

## CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

3111 CAMINO DEL RIO NORTH, SUITE 200

SAN DIEGO, CA 92108-1725

(619) 521-8036



Filed: June 23, 1997  
49th Day: August 23, 1997  
180th Day: December 20, 1997  
Staff: DL-SD  
Staff Report: September 17, 1997  
Hearing Date: October 7-10, 1997

**Wed 9C**

REGULAR CALENDAR  
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-97-78

Applicant: Maryam Akhondi &amp; Tom Moalemi

Description: Demolition of an existing one-story single-family residence and placement of a 440 sq.ft. 14-foot high modular trailer to convert site to a used car dealership with improvements including 200 cubic yards of balanced grading, a 50 space parking area, landscaping, and curb, gutters and sidewalk improvements to Highway 101 and South Sierra Avenue. An existing car repair shop will remain.

Lot Area	34,500 sq. ft.
Building Coverage	2,665 sq. ft. (8%)
Pavement Coverage	15,450 sq. ft. (45%)
Landscape Coverage	16,385 sq. ft. (47%)
Parking Spaces	50
Zoning	Commercial
Plan Designation	Commercial
Ht abv fin grade	14 feet

Site: 201 South Highway 101, Solana Beach, San Diego County.  
APN 298-010-31, -32

Substantive File Documents: Certified County of San Diego Local Coastal Program (LCP); City of Solana Beach General Plan and Zoning Ordinance; City of Solana Beach CUP Case No. 17-96-28; CDP #6-94-207

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STAFF NOTES:Summary of Staff's Preliminary Recommendation:

Staff is recommending approval of the proposed used car dealership. Concerns raised by the public include the appropriateness and attractiveness of the proposed use, water

quality concerns, and construction impacts to migratory birds which may be nesting in trees adjacent to the project site. The proposed use is consistent with the Commercial designation in both the previously certified County of San Diego LCP, and the current City of Solana Beach General Plan and Zoning Ordinance. No car repair will be permitted in connection with the used car lot, and the 8,900 sq.ft. of pervious surfaces provided on the site will ensure that runoff from the site is minimized. Special Conditions require landscape screening and minimal signage on the site to preserve the scenic quality of Highway 101. Potential impacts to migratory birds will be avoided through Special Conditions prohibiting removal of the trees and construction during the birds' nesting season, June 15 to September 1.

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PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit for the proposed development, subject to the conditions below, on the grounds that the development 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.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Landscaping/Street Improvement Plans. Prior to the issuance of the coastal development permit, the applicant shall submit a final landscape plan stamped and approved by the City of Solana Beach, which includes the proposed curb cuts and sidewalk/street improvements and incorporates the following:
  - a. Indicates the type, size, extent and location of all plant material, the proposed irrigation system and other landscape features. Drought tolerant plant material shall be used to the maximum extent feasible.
  - b. Driveways shall be designed to maximize the amount of landscaping provided along Highway 101 with a minimum 10-foot wide landscape strip provided along

the length of the Highway 101 frontage, excluding the proposed 18-foot wide driveway on the northern side of the site, and the proposed 24-foot wide driveway on the southern side of the site.

- c. No additional driveways/curb cuts beyond the 18-foot wide and 24-foot wide proposed driveways shall be provided along the Highway 101 frontage. However, the plan may indicate a revised driveway plan consolidating the proposed driveways if doing so would increase the amount of street frontage available for landscaping and is approved by the City of Solana Beach Engineering Department.
- d. If the Engineering Department determines that circulation on the site would be adversely impacted by providing a 10-foot wide landscape strip along a specific portion of the street frontage, the width of the landscape strip may be reduced; however, the maximum width and amount of landscaping consistent with circulation and traffic requirements must be provided.

The landscaping shall be installed concurrent with the proposed street improvements and maintained in good growing condition. No existing trees on the site shall be removed. Any proposed changes to the approved plan, including changes which may be required by the City of Solana Beach Engineering Department, shall be reported to the Executive Director. No change in the plan shall occur without a Commission-approved amendment to the permit unless the Executive Director determines that no such amendment is required.

2. Sign Program. Prior to the issuance of the coastal development permit, the applicant shall submit a comprehensive sign program for all proposed signage documenting that only monument signs, not to exceed eight (8) feet in height, or facade signs are proposed. No free-standing pole or roof signs shall be allowed. Said plans shall be subject to the review and written approval of the Executive Director. The permittee shall install the signage in accordance with the approved sign plan.

3. Parking Requirements. By acceptance of this coastal development permit, the applicant agrees to maintain a minimum of nine (9) parking spaces on site available for customer parking for the car sales and existing repair uses during business hours.

4. Timing of Work/Final Plans. Prior to the issuance of the coastal development permit, the applicant shall submit final plans for the review and written approval of the Executive Director which specifically indicate in written notes on the plans that no construction activity may occur between June 15 and September 1 of any year. the development shall be implemented in accordance with the approved plans.

#### IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description: The proposed project involves the demolition of an existing one-story single-family residence, placement of a 440 sq.ft., 14-foot high modular trailer on the site, and conversion of the 34,500 sq.ft. lot to a used car dealership. Other proposed improvements include 200 cubic yards of balanced grading, installing a 50-space parking area (approximately 11,411 sq.ft. will be paved and 8,000 sq.ft. will be decomposed granite), and improvements to Highway 101 and South Sierra Avenue including lights, curbs, gutters and sidewalks. Approximately one-quarter of the lot on the Sierra Avenue side of the site will be landscaped with bushes and turf. An existing auto repair shop on the northeast corner of the site will remain and no changes to this shop are proposed through this application. The rectangular-shaped lot is located on the west side of Highway 101, approximately 500 feet south of Lomas Santa Fe Drive, between Highway 101 and Sierra Avenue. Access to the site will be only from Highway 101.

2. Visual Quality: Section 30251 of the Coastal Act states in part:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas... [emphasis added].

The proposed project will be located on Highway 101, a major coastal access route which was designated as a scenic corridor in the previously certified County of San Diego Local Coastal Program, (which is used for guidance in the City of Solana Beach) and is designated as a scenic roadway in the City of Solana Beach. In the past, on similar projects located on Highway 101 in the City of Solana Beach and Encinitas, the Commission has typically required a minimum ten-foot wide landscaped area along the Highway 101 frontage, not to include the Highway 101 right-of-way. Although the proposed project currently includes a considerable amount of landscaped area on the western portion of the site, adjacent to the residential area, there is no landscaping proposed to buffer the proposed car lot from views from Highway 101.

While the display of the cars available is one part of the operation of a car sales business, the need for car display must be balanced with the scenic preservation requirements of the Coastal Act. As conditioned by the City of Solana Beach, no cars can be displayed east of the sales office (on the Highway 101 side of the property), so installation of landscaping along the highway frontage will not block any merchandise display. It will have the effect of softening views of the site from the highway and creating an enhanced visual appearance consistent with other properties along Highway 101 with similar landscaping requirements.

Therefore, Special Condition #1 has been proposed. The condition requires the applicant to provide a 10-foot wide landscaped strip along the Highway 101 frontage of the site. The applicant has proposed installing an 18-foot wide driveway on the northern portion of the site and a 24-foot wide driveway on the southern portion of the site where no landscaping can be provided. However, in order to ensure that the area available for landscaping is maximized, the condition prohibits additional curb cuts from being installed along on the Highway 101 street frontage. All portions of the street frontage excluded the proposed driveways must be landscaped with a minimum 10-foot wide landscape strip unless the City of Solana Beach Engineering Department determines that circulation on the site would be adversely impacted, in which case, the maximum width of landscaping consistent with circulation and traffic requirements must be provided. The condition allows for a revision to the proposed driveway plan to consolidate the two driveways, if doing so would increase the area available for landscaping.

In addition, in past Commission action on commercial development within this area, the Commission has regulated the height and amount of signage because of the potential for adverse impacts on the scenic quality of the area, and inconsistency with Section 30251 of the Act. Strict limits on the size and height of commercial signs were included within the previously certified County of San Diego Local Coastal Program. No sign program was submitted with the application. To assure that all proposed signage is consistent with Chapter 3 policies, Special Condition #2 has been proposed. The condition requires the submittal of a sign program documenting that only monument signs not exceeding eight feet in height or facade signs will be installed. Therefore, as conditioned, the project will not have any adverse visual impacts to scenic coastal resources and the project can be found consistent with Section 30251 of the Coastal Act.

3. Public Access/Parking. Section 30252 of the Act requires that new development provide for adequate parking facilities so as not to compete with or preclude the public's access to the coast by usurping on-street public parking spaces. Because inadequate parking and congestion interfere with public access opportunities, the provision of adequate off-street parking is critical for all commercial, recreational and residential development in near shore areas.

The proposed project is located along Highway 101, which is designated as a major coastal access route in the previously certified County of San Diego Local Coastal Program. In addition, the project is located within walking distance of Fletcher Cove beach park. There are 50 parking spaces proposed for the project. Under the previously certified County of San Diego local coastal program, approximately 7 spaces would be required for customer parking for both the proposed used car sales and the existing car garage. Under the City of Solana Beach's requirements, approximately 9 spaces would be required for both uses. Special Condition #3 requires the applicant to maintain a minimum of 9 parking spaces available on the site for customer parking. Therefore, as conditioned, the proposed project will not adversely impact beach access.

4. Resource Protection. Section 30231 of the Coastal Act states in part:

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 runoff...

Section 30240 (a) of the Act states in part:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values...

There are approximately five existing eucalyptus trees in the public right-of-way immediately adjacent to the west of the project site. The Commission received a letter from a member of the public indicating that there are migratory water birds including egrets and black-crowned herons nesting in the trees on the subject site. The applicant has not proposed removing the trees, and the City of Solana Beach has placed a condition on the project prohibiting the removal of the trees. Special Condition #1 of the permit also prohibits the removal of any existing trees on the site to ensure the trees are not removed without further environmental review. Construction activities for the proposed project consist only of demolishing the existing residence on the eastern portion of the site, minor grading (200 cubic yards), paving, installation of a grassy turf area, and placement of a trailer on the site. With the exception of the installation of the grass, all construction activities will be taking place on the eastern portion of the site, a minimum of 80 feet away from the trees. With installation of the 80-foot wide grassy area, there will be a permanent buffer area between the activities on the site and the trees. In order to assure that any potential disruption of breeding activities does not occur as a result of the construction activities, Special Condition #4 prohibits construction activities from occurring between June 15 and September 1, which the California Department of Fish and Game has identified as the most sensitive time period for egrets and black-crowned herons. Therefore, as conditioned, the Commission finds that construction activities will not significantly disrupt any sensitive species on the site.

The proposed project will have 50 parking spaces for customer and used car displays. Parking lots can be associated with polluted runoff from oil and gas leakage or from washing cars. However, unlike most parking lots, an approximately 900 sq.ft. area on the western portion of the project site will be planted as an open grassy turf area, in addition to the landscaping strips which will be provided on the Highway 101 side of the lot. An additional 8,000 sq.ft. of the site will be decomposed granite. The non-paved areas will provide a pervious surface to reduce the rate of runoff and the vegetated areas will aid in filtering pollutants in the runoff.

Although there is an existing auto repair shop on a separate leasehold on the northeast corner of the site (which is not part of the subject permit), under the Conditional Use Permit approved by the City of Solana Beach for the project, no car repairs will be allowed on the used car portion of the site; thus, grease and oil runoff will be minimized.

As required by the City of Solana Beach, the applicant will be constructing curbs and gutters on both street frontages to ensure all runoff from the site enters improved drainage systems. Drainage in the project location eventually drains into Fletcher Cove and the recently installed energy dissipater/storm drain outlet (CDP #6-94-207). As part of the approved storm drain system, a low-flow diverter was installed to divert dry weather flows. Under the City of Solana Beach's NPDES permit, the City performs regular water quality monitoring and testing at Fletcher Cove to ensure the discharge from the outlet is consistent with local and regional standards. If excessive levels of bacteria, organic material or other toxins are found as a result of the testing and monitoring program, the City must propose ways to reduce or eliminate the contamination. Therefore, the project will not result in significant adverse impacts to sensitive resources, and the project can be found consistent with Sections 30231 and 30240 of the Coastal Act.

5. Local Coastal Planning. Section 30604(a) requires that a coastal development permit shall be issued only if the Commission finds that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program (LCP) in conformity with the provisions of Chapter 3 of the Coastal Act. In this case, such a finding can be made.

The site is zoned and designated for Commercial uses in the City of Solana Beach, which allows automotive sales with the issuance of the Conditional Use Permit. The site was also zoned and designated for General Commercial uses in the previously certified County of San Diego LCP. Although the site is within walking distance of Fletcher Cove beach, it is not located directly at the major coastal access route intersection of Highway 101 and Lomas Santa Fe Drive, where visitor-serving uses would be most appropriate. There are currently a wide range of general commercial, visitor-serving uses and even some residential uses along Highway 101 in Solana Beach including offices, general and beach-related retail, and restaurants. Currently the project site contains an abandoned single-family residence and a auto-mechanic shop.

The City of Solana Beach has approved a Conditional Use Permit for the project and indicated that the project site is located in the pedestrian oriented Plaza District of the Highway 101 Specific Plan. Thus, the City has only approved the project as an interim use for one year, with extensions possible up to a total of four years. However, as the project is a permitted use under the existing and previously plan designations and the site is not a prime visitor-serving site, as discussed above and conditioned, the project can be found consistent with the Chapter 3 policies of the Coastal Act, and therefore, the coastal development permit need not be approved for a limited time period. If a use other than car sales is proposed in the future, the conversion of use may require a coastal development permit and additional review at that time. Therefore, the Commission finds that approval of the proposed project as conditioned will not prejudice the ability of the City of Solana Beach to prepare a certifiable local coastal program.

6. California Environmental Quality Act (CEQA). Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal

Development Permits to be supported by a finding showing the permit, as conditioned, 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 proposed project has been conditioned in order to be found consistent with the public access and scenic preservation policies of the Coastal Act. Mitigation measures, including submittal of a sign program and landscape plan, will minimize all adverse environmental impacts. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project is the least environmentally-damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

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.

(7078R)

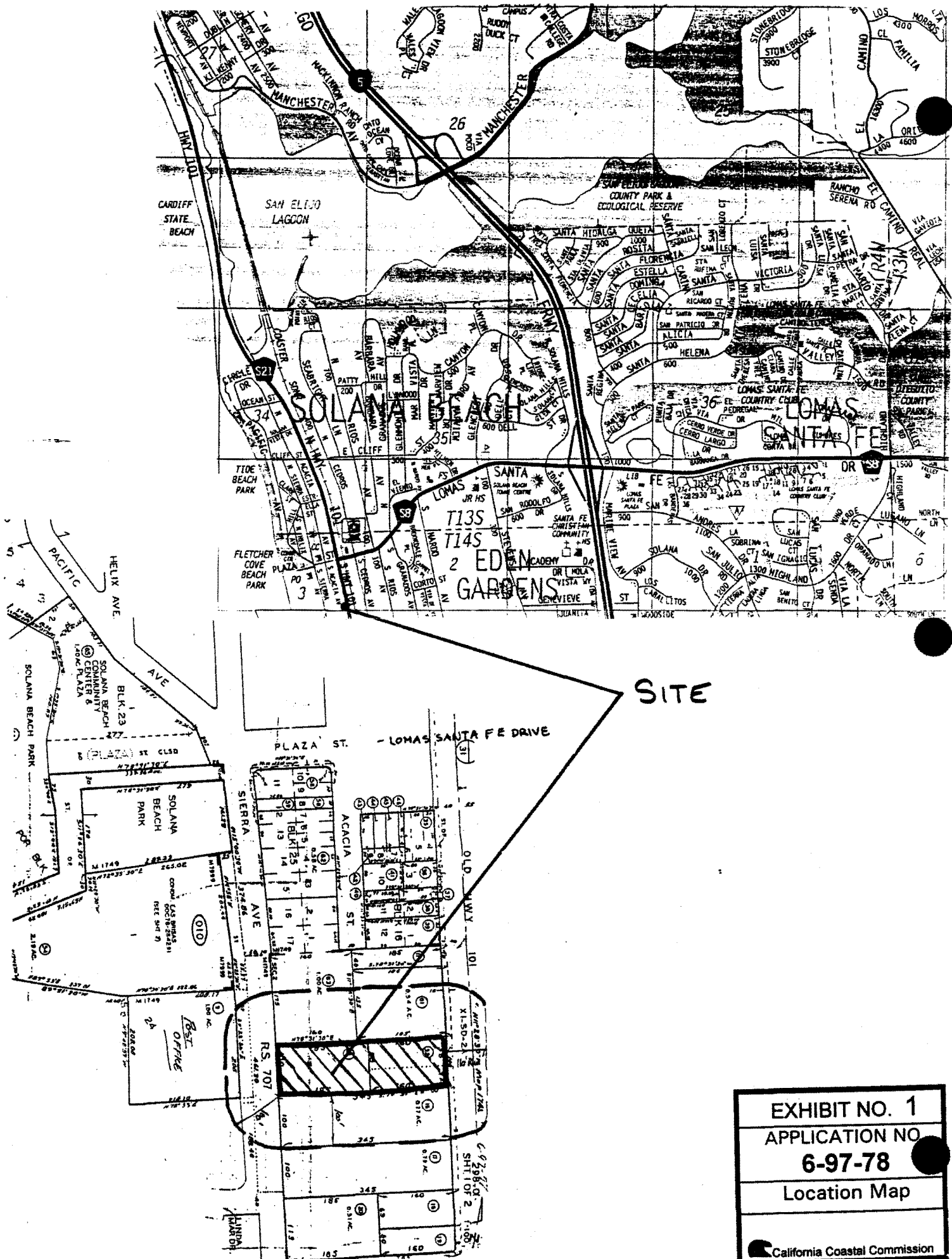
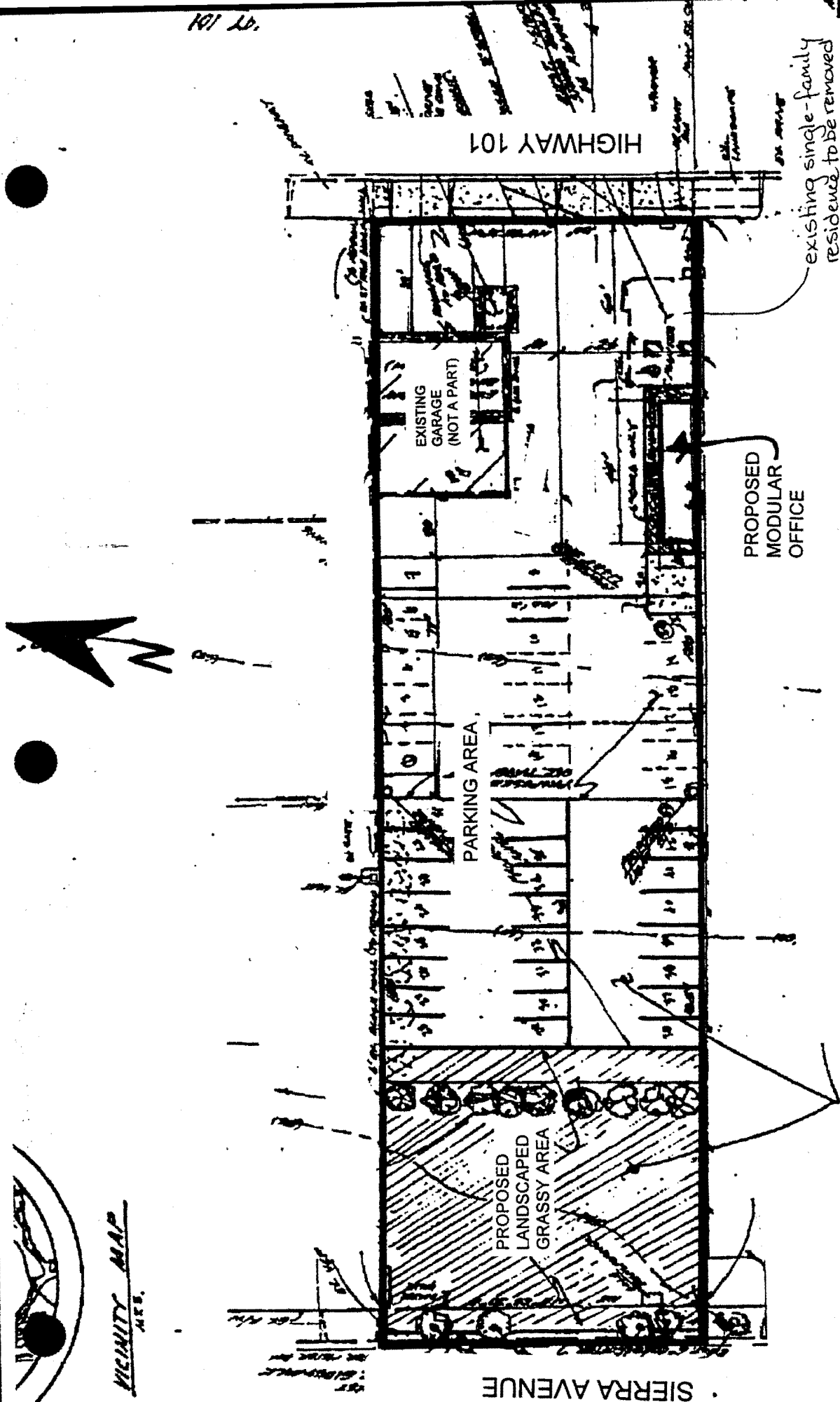


EXHIBIT NO. 1
APPLICATION NO.
6-97-78
Location Map
California Coastal Commission



existing single-family residence to be removed

PROPOSED  
MODULAR  
OFFICE

**PARKING AREA**

PROPOSED  
LANDSCAPED  
GRASSY AREA

SIERRA AVENUE

VICINITY MAP  
MS.

**APPROVED BY**

## DATA

034/ 01436

DATE: 5/8/77

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 08-17-2010 BY 60322 UCBAW

**PROCESSED**

EXHIBIT NO. 2  
APPLICATION NO.  
**6-97-78**  
Site Plan

C.B. AUTOMOTIVE  
201 South Highway 101  
Solana Beach, CA 92075

RECEIVED

AUG 14 1997

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

August 13, 1997

California Coastal Commission  
San Diego Coast Area Office  
3111 Camino Del Rio North, Suite 200  
San Diego, CA 92108-1725

Re: Application No. 6-97-78, Car Trader used car sales land use permit

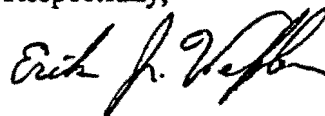
Dear Ladies and Gentlemen:

I am writing to state my objections to the proposed use of the premises at 201 South Highway 101, Solana Beach, as a used car sales facility. It is certainly my impression that outdoor used car sales facilities are typically festooned with the kinds of visual clutter (pennants, pinwheels, banners, moving signs, flags, window signs, etc.) which are intended to bring people into the showrooms and onto the lots. In an area that is looking for more visitor-oriented uses, a used car sales lot really doesn't contribute anything but the clutter and activity which, if the history of your above-referenced applicant forecasts the future, will result in neighbors complaining about noise, high-speed test drives and the like.

It also appears as if there has been no engineering plan proposed to handle the drainage of surface waters or the disposition of the hazardous wastes which automobiles leak, overflow, drip or otherwise deposit on the hardscape and landscape. I should think that the likely environmental impact of the proposed usage would be to increase the amount of hazardous waste which must be disposed of and that an appropriate plan for so doing would be an integral part of the review process.

The management of the land use in the coastal area is certainly complex, but the principal thrust of the enquiry must certainly relate to the competing uses and their suitability for the proposed site. I respectfully urge you not to degrade the tourism orientation of the area by approving a use which is so inconsistent with serving the needs of the visitors as a used car sales lot.

Respectfully,



Erik Weflen

Letter of  
Objection  
6-97-78



# HIGHWAY 101

**Merchants & Property Owners' Association of Solana Beach**

155 SO. HIGHWAY 101 ♦ SUITE 3 ♦ SOLANA BEACH, CA 92075 ♦ 259-6560 ♦ FAX: 259-8337

**RECEIVED**

AUG 27 1997

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

August 23, 1997

California Coastal Commission  
San Diego Coast Area Office  
3111 Camino Del Rio North, Suite 200  
San Diego, Ca. 92108-1725

Re: Application No. 6-97-78 Car Trader Attn: Maryam Akhondi

TO WHOM IT MAY CONCERN:

We the board of Highway 101 Merchants and Property Owners ask that you reject the application of the above named persons for the following reasons:

We do not feel that a used car lot on Coast Highway 101 will add any visual aesthetics to a quaint village type atmosphere which we in Solana Beach are trying to attain. We wish to attract a tourist type visitor who is interested in boutique, restaurants and artifact shops. We are working diligently in trying to accomplish this during the redevelopment which is happening in this small community.

We also feel this person will bring nothing but problems (as he already has at his present location) to the city of Solana Beach. This person has had numerous citations for unlawful and repeated violations.

We urge you to reject this application.

Sincerely,

  
R. Nadine Frymann  
President

August 30, 1997

210 South Helix Avenue, Apt. 0  
Solana Beach, CA 92075

**RECEIVED**

SEP 03 1997

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

California Coastal Commission  
San Diego Coast Area  
3111 Camino Del Rio North, Suite 200  
San Diego, CA 92108-1725

Dear Members of the Coastal Commission,

I am writing in regard to the development proposal for 201 South Highway 101 and 204 South Sierra Avenue. I strongly recommend that you do **not** approve development in this case.

However, if you do grant the permit, I would ask that you place **restrictions on the timing** of the proposed renovations in order to protect migratory water birds which return each year to nest in the trees at this site. Although snowy egrets also use the site, most nests in these trees are used by black-crowned night herons, which as migratory water birds are protected under federal law. They arrive in late March or early April, build nests, and raise young until late July or so each year. Thus, moving forward with the proposed renovations between March and July would interfere with their annual breeding cycle, and probably kill significant numbers of them.

I am opposed to the proposal in general for two main reasons. First, **the proposed development would reduce our quality of life.** This site is at the heart of Solana Beach, steps from Fletcher Cove. This area has been developed into a very pleasant residential, work, and shopping district. Nearby are some of the city's best restaurants, the main Solana Beach institutions (the city government and the chamber of commerce), a number of locally owned shops and other businesses, and a large number of private residences. A used car lot would add noise and traffic to the area, which is already congested around the post office building. Second, **The proposed development would prevent an important space from being developed in a more productive way.** Not many cities have undeveloped sites steps from a safe, popular beach and near adequate parking and other services. The city of Solana Beach has the opportunity to grant a permit in keeping with the long-term goals of the city, which include attracting tourists and business, and continuing to be a pleasant place to live.

Sincerely,



Elisabeth Ellis



# SEAFIELD

CAPITAL CORPORATION

One Ward Parkway, Suite 130  
Kansas City, MO 64112  
Phone (816) 931-9800  
FAX (816) 931-9887

W. D. Grant, CLU  
Chairman Emeritus

September 2, 1997

**RECEIVED**

SEP 05 1997

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

California Coastal Commission  
San Diego Coast Area  
Attn: Diana Lilly, Coastal Program Analyst  
3111 Camino del Rio North, Suite 200  
San Diego, CA 92108

Permit Number 6-97-078

As a resident at 211 South Helix in the Surfsong complex, I wish to lodge a protest against the proposed used car dealership at 201 South Highway 101, Solana Beach.

There are a number of strong reasons to protest setting up a used car business in this neighborhood. For one thing, it is likely to attract some undesirable people to the area as a used car business is often associated with a less than desirable clientele.

Also, as a business enterprise it will create additional traffic both on 101 as well as Sierra where many young families live with their children, and to subject the neighborhood to additional traffic is clearly unwanted.

We hope that you will take this protest into consideration and deny the request as applied.

Sincerely,

WDG/hs

MICHELE RILEY, CPA, MBA  
Financial and Operational Consulting  
Tax Preparation

submitted at  
hearing 9/10/97

September 4, 1997

Ms. Diana Lilly  
California Coastal Commission

RE: Proposed used car lot at 201 S. Highway 101, Solana Beach, CA

I have deep concerns that the findings used by the Solana Beach City Council in granting a conditional use permit for a used car lot at the above noted address were erroneous. I feel that in their hurry to move the used auto lot away from the Cedros Design District, they have not reviewed some issues that impact our coastal area.

The Council determined that the auto lot was exempt from CEQA under section 15315 because they were granting only a temporary use to the business. In the required conditions for the proposed business, there is no limitation on the number of used autos that may be stored on the lot. The conditional use permit is renewable to allow the use for a continuous five-year period. I am extremely worried that there will be a strong environmental impact with hundreds of used cars dripping engine and gear oil, hydrochloric battery acids, engine coolants, automatic transmission fluids and lubricants over a five year period. This lot is sloping downhill towards our beach—one block away. What will happen when the rains wash these poisons from the lot?

Through their Resolution No. 94-29, the Council may grant temporary use to a business that does not fit in with the guidelines of the Highway 101 Specific Plan. However, the current commercial use zoning was meant to promote tourism and this business will use up a vital frontage space for a business that will not promote tourism for a five year period.

The configuration of the lot does not lend itself to a used automobile business. Auto lots need as much frontage as possible to display their products. The City Council and the Coastal Commission have both tried to alter the visibility of this business by restricting ingress and egress and by demanding that trees are planted to restrict the community view of the autos. The Council and Commission basically have tried to create special plans to fit a business onto a site that was not meant for that type of business, and in a community that is ill suited for a used auto lot.

I believe that the owner will be forced to squeeze as many cars up front as possible to make his business work. This will result in infractions and violations of the required use permit conditions and burden the community with enforcement compliance. The current site plan is very confusing with regard to how customers will drive around the auto inventory (which will be up front), and which areas will be for customer parking vs. auto inventory.

I thank you for your thoughts regarding my concerns. I feel that the Coastal Commission has always played a major roll in protecting our lovely coastline and using our vital resources for promoting tourism.

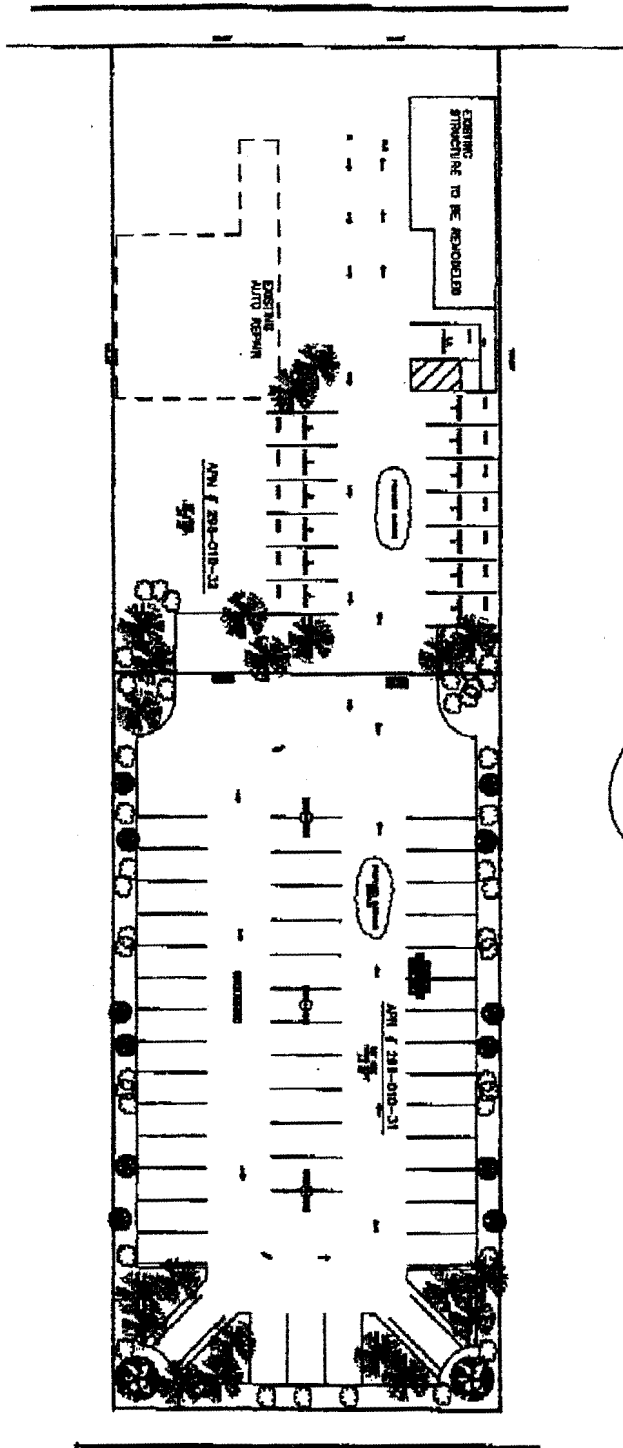
Sincerely,



Michele Riley

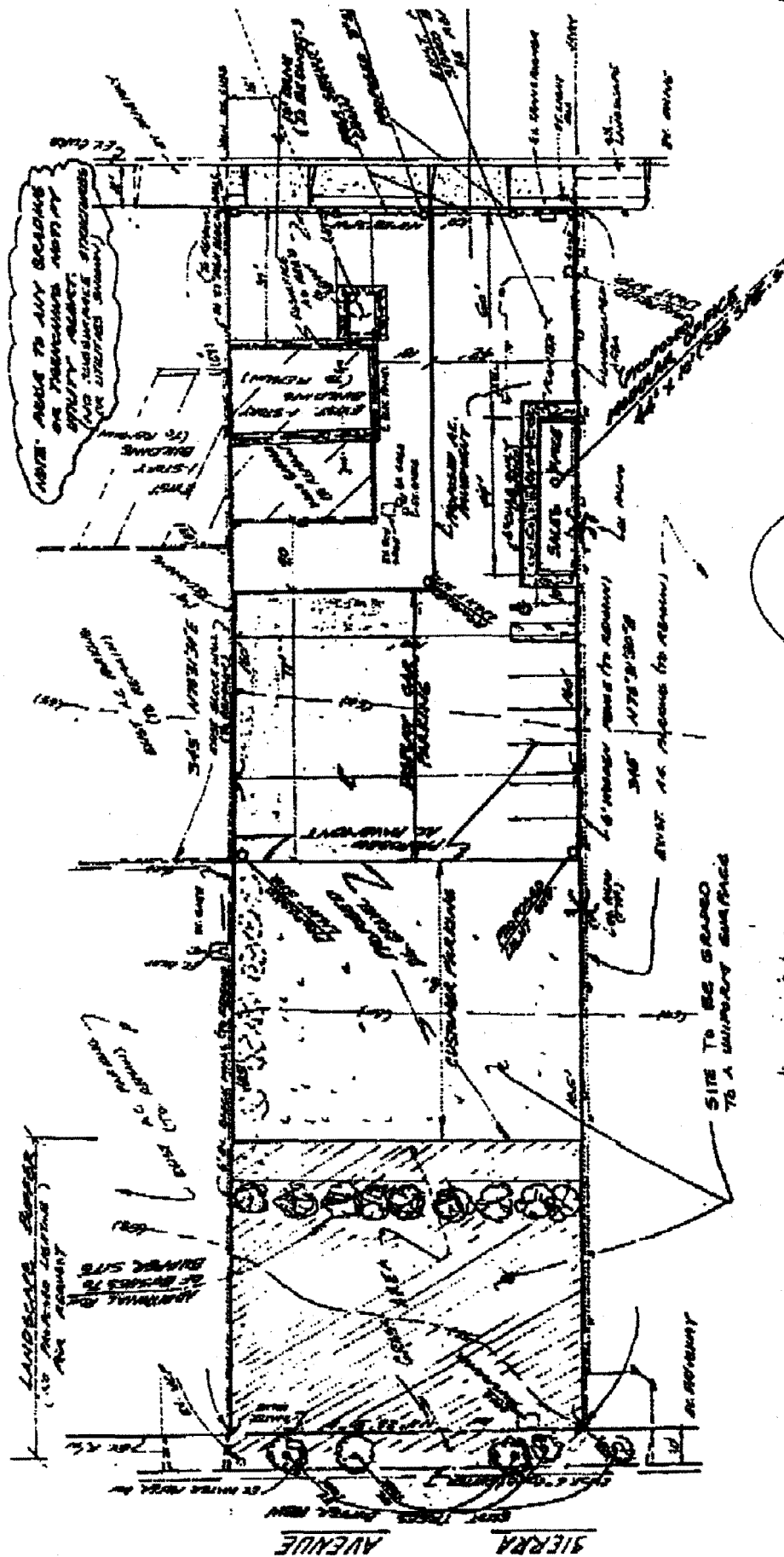
enclosures





Old Site Plan

Attachment to  
letter of opposition



New  
Site  
Plan

Attachment to letter  
of opposition



To: COOSA  
Condominium Owners of South Sierra Avenue  
c/o Jack McGoldrick  
Solana Beach, Ca  
619/481-6592

From: Tom Moalemi  
The Car Trader  
201 S Hwy 101  
Solana Beach, Ca - 481-4494

RE: Automobile facility

Date: January 17, 1997

Ladies and Gentlemen of COOSA,

This letter is to address to you our proposed automobile dealership at 201 S Hwy 101 in Solana Beach. As you know via Public Notice, we are proposing to build an automobile dealership at the aforementioned address within the next few months and wish to ease your trepidation's concerning this facility installation. First off, I wish to introduce myself. My family and I are homeowners in the City of Solana Beach and have lived here for several years as well as being business owners in the City of Solana Beach which we have worked mightily to make a success of. We are presently expanding our scope with another business venture, this also in Solana Beach, of a Bagel, Juice Bar, and Coffee House being built on Via de la Valle. With our home and business ventures all contained in the city, we, too, are concerned the overall appearance and vigor of Solana Beach.

The proposed dealership is to be located on Hwy 101 in the plaza district as noted on the Public Notice. The usage of this property at present is a boarded up, dilapidated, abandoned building with an unimproved, weed covered lot to the rear of this building. This presents not only an eyesore to the surrounding residence and tourists, but provides for a health hazard and a convenient nuisance for transients which pass through the area whom inhabit the dwelling from time to time, defecating on the property and absorbing valuable law enforcement time in removing them from the property. Please understand that this property is not available to the landlord for any long term development as the parcel is slated for immanent domain attachment by the City of Solana Beach in approximately 7 years and a thoroughfare is to be constructed between Sierra Avenue and Hwy 101 ensuring that the aforementioned parcel will remain in it's current state until that time.

Letter from  
Applicant  
6-97-78

1 07 15:11 SOLONA BEACH 14 0075 - 019 725 0011

We feel our proposal, albeit not a park-like setting, will mitigate the potential health hazards, remove a potential waystation for transient traffic, increase surrounding property values by providing a viable, though temporary, business solution to an unusable parcel of land in the Plaza District, increase tax revenues for Solona Beach, provide for public works sidewalks, curbs and approaches where exists only uneven asphalt paving abutting Hwy 101 at present, and provide for a more esthetic setting versus what is currently contained within the parcel perimeters. We propose to provide for the City of Solona Beach public works grade curbs, gutters, drive approaches, and sidewalks, graded and paved areas for sales vehicle parking, an esthetically pleasing sales office to the Hwy 101 end of the parcel, perimeter security lighting of the type contained in the City Hall parking lot, and lot landscaping as to not leave a barren scape to view.

Please find a planset attached for your review and if you have any questions, please feel free to contact me at the listed phone number. We hope, as residents and business owners of Solona Beach, we can all come to a viable solution and proceed with this project with COOSA's approval.

Cordially,

Tom Moalemi

Sep/4th/1997

California Coastal Commission  
San Diego Coast Area office  
3111 Camino Del Rio North  
#200 San Diego CA, 92108

Re: Application No # 6-9778 Car Trader

To Whom it may Concern:  
We on the behalf of Car Trader Company  
would like to respond to letter written by  
Nadine Fryman president of HWY 101 merchant.  
We have spoken to numerous merchants, they  
they all believe our business brings big Tax  
Revenue, and also clean & beautify this  
vacant, abundant lot, Mrs. Fryman is the owner  
of fleet feet who sells bicycles. She has  
interest in buying this property, but the owner  
has not shown any interest of selling.

respectfully

Kam Moalini  
Manager, Car Trader

RECEIVED

SEP 05 1997

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

LETTER from Applicant

6-97-78

Sep/4th/97

California Coastal Commission  
San Diego Coast Area office  
3111 Camino Del Rio North  
# 200, San Diego CA 92108

Dear Members of the Coastal Commission:

I am writing in regard to letter of opposition by C.B. Automotive to our proposal for 201 South Hwy 101.

Mr. ERIC Wetten owner of C.B. Automotive has been pressing hard from anyone to oppose to this project due to his business interest why because we will be using most of the Drive way and  $\frac{1}{2}$  now he is using our lot 7 park his customer's cars illegally I have enclosed a picture as of today Sept the 4th 1997, in our view his business is an eye sore, the whole place looks like Ecology-wreck yard & we would like to go there & clean the mess, in response to his letter about balloon-banners, flags, we have been in this town selling fine Automobile for several years. City of Solana Beach has passed ordinance hanging any banners, flags, pin wheel' we have never have used any of

These items in our Business in regard  
To high Speed Test Drive Mr. Wefley & his  
girl friend are the only one complaining. we obey  
The law as always, our Test Drives are  
Taken place on freeway, before purchase of  
Car, our Customers would like to drive on  
free way not Residential.

In regard To hazardous waste & Auto deposits.  
We Sell Cars. We don't repair them. our inven-  
tory consist of fine Cars not junk.

C.B. Automotive fixes & pollute the Environment,  
I as the manager of Car Trader respectfully  
urge you to grant us permission to relocate to  
Hwy 101 Address & give us an opportunity to clean  
this lot & Beautify This area, There are broken  
Box Spring in There & Empty bottles of vodka.  
Do I need To Say more?

Thank you

Tom Moarlen



Sept 4th 1997

## California Coast Commission

Dear members of The Coast Commission:

This letter is in response to Mrs Elizabeth Ellis, that proposed plan on 201 S. Highway #01 will have some impact on few trees west side of this project. Answer is we will NOT cut any trees damage or harm them. As matter of fact, we do need those trees for shade & beauty, as we have told at city council hearing, we will NOT cut any tree but to protect them. Thank you for your concern in this matter.

respectfully

CAR TRADER. *Tam Moalini*

Sept 4th, 1997  
CAR TRADER  
315 S. CEDRO AVE  
SOLANA BEACH, CA  
92075

Honorable member's of Commission.

I Tom Goulemi & my wife  
Owners of CAR TRADER Have  
Been somewhat offended by many  
Letter's That MICHELLE RILEY whom  
is girl friend of ERIK weffen owner  
of C.B. Automotive, Has written & Lied  
TO The members of city Council &  
Has Tried to Her best ability to Force  
us out This town Only to Protect  
Her Lover's Business (C.B. Automotive)

I Have spoken to members of Coosa  
whom supported us At Council meeting  
They Have expressed Their feeling About C.B.  
Automotive & The mess He Has, They want  
us to go There & clean up Everything  
As result owner of This property Has  
Granted us The master lease, so technically  
we will be the anchor There, and  
C.B. Automotive will become our tenant  
if He cleans up & show good  
Friendly relation with us & NOT to make  
Accusation by Him & HIS girl friend  
That we will pollute The ground  
I wish someone go to His shop

1/2 LOOK AT THE TYPE OF CAR & style  
of repairing them. My question is TO  
MICHELLE RILEY, THAT COMMON SENSE  
prevails. S.B Automotive Has been  
There For years and They Have  
NOT Had any CAR dripping engine &  
gear oil, Hydrochloric battery Acids, engine  
COOLANT, Transmission Fluid going down IN  
to ground & ~~HA~~ Rain wash These  
Poisons From The shop, lets let  
The pictures Speak For The Truth.

Thank you  
Tom ~~McMahon~~  
CAR TRADER

#### NOTE:

We only sell High Quality  
Late model CAR, which These CARS  
Are check by EXPERT For any Problems  
before Offer For Sale TO Customers.  
For many year IN This TOWN  
Protec AUTO Repair ON North Cedros  
Have Serviced OUR CARS, We WILL  
Protect OUR ENVIRONMENT & OUR Neighbor-  
hood.