

**CITY OF MANHATTAN BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

TO: Planning Commission

FROM: Richard Thompson, Director of Community Development

BY: Esteban Danna, Associate Planner
Edward Kao, Senior Civil Engineer

DATE: April 9, 2014

SUBJECT: Application for a New Coastal Development Permit to Repair and/or Replace Pedestrian Access Stairs and Retaining Walls, as well as Build New ADA Compliant Ramps as Part of The Strand Pedestrian Access Improvement Project.

RECOMMENDATION

Staff recommends that the Planning Commission **CONDUCT THE PUBLIC HEARING, DISCUSS** the proposal, and **APPROVE** the Coastal Development Permit.

APPLICANT

City of Manhattan Beach Public Works Department
Edward Kao, Senior Civil Engineer
3621 Bell Ave
Manhattan Beach, CA 90266

BACKGROUND

There are currently two major recreational features located along the City's entire two mile coastline, a pedestrian walkway (The Strand) owned and maintained by the City and a bike path (Marvin Braude Bike Path) owned and operated by the County of Los Angeles Department of Public Works. The bike path is situated to the west of the Strand and is separated from The Strand by a vegetated slope of varying widths and grade. Connecting The Strand and the bike path are 36 pedestrian access points. Twenty seven of these access ways have stairs of varying designs and conditions. In addition to stairs, there are three ADA accessible ramps; two leading from the Strand to the El Porto parking lots at 41st and 43rd Streets and a third leading from the parking lot to the bike path at 42nd Street.

The City identified the need to remove and replace stairs at seven locations and perform repairs on 13 locations as shown on Attachment 2. Locations showing an asterisk signify proposed repair to existing retaining walls. The improvements will provide safe access from The Strand to the beach and will comply with current ADA requirements. Additionally, two ADA compliant ramps are proposed at 26th Street and Marine Avenue.

Several meetings by different City bodies have been held over the past two years to develop the project and provide an opportunity for community input, as follows:

May 1, 2012: City Council approved a contract with Community Works Design Group (Consultant) to conduct public meetings and prepare plans and specifications for construction.

January 10, 2013 and April 29, 2013: Two public meetings were conducted by the Consultant to determine public design preferences. During the second public meeting, residents recommended that the appearance of the existing stairs essentially remain the same and preferred that art elements be not included in the stair design since it may compromise the view of the ocean from The Strand.

August 13, 2013: The Consultant made a presentation to the Cultural Arts Commission on the status of The Strand Stairs Project and received input on the possibility of incorporating art elements in the design of the project.

September 30, 2013: The Cultural Arts Commission held a walking tour of the five proposed locations. After the tour, the Commission discussed possible elements that could be considered.

October 29, 2013: The City Council held a joint meeting with Cultural Arts Commission. During that meeting, City Council instructed Staff to meet with representatives from the Cultural Arts Commission and develop alternatives along with associated costs for introducing aesthetically enhanced elements into the project.

December 3, 2013: The City Council reviewed the proposed aesthetically enhanced alternatives, selected rail design elements, and gave direction to separate the stairs and retaining walls into two independent projects. This was needed so stair reconstruction can proceed through the federal funding authorization process, while the aesthetic design elements for the five retaining wall locations can be developed and approved at a slightly less aggressive pace. The goal was to bid and construct the projects at the same time and start construction during the targeted 2014 Fall season.

January 23, 2014: Staff conducted a third public meeting to present the rail design elements selected by the City Council, share City Council's decision to separate the stairs and the retaining walls into two independent projects, and discuss possible aesthetic elements for the retaining walls. For the retaining walls, Staff and the City's consultant presented various aesthetic alternatives ranging from sandblasted figures to landscaped walls. Due to the concern for long term maintenance cost, the green wall concept was eliminated. General consensus was to repair the retaining walls and minimally sandblast designs onto the five retaining wall locations. The wave motif seemed to be preferred by most in attendance. After the meeting, there was a suggestion that motifs of marine life that can be spotted along the coast of Manhattan Beach such as dolphins and whales should be included as part of the options.

February 25, 2014: Staff made a PowerPoint presentation to the City Council on three options with cost estimates for creating aesthetically enhanced designs for the five retaining walls. The

City Council chose to minimally sandblast a wave motif on the five retaining walls with smaller street names/numbers.

Since the project has federal funding, funding authorization will need to be obtained from Caltrans (E-76) since Caltrans is the federal funding administrator. In order to start construction during the 2014 Fall season, all design plans will need to be completed by the end of May 2014 and Coastal and County permits obtained by June 2014. Bidding will take place in July 2014 with construction contract being awarded in August 2014.

DISCUSSION

The project specifically proposes the following:

- Removal and replacement of stairs at seven locations along The Strand; 21st, 25th, 29th, 30th, 32nd, 33rd, and 35th Streets.
- Repairs to 13 locations along The Strand; Marine Avenue, Rosecrans Avenue, 8th, 10th, 14th, 16th, 18th, 20th, 23rd, 24th, 26th, 31st, and 34th Streets.
- Repairs to five retaining walls along The Strand; Rosecrans Avenue, 14th, 16th, 18th, and 20th Streets.
- Construction of two ADA compliant ramps along The Strand; Marine Avenue and 26th Street.

Although the stairs and retaining walls projects were separate for funding reasons, they will be combined into a single Coastal Development Permit in order to streamline the process.

Pursuant to Local Coastal Program Section A.96.040, a Coastal Development Permit is required for the project. Section A.96.090 requires that a public hearing be held prior to any action on a Coastal Development Permit.

Section A.96.150 of the Local Coastal Program establishes that certain findings be made by the Planning Commission in granting Coastal Development Permit approval. Staff believes that those findings can be made for the proposal as follows:

- A. The project conforms to the certified Manhattan Beach Local Coastal Program in that it is a public works project benefiting coastal access and recreation.
- B. The project is in conformity with the public access and recreation policies of the California Coastal Act since it enhances the safety and longevity of The Strand and the bike path, which is considered a valuable coastal resource that provides access and recreational opportunities in the coastal zone.

Staff has included additional conditions supporting these findings (similar to previous beach projects) in the attached Resolution including the following:

- Construction shall not occur during the peak summer beach season.
- A construction management plan shall be submitted to limit disruptions.
- To minimize construction impact to beach access, no two consecutive/adjacent stairs shall be constructed at the same time.

ENVIRONMENTAL REVIEW

The Project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15301.

PUBLIC INPUT

A public notice for the project was mailed to property owners and residents within 100 feet of The Strand and published in the Beach Reporter newspaper (1/4 page ad). Staff has not received any comments for the project at the writing of this report. Other City departments did not have comments for the proposed project.

CONCLUSION

Staff supports the request, finding that the proposal provides improved coastal access and recreational opportunities with reasonable temporary construction disruption. The project conforms to the City's Local Coastal Program.

A draft Resolution of approval (Attachment 1) is included. The Planning Commission's decision is appealable to the City Council and the California Coastal Commission. Several standard conditions typically included in a separate coastal permit document have been placed in the resolution as well as the special conditions discussed above. Public Works Staff will be available at the meeting to present the project and respond to any questions the Commission may have.

Attachments:

1. Draft Resolution No. PC 14-XX
2. Stair Locations Map
3. Public Notice

RESOLUTION NO PC 14-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A COASTAL DEVELOPMENT PERMIT TO ALLOW REPAIR AND/OR REPLACEMENT OF PEDESTRIAN ACCESS STAIRS AND CONSTRUCTION OF NEW ADA COMPLIANT RAMPS AS PART OF THE STRAND PEDESTRIAN ACCESS IMPROVEMENT PROJECT (City of Manhattan Beach Public Works Department)

THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Manhattan Beach hereby makes the following findings:

- A. The Planning Commission of the City of Manhattan Beach conducted a public hearing pursuant to applicable law on April 9, 2014 to consider an application for a coastal development permit for replacement/repair to existing stairs at 20 locations, construction of two ADA compliant ramps, and repairs to retaining walls related to the stairs at five locations along The Strand/bicycle path in the City of Manhattan Beach. The project proposes the following:
 - Removal and replacement of stairs at seven locations along The Strand and bike path; 21st, 25th, 29th, 30th, 32nd, 33rd, and 35th Streets.
 - Repairs to 13 locations along The Strand and bike path; Marine Avenue, Rosecrans Avenue, 8th, 10th, 14th, 16th, 18th, 20th, 23rd, 24th, 26th, 31st, and 34th Streets.
 - Repairs to five retaining walls along The Strand and bike path; Rosecrans Avenue, 14th, 16th, 18th, and 20th Streets.
 - Construction of two ADA compliant ramps along The Strand and bike path; Marine Avenue and 26th Street.
- B. The public hearing was advertised pursuant to applicable law, testimony was invited and received.
- C. The applicant for the Coastal Development Permit is the City of Manhattan Beach.
- D. The proposed work is located within Area Districts III and is zoned OS – Open Space. The surrounding land uses consist of single and multiple family residences, and the public beach.
- E. The General Plan designation for the property is Open Space, and the Local Coastal Program/Land Use Plan designation is also Open Space.
- F. The Project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Sections 15301.
- G. The project will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.
- H. The project is in accordance with the objectives and policies of the Manhattan Beach Coastal Program, as follows:
 1. The proposed improvements are consistent with the surrounding coastal zone area and comply with the applicable standards of the Manhattan Beach Coastal Zone Zoning Code.
 2. While construction will temporarily occupy some space on the beach, access from The Strand, and surrounding streets to the coastline and surrounding beach area shall remain available. The bike path will have temporary narrowing or detours at construction locations. Construction, obstructions, and detours shall not occur during the peak demand summer period.

3. Any displacement of normal views or use of the space shall be temporary for the period of construction.
 4. Improvements shall be subject to the restrictions (temporary access, vehicle traffic etc.) of this Coastal Development Permit.
- K. The project is consistent with the public access and recreation policies of Chapter 3 of the California Coastal Act of 1976, as follows;
- Section 30212 (a) (2): The proposed facility does not impact public access to the shoreline, and adequate public access is provided and shall be maintained along The Strand and intersecting streets.
- Section 30221: The project goal of improved beach access will enhance coastal recreation opportunities.
- L. This Resolution upon its effectiveness constitutes the Coastal Development Permit for the subject project.

SECTION 2. The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the subject Coastal Development Permit subject to the following conditions:

Standard Conditions

1. *Compliance.* All development must occur in strict compliance with the proposal as set forth in the application for said permit, subject to any special conditions set forth below. Any substantial deviation from the approved plans must be reviewed and approved by the Planning Commission.
2. *Expiration.* The Coastal Development Permit shall be approved for a period of two years after the date of approval, with the option for future extensions, in accordance with the Manhattan Beach Municipal Code (MBMC) Section 10.84.090.
3. *Interpretation.* Any questions of intent or interpretation of any condition will be resolved by the Planning Commission.
5. *Assignment.* The permit may be assigned to any qualified persons subject to submittal of the following information to the Director of Community Development:
 - a. A completed application and application fee as established by the City's Fee Resolution;
 - b. An affidavit executed by the assignee attesting to the assignee's agreement to comply with the terms and conditions of the permit;
 - c. Evidence of the assignee's legal interest in the property involved and legal capacity to undertake the development as approved and to satisfy the conditions required in the permit;
 - d. The original permittee's request to assign all rights to undertake the development to the assignee; and,
 - e. A copy of the original permit showing that it has not expired.
6. *Terms and Conditions are Perpetual.* These terms and conditions shall be perpetual, and it is the intention of the Director of Community Development and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.
7. *Effective Date.* This Resolution shall become effective when all time limits for appeal as set forth in MBMC Section 10.100.030, and the City of Manhattan Beach Local Coastal Program -

Implementation Program Section A.96.160 have expired; and, following the subsequent Coastal Commission appeal period which is 10 working days following notification of final local action.

Special Conditions

- 8. The subject Coastal Development Permit will be implemented in conformance with all provisions and policies of the Certified Manhattan Beach Local Coastal Program (LCP) and all applicable development regulations of the LCP - Implementation Program.
- 9. The final construction plans shall be in substantial conformance with the project description submitted to the Planning Commission on April 9, 2014.
- 10. A final plan for bike path detours, and maintaining temporary pedestrian access to the beach, shall be submitted for approval by the Community Development Department prior to project construction.
- 11. Project construction shall not take place during the summer season (Memorial Day to Labor Day weekends).
- 12. A Construction Management Plan shall be submitted to the Community Development Department, to be approved by the Police and Public Works Departments prior to construction. The plan shall provide for the management of all construction, including related traffic during all phases of construction, including delivery of materials and parking of construction related vehicles. Project vehicles and equipment shall be prohibited from using or crossing over The Strand walkway; except concrete hoses shall be permitted to cross the Strand, if necessary and not obstructing pedestrian access, subject to the review of the City Engineer.
- 13. Pursuant to Public Resources Code section 21089(b) and Fish and Game Code section 711.4(c), the project is not operative, vested or final until the required filing fees are paid.

SECTION 3. Pursuant to Government Code Section 65009 and Code of Civil Procedure Section 1094.6, any action or proceeding to attack, review, set aside, void or annul this decision, or concerning any of the proceedings, acts, or determinations taken, done or made prior to such decision or to determine the reasonableness, legality or validity of any condition attached to this decision shall not be maintained by any person unless the action or proceeding is commenced within 90 days of the date of this resolution and the City Council is served within 120 days of the date of this resolution. The City Clerk shall send a certified copy of this resolution to the applicant, and if any, the appellant at the address of said person set forth in the record of the proceedings and such mailing shall constitute the notice required by Code of Civil Procedure Section 1094.6.

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of April 9, 2014 and that said Resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RICHARD THOMPSON,
Secretary to the Planning Commission

ROSEMARY LACKOW
Recording Secretary

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Stair Locations

Attachment 2



	Stairs to Be Rehabilitated
1	Rosecrans Avenue*
2	35th Street (R & R)
3	34th Street
4	33rd Street (R & R)
5	32nd Street (R & R)
6	31st Street
7	30th Street (R & R)
8	29th Street (R & R)
9	26th Street & ADA Ramp
10	25th Street (R & R)
11	24th Street
12	23rd Street
13	Marine Avenue & ADA Ramp
14	21st Street (R & R)
15	20th Street*
16	18th Street*
17	16th Street*
18	14th Street*
19	10th Street
20	8th Street

**ATTACHMENT 2
PC MTG 4-9-14**

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CITY OF MANHATTAN BEACH

**NOTICE OF A PUBLIC HEARING BEFORE THE PLANNING COMMISSION OF
THE CITY OF MANHATTAN BEACH TO CONSIDER AN APPLICATION FOR A NEW
COASTAL DEVELOPMENT PERMIT TO REPAIR AND/OR REPLACE PEDESTRIAN
ACCESS STAIRS AND BUILD NEW ADA COMPLIANT RAMPS AS PART OF
THE STRAND PEDESTRIAN ACCESS IMPROVEMENT PROJECT
(WITHIN THE APPEAL JURISDICTION OF THE COASTAL ZONE).**

- Applicant:** City of Manhattan Beach - Department of Public Works
- Filing Date:** March 19, 2014
- Project Location:** Various locations along The Strand
- Project Description:** Application for a new Coastal Development Permit to improve pedestrian access between The Strand and the bicycle path. Specifically, the Public Works Department proposes to remove and replace seven staircases, repair 13 staircases, and build two new ADA compliant ramps along The Strand. The Public Works Department, Cultural Arts Commission, and City Council have held public meetings to discuss the project between May 2012 and February 2014.
- Environmental Determination:** This project is Categorically Exempt, Section 15301, California Environmental Quality Act (CEQA) Guidelines.
- Project Planner:** Esteban Danna, 310-802-5514, edanna@citymb.info
- Public Hearing Date:** Wednesday, April 9, 2014
Time: 6:30 p.m.
Location: Council Chambers, City Hall, 1400 Highland Avenue, Manhattan Beach
- Further Information:** Proponents and opponents may be heard at that time. For further information contact project Planner. The project file is available for review at the Community Development Department at City Hall.
- A Staff Report will be available for public review at the Police Department on Saturday, April 5, 2014, or at the Community Development Department on Monday, April 7, 2014, or City website: <http://www.citymb.info> on Friday April 4, 2014 after 5 p.m.
- Public Comments:** Anyone wishing to provide written comments for inclusion in the Staff Report must do so by April 2, 2014. Written comments received after this date will be forwarded to the Planning Commission at, or prior to, the public hearing, but will not be addressed in the Staff Report. Oral and written testimony will be received during the public hearing.
- Appeals:** The Planning Commission's decision is appealable to the Manhattan Beach City Council within 15 days from the date of the Planning Commission's decision, of the City's final action. Appeals to the City Council shall be accompanied by a fee in the amount of \$500.
- The City Council's decision is appealable to the State Coastal Commission within ten (10) working days following receipt by the State Coastal Commission of the City's final action.
- If you challenge the proposed actions in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this Notice, or in correspondence delivered to the Planning Commission at, or prior to the public hearing.*

Mail: March 25, 2014
Publish: March 27, 2014 – Beach Reporter

**ATTACHMENT 3
PC MTG 4-9-14**

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