

Wed 4a

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, 10th Floor
Long Beach, CA 90802-4302
(562) 590-5071

Filed: 4/9/98
49th Day: 5/28/98
180th Day: 10/6/98
Staff: Padilla-LB *OP*
Staff Report: 5/4/98
Hearing Date: 6/9-12/98
Commission Action:



STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 5-98-132

APPLICANT: Second Street Retail, L.P.

AGENT: Maurice Kurtz

PROJECT LOCATION: 214 Wilshire Boulevard, Santa Monica

PROJECT DESCRIPTION: Construction of a new two-story, 45-foot high, approximately 48,200 gross square foot mixed use commercial building with a 34 space subterranean parking level. The ground floor will contain 15,975 gross square feet of retail use and the second floor will contain 14,957 gross square feet of office. The proposed site is currently improved with a private parking lot providing 33 parking spaces.

Lot area:	17,500 square feet
Building coverage:	17,500 square feet
Parking spaces:	N/A
Zoning:	Bayside Downtown Commercial
Plan designation:	Commercial
Ht abv fin grade:	45 feet

LOCAL APPROVALS RECEIVED: Approval In Concept

SUBSTANTIVE FILE DOCUMENTS:

1. City of Santa Monica Land Use Plan (LUP) Certified with Suggested Modifications, 1992.
2. Parking Analysis prepared by Kaku Associates, June 1988 (updated 1991).
3. Parking Analysis Update prepared by Meyer, Mohaddes Associates, October 1993
3. 5-87-592 (City of Santa Monica)
4. 5-87-643 (City of Santa Monica)
5. 5-88-384 (Arizona/Third Street Partnership)
6. 5-96-243 (CIM Group)

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 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, 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 Conditions.

NONE

IV. Findings and Declarations.

The Commission hereby finds and declares as follows:

A. Project Description and Background

The applicant proposes to construct a new two-story, 45-foot high, approximately 48,200 gross square foot mixed use commercial building with a 34 space subterranean parking level open to the public. The ground floor will contain 15,975 gross square feet of retail use and the second floor will contain 14,957 gross square feet of office.

The proposed project site is a 15,500 square foot lot consisting of three adjoining parcels in the City of Santa Monica. Two of the parcels front on Wilshire Boulevard and the third parcel fronts on Second Street. The proposed site is currently improved with a private parking lot providing approximately 33 parking spaces (two other adjoining parcels are combined with the subject site to form a single approximately 90 space parking lot). The site is within the City's Downtown Parking Assessment District.

B. New Development

Section 30250 of the Coastal Act states in part:

(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....

The proposed project will be located in downtown Santa Monica which consists of a mixture of office, retail, residential, and visitor serving commercial uses. The Commission in prior actions on Coastal permits has indicated that downtown Santa Monica is a location in which new commercial development should be concentrated. Furthermore, policy #70 of the City's certified Land Use Plan states that:

Allowable uses shall include retail, pedestrian oriented, visitor-serving commercial, public parking uses and other complementary uses (such as hotels, offices, cultural facilities, restaurants, social services, and housing).

Surrounding uses include low and high rise office buildings, surface parking lots, restaurants and other commercial establishments. The LUP limits development to a height of 56 feet or 84 feet with site plan review. The height of the proposed project will be approximately 45 feet and will be within the height limit for the downtown area. The proposed project will be compatible with the character and scale of the surrounding area. The Commission therefore, finds that the proposed project will be consistent with

applicable policies of the certified LUP and with Section 30250 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 of the Coastal Act states:

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

The proposed project is located within the City of Santa Monica's downtown Parking Assessment District. The boundaries of the Parking District are Fourth Court, Broadway, First Court, and Wilshire Boulevard. The Parking District was formed to levy an additional businesses license tax and an annual ad valorem assessment to development within the area to pay for and to provide parking to all business within its boundaries. Parking within the Parking District is provided in six parking structures located within a four-block area. A total of approximately 3,128 parking spaces are provided by the six structures. Of this total, 2,480 spaces are available to the public (Parking Analysis Update for the Third Street Promenade/Bayside District, October 1993, prepared by Meyer, Mohaddes Associates). Businesses located within the boundaries of the Parking District are not required to provide on-site parking.

Although projects within the Parking District are not required to provide parking, the parking supply within the district must be adequate to support the demand generated by existing and new developments that do not provide their own parking or are deficient in their supply of on-site parking.

According to the 1993 parking demand analysis for the Third Street Promenade, the current day (between 9:00 AM and 6:00 PM) peak utilization rate for all six parking structures is approximately 1,453 vehicles (56% utilization rate) and occurs between 2:00 to 3:00 P.M during the weekday. During this time the demand for public spaces during the weekday is approximately 1,587 spaces (64% utilization rate). During the weekend the peak utilization is 1,388 spaces (56% utilization rate). Therefore, there is a surplus of approximately 893 spaces at peak times on the weekdays and 1,388 spaces at peak times on weekends.

Subsequent to the 1993 update, the Commission has approved a number of additional projects within the District. These additional projects further reduce the amount of parking available to the public. Based on the demand generated by the additional projects there are approximately 793 spaces during the weekday and 1,288 spaces during the weekend available for public use.

The proposed project will generate a parking demand of approximately 130 parking spaces based on Commission parking standards. The proposed project will include 34 on-site parking spaces, available to the public, which reduces the demand placed on the parking structures. Based on the project's demand

there is an adequate surplus of parking available within the parking district to support the proposed use. Therefore, the Commission finds that the proposed project will not adversely impact public access and will be consistent with past Commission permit action for the area and with Section 30211 and 30252 of the Coastal Act.

D. Local Coastal Program

(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.

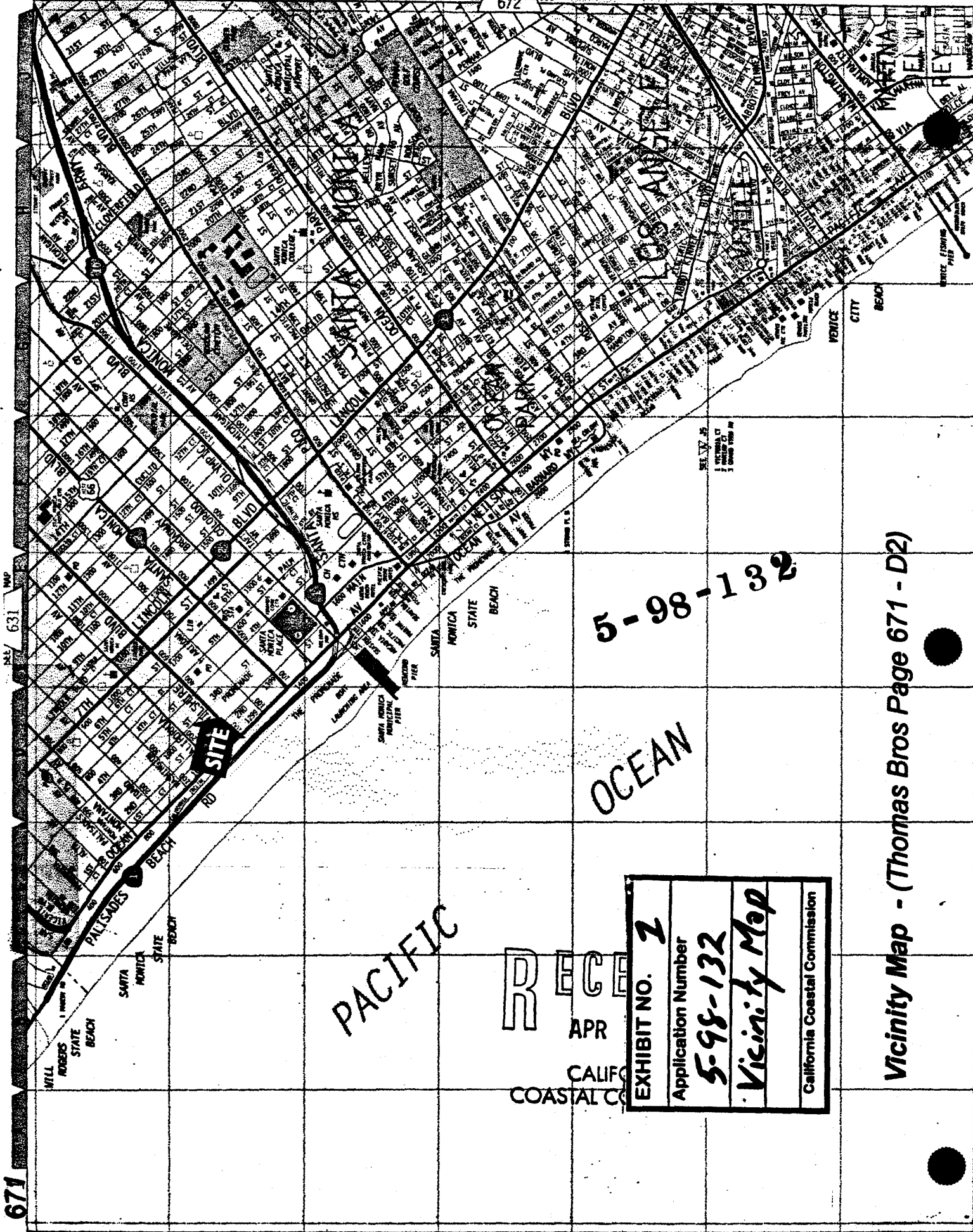
In August 1992, the Commission certified, with suggested modifications, the land use plan portion of the City of Santa Monica's Local Coastal Program, excluding the area west of Ocean Avenue and Neilson Way (Beach Overlay District), and the Santa Monica Pier. On September 15, 1992, the City of Santa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

As discussed above, the Commission 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 a Local Coastal Program implementation program consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

E. CEQA

Section 13096 of the Commission's 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)(A) 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.

As proposed, 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.



631 MAP

671

5-98-132

OCEAN

PACIFIC

RECEIVED
APR
CALIFORNIA
COASTAL COMMISSION

EXHIBIT NO. 1
Application Number 5-98-132
Vicinity Map
California Coastal Commission

Vicinity Map - (Thomas Bros Page 671 - D2)

RECEIVED
APR 9 1998

5-98-132

CALIFORNIA
COASTAL COMMISSION

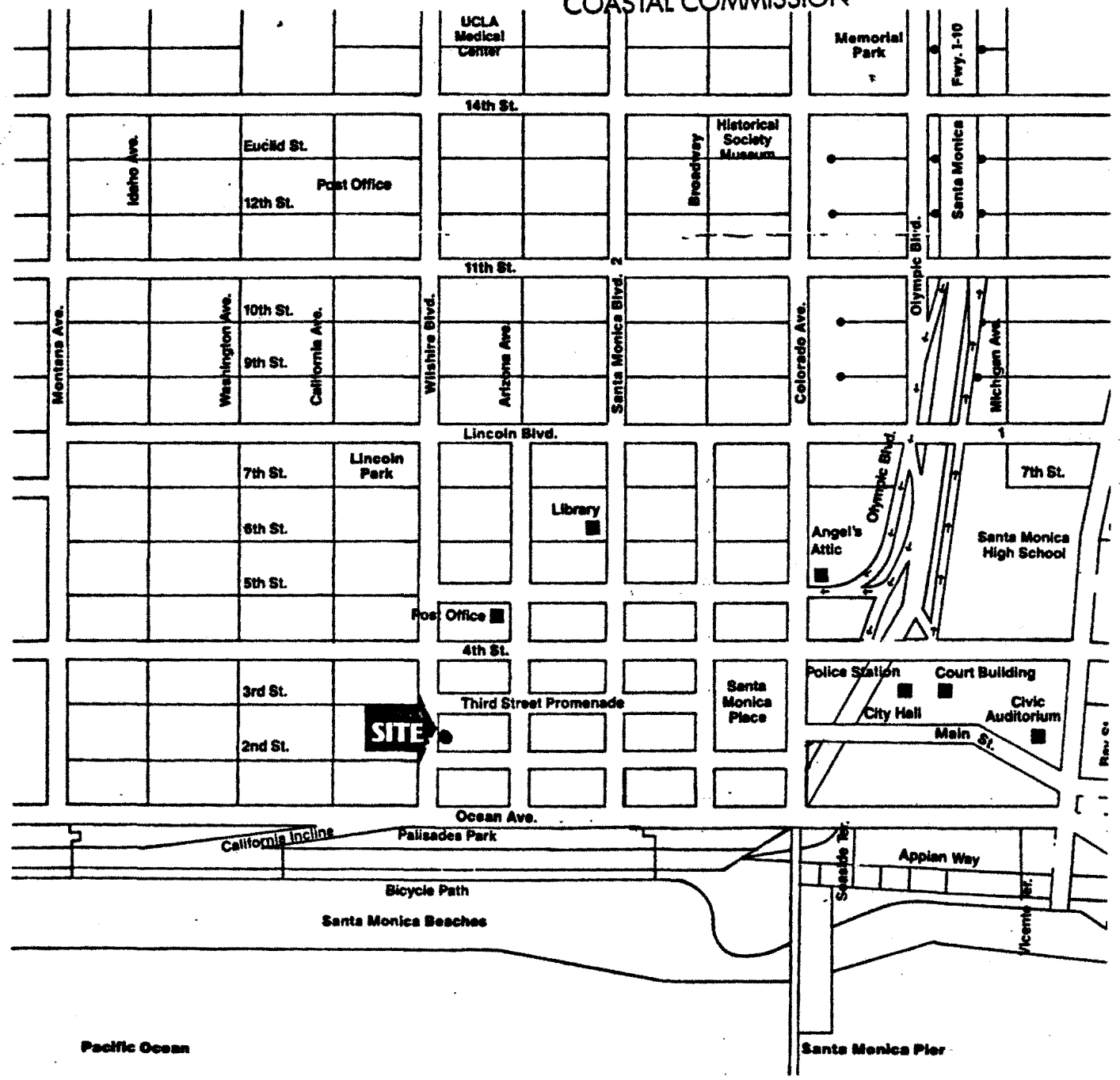
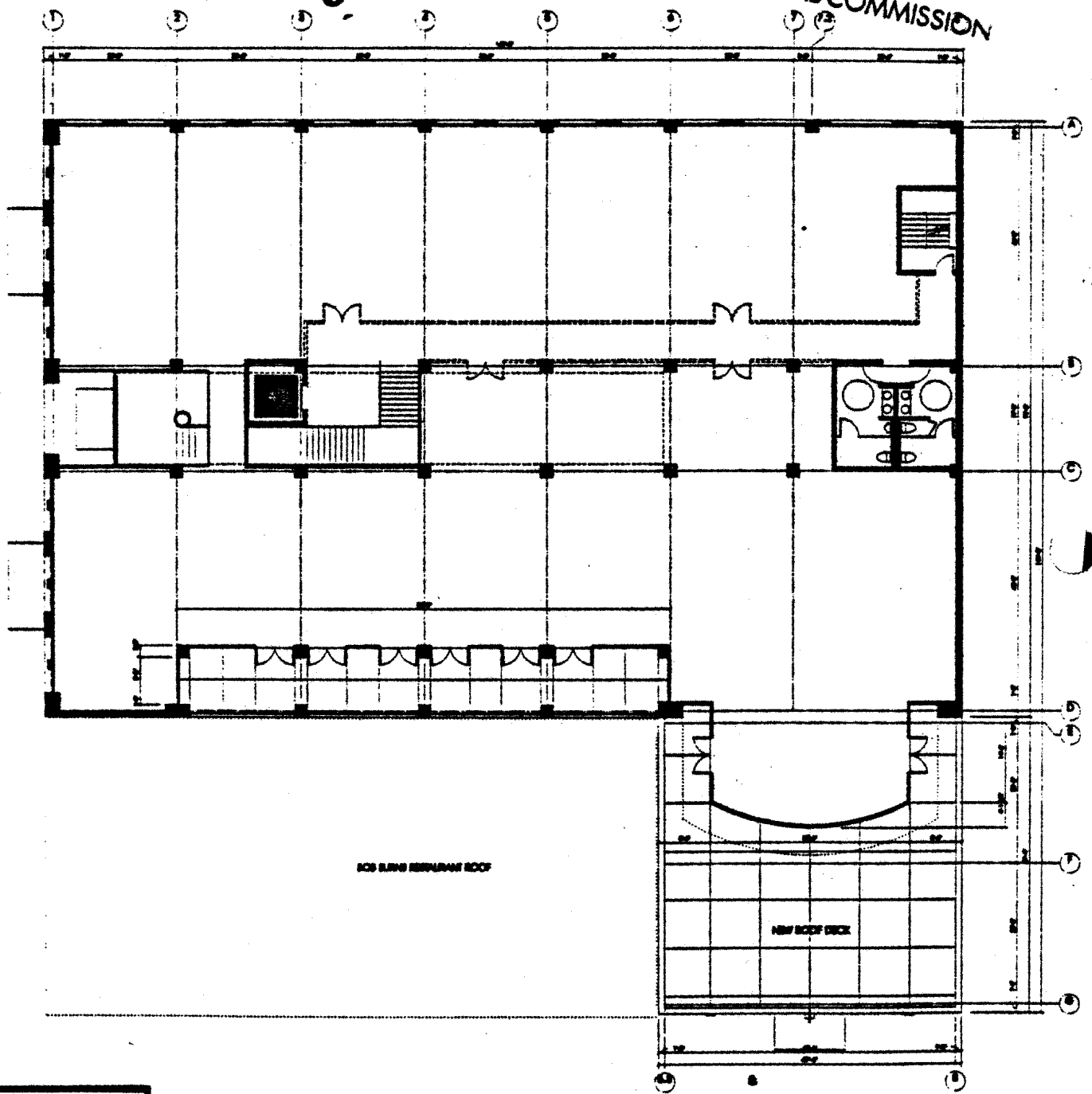


EXHIBIT NO.	2
Application Number	5-98-132
Site Location	
California Coastal Commission	

Vicinity Map - (Thomas Bros Page 671 - D2)

5-98-132

RECEIVED
APR 9 1998
CALIFORNIA
COASTAL COMMISSION



SECOND FLOOR PLAN

EXHIBIT NO. 5
Application Number
5-98-132
2nd Fl. Plan

Second Floor Plan

5-98-132

RECEIVED
APR 9 1998
CALIFORNIA
COASTAL COMMISSION

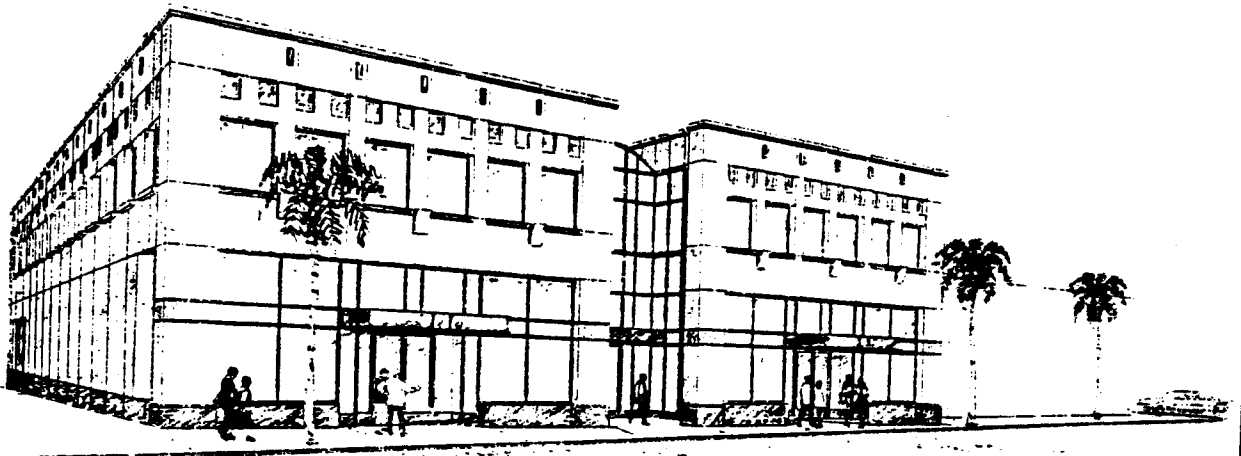


EXHIBIT NO.	6
Application Number	5-98-132
Relocation	
Drawing	
California Coastal Commission	

LC
APP

View on Wilshire Blvd.