

CALIFORNIA COASTAL COMMISSION

SOUTH COAST AREA
 245 W. BROADWAY, STE. 380
 P.O. BOX 1450
 LONG BEACH, CA 90802-4416
 (310) 590-5071

In 36



Filed: Apr. 2, 1997
 49th Day: May 21, 1997
 180th Day: Sept. 29, 1997
 Staff: JLR-LB
 Staff Report: Apr. 8, 1997
 Hearing Date: May 13-16, 1997

STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 5-97-057

APPLICANT: Stephen Shoemaker

PROJECT LOCATION: 131 International Boardwalk, Fisherman's Wharf, Redondo Beach

PROJECT DESCRIPTION: Convert 6,156 square feet of a 28,620 square feet amusement/arcade into a 200-seat restaurant.

Lot area:	N/A
Building coverage:	28,620
Pavement coverage:	N/A
Landscape coverage:	N/A
Parking spaces:	Pier Parking Structure
Zoning:	CR
Plan designation:	Commercial-Recreation
Project density:	N/A
Ht abv fin grade:	N/A

LOCAL APPROVALS RECEIVED: 1. Approval in Concept-City of Redondo Beach

2. City of Redondo Beach Resolution Number 68 that includes a Conditional Use Permit

SUBSTANTIVE FILE DOCUMENTS: City of Redondo Beach Certified Land Use Plan

SUMMARY OF STAFF RECOMMENDATION:

Staff is recommending approval with no special conditions.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval

The Commission hereby grants a permit for the proposed development 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, is located between the sea and the first public road nearest the shoreline and in in conformance with the public access and public recreation policies 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 this permit is reported to the Commission. 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 in the application for permit, subject to any special conditions 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 project during its development, 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.

5-97-057 (Stephen Shoemaker)

III. Special Conditions.

None.

IV. Findings and Declarations.

The Commission hereby finds and declares as follows:

A. Project Description and Location.

The applicant proposes to convert 6,156 square feet of a 28,620 square feet amusement/arcade into a restaurant. The subject site is located in the pier/marina entranceway, a major regional serving coastal destination and recreation area. There is an existing nearby multi-level parking structure containing 1100 parking spaces. The site is located northerly of this structure adjacent to Harbor Basin No. 3. The surrounding area consists of approximately 55,000 sq. ft. of building area used for waterfront commercial-recreational activities. The subject site is not located on tidelands.

B. Public Access to and along the Shoreline

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

and Section 30212 of the Coastal Act states in part:

(1) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

(2) adequate access exists nearby, or,

The subject site is located adjacent to an existing boat marina. In the front of the subject building, there is an existing public walkway that parallels the marina. No development is proposed to extend onto this walkway. Therefore, the Commission finds that the proposed project, as submitted, will not impede public access along the shoreline consistent with the relevant provisions of the Coastal Act.

C. Parking/Public Access

Section 30252 of the Coastal Act states:

The location and amount of new development should maintain and enhance

5-97-057 (Stephen Shoemaker)

public access to the coast...(4) providing adequate parking facilities....

The harbor/beach area is a major regional destination point for coastal recreational activities. The City's certified LUP requires that new development provide adequate parking to assure accessibility to the beach harbor area. The Land Use Plan of the City's Local Coastal Program which was certified by the Commission on June 19, 1980, contains the following relevant parking provision:

The City will continue to diligently enforce existing parking standards for new development.

By requiring adequate parking for new development within the Coastal Zone in the past, the City has assured adequate parking accessibility to the beach and the Harbor-Pier area. This policy will be continued by assuring the adoption of adequate parking standards in the implementing ordinances of the Coastal Program.

Most of the urbanized coastline in Los Angeles is within small cities. In many, like Redondo Beach, the beach is publicly owned and access is limited by the transportation system, which for people in the Los Angeles basin means the automobile. New development that provides adequate parking assures continued public access to the coast.

Using parking standards imposed by the Commission in past permit decisions, the proposed 3,528 sq. ft. customer service area for the restaurant use would require 70 parking spaces based on one parking space per 50 sq. ft. of customer service area. The existing 6,156 sq. ft. portion of the amusement/arcade to be converted for restaurant use has an existing parking demand of 82 parking based on one space per 75 sq. ft. of gross floor area. Thus, the proposed project will require twelve less parking spaces as compared to the existing arcade use. Therefore, the Commission finds that the proposed restaurant conversion will provide adequate parking consistent with past Commission permit approvals. The Commission further finds that because the proposed restaurant conversion has adequate parking provisions, the project is designed to assure the continued availability of public access to and along the shoreline, consistent with Section 30212 of the Coastal Act.

D. Local Coastal Program

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.

Section 30604 (a):

(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

5-97-057 (Stephen Shoemaker)

division and that the permitted development will not prejudice the ability of the local government to prepare a local coastal program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200). A denial of coastal development permit on grounds it would prejudice the ability of the local government to prepare a local coastal program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200) shall be accompanied by a specific finding which sets forth the basis for such conclusion.

On June 19, 1980, the Commission approved the Land Use Plan for the City of Redondo Beach Local Coastal Program. The Land Use Plan contains specific policies to guide the type, location, and intensity of future development in the City of Redondo Beach Coastal Zone.

The proposed development is consistent with the designated Commercial/Recreation land use for the project site as contained in the certified Land Use Plan. Therefore, the Commission finds that the proposed development will not prejudice the City's ability to prepare a Local Coastal Program consistent with the policies of Chapter 3 of the Coastal Act as required by Section 300604 (a).

E. Consistency with the California Environmental Quality Act (CEQA).

Section 13096 of Title 14 of the California 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.

As submitted, 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 can be found consistent with the requirements of the Coastal Act to conform to CEQA.

8720F
JR/lm

PACIFIC

KING HARBOR

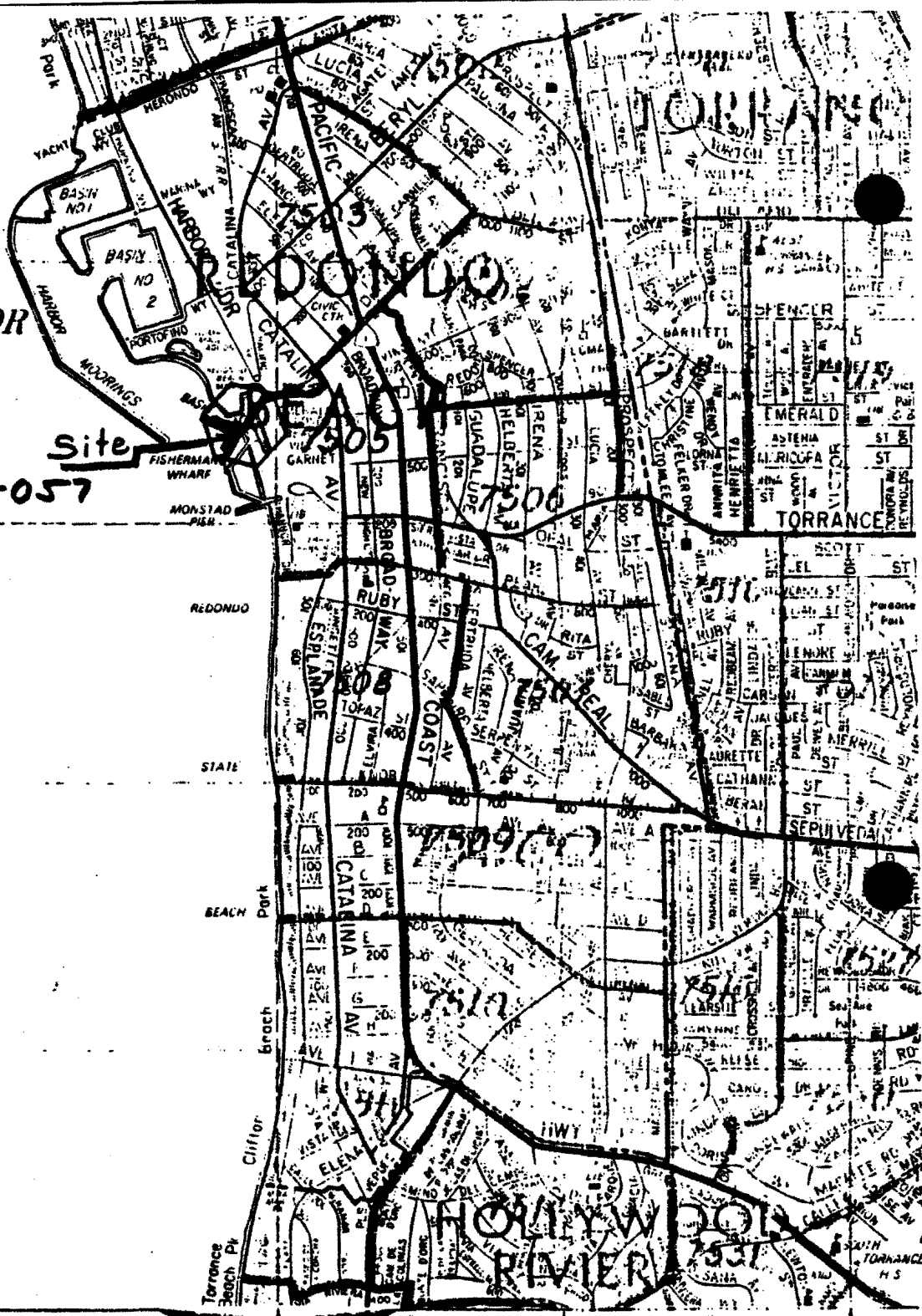
site 5-97-057

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MAR 10 1997

CALIFORNIA COASTAL COMMISSION

OCEAN



B

C

72

D

E

SEE

MAP

VICINITY MAP



JPL Zoning Services
14530 Erwin St.
Van Nuys, CA 91401
(818)781-0016

EXHIBIT A
5-97-057
N

QUALITY SEAFOOD RESTAURANT

BASIN No. 3

RESTAURANT

PUBLIC RESTROOMS

EXISTING BUILDING

SEAFOR W. FACADE
SEAFOR W. FACADE
PARKING STRUCTURE (UNDER DECKS)

STAIR BELCA

PARKING

SITE PLAN

SCALE = 1/50

FUN FISH MARKET AND RESTAURANT
131 INTERNATIONAL BOARDWALK
REDONDO BEACH MARINA BASIN NO. 3
REDONDO BEACH, CA 90277



Exhibit
5-97-0

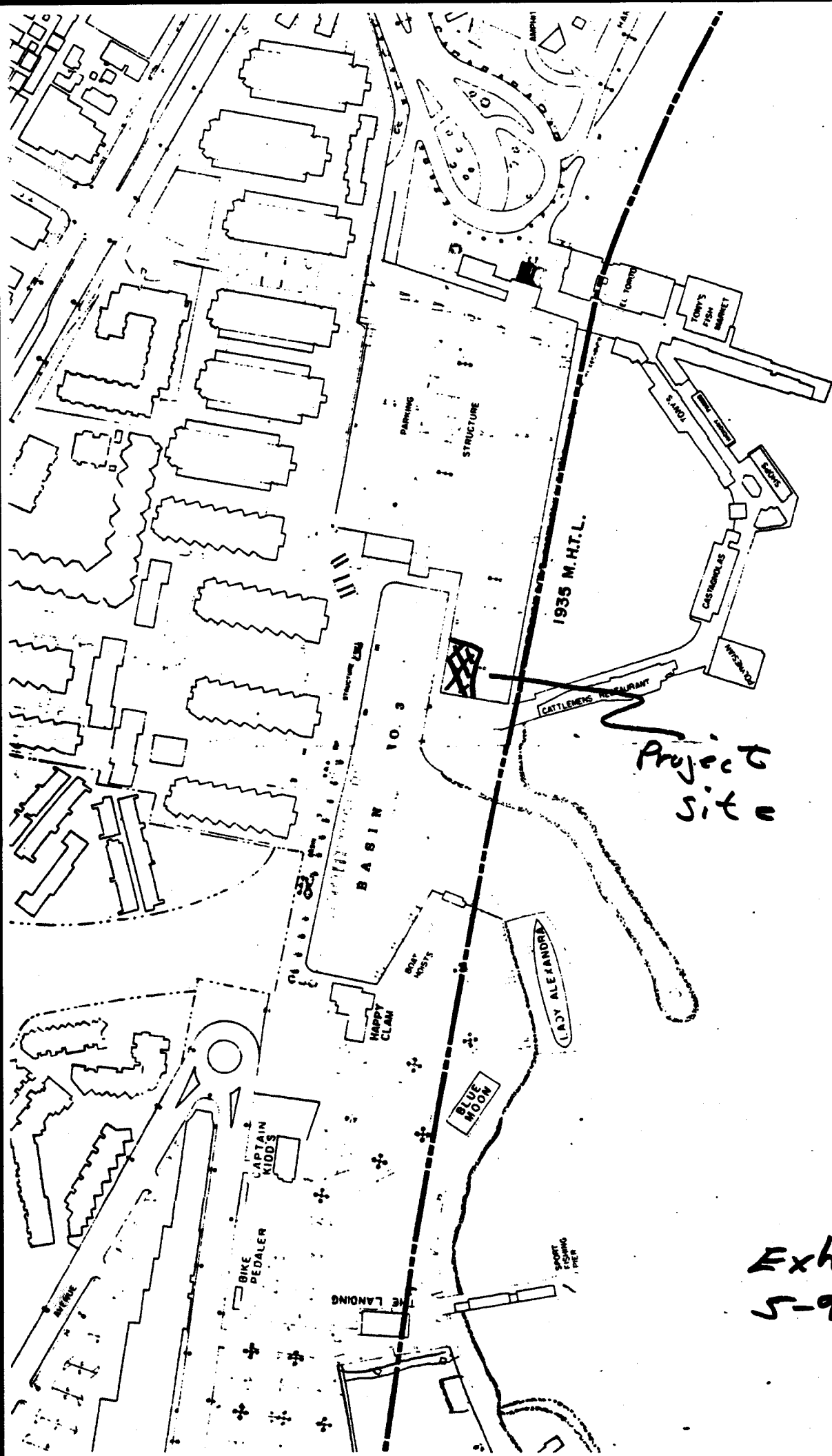
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SITE IS PORTION OF EXISTING BUILDING



O C C E A N



Project Site

Exhibit C
5-97-057

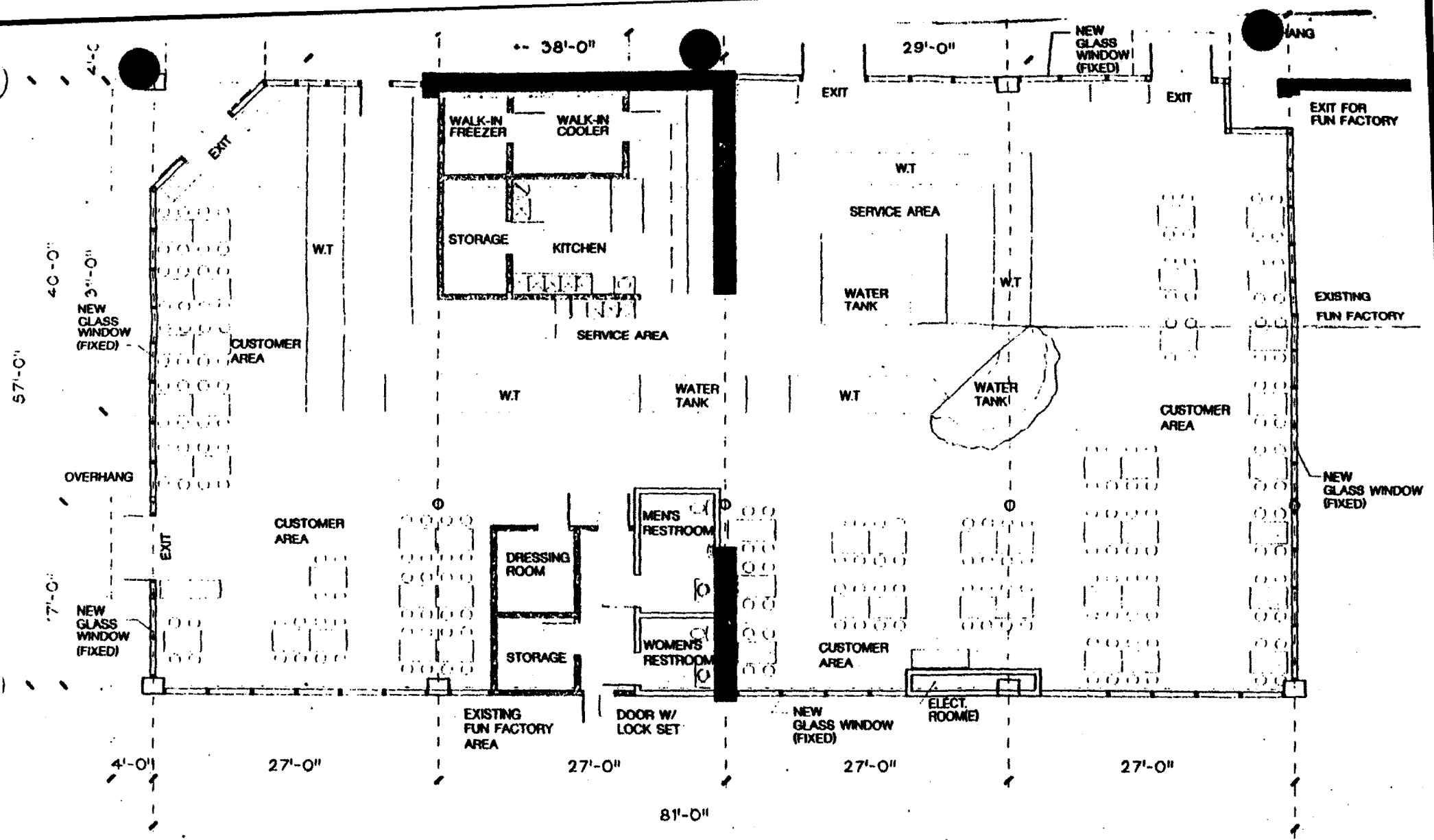
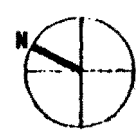


EXHIBIT D
5-97-057



FLOOR PLAN

1/8" = 1'-0"

TOTAL FLOOR : 6166 SQ. FT.
TOTAL FOR KITCHEN : ~ 1910 SQ. FT.

(E) FUN
FACTORY
AREA

PROPOSED RESTAURANT AREA

(E) CONC. SLAB TYP

NEW GLASS WINDOW(FIXED) TYP

2'-0"
1'-3"
2'-6"



SOUTH-EAST ELEVATION

FACING FROM FUN FACTORY INTERIOR 1/8" = 1'-0"

OVERHANG
DECORATION

PROPOSED RESTAURANT AREA

2ND FLR PARKING AREA

OVERHANG
DECORATION

2'-0"
1'-3"
8'-3"
2'-6"



5-97-057
EXH. 6.1 E

NORTHWEST ELEVATION

FACING FROM OCTAGON BUILD 1/8" = 1'-0"

5-17051
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CALIFORNIA
COASTAL COMMISSION

RESOLUTION NO. 68

**A RESOLUTION OF THE HARBOR COMMISSION OF
THE CITY OF REDONDO BEACH GRANTING A
CONDITIONAL USE PERMIT
AND CERTIFYING AN EXEMPTION DECLARATION
TO ALLOW THE CONSTRUCTION AND OPERATION OF A "CLASS I"
RESTAURANT WITHIN A PORTION OF THE BUILDING HOUSING
THE FUN FACTORY ON PROPERTY SITUATED
WITHIN A COASTAL COMMERCIAL (CC-1) ZONE
AT 131 INTERNATIONAL BOARDWALK**

WHEREAS, Redondo Fisherman's Cove Company is a lessee of real property owned by the City of Redondo Beach (Leasehold); and

WHEREAS, Lessee currently operates the "Fun Factory", which occupies approximately 29,000 square feet of floor area below the parking structure located adjacent to Basin No.3; and

WHEREAS, Redondo Fisherman's Cove Company on December 13, 1996, submitted a complete application for a Conditional Use Permit for the construction and operation of a full service Korean seafood restaurant occupying approximately 6,156 square feet of the existing Fun Factory space; and

WHEREAS, an exemption declaration was prepared for the project and duly posted, published and noticed as set forth in the applicable provisions of the Redondo Beach Municipal Code; and

WHEREAS, the Harbor Commission has duly noticed the public hearing to consider Fisherman's Cove's application for Conditional Use Permit; and

WHEREAS, the Harbor Commission has fully considered all public testimony, both written and oral during a public hearing held on January 13, 1997 prior to reaching its decision.

Exhibit F
5-97-057
2 of 4

SECTION 1. NOW THEREFORE, THE HARBOR COMMISSION OF THE CITY OF REDONDO BEACH DOES HEREBY FIND:

1. In accordance with Section 10.2-2506(B) of the Redondo Beach Municipal Code, a Conditional Use Permit is in accord with the criteria set forth therein for the following reasons:
 - a) The site of the proposed use is in conformity with the General Plan and is adequate in size and shape to accommodate such use and all setbacks, spaces, walls and fences, parking, loading, landscaping, and other features required by Chapter 2, Title 10 of the Redondo Beach Municipal Code to adjust such use with the land and uses in the neighborhood.
 - b) The site has adequate access to a public street of adequate width to carry the kind and quantity of traffic generated by the proposed use.
 - c) The proposed use shall have no adverse effect on abutting property or the permitted use thereof, subject to the conditions of approval.
2. The plans, specifications and drawings submitted with the applications have been reviewed by the Harbor Commission, and approved.
3. Pursuant to Chapter 3, Title 10 of the Redondo Beach Municipal Code, the project is exempt from the preparation of environmental documents pursuant to Section 15303 of the Guidelines for Implementation of the California Environmental Quality Act (CEQA).

SECTION 2. NOW, THEREFORE, THE HARBOR COMMISSION OF THE CITY OF REDONDO BEACH DOES HEREBY RESOLVE AS FOLLOWS:

The Harbor Commission of the City of Redondo Beach hereby adopts the Exemption Declaration and grants the Conditional Use Permit subject to the plans and applications submitted and the following conditions:

1. That the approval granted herein is for the construction and operation of a 6,159-square-foot "Class I" restaurant within a portion of the existing tenant space occupied by the "Fun Factory" amusement center, as reflected on the plans reviewed and approved by the Harbor Commission on January 13, 1997.

Exhibit F
2 of 4
5-97-057

2. That construction of the improvements shall substantially conform to the plans reviewed and approved by the Harbor Commission at its meeting of January 13, 1997.
3. That exterior finishing materials shall be reviewed and approved by the Planning Department, prior to issuance of building permits.
4. That signage for the restaurant shall conform to the requirements of the Redondo Beach Zoning Ordinance, and shall be subject to review and approval by the Planning Department, prior to issuance of a sign permit.
5. That the Planning Division is authorized to approve minor changes.
6. That all construction shall comply with all applicable codes and regulations implemented by the Building Department and any other agencies with jurisdiction over the facility.
7. That, in the event of a disagreement in the interpretation and/or application of these conditions, the issue shall be referred back to the Harbor Commission for a decision prior to the issuance of a Building Permit.
8. That the Harbor Commission shall retain jurisdiction of the matter for the purpose of enforcing compliance with these conditions and for the purpose of modification thereof as circumstances may subsequently indicate.
9. That the applicant shall work with staff on any necessary mitigation measures if there are problems with odors from the trash.
10. That wood or simulated wood shall be used on the exterior window frames.
11. That signage on windows shall be limited to 10 percent of the window area or that signage area be increased or decreased according to any future signage standards approved for the Harbor Enterprise.

SECTION 3. That this Conditional Use Permit shall become null and void if not vested within 36 months after the effective date of the Harbor Commission's resolution.

EXHIBIT F
3 of 4
5-97-057

SECTION 4. Prior to seeking judicial review of this resolution, the applicant is required to appeal to the City Council. The applicant has ten days from the date of the adoption of this resolution in which to file an appeal.

SECTION 5. The Harbor Commission shall forward a copy of the Resolution to the City Council for information on the action taken by the Harbor Commission on this matter.

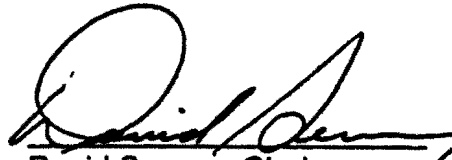
Passed, approved and adopted this 13th day of January, 1997 by the following vote:

AYES: Bisignano, Cruikshank, Parsons, Prunauer, and Serena;
NOES: None;
ABSENT: None.
ABSTAIN: Covington.

APPROVED AS TO FORM:



John Eastman
Assistant City Attorney



David Serena, Chairman
Harbor Commission of the
City of Redondo Beach

Exhibit F
4 of 4
5-97-057