



Legislation Text

File #: 13-0543, **Version:** 1

Recommendation to receive supporting documentation into the record, conclude the public hearing, consider the appeals from James Anderson (et al.), Melissa Wyss and Rachel Torres, and uphold the decision of the Planning Commission to approve a Local Coastal Development Permit and a Modification to an approved Site Plan Review decision to revise the project from a four-story, 56-unit residential complex with 40 hotel rooms to a four-story, 33-unit residential complex with 72 hotel rooms and associated amenities, located at 2010 East Ocean Boulevard in the Ocean Boulevard Planned Development District (PD-5) Subarea 2. (District 2)

On May 2, 2013, the Planning Commission conducted a public hearing on the Modification to an approved Site Plan Review decision to revise the entitled project from a four-story, 56-unit residential complex with 40 hotel rooms to a four-story, 33-unit residential project with 72 hotel rooms and related amenities, at 2010 E. Ocean Boulevard (Exhibit A -Plans and Photographs). After considering testimony from the public and applicant, the Planning Commission received the supporting documentation into the record, concluded the hearing, and voted 6-0 to approve the Modification, subject to conditions (Exhibit B - Findings and Conditions of Approval). Three separate appeals to the Planning Commission decision were filed within the appeal period. The reasons stated for the appeals included traffic, parking, safety and inconsistency with the Coastal Act (Exhibit C - Appeals).

The subject property is located on the south side of Ocean Boulevard at the terminus of Cherry Avenue east of 15th Place and is currently developed with the 40-room Beach Plaza Hotel. The site has a gross area of 45,643 square feet (1.04 acres) that will be reduced to 39,369 square feet (0.91 acres) after beachfront dedication and is zoned Ocean Boulevard Planned Development District (PD-5) Subarea 2.

The original project was approved on September 6, 2007, when the Planning Commission unanimously certified a Negative Declaration of Environmental Impact (ND 24-07) and approved a Local Coastal Development Permit, Site Plan Review and Tentative Tract Map for a four-story, 56-unit residential complex with 40 hotel rooms. These entitlements are still in effect.

The project was not built, primarily due to the nationwide economic downturn which significantly affected construction financing. Since the initial approval in 2007, market conditions have changed with regards to residential units and hotel units, and the applicant is proposing to modify the project to better respond to those changes.

The requested modification will reduce the overall number of residential units from 56 to 33 and increase the overall number of hotel rooms from 40 to 72. The hotel rooms will range in size from 308-493 square feet, while the residential units will range in size from 540-1230 square feet. The residential units are located along the east portion of the property adjacent to 15th Place, and the hotel rooms are located in the center and west portion of the property adjacent to Bluff Park. This creates a consistency of residential uses along 15th Place, provides a buffer between the proposed hotel use and existing residential uses to the west, and maintains good access and views of the ocean and park

for the hotel guests. In addition, the shift from residential units to hotel units is preferred, as the additional hotel units further the goal of the Coastal Act by providing an increase in public overnight accommodations and, thereby, additional opportunities for public access to the coast. Staff reviewed the certified Mitigated Negative Declaration (ND 24-07) for the original project and determined that the proposed Modification, which meets all Zoning Code requirements, will not result in any new adverse impacts nor increase the severity of any previously identified impacts.

The proposed design is very similar to the previously approved project. The architecture is contemporary in style and utilizes smooth stucco and glass as the primary materials. In addition, the design incorporates wood siding, metal fascia and mosaic tiles to create visual interest. The building will be a four-story structure (as measured from Ocean Boulevard grade) that is terraced on the southern portion to reflect the sloping nature of the bluff. From the beach grade, the project totals seven stories in height. It is designed with two courtyards; one that opens to Bluff Park on the east and one that opens to the beach on the south. In addition, the project includes a fitness room, dining facility and lounge for use by the residents, guests and hotel patrons.

If the City Council were to grant the appeals and overturn the decision of the Planning Commission, the applicant retains the right to construct the previously approved project containing 56 residential units and 40 hotel rooms. By upholding the decision of the Planning Commission and denying the appeals, the City Council would be allowing modification to the unit count, which staff believes is more compatible with the existing residential uses and the intent of the Coastal Act. For these reasons, staff recommends approval of the recommended actions.

This matter was reviewed by Assistant City Attorney Michael Mais on June 19, 2013 and by Budget Management Officer Victoria Bell on June 19, 2013.

The Municipal Code Section 21.21.504 requires City Council action within 60 days of receiving an application for appeal. The earliest of the three appeals was received on May 10, 2013.

There is no fiscal impact and no local job impact as a result of the recommended action.

Approve recommendation.

AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

APPROVED:

PATRICK H. WEST
CITY MANAGER