CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
2) 590-5071

GRAY DAVIS, Governor

6/12/00



RECORD PACKET COPY

Filed:					
49th Day:					
180th Day:					
Staff:					
Staff Report:					
Hearing Date:					

7/31/00 12/9/00 ajp-LB 55 6/19/00 7/11-14/00

STAFF REPORT: Material Amendment

APPLICATION NUMBER: 5-97-011-A2

APPLICANT: City of Hermosa Beach

PROJECT LOCATION: Public Parking Lot "C", bounded by Hermosa Avenue, Beach Drive, 13th Street and 14th Court, Hermosa Beach, Los Angeles County.

DESCRIPTION OF PROPOSED SECOND AMENDMENT: After the fact amendment request to delete special condition No. 2, which required the City to discontinue the issuance of City parking permits to employees of downtown businesses, and offset the temporary loss of public parking during construction through the temporary closure of an existing commercial building.

PROJECT DESCRIPTION OF PROJECT PREVIOUSLY APPROVED: Construction of a 30-foot high, four-level parking structure providing 380 public parking spaces, plus 100 spaces to support the hotel development located at 1300 The Strand (Coastal Development Permit #5-96-282); and 7,000 square feet of retail/office space along Hermosa Avenue. The City will operate a free public shuttle service seven days a week, between the hours of 7:00 a.m. and 6 p.m., to serve the beach and remote parking lots during construction of the parking structure.

DESCRIPTION OF FIRST AMENDMENT: Change the parking structure to 25.5 feet, 3 $\frac{1}{2}$ levels, with elevator structures extending to 37 and 42 feet, and reduce the number of public parking spaces to 300.

SUMMARY OF STAFF RECOMMENDATION:

The proposed amendment will adequately mitigate the temporary impact to beach and recreational access during the construction period of the approved parking structure. Staff recommends approval with the deletion of special condition No. 2.

SUBSTANTIVE FILE DOCUMENTS:

Hermosa Beach Land Use Plan; Coastal Development Permits: #5-82-251 (City of Hermosa Beach) and amendment, #5-92-177 (City of Hermosa Beach), #5-96-282 (Seaview Hotel); Final Environmental Impact Report for The Hermosa Inn & Parking Structure Project (SCH#96051009); City of Hermosa Beach Downtown Circulation and Parking Initial Study, April 1996.

<u>Procedural Note</u>: The Commission's regulations provide for referral of permit amendment requests to the Commission if:

1) The Executive Director determines that the proposed amendment is a material change,

 Objection is made to the Executive Director's determination of immateriality, or,

3) the proposed amendment affects conditions required for the purpose of protecting a coastal resource or coastal access.

In this case, the Executive Director has determined that the proposed amendment is a material change to the project as originally described. If the applicant or objector so requests, the Commission shall make an independent determination as to whether the proposed amendment is material. 14 Cal. Admin. Code 13166.

RECOMMENDATION:

Staff recommends that the Commission APPROVE the permit amendment.

- **USAGE NOTE:** To approve an amendment to a coastal development permit, the Commission must vote "**yes**" on a motion to approve the proposed permit amendment. The amendment is approved if a majority of Commissioners present vote "**yes**." (Public Resources Code § 30604.)
 - **MOTION**: I move that the Commission approve the proposed amendment to Coastal Development Permit #5-97-011 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 amendment as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. RESOLUTION TO APPROVE PERMIT AMENDMENT:

The Commission hereby approves the coastal development permit amendment on the grounds that the development as amended and subject to conditions, will be in conformity with the policies of Chapter 3 of the 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 amendment 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 amended development on the environment, or 2) there are no feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the amended development on the environment.

II. STANDARD CONDITIONS:

- 1. <u>Notice of Receipt and Acknowledgment.</u> 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. <u>Expiration.</u> 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. <u>Interpretation</u>³²⁾ Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
- 4. <u>Assignment.</u> 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. <u>Terms and Conditions Run with the Land.</u> 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. Delete Special Condition No. 2, which requires the following:
 - 2. Parking Permits

Prior to the issuance of the permit the applicant shall submit evidence, for review and written approval by the Executive Director, that parking permits will no longer be issued to employees of downtown businesses.

Note: Unless specifically altered by this amendment, all conditions imposed on the previously approved permit shall remain in effect (See Exhibit no. 4)

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. Project Description and Location

The applicant is proposing an after the fact amendment to delete special condition no. 2, which required the City to discontinue the issuance of City parking permits to employees of downtown businesses, and offset the temporary loss of public parking during construction of the 480 space parking structure through the temporary closure of an existing commercial building (see Site Plan, Exhibit No. 2). Special Condition No. 2 states:

Prior to the issuance of the permit the applicant shall submit evidence, for review and written approval by the Executive Director,

that parking permits will no longer be issued to employees of downtown businesses.

The special condition was required to help mitigate the temporary loss of 226 public parking spaces that would be removed during the construction period for the 480 space parking structure. The City estimated that they were issuing approximately 300 parking permits to employees of the downtown business area. The discontinuance of the selling of parking permits would significantly reduce employee parking in the downtown public parking areas that would free up parking for the general public.

The applicant argues that discontinuing the sale of parking permits to downtown employees is not necessary since during the construction period for the parking structure, a 22,204 square foot commercial building, in the downtown area, consisting of office, retail and theater space, was temporarily closed down by the City due to seismic retrofitting (see City letter, Exhibit No. 3). The closing of the building reduced the demand for parking in the surrounding downtown public parking lots and public streets.

The Bijou Building is located on the southwest corner of Hermosa Avenue and Thirteenth Street, directly across the street from the approved parking structure, in the City of Hermosa (see Exhibit No. 2). The City of Hermosa Beach is located in the South Bay area of Los Angeles County, between Manhattan Beach to the north, and Redondo Beach to the south. The City of Hermosa Beach provides approximately .75 miles of beachfront.

In addition to the condition regarding the parking permits, the original permit was approved with conditions requiring the operation of a temporary shuttle service, publicity program for the shuttle and remote parking lots, and restrictions on public parking rates for the new parking structure (see the original staff report and conditions of approval, Exhibit No. 4). The applicant complied with these requirements.

As stated, this is an after the fact amendment request. The applicant commenced construction in February 1999, prior to the issuance of the permit, and completed construction in February 2000. The approval of this amendment would allow the City to satisfy all conditions of the permit so that the permit can be issued.

B. Public Access

Section 30213 of the Coastal Act states in part:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. 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 the Parking policy C.1. of the City's certified Land Use Plan states:

That the City should not allow the elimination of existing on-street parking or elimination of existing on-street parking or off-street parking spaces within the coastal zone. Future residential and commercial construction should provide the actual parking necessary to meet the demand generated.

The parking structure approved under coastal development permit 5-97-011 is located a block from the pedestrian promenade, beach and the visitor-serving Lower Pier area. The existing site was a public parking lot (Lot "C") providing parking for visitors to these coastal recreational areas and the downtown businesses. The construction and staging activities for the parking structure would displace all 135 public parking spaces in Lot "C", 47 metered spaces along Thirteenth Street, and all 44 spaces in Lot "B", located south of Lot "C" and across Thirteenth. The total number of spaces displaced during the construction period was 226 spaces.

The project approved by the original permit was for a parking structure that would provide additional public parking and enhance public access to the beach. However, the parking structure would temporarily impact beach access during the construction period by temporarily removing public parking. Therefore, to mitigate the loss of parking, the applicant offered to provide a shuttle program and eliminate the issuance of parking permits to the downtown business employees. These mitigation measures were approved by the Commission, as special conditions of the permit. The parking permits allowed permit holders to park in metered parking spaces along the street and in the public lots. Furthermore, the City was required to implement a publicity program to inform the public of the shuttle program, and designate the location of the shuttle stops with appropriate on-street signage.

The shuttle service was to run between four remote lots and the beach for the duration of construction. The shuttle service was approved to operate Monday-Sunday approximately between the hours of 7 A.M. and 6 P.M. for two-hour increments (early morning, mid-day, and late evening). The remote lots were located at City Hall, Hermosa Beach Community Center, Hermosa Plaza (Vons Center) and along the Greenbelt. The City Hall site provided 80 parking spaces; Community Center provided 125 spaces; Hermosa Plaza provided 168 spaces; and the Greenbelt provided 93 spaces. The four remote sites were located between .25 miles and .5 miles from the beach. The shuttle was routed from the remote sites, through the downtown area (Pier Avenue) and down to the beach area to encourage employee and public use of the

remote lots as replacement parking during the construction period of the parking structure.

The Commission found that the temporarily loss of public parking would be properly mitigated by the shuttle and elimination of the issuance of the parking permits during the construction period. The intent of the condition was to mitigate the loss of public parking during the peak beach use period (weekends) to ensure that the impact to beach access was not significant. The supply of parking during the weekday is generally sufficient to meet the weekday demand and the temporary loss of parking during the weekday would not have a significant adverse impact on beach access.

In the original permit application the City stated that discontinuing the selling of permits to employees and providing a shuttle to the employees to the free parking spaces within the remote lots, parking within the downtown area and along the beach would become available to visitors to the downtown area and to the beach. In this amendment request the City is requesting that the condition (condition no. 2) for eliminating the issuance of parking permits to the downtown businesses be removed, since during the construction period, a 22,204 square foot commercial building (the Bijou Building) in the downtown area, was temporarily closed by the City, which reduced the demand for parking within the downtown area.

The Bijou Building is located at 1227-1235 Hermosa Avenue, one block inland of the beach, between Pier Avenue and 13th Street, and across the street from the parking structure site. The building was completely closed by the City due to the City's requirement for the building to be upgraded for seismic strengthening. According to the City, the building was closed and completely vacated at the end of 1988, prior to the commencement of construction of the parking structure, which was in February 1999. The Bijou Building is still currently vacant. The Bijou Building consisted of the following uses:

<u>Square feet</u>
2,966
11,920 10,938

Based on the City's parking requirements for the individual uses the total parking demand for the building is 279 spaces. This demand is consistent with the demand based on the Commission's parking ratios. However, during the weekend, offices are generally closed, reducing the total parking demand. If the office use is subtracted out of the total parking demand, the weekend demand would be approximately 231 [279-48(office parking spaces)]. Therefore, in terms of impacts to beach access, the parking demand should be based on the weekend demand of approximately 231. However, this

amount still exceeds the 226 spaces that would be temporarily removed from public use during construction.

As stated, the intent of the original condition was to reduce the demand for the existing parking in the downtown and surrounding areas to accommodate the temporary loss of the parking spaces during the construction period. The closing of the Bijou Building, which was dependent on the downtown public parking supply, would reduce the total parking demand within the downtown and surrounding area and is consistent with the intent of the Commission's original approval. Furthermore, the use of the shuttle, for employees and the public during the construction period would further reduce any adverse impacts to beach access. Therefore, the Commission, finds that the proposed amendment will be consistent with Section 30252 of the Coastal Act and with the City's certified LUP.

C. Unpermitted Development

In 1997, the Commission approved the original permit with special conditions. The City commenced construction in February 1999, prior to satisfying all of the conditions of the permit. The one condition that was not satisfied, and needed to be met prior to the issuance of the permit, was a condition requiring the applicant to submit evidence that parking permits would no longer be issued to employees of the downtown businesses.

The City completed construction in February 2000. All parking that was temporarily removed from public use due to construction activities, and the new parking structure, are currently available for public use.

Although unpermitted development has taken place on the property prior to submission of this permit application, consideration of the application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act. Action by the Commission on the permit does not constitute a waiver of any legal action with regard to the alleged violation nor does it constitute an admission as to the legality of any development undertaken on the subject site without a Coastal permit.

D. Local Coastal Program

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

(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.

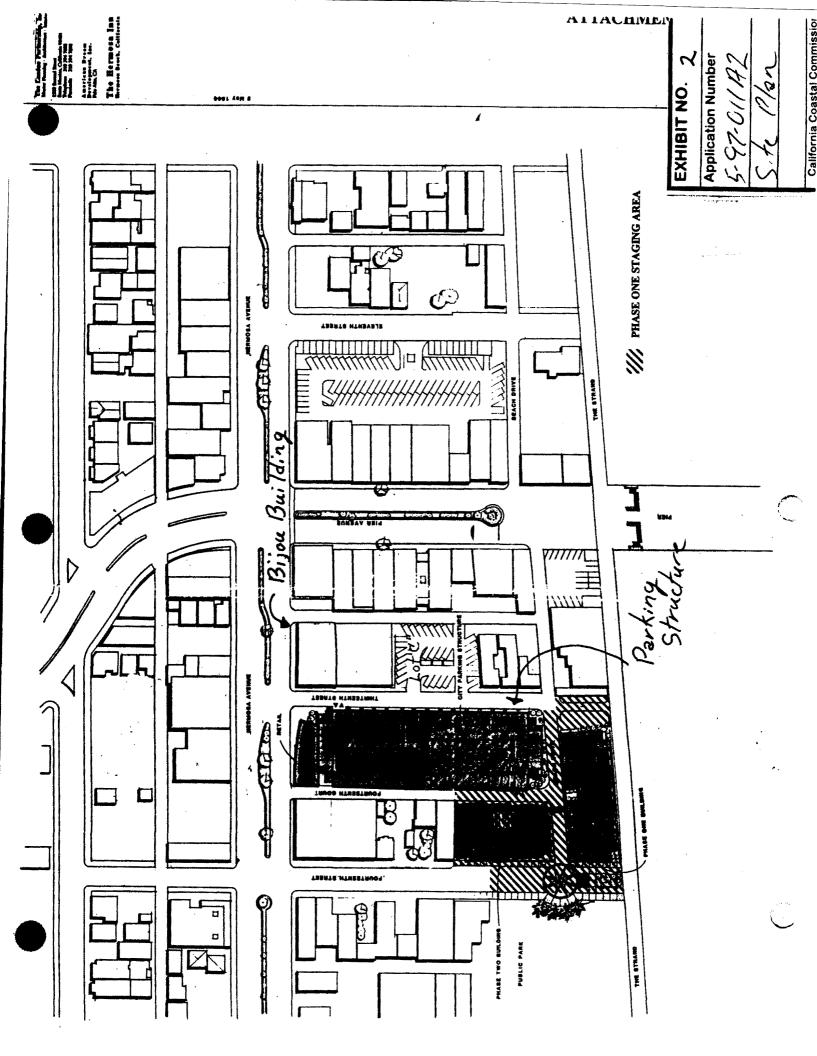
On September 1981, the Commission certified, with suggested modifications, the land use plan portion of the Hermosa Beach Local Coastal Program. The certified LUP contains polices to guide the types, locations and intensity of future development in the Hermosa Beach coastal zone. Among these polices are those specified in the preceding section regarding public access, visual resources. The proposed development, as conditioned, is consistent with the policies of the certified LUP. 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 a Local Coastal Program implementation program consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

E. California Environmental Quality Act.

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, as conditioned, is consistent with the applicable polices 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.





City of Hermosa Beach

Civic Center, 1315 Valley Drive, Hermosa Beach, California 90254-3885

CALIFORNIA

COASTAL COMMISSION

June 12, 2000

California Coastal Commission 200 Oceangate 10th Floor Suite 1000 Long Beach, Ca 9802-4302

Attention: Pam Emerson, Supervision Analyst

Subject: CD Permit No. 5-97-011

Dear Pam:

This letter clarifies the occupancy of the Bijou Building in relation to the commencement of construction of the North Pier Parking Structure. The Bijou Building was ordered to limit occupancy and was eventually vacated pursuant the City's Seismic Strengthening Ordinance No. 94-1114. The order provides a date to complete all seismic strengthening work with restricted building occupancy leading to complete vacation if work is not completed under the Ordinance schedule.

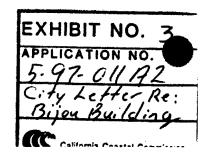
The theater and office portions of the Bijou Building were ordered vacated in January 1996 and January 1997 respectively, effectively eliminating 22,204 square feet of floor area and eliminating parking demand for 264 spaces. (Please refer to the parking tabulation provided in my previous correspondence.)

In January 1999, the City commenced with construction of the North Pier Parking Structure. Thus occupancy limitation at the Bijou Building preceded commencement of construction of the City's parking structure and more than offset the temporary loss of 226 parking spaces.

I am attaching copies of the notice and order prescribing occupancy limitations for the Bijou Building. Please let me know if you have any further questions.

Sincerely,

Sol Blumenfeld, Director Community Development Department



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HERBUSA BUR UTTY

CITY OF HERMOSA BEACH COMMUNITY DEVELOPMENT DIVISION	DIVISION OF BUILDING & SAFETY 1315 VALLEY DRIVE - ROOM 103 HERMOSA BY ACH. CA. 80354					
HERMOSA BEACH, CA 90254 EARTHQUAKE HAZARD REDUCTION COMPLIANCE ORDER						
	1227 - 35 Hermosa Ave.					
OWNER'S ADDRESS	NAME OF PERSON SERVED WITH ORDER					
P.O. Box 3835	Michael Neufield & J. Naughton					
	APN:					
Manhattan Beach, CA 90266	4183002008					
The Division of Building and Safety has determined that the building at the above address is within the scope of section 7-7.1.5 of the Hermosa Beach Municipal Code. A notice so stating is being filed with the County Recorder. Section 7-7.1.5, entitled "Selamic Strengthening Provisions for Unreinforced Masonry Bearing Wall Buildings", establishes minimum earthquake standards for anisting buildings. The division has classified the building as an UNREINFORCED MASONRY						
BUILDING having a Building Risk Classification III A. The owner of each building within the acope of section 7-7.1.5 shall cause a structural analysis to be made of the building by a civil or structural engineer or architect licensed by the State of California; and if the building does NOT meet the minimum aarthquake standards specified in section 7-7.1.5 of the owner shall cause it to be arructurally allered to conform to such standards; or cause the building to be demolished. These are minimum standards to reduce the risk of life loss or injury and will not necessarily prevent loss of file or injury or prevent sarthquake damage. AS THE DWNER OF THIS BUILDING YOU ARE HEREBY ORDERED TO COMPLY WITH ONE OF THE TWO ALTERNATES AS SET FORTH BELOW If the owner or persons in charge or control of the subject building fails to comply with this order within any time limits set forth below, section 7-7.1.5 requires the						
division to order the entire building to be vacated and remain vacated until this on ALTERNATIVE 1	ALTERNATIVE					
FULL COMPLIANCE	EXTENDED TIME FOR FULL					
WITH SECTION 7-7.1.5 H,8,M,C, Within 270 days after service of this order but NO	COMPLIANCE WITH SECTION 7-7.1,5 H,B,M,C, Within 120 days after service of this order but NO LATER THAN,					
LATER THAN,	January 1, 1995					
April 1, 1995						
the owner shall (a) Submit a structural analysis of the building as specified above to the Division of Building and Safety, and shall demonstrate that the building meets the minimum	the owner shall submit plans for the installation of wall anchors and parapet bracing which meet the requirements of Section 7-7.1.5. AND					
requirements of section 7-7.1.5	obtain a building permit for wall anchor and parapet bracing within					
(b) Submit the structural analysis and plans for structural	180 days after service of this order but NO LATER THAN,					
siterations or demolition of the building within 270 days after service of this order but NO LATER THAN,	January 1, 1995 with					
July 1, 1995 and	installation to start within 270 days after service of this order but NO LATER THAN,					
obtain a building permit for the required alterations or demolition NO LATER THAN,						
January 1. 1996 with	all anchors to be installed within 1 year after service of this order but NO LATER THAN,					
all work to be completed NO LATER THAN,	January 1, 1996 and					
Jamuary], 1997						
YOUR ATTENTION IS DIRECTED TO THE FOLLOWING:	the owner shall submit the structural analysis and plans for structural alterations or demolition of the building but NO LATER THAN,					
If you believe that your building is not within the scope of the	July 1, 1997 and					
Earthquake Ordinance, you may appeal this determination to the Board of Appeals. This appeal must be filed with the board within	the owner shall obtain a building permit to complete the earthquake safety requirements NO LATER THAN,					
60 days of the service date of this order.	January 1, 1998 with					
	construction or demolition to start within 180 days after issuance of the building permit, AND all work to be completed NO LATER THAN,					
	January 1, 1999					
Other appeals or requests for slight modifications from any other determinations, orders or actions as a result of this order, shall be made in accordance with sec 204 UBC and need not be filed within 60 days.	IF YOU DESIRE FURTHER INFORMATION REGARDING THE STANDARDS AND PROCEDURES RELATING TO THIS ORDER YOU MAY CONTACT THE BUILDING & SAFETY DIVISION & \$10 318-0235.					
DATE ORDER SERVED DATE SENT BY CERTIFIED MAIL						
INSPECTORS SIGNITURE						

RECORDING REQUESTED BY

CITY OF HERMSOA BEACH -

EXEMPT FROM RECORDING FEES PURSUANT TO GOVERNMENT CODE SECTION 27383-BENEFITS CITY

AND WHEN RECORDED MAIL TO:

CITY CLERK CITY OF HERMSOA BEACH 1315 VALLEY DRIVE HERMOSA BEACH, CALIFORNIA 90254

SPACE ABOVE THE LINE FOR RECORDERS USE

CERTIFICATE OF APPLICATION OF CITY OF HERMOSA BEACH MUNICIPAL CODE SECTION 7.1.1.5 (ORDINANCE NO. 94-1114)

A.P.N.: 4183002008

NOTICE IS HEREBY GIVEN that the masonry building located at 1227 - 35 Hermosa Ave. City of Hermosa Beach, County of Los Angeles, California, on the real property specifically described above has been determined by the Building Official of the City of Hermosa Beach to be within the scope of Hermosa Beach Municipal Code Section 7-1.1.5.

The purpose of Section 7-1.1.5 is to promote public safety and welfare by reducing the risk of death or injury that may result from the effects of existing unreinforced masonry bearing wall buildings. In furtherance of the above purpose, Section 7-1.1.5 requires that the Building Official rate each building covered by Section 7-1.1.5 in the following manner. High Risk Buildings (those with an occupant load of 300 occupants or more), Low Risk Buildings (25 or less occupants) and Medium Risk Buildings (25 occupants or more, including buildings of greater than 300 occupants used less than 20 hours per week). Once the Building Official has evaluated all buildings that are within the scope of Section 7-1.1.5, the Building Official must then issue a Compliance Order notifying the subject building owner of the following: (1) his or her building is within the scope of Section 7-1.1.5, (2) the subject building's rating classification, (3) the alternatives available for bringing the subject building in compliance with the Code, and (4) the time limits for each alternative.

A Compliance Order has been issued regarding the subject building which requires that the property owner cause a structural analysis to be made of the subject building by a state-licensed engineer or architect. Pursuant to the Compliance Order, if the subject building does not comply with the earthquake standards as provided by the Section 7-1.1.5, the recorded owner must cause it to be structurally altered to conform to such standards or shall cause the building to be demolished.

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Community Development Director

CALIFORNIA COASTAL COMMISSION • SOUTH COAST AREA 245 W. BROADWAY, STE. 380 0. BOX 1450 G BEACH, CA 90802-4416 410) 590-5071

PETE WILSON, Governor

Filed: 2/13/97 49th Day: 4/3/97 180th Day: 8/12/97 Staff: AJP Staff Report: 3/17/97 Hearing Date: 4/β-11/97 Commission Action:

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STAFF REPORT: REGULAR CALENDAR

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APPLICATION NO.: 5-97-011

APPLICANT: City of Hermosa Beach

AGENT:

PROJECT LOCATION: Public Parking Lot "C", bounded by Hermosa Avenue, Beach Drive, 13th Street and 14th Court, Hermosa Beach, Los Angeles County

PROJECT DESCRIPTION: Construction of a 30-foot high, four-level parking structure providing 380 public public parking spaces, plus 100 spaces to support the hotel development located at 1300 The Strand (Coastal Development Permit #5-96-282); and 7,000 square feet of retail/office space along Hermosa Avenue. The City will operate a free public shuttle service seven days a week, between the hours of 7:00 a.m. and 6 p.m., to serve the beach and remote parking lots during construction of the parking structure.

> Lot area: Building coverage: Landscape coverage: Parking spaces: Zoning: Plan designation: Ht abv fin grade:

43,560 square feet 41,000 square feet 2,500 square feet 480 spaces C2- Commercial General Commercial and Open Space 30 feet

LOCAL APPROVALS RECEIVED: Approval by Resolution #96-5842

SUBSTANTIVE FILE DOCUMENTS: Hermosa Beach Land Use Plan; Coastal Development Permits: #5-82-251 (City of Hermosa Beach) and amendment, #5-92-177 (City of Hermosa Beach), #5-96-282 (Seaview Hotel); Final Environmental Impact Report for The Hermosa Inn & Parking Structure Project (SCH#96051009); City of Hermosa Beach Downtown Circulation and Parking Initial Study, April 1996.

SUMMARY OF STAFF RECOMMENDATION:

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Staff recommends that the Commission approve the proposed project with special conditions to ensure that during the construction of the project public parking is not significantly adversely impacted.

EXHIBIT NO. 4 APPLICATION NO. 7-011 AZ Staff Repurt California Coastal Commission

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. <u>Approval with Conditions</u>

The Commission hereby <u>grants</u>, subject to the conditions below, 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. <u>Standard Conditions</u>.
- 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. <u>Expiration</u>. 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. <u>Compliance</u>. 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. <u>Interpretation</u>. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
- 5. <u>Inspections</u>. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
- 6. <u>Assignment</u>. 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. <u>Terms and Conditions Run with the Land</u>. 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.

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III. <u>Special Conditions</u>:

1. <u>Shuttle Program</u>

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The City shall operate a shuttle program for the duration of construction of the parking structure. The program shall commence upon closure of either or both existing surface parking lots "B" and "C". The program shall continue until the parking structure is open to the general public. The program shall shuttle people from the remote parking lots located at City Hall, Hermosa Beach Community Center, Hermosa Plaza and the Greenbelt, through the downtown area (Pier Avenue), to the beach, with the route and shuttle stops as generally depicted in Exhibit #5 of the staff report.

The Shuttle service shall be provided for two hour increments (early morning, mid-day, and late afternoon), with an approximately 12 minute headway, between the hours of 7 a.m. and 6 p.m., seven days a week. However, during the period between the last week of May (Memorial Day weekend) and the first week of September (Labor Day), the shuttle service shall be provided continuously with an approximately 12 minute headway, between the hours of 11:00 a.m. and 6:00 p.m.

2. Parking Permits

Prior to the issuance of the permit the applicant shall submit evidence, for review and written approval by the Executive Director, that parking permits will no longer be issued to employees of downtown businesses.

3. <u>Publicity Program</u>

Prior to the issuance of the permit the applicant shall submit, for review and written approval by the Executive Director, a publicity program that the City will implement to notify businesses/employees of the downtown area and visitors to the downtown and beach areas of the availability and location of the free remote parking lots and the availability and hours of operation of the shuttle service. The publicity program shall include but not be limited to providing notification flyers to businesses within the downtown area, on-street signage indicating shuttle stops, route and times of operation, etc. The City shall implement the approved publicity program for the duration of operation of the shuttle program required by Special Condition No. 1 above.

4. Public Parking Rates

Prior to the issuance of the permit, the applicant shall submit, for review and written approval by the Executive Director, the public parking rates for the parking structure. The parking rates shall not exceed those rates charged at nearby public beach parking lots (within the City or nearby beach communities). Prior to any rate increase the applicant shall notify the Executive Director and a determination will be made if an amendment is required for the rate increase.

5. Final Plans

The permittee shall submit within 90 days of the issuance of the permit, for review and approval by the Executive Director, final project plans showing each parking structure level, location of public and hotel parking spaces,

ingress and egress, and elevation drawings. The plans shall show a total of 480 parking spaces, 100 of which are to be reserved for hotel use and the remaining spaces for the general public. The plans shall be in substantial conformance with the project description and the preliminary plans.

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IV. Findings and Declarations.

A. <u>Project Description and Background</u>

The applicant proposes to construct a 30-foot high, four-level parking structure providing 380 public parking spaces, plus 100 spaces dedicated for hotel use (Seaview Hotel, CDP#5-96-282); and 7,000 square feet of retail/office space along Hermosa Avenue. The City will operate a free shuttle program for the duration of the parking lot construction to serve remote lots and the beach area. The daily shuttle will operate approximately six hours per day, between the hours of 7 a.m. and 6 p.m., in two hour increments (early morning, mid-day and late afternoon). The City estimates that the shuttle will have a 12 minute headway.

The City estimates that construction for the parking structure will last $= \frac{1}{2}$ approximately 12-13 months.

The proposed project will be located on a site currently developed with a 135 space public surface parking lot. The site is situated between Hermosa Beach to the east, Thirteenth Street to the south, Beach Drive to the west and Fourteenth Court (unimproved) to the north.

The City of Hermosa Beach is located in the South Bay area of Los Angeles County between Manhattan Beach to the north and Redondo Beach to the south. The City of Hermosa Beach provides approximately .75 miles of beachfront.

B. Public Access

Section 30213 of the Coastal Act states in part:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

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 the Parking policy C.1. states:

That the City should not allow the elimination of existing on-street parking or elimination of existing on-street parking or off-street parking spaces within the coastal zone. Future residential and commercial construction should provide the actual parking necessary to meet the demand generated. The proposed project will temporarily displace all 135 public parking spaces in Lot "C" due to construction of the parking structure. In addition, 47 metered spaces along Thirteenth Street and all 44 spaces in Lot "B", located south of Lot "C" and across Thirteenth Street, will be temporarily displaced due to construction and staging activities. Therefore, the total number of spaces displaced during the construction period is 226 spaces. As construction progresses, and construction and staging activities are moved on-site, Thirteenth Street and Lot "B" will become available for public parking.

The public parking lot is located a block from the pedestrian promenade, beach and the visitor-serving Lower Pier area. The public parking lot provides parking for visitors to these areas. The temporary loss of the public parking spaces within the surface parking lots (Lot "B" and "C") and along Thirteenth Street will cause temporary adverse impacts to beach access and to the visitor-serving areas.

To mitigate the temporary loss of public parking the City is proposing to provide a free shutle service that will run between four remote lots and the beach for the duration of construction and discontinue the selling of parking permits to employees of the downtown businesses. The shuttle service will operate Monday-Sunday approximately between the hours of 7 A.M. and 6 P.M. for two hour increments (early morning, mid-day, and late evening).

The four remote parking sites provide a total of 466 parking spaces. The remote sites are at City Hall, Hermosa Beach Community Center, Hermosa Plaza (Vons Center) and along the Greenbelt. The City Hall site provides 80 parking spaces; Community Center provides 125 spaces; Hermosa Plaza provides 168 spaces; and the Greenbelt provides 93 spaces. The four remote sites are located between .25 miles and .5 miles from the beach. The shuttle will run from the remote sites, through the downtown area (Pier Avenue) and down to the beach area, to encourage public use of the remote lots as replacement parking. The shuttle program will stop at designated stops along the proposed route (see Exhibit #5). The City estimates that the shuttle will operate with a 12 minute headway.

In conjunction with the shuttle program the City will also discontinue selling monthly parking permits to employees of the downtown business area. The City estimates that they are currently issuing approximately 300 parking permits to employees of Downtown businesses. With the parking permits employees are allowed to park within metered parking spaces without paying the meters. According to the City the selling of permits to employees takes up approximately 300 of the 564 metered parking spaces available within the downtown and beach area during peak periods. The spaces that are taken up by employees are then unavailable to customers and visitors to the area. The City states that by discontinuing the selling of permits to employees and providing a free shuttle to the employees to the free parking spaces within the remote lots parking within the downtown area and along the beach will become available to visitors to the downtown area and to the beach.

However, the remote lots that the City is proposing for replacement parking are part of the preferential parking program approved by the Commission in 1982 [#5-82-251 (City of Hermosa Beach)] and subsequently amended in 1992 by permit #5-92-177(City of Hermosa Beach). In these permits the Commission approved the City's preferential parking program that created a "disincentive" for non-resident beachgoers to park close to the beach in order to make available more parking for residents in the area. To ensure that the program would not adversely impact public parking and public access to the beach the Commission required as a condition of the permit that the applicant provide alternative parking sites to mitigate for the adverse impact to public parking close to the beach. In approving the preferential parking program the Commission required 533 long term free public parking spaces to serve beachgoers and users of public facilities. The areas designated as remote parking sites included:

> Site Number of Spaces Hermosa Plaza lower level 168 spaces Clark building(two lots) 57 Hermosa Greenbelt (Valley Dr.) 78 43 City Hall front lot 125 Community Center Ardmore and Pier 36 26 Kiwanis Club

The City indicates that the remote parking sites are underutilized and that is the four remote sites have adequate available spaces to accommodate the additional demand. The implementation of a shuttle program during construction of the public parking structure will increase the use of these sites by employees that currently park on the metered streets within the downtown area and for the beach visitors and downtown patrons that will be displaced during the temporary loss of the parking lot.

Aerial photographs taken for the City on a weekend at 2:45 p.m. on August 10, 1996, indicate that the Community Center and the Greenbelt are approximately 45-50% occupied. The City Hall lot is approximately only 10% occupied. Figures for the Hermosa Plaza are not available due to the parking is within a parking structure and the available spaces are located on the lower level. However, because of the location of the spaces within a shopping center and limited visibility the City states that most of general public is not aware of the parking site and therefore the Plaza is not heavily used for general parking.

Based on the utilization figures, and extrapolating the occupancy figure based on the Community Center and Greenbelt for the Hermosa Plaza, the four remote lots can accommodate approximately 265 additional vehicles during peak use periods. Based on this information the four remote lots can support an increase in use generated by the City's shuttle program for employees and visitors to the downtown and beach areas.

With the use of these lots and the freeing up of the spaces within the downtown and beach area there will be adequate parking available to support the parking that will be temporarily displaced during the construction of the parking structure. However, the most significant impacts to beach parking and access will occur during the peak summer use periods. The peak periods typically occur during the weekend between the last week of May (Memorial Day) and the first week of September (Labor Day). Peak hours during these summer weekends generally are between 11:00 a.m. and 5:00 p.m. During this period the beach areas experience heavy public use and public parking within the public lots and along the streets becomes heavily used. The Commission finds



that in order to ensure that the shuttle program adequately mitigates the loss of nearby beach parking during the summer weekend periods the City, in addition to the hours proposed, must operate the shuttle during the summer weekends continuously with an approximately 12 minute headway from 11:00 a.m. to 6:00 p.m. The shuttle must run from the designated remote lots, through the downtown area (Pier Avenue), to the beach, as generally depicted in Exhibit #5 of the staff report. Furthermore, to ensure that employees of the downtown area and the general public are aware of the shuttle program the City must implement a publicity program that informs the public of the location of the remote parking sites, include the availability and hours operation of the shuttle system, and designate the location of the shuttle stops with appropriate on-street signage. The City shall also submit final design plans to ensure that the project is consistent with the City's preliminary plans and project description as approved by this permit. The Commission, finds that only as conditioned will the proposed project be consistent with Section 30252 of the Coastal Act and with the City's certified LUP.

C. <u>Development</u>

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....

The City's certified LUP requires one space per 385 square feet for retail and office space. Based on this requirement the 7,000 square feet of mix retail and office space will require 18 parking spaces.

In the City's Land Use Plan amendment 1-94, as modified by the Commission and accepted by the City, the LUP allows projects within the City's downtown area a parking adjustment to account for local walk-in traffic by persons who are already parked elsewhere. The LUP states:

New development, including expansions and intensifications of use, shall provide parking consistent with requirements elsewhere in the City unless the following findings are made. If the following findings are made, the exceptions described in Section 2 may be granted.

1. <u>Findings</u>

Before granting the exceptions below, the Planning Director shall certify:

- (a) That fewer than 96,250 square feet of commercial development, including new buildings, expansions and/or intensification of uses, in the DED has received a CDP since November 1, 1994
- (b) That there is currently adequate parking to support the development and provide adequate beach parking.
- (c) That the City council has approved an interim parking study for the DED that shows the occupancy of the parking spaces in the DED is 90% or less during daylight hours on summer weekends.

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(d) That no more than 24,063 square feet of commercial development in the DED has received CDP's since the last interim parking study was approved by the City Council.

2. Exceptions

i. When parking is required, for projects on lots exceeding 10,000 square feet and/or 1:1 F.A.R, parking in excess of that existing on the site at the time of the proposal shall be provided at 65% of the current parking requirement.

ii. Because of the physical constraints to providing parking and the desire to promote a pedestrian orientation in the Downtown Enhancement District, for projects on lots less than 10,000 square feet and less than 1:1 F.A.R., no parking other than the parking existing on the site at the time of the proposal shall be required.

The parking standard for the downtown area was developed according to a parking study completed by the City. The 65% figure was based on a City survey which found that only 65% of commercial customers drove to the downtown area. The following is some background information as submitted by the City for the LUP amendment 1-94:

The existing regulations that require parking for all new development or intensification of uses makes it costly, if not impossible, for property owners to improve or enhance their existing properties. However, in reducing parking requirements on small lots, the city realizes that some limits need to be established to assure that over-development, or lack of parking is not the result. as such, the standard of a 1:1 floor area to lot area ratio is used as a maximum. This method simply uses an easily recognizable standard--the amount of commercial land area--as the maximum amount of development prior to absolutely requiring added parking supply.

This part of the proposal(the small lot exemption up to a 1:1 F.A.R.) is similar to the parking standard used by the city of Manhattan Beach for its similarly situated coastal downtown district. The basic premise is that a certain scale of development can be accommodated by existing "collective" parking facilities spread throughout a district. Further contributing factors that apply in both cities are as follows: (a) both commercial districts are surrounded by medium and high density residential districts making walking and biking to commercial destinations a realistic and feasible alternative to automobiles, and; (b) many of the commercial activities (restaurants, beach rentals, beachwear clothing shops) are interdependent with the use of the public beach and the Strand. As such, suburban parking standards which assume most customers drive, and that separate uses are exclusive, should not apply.

Based on the above, it logically follows that when parking is required (for the area over a 1:1 F.A.R. or development on larger lots) the standard that apply to other commercial areas should not apply in the coastal downtown district. Therefore, based on surveys of the City's downtown which found that about 65% of respondents drove to the area, it is proposed that parking be required at 65% of the standard which applies elsewhere in the city. This is further supported by studies on mixed use commercial shopping centers which generally show that only 40-75% of required parking is needed when different uses with different peak time demands share the same parking.

Because the project is located within the Downtown Enhancement District (DED) the project would only be required to provide 65% of the required parking if all the necessary LUP DED findings are made. Based on City's Downtown Enhancement District's parking adjustment factor of 65%, the 7,000 square feet of retail/office use would require 12 parking spaces. However, the Commission finds that the project does not qualify for the DED reduced parking standard because with the City's recent approval of the Seaview Hotel (coastal development permit #5-96-282) the DED exceeds the threshold of a total of 96,250 square feet for commercial development. Therefore, the project does not meet all of the required findings to allow the downtown parking adjustment. However, the threshold was established based on the City's existing parking supply for the downtown area and the amount of surplus parking during a typical summer weekend. The amount of additional public parking that will be added within the downtown district with the construction of the parking structure is 380 spaces. Based on the City's calculations the 380 spaces could accommodate approximately an additional 146,300 square feet of new commercial development based on 65% of current zoning requirements. 🔅

Since additional parking is being added to the downtown district the threshold for commercial development would be increased, thus, allowing additional development to occur without adversely impacting the public parking within the downtown area. Although the proposed commercial development does not qualify for the parking break the proposed parking structure will have more than an adequate amount of available parking to support the parking demand generated by the proposed retail/office space as calculated at the City's standard parking ratio.

According to the City the parking rates for the structure have not been established. The City is considering progressive parking rates for the structure to provide lower cost, long-term parking relative to on-street parking rates. Currently the City's meter rates are \$.25 per half-hour. The City's beach parking lots, located along Hermosa Avenue on the north and south side of Pier Avenue, cost \$12 per day during the summer and \$7 per day during non-summer periods. In past Commission permit action the Commission has found that public parking rates directly affect public use of the lots and access to the beach. If rates are set too high they can adversely impact beach access. Because of the proposed structures close proximity to the beach the structure will be used by beach visitors. Therefore, to ensure that the rates will not discourage public beach parking and the rates are consistent with beach parking rates normally charged at surrounding public beach lots a condition is required that the rates charged do not exceed those rates charged at nearby public beach parking lots.

The proposal will supplement available public parking for beach access, which is currently provided by three lots located between Hermosa Avenue and The Strand and, on-street metered spaces and in remote locations that are located over a quarter mile way from the beach. The Commission finds that as conditioned the parking structure will enhance recreational opportunities along the beach, the Strand, Pier and the downtown visitor-serving area by providing more accessible and convenient long-term public parking. Therefore, the Commission finds, that as conditioned the proposed project will be consistent with Section 30252 of the Coastal Act and the applicable policies of the City's certified LUP.

D. <u>Traffic and Circulation</u>

According to the FEIR all presently signalized downtown intersections are operating at Level of Service (LOS) A. All non-signalized intersections operate at LOS B, except for Valley Drive and Pier Avenue and Ardmore Avenue and Pier Avenue which operate at LOS F. The FEIR further states the proposed project will not change the LOS of any intersection and the vehicle/capacity does not appreciably change for any intersection. Because intersection Vehicle to Capacity (V/C) does not appreciably change due to the project and the LOS does not change for any intersection the FEIR concludes that the additional traffic generated by the project will not have a significant impact. However, access impacts caused by traffic traveling to the parking structure were identified in the study. The FEIR indicates that traffic turning left from Hermosa Avenue into the parking structure will require left turn lane storage capacity. To mitigate the potential impacts caused by queuing the City will create a split phase traffic signal operation at the intersection of Thirteenth Street and Hermosa Avenue and at Pier Avenue and 🤄 Hermosa Avenue.

Based on the traffic study conducted for the FEIR the traffic generated by the proposed project will not adversely impact any of the intersections within the Coastal Zone. As proposed the project does not subtract substantially from the ability of the public to get to the beach. The Commission, therefore, finds that the project, as conditioned, is consistent with Section 30252 of the Coastal Act.

E. <u>Visual Ouality</u>

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 area is characterized by medium to high density urban development. A row of one-story single family residences, a commercial establishment and a vacant lot [site of Phase II of proposed hotel project (permit #5-96-282)] are located to the north of the proposed site. To the east and across Hermosa Avenue are retail and commercial establishments. To the south of the site there is a small restaurant, retail uses, and an apartment complex. To the west is a vacant lot (the site of Phase I of the proposed hotel project).

The area presents a mix of building heights that vary from one to three stories. The tallest building in close proximity to the site is the Bijou Theater [located to the east along Hermosa Avenue] with a height of 45 feet.

Since the project site is developed with a surface parking lot, there are limited views of the beach along the adjacent streets as well as intermittent views from Hermosa Avenue. However, views from street level along Hermosa Avenue are blocked by vehicles parking within the parking lot. Although the surrounding streets provide some views to the beach they are not designated as scenic highways or scenic corridors.

Because Hermosa Avenue is one of the City's primary commercial areas the City is proposing to construct a three-story retail/office structure along the Hermosa Avenue frontage to reduce the visual obtrusiveness of the parking structure and to conform to the visual character of the surrounding area.

The proposed project will conform to the City's 30 foot height limit and is consistent with the scale and character of the surrounding area. The visual impact of the proposed project will be insignificant due to the existing development in the area and the availability of public views to and along the beach from adjacent public areas, such as The Strand, Pier Avenue and the Pier. The Commission, therefore, finds that the project as conditioned is consistent with Section 30251 of the Coastal Act.

F. 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.

On September 1981, the Commission certified, with suggested modifications, the land use plan portion of the Hermosa Beach Local Coastal Program. The certified LUP contains polices to guide the types, locations and intensity of future development in the Hermosa Beach coastal zone. Among these polices are those specified in the preceding section regarding public access, visual resources. The proposed development, as conditioned, is consistent with the policies of the certified LUP. 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 a Local Coastal Program implementation program consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

G. <u>CEOA</u>

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

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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.

There are no negative impacts caused by the proposed development which have not been adequately mitigated. Therefore, the proposed project is found consistent with CEQA and the policies of the Coastal Act.

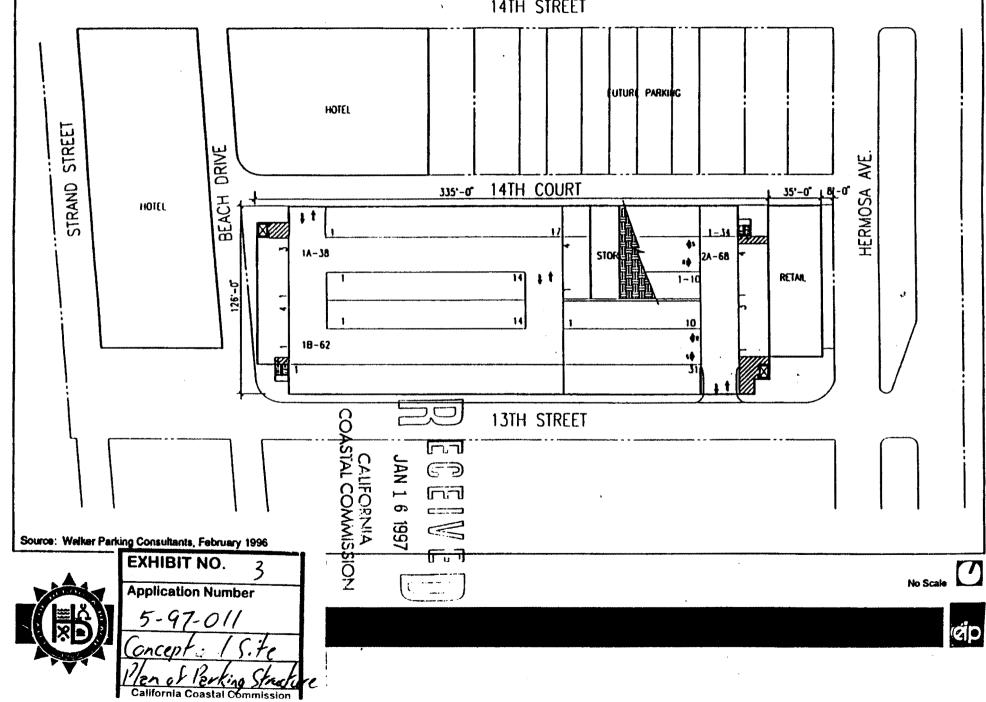
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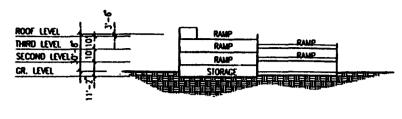




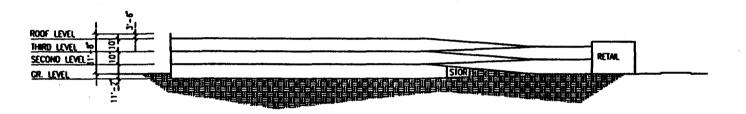
Figure 3-12

14TH STREET





CROSS SECTION



LONGITUDINAL SECTION



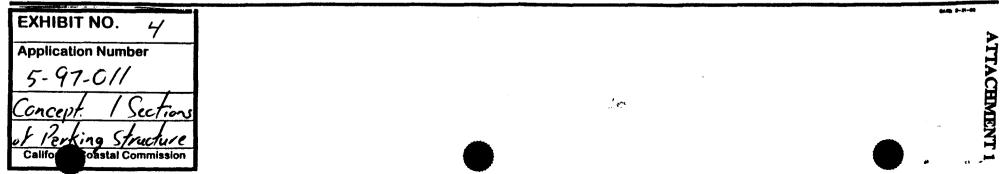
CITY OF HERMOSA BEACH

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Hotel & Parking Structure Site Plan

Figure 3-11 ·

