

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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**W5a**

Filed: 1/18/11
 49th Day: 3/18/11
 180th Day: 7/27/11
 Staff: A. Padilla-LB
 Staff Report: 2/11/11
 Hearing Date: 3/9-11/11
 Commission Action:

STAFF REPORT: CONSENT CALENDAR**APPLICATION NUMBER:** 5-10-146**APPLICANT:** Mr. David Jarvis**AGENT:** Tim Petersen**PROJECT LOCATION:** 2428 Main Street, Santa Monica

PROJECT DESCRIPTION: Demolition of a one-story 520 square foot commercial building and construction of a two-story 1,274 square foot commercial building with retail on the ground floor and office space on second floor, with no on-site parking.

Lot Area	1,687 square foot
Building Coverage	635 square feet
Pavement Coverage	863 square feet
Landscape Coverage	189 square feet
Parking Spaces	0
Zoning	CM2—Main Street Commercial
Ht above final grad	26.5 feet

LOCAL APPROVALS RECEIVED: Variance 09-004**SUBSTANTIVE FILE DOCUMENTS:** Santa Monica certified Land Use Plan, 1992.**SUMMARY OF STAFF RECOMMENDATION:**

Staff recommends **Approval** with special conditions: 1) the applicant is prohibited from using the City's beach parking lots for permit parking; 2) provide and implement a parking, car pool and transit incentive program; 3) comply with City's water quality requirements; and 4) recordation of a deed restriction against the property, referencing all of the Standard and Special Conditions contained in this staff report. As conditioned, the proposed project conforms with all applicable policies of the Coastal Act.

I. STAFF RECOMMENDATION:

Staff recommends that the Commission adopt the following resolution to **APPROVE** the coastal development permit application:

MOTION: *I move that the Commission approve coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

Staff recommends a **YES** vote. Passage of this motion will result in approval of all permits included on the consent calendar. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.

RESOLUTION TO APPROVE THE PERMIT:

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

II. STANDARD CONDITIONS:

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS:

1. Parking Permits

The applicant, and all successors in interest, shall be prohibited from obtaining City issued parking permits for any of the City owned and operated beach parking lots.

2. Parking, Car Pool and Transit Incentive Program

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall provide for review and approval by the Executive Director, a parking, carpool and transit incentive program as follows:

(1) The applicant shall actively encourage employee participation in a Transportation Ride Sharing Program.

(2) A public transit fare reimbursement program shall be implemented by the applicant. The system shall be in effect for at least a 30-year period. The applicant shall provide for partial reimbursement to one hundred percent of the employees of the development for public transit fare to and from work.

(3) The applicant shall provide a bicycle parking area, free of charge, on the property for employees and the public.

(4) The applicant shall provide an on-site shower for use by tenants and employees.

(5) The applicant shall implement a publicity program, the contents of which is subject to the review and approval of the Executive Director, that indicates how the future occupants of the development will be made aware of the provisions of this special condition. The publicity program shall be implemented during the first month of occupancy of the new development.

B. The permittee shall undertake the development in accordance with the approved program. Any proposed changes to the approved program shall be reported to the Executive Director. No changes to the program shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

3. Water Quality Standards

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

4. Deed Restriction

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant has executed and recorded against the parcel(s) governed by this permit a deed restriction, in a form and content acceptable to the

Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. Project Description and Location

The applicant proposes to demolish a 520 square foot commercial building and covered storage area and construct a two-story, 26.5-foot high, 1,274 square foot commercial building with 189 square feet of landscaping. The ground floor will be developed with 635 square feet of general retail and the second floor will have 639 square feet of general office. The project site is a 1,687 square foot parcel, measuring 25 feet wide by 67.5 feet long. The existing driveway apron will be filled and curbed to create an additional on-street public parking space.

The proposed project is located on Main Street in the City of Santa Monica. The site is situated on the west side of Main Street between Hollister Avenue and Ocean Park Boulevard (see Exhibit 1 & 2). The lot is currently developed with a 520 square foot commercial building, covered storage area and driveway. The City of Santa Monica's certified Land Use Plan designates the project site as Main Street Commercial (CM2). The surrounding area is currently developed with commercial uses.

The site is two blocks east of the Santa Monica State beach and abuts the City owned public parking lot (Lot No. 11) located along Neilson Way. The Neilson Way lot is one of four City owned lots located along Neilson Way. The lots were developed to provide parking for visitors to the visitor-commercial area along Main Street. All four lots provide a total of approximately 361 metered spaces with approximately 130 parking spaces provided within Lot No. 11.

B. Public Access/Parking

The Commission has consistently found that a direct relationship exists between the provision of adequate parking and the availability of public access to the coast. Because the project site is located in a commercial area within close proximity to a number of

coastal recreational areas and visitor serving uses, the provision of adequate on-site parking or alternative means of transportation is critical for continued public beach access in the area. Furthermore, the Commission has consistently addressed both public and private parking issues in order to protect the ability of beach visitors who depend on the automobile to access the beach.

Because of the small size of the project site and narrow frontage, the applicant has indicated that it is economically infeasible to provide on-site parking and on-site parking would not meet the City's parking design requirements. According to the City, the size of the project site precludes the ability to provide parking spaces and room for vehicular maneuverability on-site. The existing site contains a nonconforming driveway accessed from Main Street, with no rear access, forcing vehicles to back out onto Main Street creating a hazardous situation for vehicles and pedestrians. Therefore, the City granted a variance (No. 09-004) to construct the new building without the City required four on-site parking spaces. However, In-lieu of on-site parking the City required as conditions of the variance that the applicant provide; off-site parking by leasing four spaces from the City of Santa Monica in one of their City owned and operated parking lots; filling of the driveway apron to provide one additional on-street parking space; transit subsidy to all tenant employees, on-site transportation service information; and secure bicycle storage on-site, on-site shower; public bicycle rack.

In discussions with the City, the City has indicated that they are no longer issuing new parking leases for the Neilson Way parking lots that are adjacent to the project site and the only lots available for leasing are the City Beach lots located along Barnard Way, located one block to the west at the beach. However, in past permit action the Commission has found that the beach parking lots should be for support parking for public beach and recreational use and does not support the use of the beach parking lots as support parking for commercial development. Therefore, the use of the beach lots by the proposed project would not be allowed under this permit.

Because of the small size of the lot and location along Main Street, providing parking is problematic. However, because the project's demand is small, the lack of parking can be mitigated through participation in a Transportation Management Program that require the provision of discounted mass transportation fare, mass transit information, provision of bike racks and shower facilities, and the creation of an additional on-street parking space as required by the City's variance. Furthermore, because of the small size of the proposed retail space and office, these uses will not be destination type uses that create a high parking demand, and patronage will be from shared use with the other commercial establishments located along the Main Street Commercial area. Therefore, in this particular situation any potential impact due to the lack of parking will be adequately mitigated as conditioned by this permit.

The Commission finds that only as conditioned will the proposed project be consistent with past Commission permit action for the area and with Section 30211 and 30252 of the Coastal Act and with applicable policies of the City's certified LUP.

C. Development/ Visual Resources

The project property consists of a 1,687 square foot lot in a commercially developed area in the Main Street Commercial area of the City of Santa Monica. The City's Main Street Commercial area extends from Pico Boulevard to the north and to the southern City boundary and consists of a mix of retail, office and residential uses.

The proposed development will consist of a two story, 26.5 foot high, as measured from existing grade, 1,274 square foot commercial building. The area along Main Street is commercially developed with development ranging from one to two stories in height. The certified LUP limits heights to the heights allowed under the CM2 zoning, which is 27 feet. The proposed development is 26.5 feet high, as measured from existing grade.

As proposed, the project will be consistent with the character of the surrounding area. Furthermore, because of the location and developed nature of the area, the proposed project will not have any impact on coastal views. The Commission, therefore, finds that the project will be consistent with the view protection policies of the Coastal Act, will not adversely impact the visual resources of the surrounding area, and therefore, is consistent with Sections 30250 and 30251 of the Coastal Act.

D. Control of Polluted Runoff

The proposed project poses a potential source of pollution due to contaminated runoff from on-site run-off from roof and hardscape. Increased urban runoff due to increase in impervious surfaces from the site can carry pollutants and sediment from the site into the City's storm drains and into the Santa Monica Bay. To mitigate potential impacts the Commission has routinely required projects to incorporate best management practices with extensive recommendations and measures to reduce or prevent contaminants from running off the site.

Urban runoff and pollution of the bay are important issues with the City of Santa Monica. The City, to mitigate potential impacts caused by development, has adopted an Urban Runoff Pollution Ordinance. The ordinance is designed to reduce the amount of urban runoff pollution from sites. The ordinance requires projects to incorporate best management practices with extensive recommendations and measures to reduce or prevent contaminants from running off the site during construction and operation of the proposed development. The proposed project includes a drywell to allow infiltration of site runoff, consistent with the City's requirements.

Furthermore, the City has constructed a new state-of-the-art stormwater treatment facility that treats all dry weather storm runoff. Runoff from all new development is directed to existing stormdrains, which direct stormwater to the treatment facility.

As proposed, the project will incorporate effective Best Management Practice and help improve the quality of Santa Monica bay. The Commission, therefore, finds that the proposed project will improve water quality consistent with Section 30231 of Coastal Act.

E. Local Coastal Program

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

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

F. CEQA

Section 13096 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 effect 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.

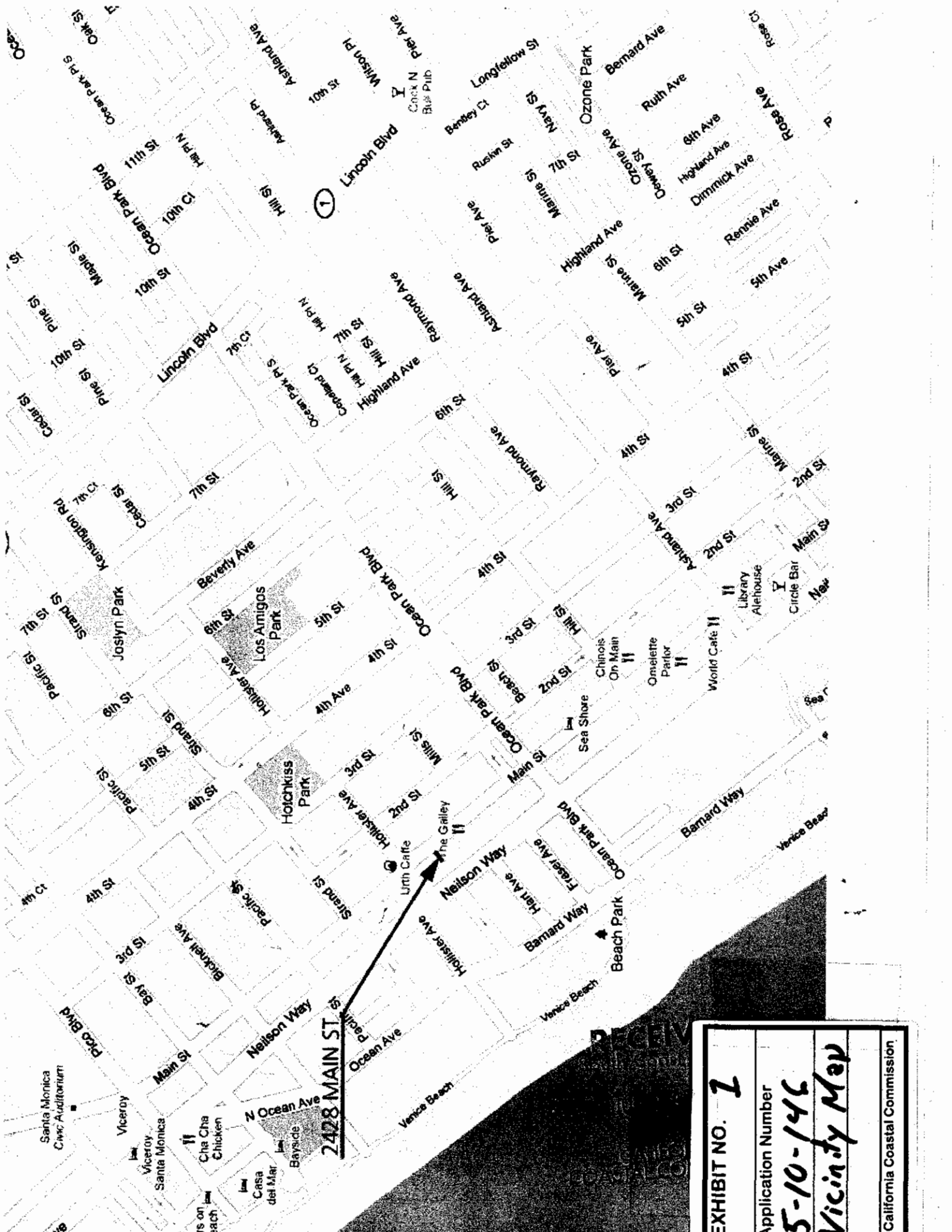
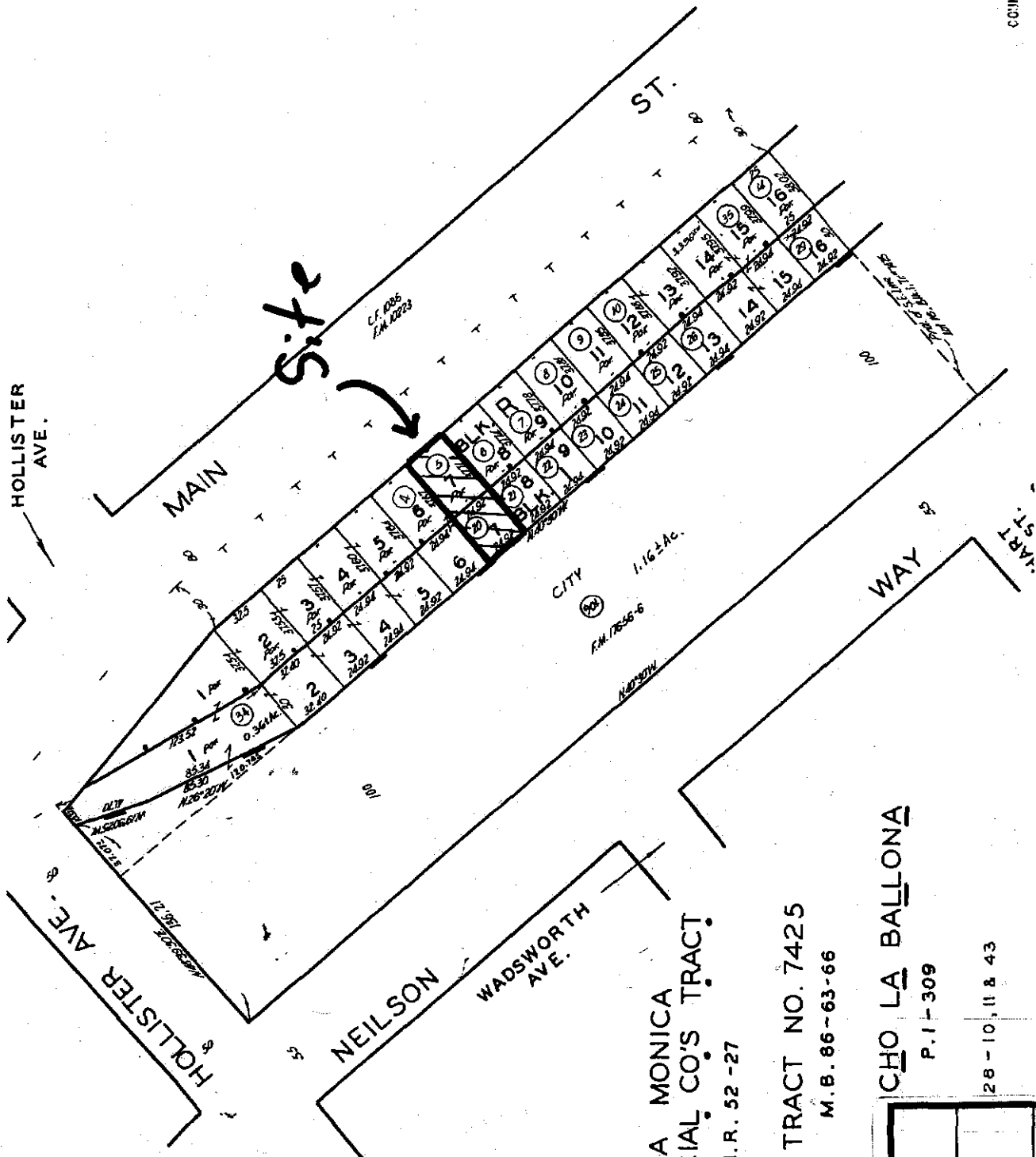


EXHIBIT NO. 1
Application Number 5-10-146
Vicinity Map
California Coastal Commission

4-11-64
 11-13-64
 6-22-64
 1-21-64
 7-31-64
 741226
 760-44001

ASSESSOR'S MAP
 COUNTY OF LOS ANGELES, CALIF.



4288 | 13
 SCALE 1" = 50'

SANTA MONICA
 COMMERCIAL CO'S TRACT
 M.R. 52 - 27

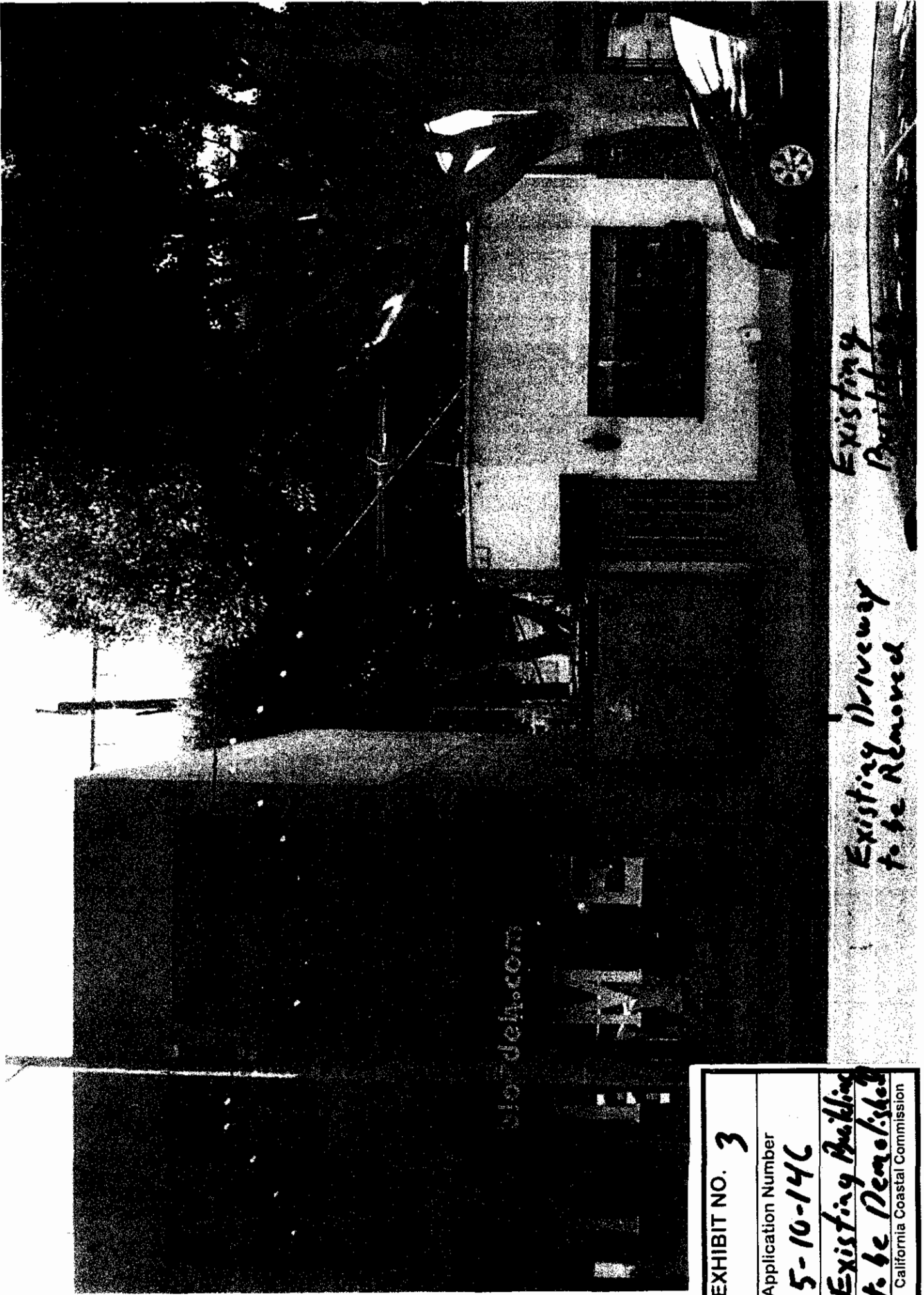
TRACT NO. 7425
 M.B. 66 - 63 - 66

CHO LA BALLONA
 P. 1 - 309

28 - 10, 11 & 43

EXHIBIT NO. 2
Application Number 5-10-146
Parcel Map
California Coastal Commission

EXISTING SITE 2428 MAIN STREET



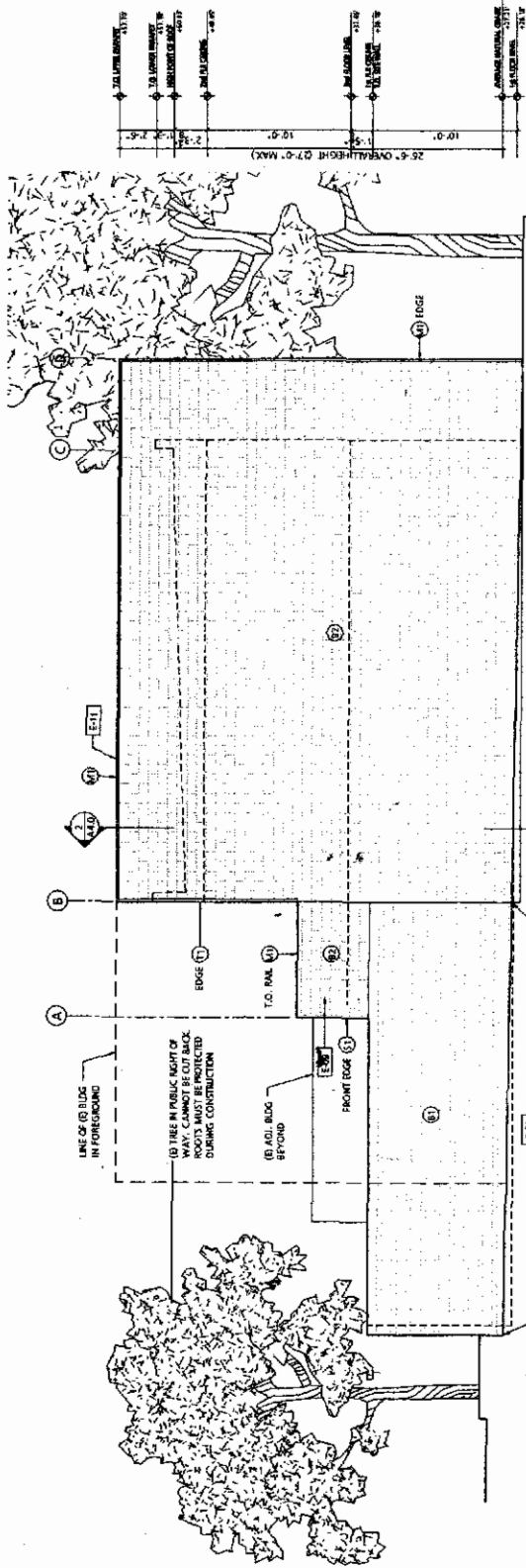
Existing Building

Existing Driveway to be Removed

EXHIBIT NO. 3
Application Number 5-10-14C
Existing Building to be Demolished
California Coastal Commission

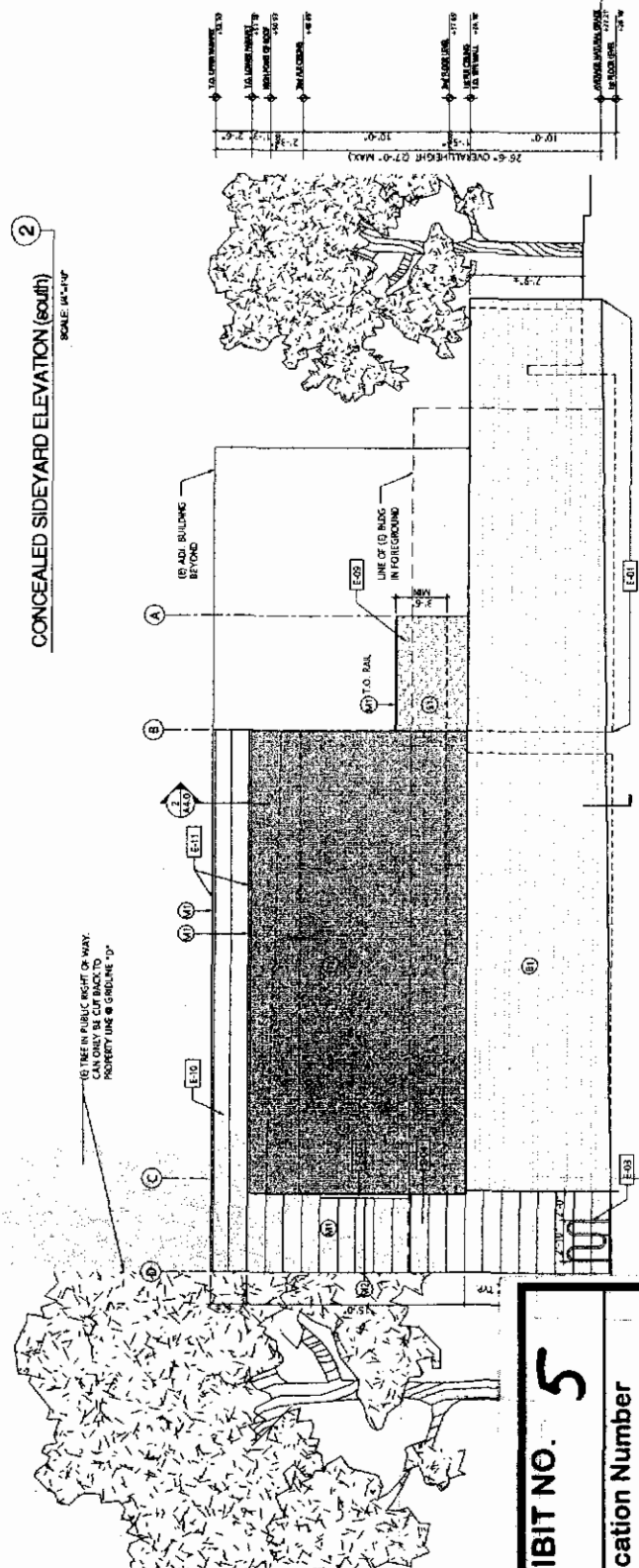
- ELEVATION / SECTION KEYNOTES**
- E-01 NEW 8" CMU FIRE WALL
 - E-02 NEW TOP-HUNG SLIDING GATE W/ METAL TRIM
 - E-03 OR BIRE RACK
 - E-04 3" STORY DIRT GAP BENEATH DOORS
 - E-05 ALUM. FRAMED GLASS SLIDING ROCKET DOORS BY HERWOOD OR RUAL
 - E-06 ALL GLASS FRAMELESS ENTRY BY BILMCOMPY
 - E-07 BUTT JOINT REFLECTING GLASS WINDOW W/ STEEL WINDOW BOX
 - E-08 REFLECTING METAL PANELS OVER STEEL WINDOW BOX
 - E-09 BALCONY GLAZING - 4" MIN. ABOVE BALCONY SURFACE
 - E-10 HORSE FLUT ZINC PANELS (1'-3" HIGH)
 - E-11 METAL CORING AT TOP OF PARAPET WALL

- EXTERIOR FINISH MATERIALS keyed to Material Board**
- (1) CMU WALLS, ANGELUS BLOCK, NORMAL WEIGHT BURNISHED FINISH, 5.0 TEXTURE W/ SLATE OR BURNISHED MORTAR GROUT (MADE JOINT)
 - (2) CONCEALED CMU WALLS BY ANGELUS BLOCK - GREY (NOT VISIBLE FROM EXTERIOR)
 - (3) CONCRETE PLANTER WALL TO MATCH WALLWAY
 - (4) DECK-TEK DECKING @ BALCONY (NOT VISIBLE FROM EXTERIOR)
 - (5) CLEAR GLAZING
 - (6) LIGHT REFLECTIVE GLAZING BY PULMONO ECLIPSE GLASS
 - (7) BRASS ECLIPSE SPRING GRANITE GRAY COLOR ON EXTERIOR FINISH
 - (8) EXPOSED STEEL FOR WINDOW BOX W/ CLEAR MATTE FINISH
 - (9) STAINLESS STEEL FINISH FOR DOOR HARDWARE
 - (10) BLACK ANODIZED ALUMINUM DOOR WINDOW FRAMES
 - (11) CLASS "A" 4-PLY BUILT-UP ROOFING (NOT VISIBLE FROM EXTERIOR)
 - (12) SMOOTH STEEL TROMPELLES TRUCCO
 - (13) CERAMIC TILE MOSAIC, CUSTOM BY DESIGN & DIRECT SOURCE



2 CONCEALED SIDERYARD ELEVATION (south)
 SCALE: 1/4"=1'-0"

IS TREE IN PUBLIC RIGHT OF WAY, CAN ONLY BE CUT BACK TO PROPERTY LINE & GRADLINE - 2"



1 VISIBLE SIDERYARD ELEVATION (north)
 SCALE: 1/4"=1'-0"

EXHIBIT NO. 5

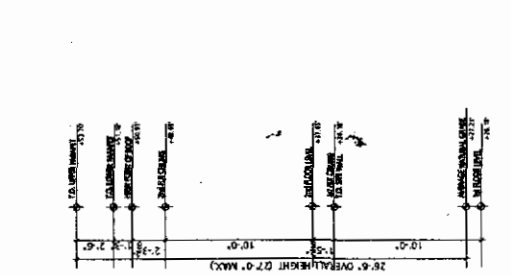
Application Number
5-10-146

Elevations
North/South

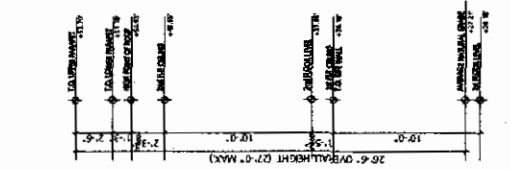
California Coastal Commission

- ELEVATION / SECTION KEYNOTES**
- E-01 NEW 8" CMU SFT WALL
 - E-02 NEW TOP HANG SLIDING GATE
 - E-03 W/ METAL FINISH
 - E-04 3" STONY DRIFT G-8 WITH BUGS
 - E-05 ALUM. FRAMED GLASS SLIDING ROCKET DOORS BY FLEETWOOD ON EQUAL
 - E-06 ALL GLASS FRAMELESS ENTRY BY BLUMGARDT
 - E-07 NEW 1/2" ALUM. FRAMELESS GLASS WINDOW W/ STAINLESS STEEL WINDOW BOX W/ STAINLESS STEEL FRAMING
 - E-08 MESH SCREEN COVER METAL PANEL OVER STEEL FRAMING
 - E-09 BALCONY GUARDRAIL - 42" MIN. ABOVE BALCONY SURFACE
 - E-10 HORIZ. FLAT FIN. PANELS (11'3" HIGH)
 - E-11 METAL COPING AT TOP OF PARAPET WALLS

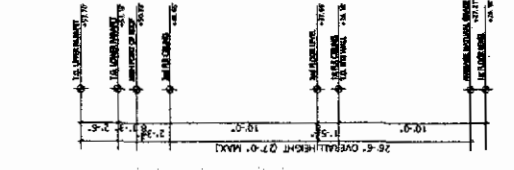
- EXTERIOR FINISH MATERIALS**
 keyed to Material Board
- (1) CMU WALL - ANGLE IRON REINFORCING W/ WEIGHT BUSHINGS MIN. 6" S.O. TEXTURE W/ SLATE OR FINISHED MONOCHROME GROUT (BAKED GROUT)
 - (2) CONCEALED CMU WALLS BY ANGLEUS BLOCK - GRY (FOR WALLS FROM EXTERIOR)
 - (3) CONCRETE PLASTER WALL TO MATCH WALKWAY
 - (4) DES-OUTER DECKING @ BALCONY (NOT W/IDE FROM EXTERIOR)
 - (5) CLEAR GLAZING
 - (6) LIGHT REFLECTIVE GLAZING BY PULTRONIC ECLIPSE GLASS
 - (7) BRONZE ECLIPSE SIDING GRANITE GRAY COLOR ON RYMAN FINISH
 - (8) EXPOSED STEEL FOR WINDOW BOX W/ CLEAR MATTE SEAL
 - (9) STAINLESS STEEL FINISH FOR DOOR HARDWARE
 - (10) BLACK ANODIZED ALUMINUM DOOR / WINDOW FRAMES
 - (11) CMU 8" x 8" GUTY MULTIPURPOSE ROOF (FOR ROOF-TOP BALCONY)
 - (12) SMOOTH STEEL TRIMWELLED SH-60
 - (13) CERAMIC TILE Mosaic, CUSTOM BY DESIGN & DIRECT SOURCE



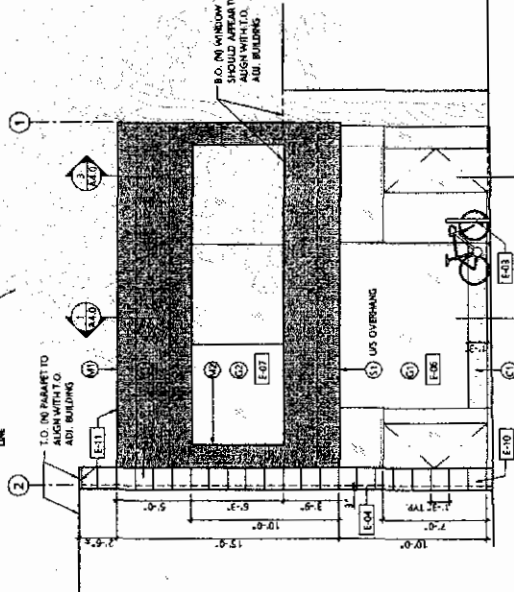
REAR ELEVATION @ BUILDING (west)
 SCALE: 1/4"=1'-0"



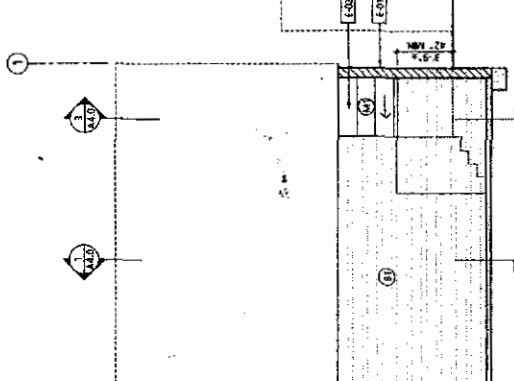
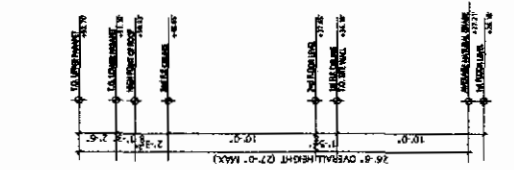
REAR ELEVATION @ WALL (west)
 SCALE: 1/4"=1'-0"



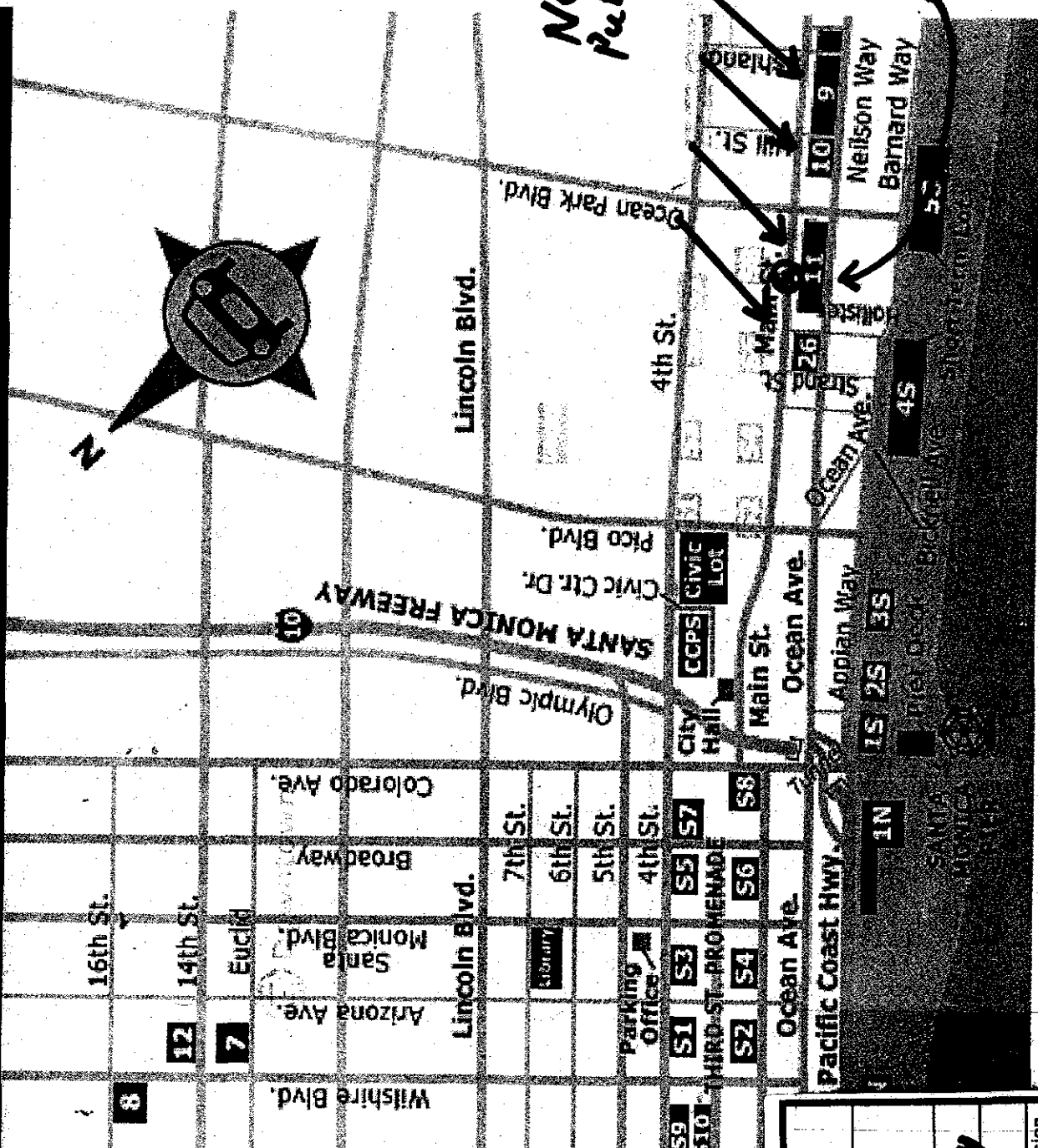
FRONT STREET ELEVATION (east)
 SCALE: 1/4"=1'-0"



COURTYARD ELEV. (east)
 SCALE: 1/4"=1'-0"



Lots & Structures Overview Map



Legend:
 town
 North
 Central/Pier
 South
 Street
 City

3rd St.	S9
2nd St.	S10

EXHIBIT NO.	7
Application Number	5-10-146
	City Parking
	Lot Map
California Coastal Commission	