

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
 89 SOUTH CALIFORNIA ST., SUITE 200
 VENTURA, CA 93001
 (805) 641-0142



Filed: 8/20/96
 49th Day: 10/8/96
 180th Day: 2/16/96
 Staff: R. Richardson *R.R.*
 Staff Report: 8/21/96
 Hearing Date: 9/10-13/96
 Commission Action:

F7c

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: **4-96-112**

APPLICANT: **Johnnie's New York Pizzeria and Yamamoto of the Orient**

AGENT: Marny Randall

PROJECT LOCATION: 22333 Pacific Coast Highway, City of Malibu

PROJECT DESCRIPTION: Remodel and expansion of Johnnie's Pizzeria from 800 sq. ft to 1,800 sq. ft. (650 sq. ft. seating area and 350 sq. ft. storage and waiting area) within an existing 14,602 sq. ft. shopping center. The total restaurant seating area would be 650 sq. ft. and the applicant proposes to alternate 200 sq. ft. of outdoor and 200 sq. ft. of indoor seating, which will result in the operation of a maximum of 450 sq. ft. of seating at any one time. The project includes parking lot changes that involve increasing the number of spaces from 49 to 53, closing the center driveway, marking two parking spaces on PCH and designating four shopping center parking spaces available for public access on Sat., Sun. and holidays. the project includes attaching a 2500 gallon grease trap to the septic system.

Lot area:	1.25 acre
Building coverage:	9,080 sq. ft.
Pavement coverage:	17,225 sq. ft.
Landscape coverage:	2,000 sq. ft.
Parking spaces:	53 spaces

LOCAL APPROVALS RECEIVED: City of Malibu Planning Department Approval in Concept, City of Malibu Environmental Health Department Approval in Concept, City of Malibu Planning Commission Approval of Negative Declaration No. 96-010, Conditional Use Permit No. 96-001 and Variance No. 96-004.

SUBSTANTIVE FILE DOCUMENTS: City of Malibu Planning Commission Resolution No. 96-022; Certified 1986 Malibu/Santa Monica Mountains Land Use Plan; Coastal Development Permits P-7-28-77-1471 (Mehner and Mehner) and 5-83-08 (Ho).

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends the approval of the proposed project which consists of a 800 sq. ft. remodel and 200 sq. ft. patio addition of Johnnie's Pizzeria. The 1,000 sq. ft. of improvements broken down include: 200 sq. ft. outdoor seating area; 450 sq. ft. indoor seating area; and, 350 sq. ft. storage and entry. The pizzeria is located within an existing 14,602 sq. ft. shopping center. The applicant proposes to alternate 200 sq. ft. of outdoor and 200 sq. ft. of indoor restaurant seating to provide a maximum increase and operation in restaurant seating of 450 sq. ft. The proposal to alternate indoor and outdoor seating is proposed pursuant to two conditions of approval imposed on the project by the City of Malibu, which restrict the seating area to 450 sq. ft. total due to the center's limited number of parking spaces. The project includes parking lot changes that involve increasing the number of spaces from 49 to 53, closing the center driveway, marking two parking spaces on PCH and designating four shopping center parking spaces as available for public access on Sat., Sun. and holidays. The project includes the installation of a grease trap that will attach to the existing septic system. Staff is recommending approval of the proposed project subject to special conditions regarding the recordation of a future improvements deed restriction, agreement to conform to the special conditions of approval required by the City of Malibu regarding restaurant use, agreement to mark and maintain the two proposed parking spaces on Pacific Coast Highway and agreement to make available the four proposed parking spaces for public use on weekends and legal holidays.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants, 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, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

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. Compliance. All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.

4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.

6. 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.

7. 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. City of Malibu Restaurant Use Allowance

In accord with the applicants' proposal, the applicants shall, by accepting this permit, agree to comply with the City of Malibu Planning Commission Resolution 96-022 conditions of approval 6 and 7 which require the outside patio be reduced in size to 200 sq. ft.; the indoor seating area not exceed 450 sq. ft.; and, no more than 450 sq. ft. of the 650 sq. ft. total seating area be used simultaneously.

2. Public Parking

In accord with the applicants' proposal, the applicant has proposed as part of the project that four parking spaces located within the shopping center in the eastern parking lot will be available for public parking on weekends and legal holidays from 9:00 a.m. to 5:00 p.m. and to install signs which inform the public of the parking space locations and days and hours of operation. Accordingly, by accepting this permit, the applicant agrees to make these spaces available and to sign the four parking spaces with signs approximately 1 ft. by

1 ft. in size that include (at minimum) wording in large letters, "Public Beach Parking Available." The signs shall be installed prior to completion of parking improvements.

3. Pacific Coast Highway and Parking Lot Improvements

The applicant has proposed to mark and maintain the markings for two on street parking spaces fronting 22333 Pacific Coast Highway in accordance with California Department of Transportation's permission and standards and to mark the existing parking lot to accommodate 54 parking spaces. Accordingly, the applicant agrees by accepting this permit, to undertake this work and complete it prior to completion of the proposed remodel and addition approved in the Coastal Development Permit No. 4-96-112.

4. Future Improvements

Prior to the issuance of a coastal development permit, the applicant shall secure from the landowner the execution and recordation of a document, in a form and content acceptable to the Executive Director, stating that the subject permit is only for the development described in the Coastal Development Permit No. 4-96-112; and that: 1) any additions to permitted structures, future structures or improvements to the property; and, 2) any improvements/alterations to the physical structure or effecting availability of the four public parking spaces as noted in Special Condition 2 of Coastal Development Permit No. 4-96-112, that might otherwise be exempt under Public Resource Code Section 30610(a), will require a permit from the Coastal Commission or its successor agency. The document shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens and any other encumbrances which the Executive Director determines may affect the interest being conveyed.

IV. Findings and Declarations.

The Commission hereby finds and declares:

A. Project Description and Background

The applicants are proposing the expansion of an existing pizzeria by 1,000 sq. ft., 800 sq. ft. is considered part of the existing facility and 200 sq. ft. (the patio area) is considered an addition to the center. Of the total square footage proposed, 200 sq. ft. is outside seating, 450 sq. ft. is indoor seating, 200 sq. ft. is storage area and 150 sq. ft. is a waiting and ordering area. The applicant is proposing to alternate the new 200 sq. ft. outdoor seating area and 200 sq. ft. of the indoor seating area in order to operate no more than 450 total sq. ft. of seating area at any given time. The pizzeria is located within a 14,602 sq. ft. shopping center that presently contains 49 parking spaces. As proposed by the applicant, the center's parking lot will be re-marked to accommodate 53 parking spaces and one of the three existing driveways will be closed off. The applicant has proposed to mark and

maintain two on street parking spaces fronting the site on Pacific Coast Highway and to make four parking spaces in the eastern parking lot available for public parking on weekends and legal holidays. In addition, the applicant is proposing the construction of a grease trap connecting to all kitchen plumbing fixtures which will be added to the private sewage disposal system.

The site is located in the Carbon Beach area of Malibu, approximately 4,000 ft. east of the Malibu Pier. Along this stretch of Pacific Coast Highway (PCH), from Carbon Point to Malibu Pier, the property located on the landward side of the highway is developed with a mixture of general commercial, visitor commercial and multi-family uses. The seaward side of this stretch of PCH is developed with single family residential, multi-family residential, general commercial and visitor commercial.

The site has been the subject of two past coastal development permits. In 1977, the Commission approved the removal of 18 carports, the conversion of 18 apartments to commercial suites and the construction of 60 on-site parking spaces [P-7-28-77-1471 (Mehner and Mehner)]. In 1983, the Commission approved the conversion of a take out restaurant to a seated restaurant with an increase of 295 sq. ft. for seating [5-83-08 (Ho)]. The project was subject to one special condition that required the applicant to revise the project plans to eliminate all outside seating.

B. New Development -- Coastal Access Parking

Section 30252 of the Coastal Act states in part that:

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation . . .

In addition, Section 30250(a) of the Coastal Act requires that new development be permitted only where public services are adequate and where such development will not have any adverse impacts on coastal resources. Further, the Coastal Act requires that new development be allowed consistent with public access policies of the Coastal Act and assure that such development will not adversely impact the public's ability to access the coast. Finally, the Coastal Act requires that areas necessary to support coastal recreational uses, such as visitor-serving commercial uses, be provided

In the Commission's review and certification of the 1986 Malibu/Santa Monica Land Use Plan, analysis of the relationship of new development and the capacity of Pacific Coast Highway (PCH) to accommodate that development was performed. Based on a 1983

study performed by the California Department of Transportation regarding PCH, the Commission found in certifying the LUP that the highway was limited in its capacity to accommodate new development. Additionally, on a statewide basis, the Commission has required through permit actions and approved local coastal programs that new development have adequate parking. Parking standards for the Malibu/Santa Monica Mountains area of the coastal zone were initially imposed under the District Interpretive Guidelines adopted on June 18, 1981.¹ These parking standards were again confirmed by the Commission in their certification of the Malibu/Santa Monica Mountains LUP in 1986.² The Commission's review of permits in the Malibu/Santa Monica Mountains coastal zone has evidenced that one of the fundamental impediments to coastal access is lack of public beach access parking.

As described by the project description, the proposed "new development" involves the remodel and addition of a 1,000 sq. ft. area to provide seating area for an existing take-out and counter service pizzeria. The pizzeria is a tenant of a 14,602 sq. ft. shopping center. Of the total area proposed for remodel, the 200 sq. ft. outdoor seating area represents the only area that has not been previously reviewed and approved by the Commission is therefore considered an addition to an existing shopping center. The remaining 800 sq. ft. area was previously utilized as a post office.

In comparing the shopping center against the parking standards contained in the certified Malibu/Santa Monica Mountains Land Use Plan, which the Commission considers guidance, the center would be required to have 73 parking spaces. This calculation is based on a suggested standard of five parking spaces per 1,000 sq. ft. As described in the preceding section, the 1977 Commission approval resulted in the conversion of an existing multi-family development to commercial suites and 60 parking spaces were approved to accommodate this development. Accordingly, the Commission's approval resulted in parking that was less, by comparison, than that suggested under the parking standards for a mixed use shopping center by 13 spaces. In 1983, when the Commission approved the conversion of a take-out restaurant to a restaurant, the Commission found that the approval of the restaurant in the commercial facility would result in an intensified use of the shopping center and that the as-built shopping center which contained 54 parking spaces, was deficient by 12 parking spaces. The parking standard in 1983, which is the same as the present standard, suggested six parking spaces would be necessary for the 295 sq. ft. proposed restaurant expansion, based on 1 parking space per 50 sq. ft. This fact combined with the shopping center's deficiency in total number of parking spaces resulted in the Commission conditioning the permit to eliminate all restaurant outdoor eating area to insure that no further parking demands as those associated with restaurant seating be placed on the shopping center.³

¹ District Interpretive Guidelines adopted 6/18/81 superseded 7/16/79 Edition.

² Attachment 11 of the certified Malibu/Santa Monica Mountains LUP.

³ Coastal Development Permit 5-83-8, special condition #1, page 3.

Presently, the shopping center only contains 49 parking spaces, which is inconsistent with the Commission's past approval. The applicant is proposing to re-mark the existing parking lot and add four parking spaces which would afford the center a total of 53 parking spaces. Even if no structural additions were sought by the applicants, the proposed 53 parking spaces would be less than what is required by the Commission's past action and with the suggested Malibu/Santa Monica LUP standard of 73 total parking spaces. In order to bring the project into conformance with the Commission's past action, the applicants are proposing to close one of three existing driveways and to mark and maintain two parking spaces fronting the shopping center on Pacific Coast Highway. Since the proposed project involves intensifying the shopping center's use by constructing 650 sq. ft. of total restaurant seating area, the Commission must address whether the existing

on-site parking is adequate to accommodate the new development proposed under this application without adversely impacting public access to the coast as set forth in §30250(a) of the Coastal Act. Additionally, the Commission must consider whether the proposed development will maintain and enhance public access to coast and if it provides adequate parking facilities or a substitute means of parking to serve the development as specified in §30252 of the Coastal Act.

The applicants' agent has submitted several pieces of information to show the proposed intensification of the shopping center and patio addition once constructed will not result in adverse impacts to off street parking that may be used as parking for beach users. First, the applicants provided a list of the shopping center's tenants, their uses and their hours of operation to show that the center's existing mixed use allows sharing of the parking spaces. As evidenced by this list, the shopping center contains two other restaurants besides the pizzeria. The three restaurants combined total 4,200 sq. ft. and presently six second floor suites 2,280 sq. ft. are vacant (See Exhibit 5).

Second, the applicant has submitted a calculation of the percent of businesses that operate on the weekends to evidence that the center's parking would not overflow onto PCH, when off street parking by beach users would be most heavily in demand. As indicated on Exhibit 6, 20% of all the existing businesses would be closed on Saturdays and 33% on Sundays. The Commission notes, however, that list identifying the current operation of the center does not consider the operation of the center at its capacity.

Lastly, the applicant's agent prepared an off street parking survey of all available off street parking spaces in the immediate vicinity of the shopping center. The survey defined the immediate vicinity as parking along PCH from Carbon Point to the east and the Malibu Pier to the west. As surveyed, 987 off street parking spaces were available. In addition, two public parking lots that abut the Malibu Pier, which is approximately 4,000 ft. east of the shopping center, contain a total of 109 parking spaces. The applicants' agent contends that the commercial parking lots within the vicinity are rarely full.

Currently, the site is in approximately 2,000 ft. east of an existing vertical accessway that is open for public to access the beach. In addition, the site is located across the street from a offer to dedicate vertical accessway that has been constructed but has not been accepted by an organization who will operate and maintain it; and, therefore, the accessway is presently closed for public use. In addition, the site is located just downcoast of the Malibu Pier, which is currently the subject of renovation proposals. Moreover, the entire length of Carbon Beach, is considered a sandy beach, (as opposed to a cobble or rock beach) and is available for passive recreational use such as surfing, walking and swimming.

As stated in the project description the applicant proposes the following to mitigate and minimize, to the maximum extent feasible, the impacts of the project on public's ability to park on PCH to access the beach: 1) alternate 200 sq. ft. outdoor and 200 sq. ft. indoor restaurant seating which results in a maximum increase of 450 sq. ft of restaurant seating as limited by the City of Malibu Planning Commission under conditions of approval 6 and 7; 2) to increase the number of on-site parking spaces from 49 to 53; 3) close one of the center's driveways and mark two parking spaces on PCH; and, 4) designate four shopping center parking spaces as available for public access on Sat., Sun. and legal holidays. As outlined above, the Coastal Act mandates that all new development has adequate infrastructure including road service and parking and that the location and amount of new development maintain and enhance public access to the coast. Therefore, in order to insure that the following proposals are implemented and thereby bring the project into conformance with §30250(a) and §30252 of the Coastal Act, special condition no. 1 through 3 are have been drafted.

The Commission finds it necessary to review any future improvements to the shopping center, which either result in expansion and intensification of the center or result in a reduction of available parking spaces. Accordingly, special condition #4 requires the applicants to obtain a coastal development permit or amendment to this permit for future development. The co-applicants for this coastal development permit include Johnnie's New York Pizzeria, who is the tenant and Yamamoto of the Orient, who is the landowner. Therefore, both applicants will be responsible for adherence to the standard and special conditions of the subject permit (4-96-112). Should a new tenant lease the space where Johnnie's New York Pizzeria is located or should a new tenant assume the lease of the pizzeria as it exists or is approved under this permit, the landowner and co-applicant, Yamamoto of the Orient, shall remain bound by the terms and conditions of this permit.

The Commission finds that based on the detailed breakdown of the shopping center tenants, uses and hours of operation, the maximum of 200 sq. ft. of new shopping center area, the proposal to alternate restaurant seating, the proposal to mark parking spaces on PCH, the proposal to make public parking for beach users available on weekends and legal holidays and the Commission's review of future development, the proposed project will

not adversely affect the public's access to the coast. Therefore, as conditioned, the proposed project is in conformance with §30252 and §30250(a) of the Coastal Act.

C. Septic System

The Commission recognizes that the potential build-out of lots in Malibu, and the resultant installation of septic systems, may contribute to adverse health effects and geologic hazards in the local area. Section 30231 of the Coastal Act states that:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, minimizing alteration of natural streams.

The applicant has submitted septic system "Approval in Concept" from the City of Malibu Department of Environmental Health which indicates that the grease trap proposed will connect to all kitchen plumbing fixtures and will be attached to the existing septic systems. As stated on the approval-in-concept, the septic systems exceed the maximum Plumbing Code requirements for the project. As reviewed by the City, the proposed project will not adversely impact the biological productivity and quality of the ocean which is located approximately 300 ft. south of the proposed system. Therefore, the Commission finds that the proposed project is consistent with Section 30231 of the Coastal Act.

D. Local Coastal Program

Section 30604 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 program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).

Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. The preceding sections provide findings that the proposed project will

be in conformity with the provisions of Chapter 3 if certain conditions are incorporated into the project and accepted by the applicant. As conditioned, the proposed development will not create adverse impacts and is found to be consistent with the applicable policies contained in Chapter 3. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the City's ability to prepare a Local Coastal Program for Malibu which is also consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

E. CEQA

Section 13096(a) of the Commission's administrative regulations requires Commission approval of Coastal Development Permit application 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 Commission finds that, the proposed project, as conditioned will not have significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. Therefore, the proposed project, as conditioned, has been adequately mitigated and is determined to be consistent with CEQA and the policies of the Coastal Act.

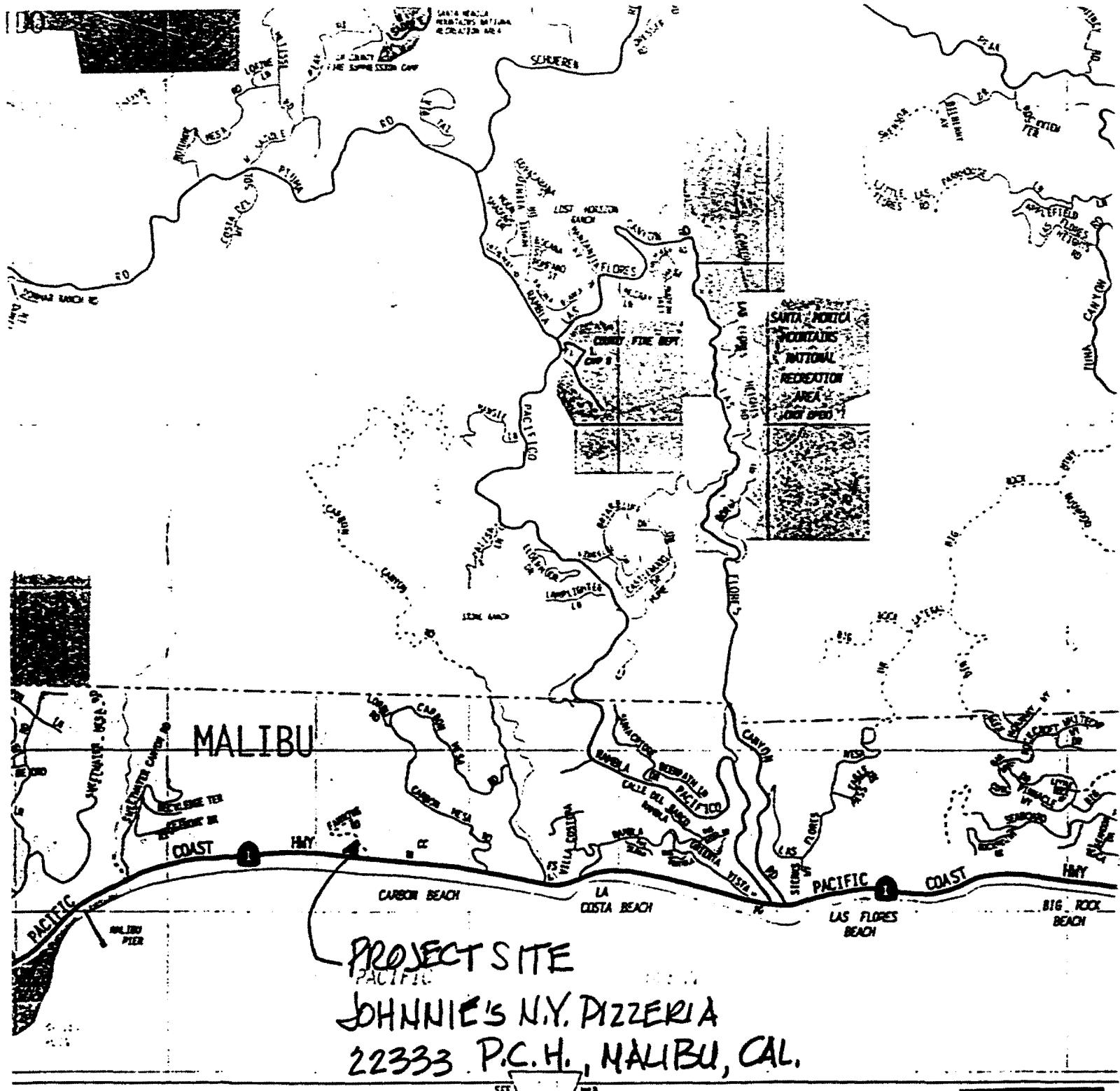


EXHIBIT 1
 4-96-112
 VICINITY
 MAP

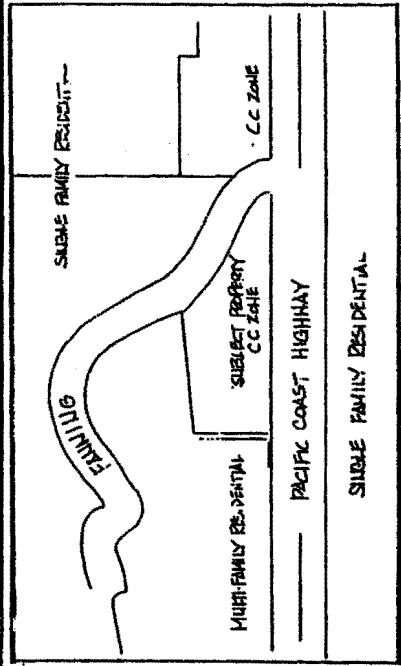
REV	DATE	DESCRIPTION
3-7-96	1/20	
6-19-96	1/20	

JOHNNIE'S NEW YORK PIZZERIA
2233 PACIFIC COAST HIGHWAY
MALIBU, CALIFORNIA 90263

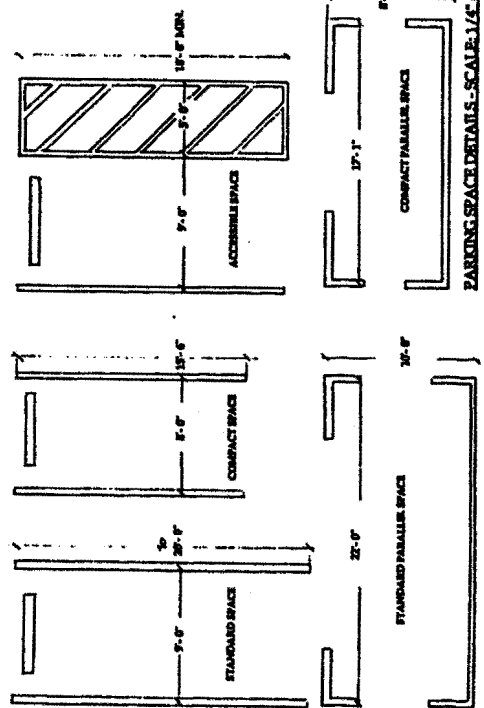
SITE PLAN
SURROUNDING LAND USES
VICINITY MAP
PARKING SPACE DETAILS

RANDALL DEVELOPMENT CONSULTING
909 EUCLID ST., 56
SANTA MONICA, CALIF. 90408
310-392-2815

1-25-96
1-25-96
1-25-96
1-25-96
1-25-96
1-25-96

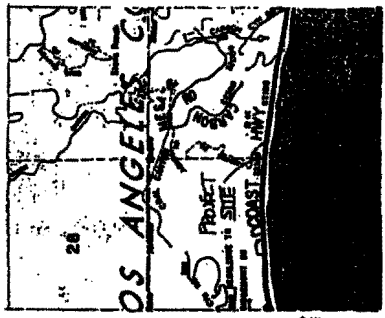


SURROUNDING LAND USES
SCALE 1" = 100'

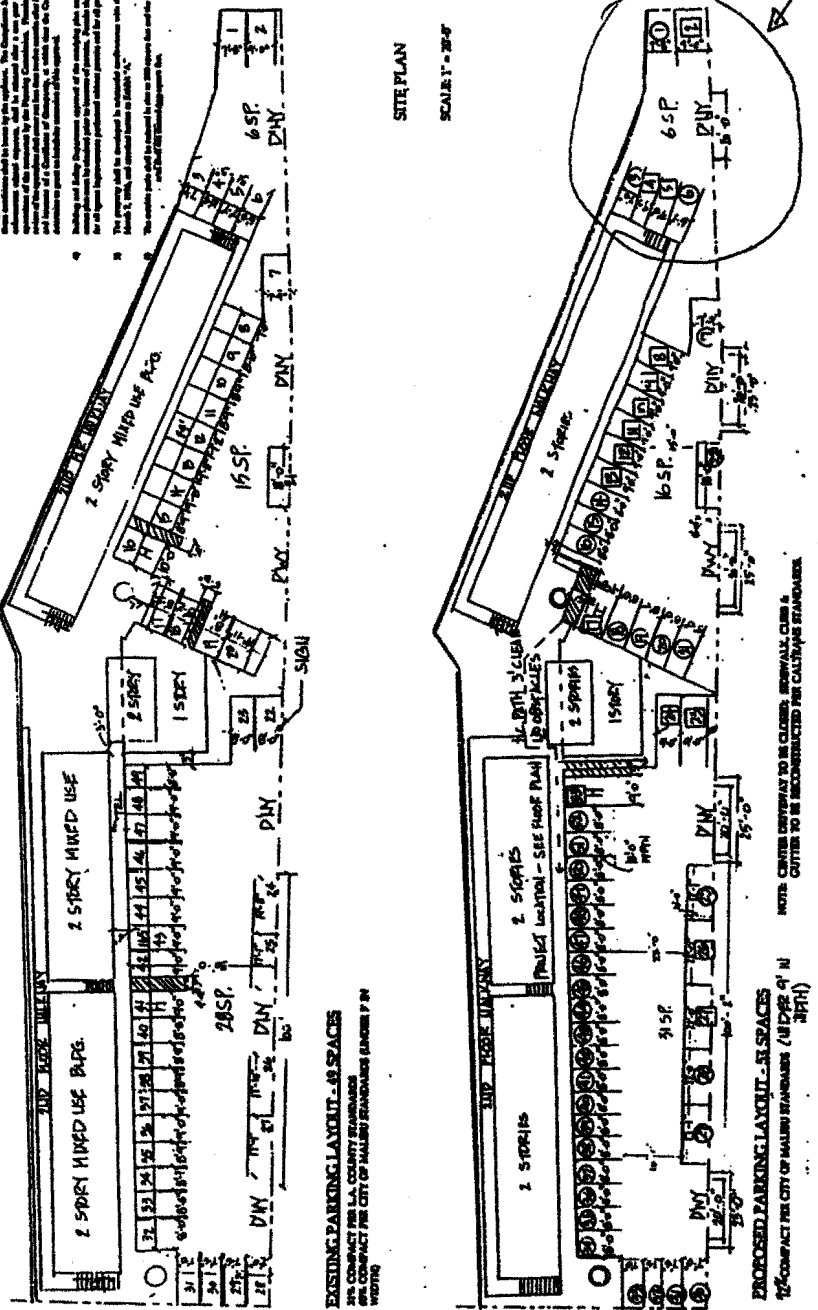


PARKING SPACE DETAILS - SCALE 1/4" = 1'-0"

- 1. The proposed project is located in a residential neighborhood. The proposed project is a 2-story mixed-use building with a total floor area of approximately 10,000 square feet. The project is located on a 0.2-acre site. The project is located on a corner lot. The project is located on a lot that is zoned for residential use. The project is located on a lot that is zoned for residential use. The project is located on a lot that is zoned for residential use.
- 2. The proposed project is a 2-story mixed-use building with a total floor area of approximately 10,000 square feet. The project is located on a 0.2-acre site. The project is located on a corner lot. The project is located on a lot that is zoned for residential use. The project is located on a lot that is zoned for residential use. The project is located on a lot that is zoned for residential use.
- 3. The proposed project is a 2-story mixed-use building with a total floor area of approximately 10,000 square feet. The project is located on a 0.2-acre site. The project is located on a corner lot. The project is located on a lot that is zoned for residential use. The project is located on a lot that is zoned for residential use. The project is located on a lot that is zoned for residential use.
- 4. The proposed project is a 2-story mixed-use building with a total floor area of approximately 10,000 square feet. The project is located on a 0.2-acre site. The project is located on a corner lot. The project is located on a lot that is zoned for residential use. The project is located on a lot that is zoned for residential use. The project is located on a lot that is zoned for residential use.
- 5. The proposed project is a 2-story mixed-use building with a total floor area of approximately 10,000 square feet. The project is located on a 0.2-acre site. The project is located on a corner lot. The project is located on a lot that is zoned for residential use. The project is located on a lot that is zoned for residential use. The project is located on a lot that is zoned for residential use.
- 6. The proposed project is a 2-story mixed-use building with a total floor area of approximately 10,000 square feet. The project is located on a 0.2-acre site. The project is located on a corner lot. The project is located on a lot that is zoned for residential use. The project is located on a lot that is zoned for residential use. The project is located on a lot that is zoned for residential use.
- 7. The proposed project is a 2-story mixed-use building with a total floor area of approximately 10,000 square feet. The project is located on a 0.2-acre site. The project is located on a corner lot. The project is located on a lot that is zoned for residential use. The project is located on a lot that is zoned for residential use. The project is located on a lot that is zoned for residential use.
- 8. The proposed project is a 2-story mixed-use building with a total floor area of approximately 10,000 square feet. The project is located on a 0.2-acre site. The project is located on a corner lot. The project is located on a lot that is zoned for residential use. The project is located on a lot that is zoned for residential use. The project is located on a lot that is zoned for residential use.
- 9. The proposed project is a 2-story mixed-use building with a total floor area of approximately 10,000 square feet. The project is located on a 0.2-acre site. The project is located on a corner lot. The project is located on a lot that is zoned for residential use. The project is located on a lot that is zoned for residential use. The project is located on a lot that is zoned for residential use.
- 10. The proposed project is a 2-story mixed-use building with a total floor area of approximately 10,000 square feet. The project is located on a 0.2-acre site. The project is located on a corner lot. The project is located on a lot that is zoned for residential use. The project is located on a lot that is zoned for residential use. The project is located on a lot that is zoned for residential use.



LOCATION OF PUBLIC PARKING

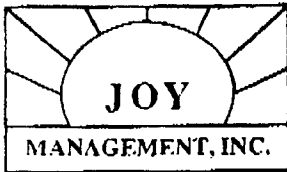


EXISTING PARKING LAYOUT - 40 SPACES
SCALE 1" = 20'-0"

PROPOSED PARKING LAYOUT - 51 SPACES
SCALE 1" = 20'-0"

NOTE: CENTER DRIVEWAY TO BE CLOSED. SIDEWALK CURB & CUTTER TO BE RECONSTRUCTED PER CALIFORNIA STANDARDS.

EXHIBIT 2
4-96-112
FLOOR PLAN



JOY MANAGEMENT, INC.

1611 Beverly Blvd., Suite 105
Los Angeles, CA 90026

Phone (213) 250-4000
Fax (213) 250-3069

August 21, 1996

Rebecca Richardson
California Coastal Commission
89 S. California St., Suite 200
Ventura, CA 93001

RE: Johnnie's New York Pizzeria
2233 Pacific Coast Hwy.
C.D.P. Application No. 4-96-112

Dear Ms. Richardson:

Please indicate the following as part of the project description for the above referenced project:

Four (4) parking spaces in the eastern parking lot as shown on the Public Parking exhibit will be made available for public parking on weekends and legal holidays from 9:00 a.m. to 5:00 p.m. Appropriate signage will be installed to inform the public of the parking space locations and days and hours of availability.

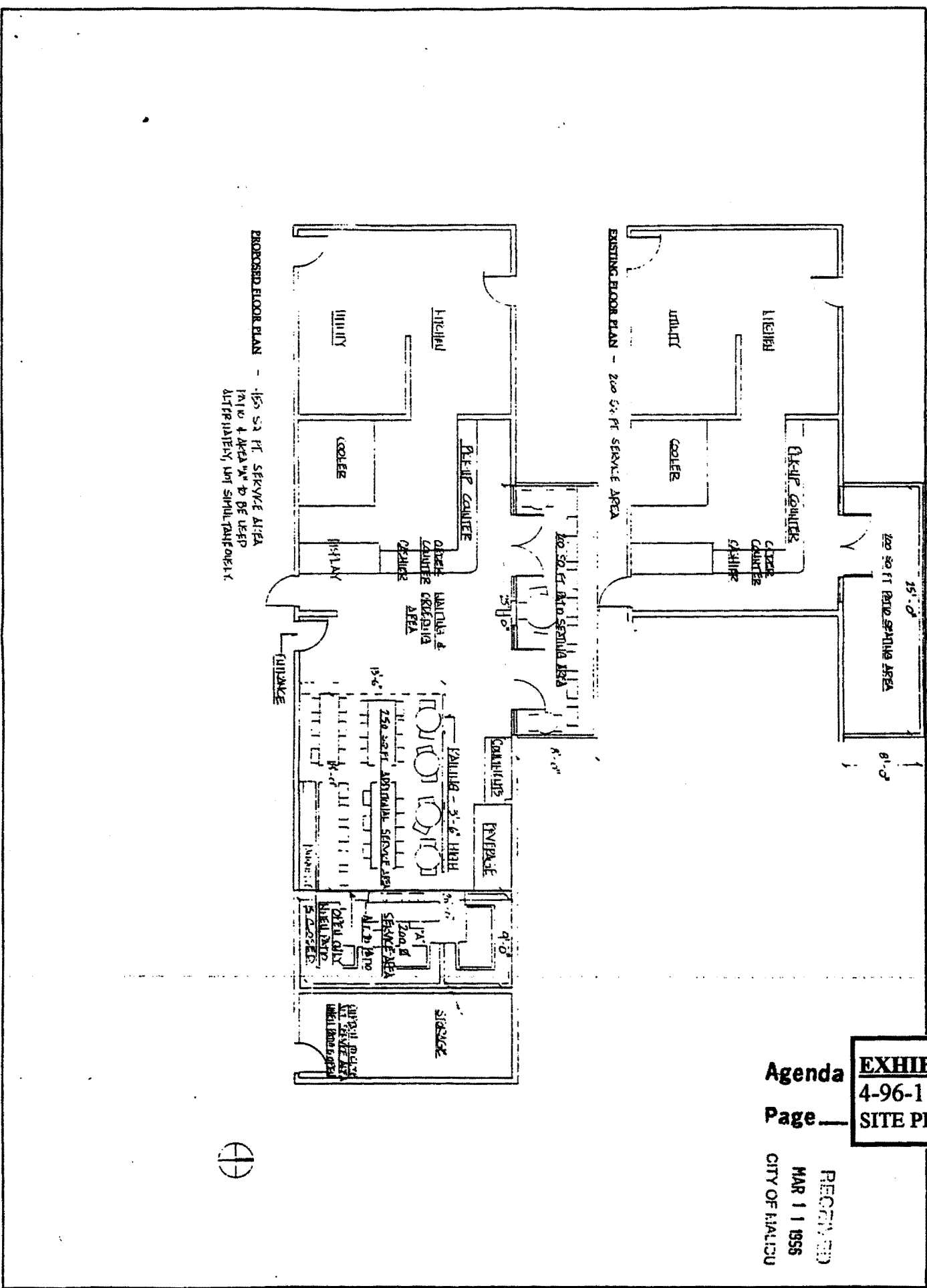
Signed by:

For: YAMAMOTO OF ORIENT, INC.

By: Joy Management, Inc.


Ed Maniquis, Agent

EXHIBIT 3
4-96-112
PUBLIC
PARKING
AGREEMENT



Agenda **EXHIBIT 4**
 Page **4-96-112**
SITE PLAN

RECEIVED
 MAR 1 1 1986
 CITY OF MALIBU

RANDALL DEVELOPMENT CONSULTING 909 EUCLID ST., #6 SANTA MONICA, CALIF. 90403 310-395-2615	FLOOR PLAN	JOHNNIE'S NEW YORK PIZZERIA 22333 PACIFIC COAST HIGHWAY MALIBU, CALIFORNIA 90265	4-96-112
2	7	7	7

March 7, 1996

22333 Pacific Coast Highway - CUP 96-001/VAR 96-004
Malibu, California

Tenants, Uses and Hours of Operation

<u>Unit</u>	<u>Sq. Ftge.</u>	<u>Tenant</u>	<u>Use</u>	<u>Hours of Operation</u>
1	1,600	Johnnie's Pizza	Restaurant	11:00 a.m. - 10:30 p.m. Mon - Sun
2	1,200	Malibu Auto Parts	Auto Parts	8:30 a.m. - 6:00 p.m. Mon - Sun
8	800	China Den	Restaurant	11:30 a.m. - 10:00 p.m. Mon - Sun
103	731	Rainbow Cleaners	Dry Cleaner	7:30 a.m. - 6:30 p.m. Mon - Sat
101A	550	Vacant		
101B	423	Magic Nails	Nail Salon	10:00 a.m. - 7:00 p.m. Mon - Sat
102A	960	Malibu Mamas	Emp. Agency	9:00 a.m. - 4:00 p.m. Mon - Fri
102B	218	B. Mayani	Jewelry	12:00 p.m. - 5:00 p.m. Wed - Fri
C	1,800	Thai Dishes	Restaurant	11:00 a.m. - 10:30 p.m. Mon - Sun
200	550	Vacant		
202	310	Vacant		
203	310	Vacant		
204	310	Vacant		
205	310	McLeod Development	Construction	8:00 a.m. - 5:00 p.m. Mon - Fri
206	310	Lari's Hair	Hair Salon	11:00 a.m. - 7:00 p.m. Mon - Sat
207	310	Malibu Yellow Cab	Cab Dispatch	24 Hrs/1 person
208	310	Malibu Hair	Hair Weaving	10:00 a.m. - 7:00 p.m. Mon - Sat
210	1,200	Malibu Yoga	Yoga	7:00 a.m. - 8:00 p.m. Mon - Sun
212	400	Vacant		
214	400	Mac Enterprises	Land Dev. Ofc.	8:00 a.m. - 5:00 p.m. Mon - Fri

March 7, 1996

22333 Pacific Coast Highway - CUP 96-001/VAR 96-004
Malibu, California

Tenants, Uses and Hours of Operation - Page 2

<u>Unit</u>	<u>Sq. Ftge.</u>	<u>Tenant</u>	<u>Use</u>	<u>Hours of Operation</u>
215 p.m.	400	Chabad of Calif.	Religious Mtgs.	8:00 a.m. - 12:00
216	400	Vacant		Sat. Only
217	800	Tom Torres	Architect	8:00 a.m. - 5:00 p.m. Mon - Fri

14,602 Sq. Ft.

Closed by 6:00 p.m.:	4,598 sq. ft.	(31% of total sq. ftge.)	
Closed by 7:00 p.m.:	6,062 sq. ft.	(41% of total sq. ftge.)	
Closed by 8:00 p.m.:	7,262 sq. ft.	(50% of total sq. ftge.)	7,262 sq. ft.
Vacant:	2nd floor office space:		2,280 sq. ft.
	1st floor retail space:		550 sq. ft.
Restaurants (gross square footage):			4,200 sq. ft.
Malibu Cab (24 hrs - 1 dispatcher):			<u>310 sq. ft.</u>
<u>Total Square Footage:</u>			<u>14,602 sq. ft.</u>

EXHIBIT 5
4-96-112
SHOPPING
CENTER
TENANTS
& USES

**JOHNNIE'S NEW YORK PIZZERIA
22333 PACIFIC COAST HIGHWAY, MALIBU
CUP APP. 96-001/VARIANCE APP. 96-004**

**DAYS AND HOURS OF OPERATION OF
EXISTING BUSINESSES SHARING PARKING
FACILITIES**

31% CLOSED BY 6:00 P.M.

41% CLOSED BY 7:00 P.M.

50% CLOSED BY 8:00 P.M.

20% CLOSED BOTH SATURDAY AND SUNDAY

33% CLOSED ON SUNDAY

**EXHIBIT 6
4-96-112
OPERATION
HOURS**

22332 PACIFIC COAST HWY.
MALIBU, CA 90265

RESTAURANT: 25 Seats Maximum
 GREASE TRAP: 2500 Gallon (N)
 SEPTIC TANK: 2500 Gallon (E)
 4500 Gallon (E)
 PRESENT: 1 - 18' X 72' Drainfield (E)
 FUTURE: None
 PERC RATE: Unknown

NOTES:

1. This approval is for the renovation of Johnnie's New York Pizza from a take-out to a 25 seat restaurant. A new 2500 gallon grease trap shall be added to the private sewage disposal system. All kitchen plumbing fixtures shall be connected to the new grease trap.
2. This approval only relates to the minimum requirements of the City of Malibu Uniform Plumbing Code and does not include an evaluation of any geological, or other potential problems, which may require an alternative method of wastewater disposal.
3. This approval is valid for one year or until City of Malibu Uniform Plumbing Code and/or Administrative Policy changes render it noncomplying.

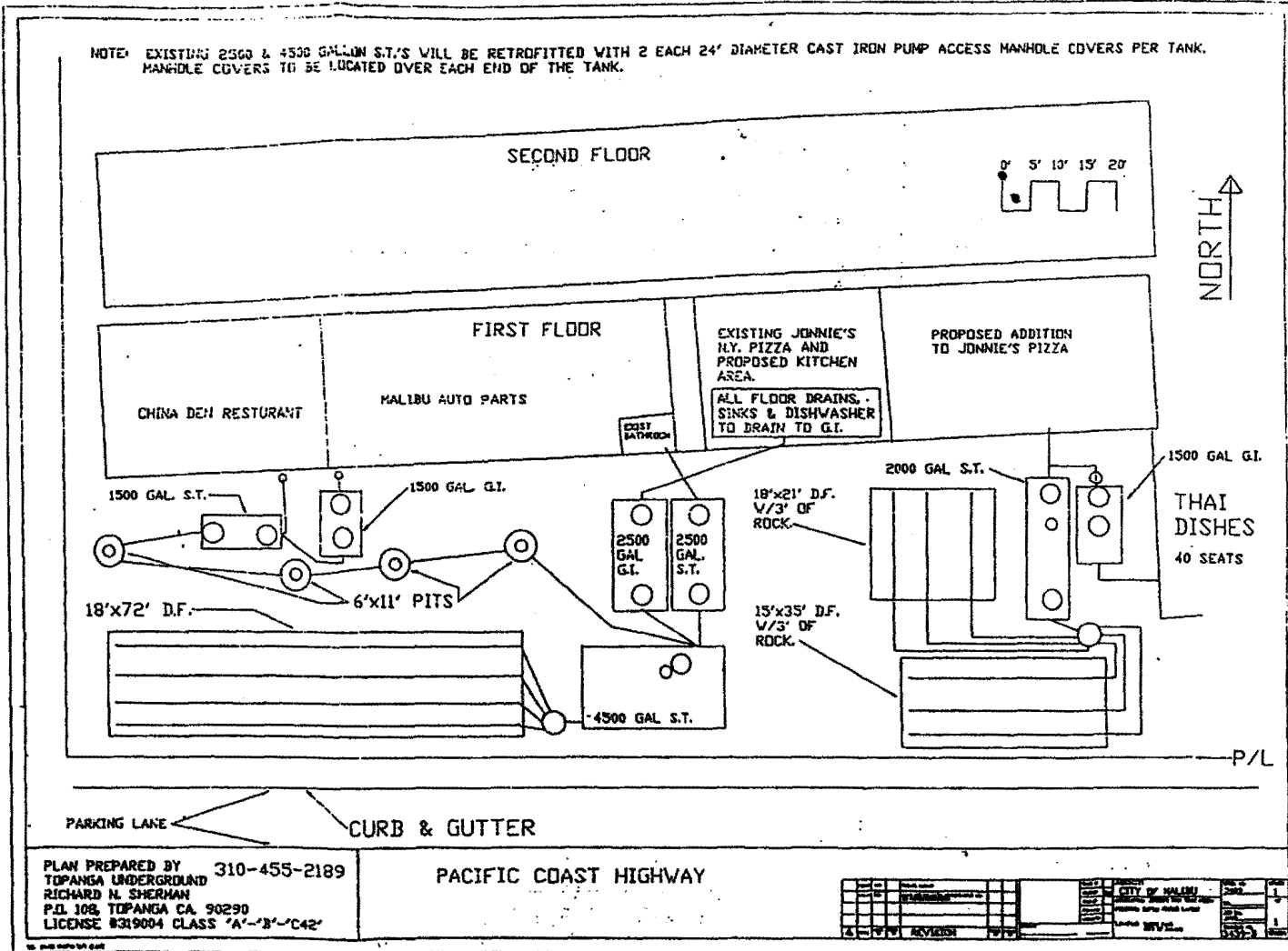


EXHIBIT 7
 4-93-206
 GREASE TRAP
 APPROVAL



City of Malibu

23555 Civic Center Way, Malibu, California 90265-4804
(310) 456-CITY Fax (310) 456-3356
WWW Site = <http://www.ci.malibu.ca.us> Email = jclement@ci.malibu.ca.us
John P. Clement, P.E., Public Works Director (CE 22578 & TRE 98)

July 31, 1996

Marny Randall
909 Euclid Street, #6
Santa Monica, CA 90403

Subject: Parking space markings on PCH

Dear Ms. Randall,

The Public Works Department of the City of Malibu approves the proposal that the owner of Johnnie's New York Pizzeria mark and maintain the markings for on street parking spaces fronting 22333 PCH in accordance with CalTrans permission and standards (attached). The spaces shall be 22 feet long for interior spaces and 20 feet long for end spaces.

Very truly yours,

John Clement
Director of Public Works

attachments
CC Don Dalby, CalTrans Permits

file: PCH
comp file: randall.731

EXHIBIT 8
4-96-112
STREET
PARKING

