

CALIFORNIA COASTAL COMMISSION

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STAFF REPORT: CONSENT CALENDAR

Application No.: 5-16-1033

Applicant: Santa Monica Community College District

Agent: Parker Environmental Consultants, LLC

Location: 1802 4th Street, Santa Monica, Los Angeles County

Project Description: Replacement of 230 parking spaces located in the City of Santa Monica Civic Center's public surface parking lot with an Early Childhood Education Center ("ECEC") consisting of three (3) one- to two-story (approx. 23-ft. to 37-ft. high above finished grade) buildings totaling approximately 24,000 gross sq. ft. (net 19,152 sq. ft.), a gross total of approximately 32,381 sq. ft. of active and passive outdoor space for childplay areas and landscaping, and 15 short-term surface parking spaces.

Staff Recommendation: Approval with conditions

SUMMARY OF STAFF RECOMMENDATION

The proposed project raises issues regarding impacts to public access. The proposed Early Childhood Education Center will displace 230 public parking spaces within the Civic Auditorium surface parking lot and will generate a demand of approximately 55 parking spaces. However, based on the current inventory, the Civic Center surface parking lot and parking structure provide an adequate supply of parking to support the proposed change of use. In addition, the proposed development includes 15 short-term surface parking spaces.

The proposed development has been conditioned to assure that the proposed project is consistent with the Chapter 3 policies of the Coastal Act. The conditions are: **1)** future improvements; **2)** best management practices; **3)** drought-tolerant, non-invasive landscaping; and **4)** permit compliance.

Staff is recommending **APPROVAL** of the proposed coastal development permit as conditioned.

Section 30600(c) of the Coastal Act provides for the issuance of coastal development permits directly by the Commission in regions where the local government having jurisdiction does not have a certified Local Coastal Program. The City of Santa Monica only has a certified Land Use Plan and has not exercised the options provided in 30600(b) or 30600.5 to issue its own permits. Therefore, the Coastal Commission is the permit issuing entity and the standard of review is Chapter 3 of the Coastal Act. The certified Land Use Plan may be used for guidance.

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APPENDICES

Appendix A - Substantive File Documents

EXHIBITS

Exhibit 1 – Project Location

Exhibit 2 – Project Plans & Elevations

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** the 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 of the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned 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 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 alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS:

This permit is granted subject to the following 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 of 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:

This permit is granted subject to the following special conditions:

1. **Future Development.** This permit is only for the development described in Coastal Development Permit No. 5-16-1033. Pursuant to Title 14 California Code of Regulations Section 13253(b)(6), the exemptions otherwise provided in Public Resources Code Section 30610(a) shall not apply to the development governed by Coastal Development Permit No. 5-16-1033. Accordingly, any future improvements to the restaurant authorized by this Coastal Development Permit No. 5-16-1033, including but not limited to repair and maintenance identified as requiring a permit in Public Resources Section 30610(d) and Title 14 California Code of Regulations Sections 13252(a)-(b), shall require an amendment to Permit No. 5-16-1033 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

2. **Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris**

The permittee shall comply with the following construction-related requirements:

- (a) No demolition or construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain, or tidal erosion and dispersion.
- (b) No demolition or construction equipment, materials, or activity shall be placed in or occur in any location that would result in impacts to environmentally sensitive habitat areas, streams, wetlands or their buffers.
- (c) Any and all debris resulting from demolition or construction activities shall be removed from the project site within 24 hours of completion of the project.
- (d) Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters.
- (e) All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.
- (f) The applicant(s) shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.
- (g) Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required.

- (h) All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil.
- (i) Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.
- (j) The discharge of any hazardous materials into any receiving waters shall be prohibited.
- (k) Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible.
- (l) Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity.
- (m) All BMPs shall be maintained in a functional condition throughout the duration of construction activity.

3. Landscaping – Drought Tolerant, Non-Invasive Plants.

- A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, in a form and content acceptable to the Executive Director, two (2) sets of revised landscaping plans, which shall include and be consistent with the following:
 - i. Vegetated landscaped areas shall only consist of native plants or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a “noxious weed” by the State of California or the U.S. Federal Government shall be utilized within the property. All plants shall be low water use plants as identified by California Department of Water Resources (See: <http://www.water.ca.gov/wateruseefficiency/docs/wucols00.pdf> and <http://ucanr.edu/sites/WUCOLS/files/183488.pdf>).
 - ii. Use of reclaimed water for irrigation is encouraged. If using potable water for irrigation, only drip or microspray irrigation systems may be used. Other water conservation measures shall be considered, such as weather based irrigation controllers.
- B. The permittee shall undertake development in accordance with the approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to

this coastal development permit unless the Executive Director determines that no amendment is required.

4. **Permit Compliance.** All development must occur in strict compliance with the proposal as set forth in the application, subject to any special conditions imposed herein. Any deviation from the approved plans must be submitted for review by the Executive Director to determine whether an amendment to this Coastal Development Permit No. 5-16-0066 is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations.

IV. FINDINGS AND DECLARATIONS:

A. PROJECT DESCRIPTION & LOCATION

The applicant is proposing to replace 230 parking spaces currently available in the City of Santa Monica Civic Center's public surface parking lot with an Early Childhood Education Center ("ECEC") consisting of three (3) one- to two-story (approximately 23-ft. to 37-ft. high) buildings totaling approximately 24,000 gross sq. ft. (net 19,152 sq. ft.), a gross total of approximately 32,381 sq. ft. of active and passive outdoor space for childplay areas and landscaping, and 15 short-term surface parking spaces (**Exhibit 2**). The 15 short-term parking spaces will be designated for pick-up and drop off with a maximum 30 minute parking limit. The proposed ECEC will provide childcare for up to 110 children from ages 12 weeks to 5 years of age, as well as two Santa Monica College ("SMC") classrooms for up to 90 students in the SMC's Early Childhood Education Program. The proposed development will be comprised of three buildings: Administration, Preschool, and Infant-Toddler.

The proposed Administration building will consist of two stories and clerestory with a maximum height of 37 ft. above finished grade and will total approximately 12,013 sq. ft. The Preschool and Infant-Toddler buildings will both consist of a single story with a height 23 ft. above finished grade, and gross square footage of approximately 5,420 sq. ft. and 6,660 gross sq. ft., respectively.

The subject site is approximately 60,480 sq. ft. (1.39 acres) currently developed with 230 parking spaces, located approximately 0.28 miles inland of the beach. The project site is located in a large surface parking lot that provides a total of 1,000 parking stalls within the Auditorium Special Use District ("District") (**Exhibit 1**). The District is bounded by Pico Boulevard on the south, Fourth Street on the east, Main Street on the west, and Civic Center Drive on the north. The District is within the City of Santa Monica's ("City") larger Civic Center Specific Plan ("CCSP") area, which encompasses a number of areas including a total of five special use districts and is bounded by Pico Boulevard on the south, Fourth Street on the east, Ocean Avenue on the west, and Colorado Avenue on the north. The project site will be bordered by the surrounding surface parking, the Civic Center Garage structure, the Santa Monica Courthouse, and the Civic Auditorium, 4th Street, and Santa Monica High School located across 4th street (see **Exhibit 1**). The District is owned and operated by City. The applicant, Santa Monica Community College District ("SMC"), has a signed lease with the City to operate the proposed ECEC project. The currently proposed development has been approved by the State Architect and is consistent with the Parks and Open Space ("OS") zoning designation and the surrounding land uses.

Public Access and Parking

As previously stated above, the project site is located in one of the districts of the CCSP area. This District is located 0.18-mile inland of the beach in the City of Santa Monica. The District consists of the Civic Center surface parking lot and the Civic Auditorium.

Historically, this parking lot served events conducted at the Civic Auditorium, which is a multi-purpose convention center that opened in 1958. In 2008, the abutting Civic Parking Structure in the Civic Center Core District of the CCSP area was constructed, which added 770 parking spaces to the Civic Center area. The Civic Center surface lot and parking garage (“Civic Parking Facility”) consist of a total of 1,770 spaces. The Civic Parking Facility serves the Civic Center uses (i.e. City Hall, Civic Auditorium, Santa Monica Courthouse, Public Safety Facility), as well as coastal events (e.g. Twilight concert Series) and general public parking, and Santa Monica High School staff and students through monthly passes during the non-peak summer season. In addition, approximately 100 of the 230 parking spaces extant at the project site were leased to Macerich SMP LP and served a valet parking program; this lease, however, expired on December 31, 2016 and was not renewed.

The proposed development includes the removal/displacement of approximately 230 of extant public surface parking stalls to accommodate the ECEC project. ECEC will provide childcare for up to 110 children from ages 12 weeks to 5 years of age. Therefore, the proposed project includes 15 short-term parking spaces for parent drop-off and pick-up. In addition, approximately 25 staff members and administrators will work on-site in these classrooms and child care facilities, which will generate a parking demand of 25 parking spaces, based on the City’s calculations. The proposed ECEC will also provide two Santa Monica College (“SMC”) classrooms for up to 90 students in the SMC’s Early Childhood Education Program. These students have the potential to generate additional parking demand if they do not utilize alternative modes of transportation to arrive to ECEC as assumed by the City. Based on the Coastal Commission’s Interpretative Guidelines for Professional or Trade Schools, one space is required for every three students, or 30 parking spaces in this case. To determine whether or not the proposed project will be adequately supported by the Civic Parking Facility, a supply of 270 parking spaces¹ must be currently available to mitigate for the increase in demand and displacement of parking anticipated as a result of the proposed development to avoid any adverse impacts to public coastal access.

Because of the project site’s proximity to the State beach and its location in a public parking lot, development in the parking lot could adversely impact public access to the beach by reducing the total parking inventory near the coast. If the parking demand generated by development within the CCSP area exceeds the supply of parking that is currently available to the public and for CCSPA uses, visitors of to the Civic Center uses will utilize the parking that is needed to support general beachgoers, strollers, bicyclists, and joggers that depend on and use the parking that is available in the general vicinity of the coast. Therefore, in order to determine if the proposed project is consistent with the access policies of the Coastal Act, the Commission must find that the parking demand generated by the proposed development is adequately supported by the supply of parking available for new uses in the District.

¹ Required Parking Supply = spaces currently available to be displaced (230) + generated demand (25 + 30) – proposed parking (15) = 270 parking spaces

It should be noted that there is another application concurrently before the Commission for a large addition to Santa Monica's City Hall to house the City Service Building in the Civic Center Core District of the CCSP area (CDP Application No. 5-17-0429), which will also be served by the Civic Parking Facility. The increase in parking demand anticipated to be generated by this project estimates to 90 parking spaces.

Current parking utilization data of the Civic Parking Facility (surface parking lot and parking garage) has been provided and indicates that there is an adequate supply of parking to support the proposed development. According to utilization data collected for the Civic Center surface parking lot for the month of March 2017, occupancy did not exceed 60% with a minimum of 400 parking spaces available on a weekday, and did not exceed 40% with a minimum of 600 parking spaces available on the weekend. This lower utilization rate may be due, in part, to the Civic Auditorium not being fully operational since 2012 due to earthquake damage; the East Wing of the auditorium is available for limited public events and the Main Hall is available for limited events and film rentals that are not accessible to the general public. Based on July-August 2016 utilization data for the Civic Center Garage, the minimum number of parking spaces available in the parking structure during typical peak weekday period is on average approximately 25%, or 192 parking spaces, and approximately 50%, or 385 parking spaces, on the weekend. In addition, bicycle parking facilities for employees and visitors will be provided. Therefore, it can be reasonably assumed that the Civic Parking Facility (surface parking lot and parking garage) will adequately support the new ECEC development, as well as the City hall addition (CDP Application No. 5-17-0429).

Moreover, ECEC will operate the childcare facilities Monday through Friday from 7 a.m. to 6:00pm. Limited instructional courses will operate from 7:00 a.m. to approximately 10:00 p.m. Monday through Saturday. The project site will have limited Saturday activities and no activities on holidays when the visitor serving recreational uses within the Coastal Zone are in high demand.

Downtown Santa Monica is unique in that the City is constantly working on ensuring that the downtown area is transit-oriented. An example of such efforts includes the founding of an Emissions Reduction Program. The City's Emission Reduction Plan makes use of the Metro Expo Line stations that recently opened, which are less ¼ -mile from the project site, and of the public bike share system recently established downtown, which are within walking distance to the beach and the City's Municipal Pier. The close proximity and accessibility of the project site to the alternative transportation will help reduce parking demand at the project site.

Regarding future development in the Civic Center area, the City is currently planning the rehabilitation and future expansion of the Civic Auditorium (approx. 20,000 sq. ft. addition), as well as the removal of more surface parking to the east to accommodate a new Civic Auditorium Park within the Auditorium Special Use District. The City intends to consolidate the Civic Auditorium surface parking into a below-grade parking structure. According to the City's CCSP, the construction of the Civic Auditorium addition and the Civic Auditorium Park will be proposed after the construction of the ECEC project. For any future development in the Civic Center Area, the City will need to continue to evaluate parking for effective planning to ensure that the parking supply at the Civic Center area at any given time in the future is adequate to mitigate for any proposed future increase in demand and/or displacement of parking to avoid any adverse impacts to public coastal access.

Conclusion

To ensure adverse impacts to coastal resources and public access is avoided, any future improvements to ECEC authorized by this Coastal Development Permit No. 5-16-1033, including, but not limited to repair and maintenance identified as not requiring a permit, will require an amendment to Permit No. 5-16-1033 from the Commission as imposed by **Special Condition 1**. In addition, because the project site is located in close proximity to the coast and runoff from construction can impact the beach and ocean, the Commission recommends construction-related requirements and best management practices under **Special Condition 2**. In addition, the applicant is proposing landscaping with both low and moderate water use plants. The Commission typically requires that all new landscaping comprise of only low water use, non-invasive plants (Low WUCOLS Ranking) as identified by the California Department of Water Resources. Therefore, the Commission imposes **Special Condition 3**, which requires the submittal of revised landscaping plants, and implements the installation of non-invasive, drought-tolerant vegetation (low water use plants only) and water-conservative irrigation systems. The Commission imposes **Special Condition 4** to ensure permit compliance.

The Commission, therefore, finds that the proposed project, as conditioned, will not have adverse impacts to public access and will be consistent with the Commission's past permit action for Pier development and with the Chapter 3 policies of the Coastal Act and with all applicable policies of the certified LUP.

B. PUBLIC ACCESS

The proposed development will not affect the public's ability to gain access to, and/or to use the coast and nearby recreational facilities. Therefore, as proposed the development, as conditioned, conforms to Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

C. DEVELOPMENT

The development is located within an existing developed area and is compatible with the character and scale of the surrounding area. However, the proposed project raises concerns that future development of the project site potentially may result in a development which is not consistent with the Chapter 3 policies of the Coastal Act. To assure that future development is consistent with the Chapter 3 policies of the Coastal Act, the Commission finds that a future improvements special condition must be imposed. As conditioned the development conforms with the Chapter 3 policies of the Coastal Act.

D. WATER QUALITY/BIOLOGICAL ASSESSMENT

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. The development, as proposed and as conditioned, incorporates design features to minimize the effect of construction and post-construction activities on the marine environment. These design features include, but are not limited to, one or more of the following: the appropriate management of equipment and construction materials, reducing runoff through installation of roof drains, gutters, downspouts, and a drainage system to catch basins. Post-construction best management practices should minimize the project's potential adverse impact on coastal waters. Therefore, the Commission finds that the proposed development, as conditioned, conforms to Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

E. LOCAL COASTAL PROGRAM

Coastal Act section 30604(a) states that, prior to certification of a local coastal program (“LCP”), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with 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). On September 15, 1992, the City of Santa Monica accepted the LUP with suggested modifications. The proposed development is consistent with Chapter 3 of the Coastal Act. Approval of the project 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 of the Coastal Act.

F. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

As conditioned, there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

Appendix A - Substantive File Documents

- City of Santa Monica certified Land Use Plan
- Coastal Development Permit Application No. 5-17-0429 (City Services Building)
- City of Santa Monica Civic Center Specific Plan
- Civic Center Specific Plan Comprehensive Update, Downtown Redevelopment Plan Amendment and Associated Development, Final EIR, SCH# 2003011074, October 2004.
- Fifth Addendum to the Civic Center Specific Plan EIR, April 2015
- Preliminary Geotechnical Investigation, Early Childhood Education Center, Civic Center Drive, City of Santa Monica by GEOLABS-WESTLAKE VILLAGE, January 21, 2016.