 LINNIE AV
12 HOWLAND AV

**DOCKWEILE
STATE BEACH**

EXHIBIT NO. 1

APPLICATION NO.

5-95-241

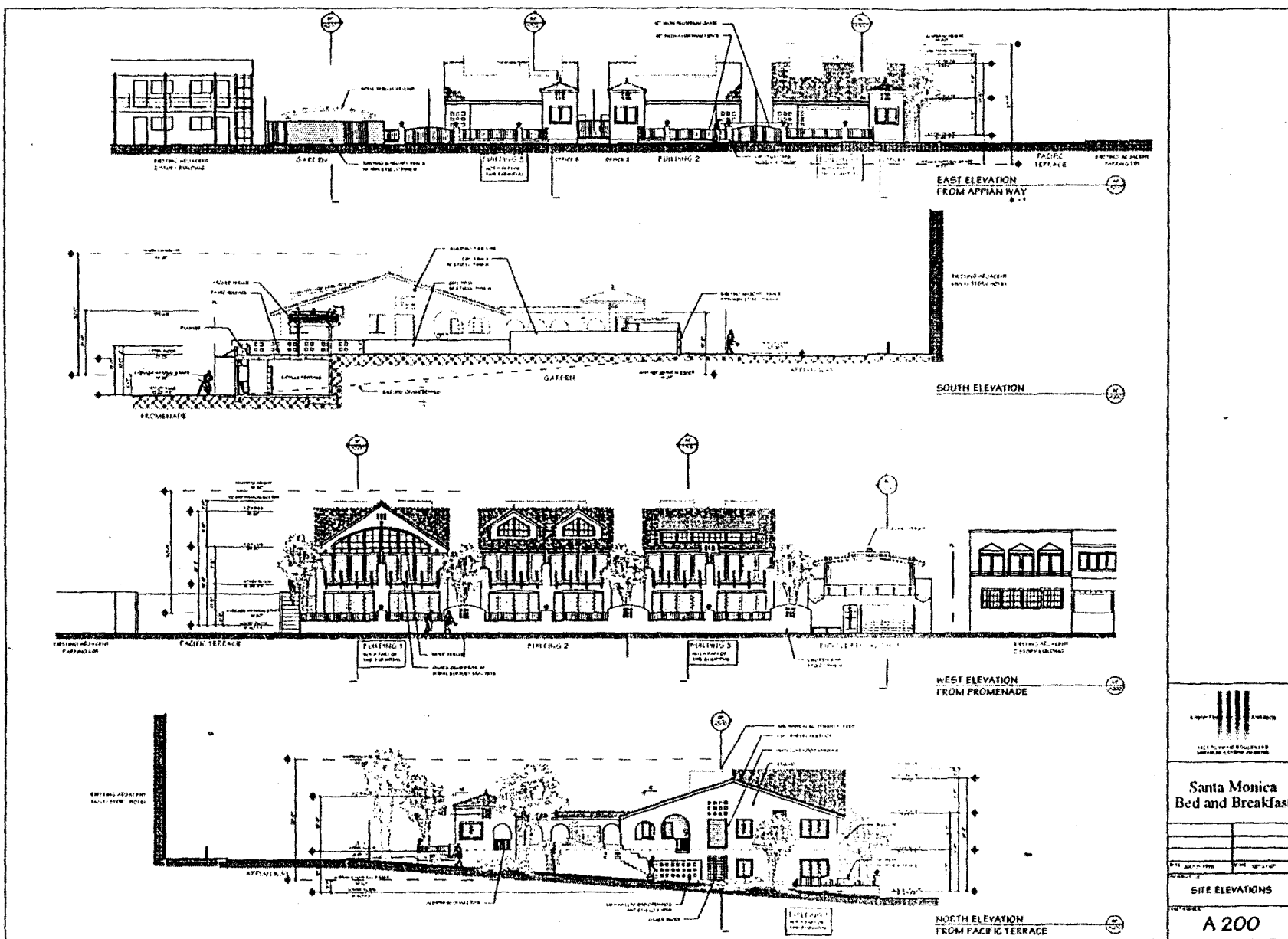
Vicinity Map

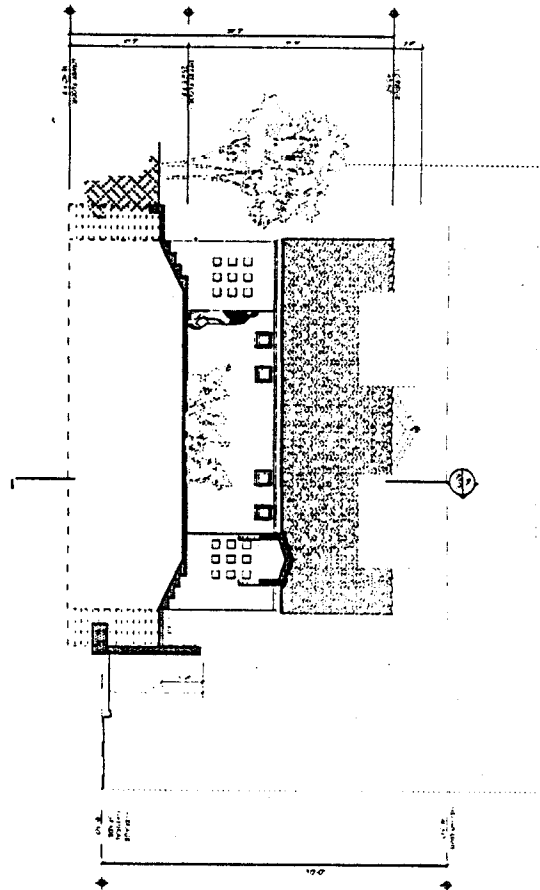
EXHIBIT NO. 3

APPLICATION NO.
5-95-241

Elevations

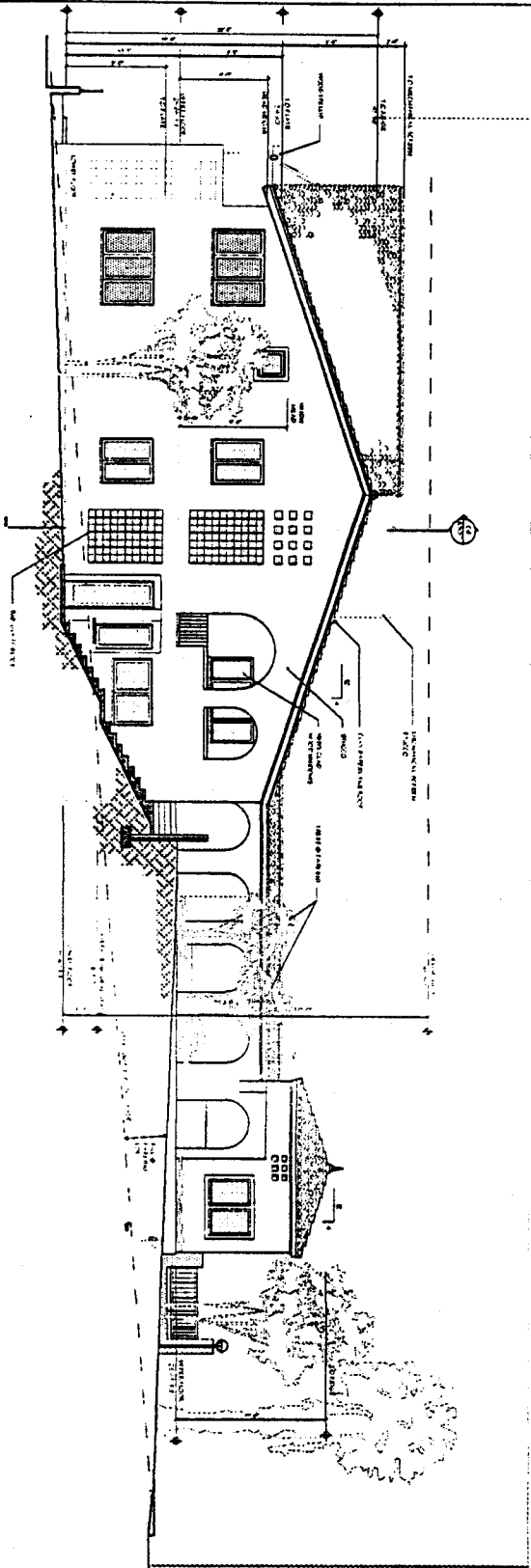
California Coastal Commission





EAST ELEVATION

32



SOUTH ELEVATION

32


		Santa Monica Bed and Breakfast 1703 Ocean Front Walk	
DATE: 08/08/95	BY: [Signature]	SCALE: 1/4" = 1'-0"	
EXTERIOR ELEVATIONS			
BUILDING 1			
A 202			

EXHIBIT NO. 4

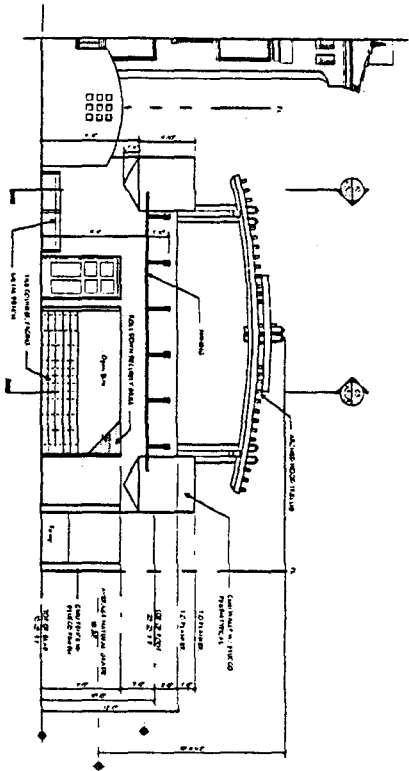
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5-95-241

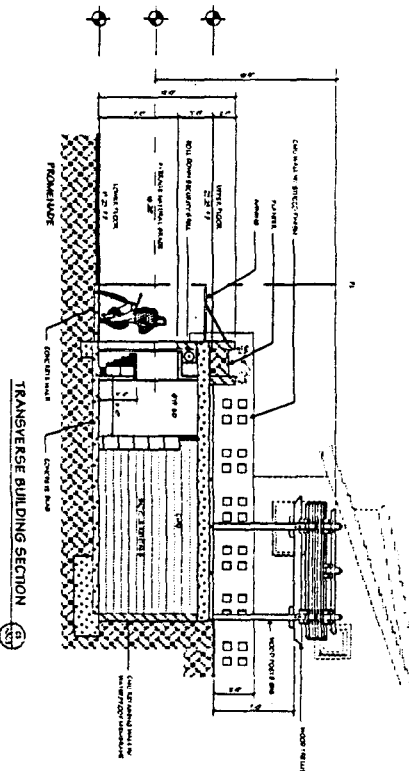
Elevations



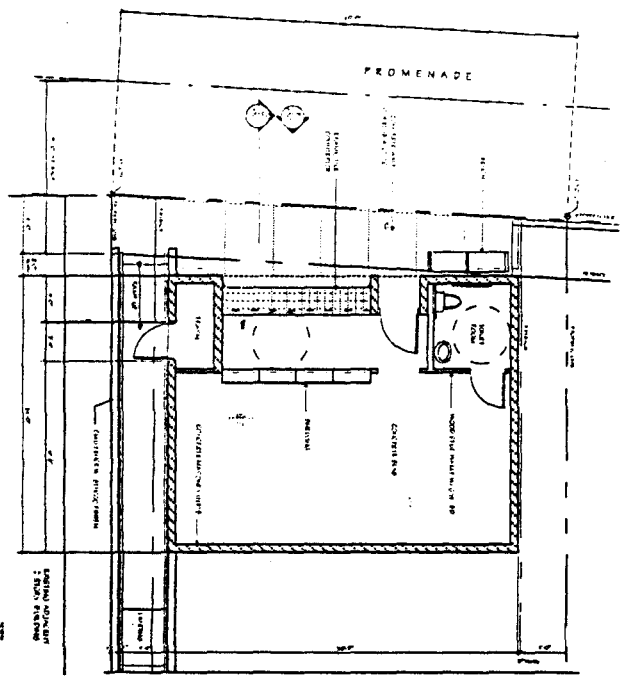
California Coastal Commission



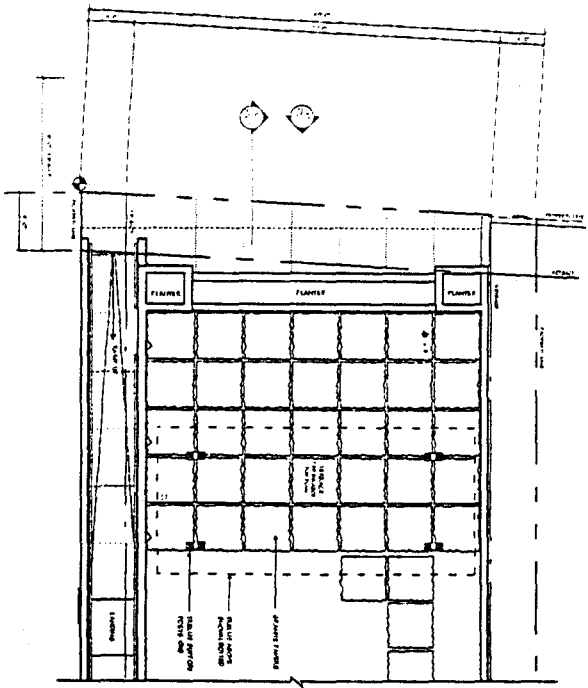
WEST ELEVATION



TRANSVERSE BUILDING SECTION



BICYCLE SHOP FLOOR PLAN



BICYCLE SHOP ROOF PLAN

Santa Monica
Bed and Breakfast



BICYCLE SHOP PLAN
ELEVATIONS & SECTIONS
A 303

EXHIBIT NO. 5

APPLICATION NO.

5-95-241

Bicycle Shop