

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST AREA
11 CAMINO DEL RIO NORTH, SUITE 200
SAN DIEGO, CA 92108-1725
(619) 521-8036



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Permit Application No. 6-97-27/lro
Date April 18, 1997

ADMINISTRATIVE PERMIT

Wed 3d

APPLICANT: Ranch Catering/Robert Peltier

PROJECT DESCRIPTION: Construction of a 2,040 sq.ft., at-grade concrete deck for outdoor dining associated with an existing 12,637 sq.ft. catering business in an existing approx. 75,838 sq.ft. convention/business center.

PROJECT LOCATION: 1970 Quivira Way (Marina Village), Mission Bay Park, San Diego, San Diego County. APN 760-029-08

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, are discussed on subsequent pages.

NOTE: The Commission's Regulations provide that this permit shall be reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, a permit will not be issued for this permit application. Instead, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

DATE and TIME: May 14, 1997 LOCATION: Radisson Hotel-Santa Barbara
9:00 a.m., Wednesday 1111 E. Cabrillo Boulevard
Santa Barbara, CA

IMPORTANT - Before you may proceed with development, the following must occur:

For this permit to become effective you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgment and evidence of compliance with all special conditions, we will send you an authorization to proceed with development. BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE PERMIT AUTHORIZATION FROM THIS OFFICE.

PETER DOUGLAS
Executive Director

By: Laurinda R. Owens

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgement. 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.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

Pursuant to Public Resources Code Section 30624, the Executive Director hereby determines that the proposed development, subject to Standard and Special Conditions as attached, is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, 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, and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. Any development located between the nearest public road and the sea is in conformity with the public access and public recreation policies of Chapter 3.

Proposed is the construction of a 2,040 sq.ft., at-grade concrete deck for outdoor dining purposes associated with an existing catering business located in an adjacent two-story, 10,637 sq.ft. building. The proposed outdoor patio will be located immediately south of this building in an area that presently consists of a grassy area adjacent to an interior public walkway/courtyard. The subject business also occupies a portion (2,000 sq.ft.) of another

building in the far south part of the business center thus making the total of the leasehold 12,637 sq.ft. The subject leasehold is within an existing convention and business center known as Marina Village in Mission Bay Park. The commercial center is adjacent to the Bay near an existing yacht center. The subject leasehold was formerly a fish restaurant (Salmon House). The required parking for banquet (such as the subject leasehold) and/or meeting facilities is one space per 200 sq.ft. of gross floor area (1:200) which is the same requirement for restaurant uses; as such, the conversion of the former restaurant to a catering business is not a change in use. However, the addition of the proposed outdoor patio to the subject catering business is an increase in the intensity of use and thus, requires a coastal development permit.

Section 30252 of the Coastal Act provides for new development to maintain public access to the coast by providing, among other things, adequate parking facilities. The project site is located within an existing commercial/conference center (Marina Village) in Mission Bay Park, on Quivira Way in the City of San Diego. The total square footage of the Marina Village facility is 75,838 sq.ft. This includes five existing leasehold spaces (in separate buildings) as well as short-term conference space rentals. As stated, a portion of the center is used as meeting rooms for seminars, etc. The certified Mission Bay Park Master Plan requires a parking ratio of 1:200 for restaurant uses, banquet facilities and meeting/conference facilities. There are no vacant leaseholds at present. One full-service restaurant exists on site (Shanghai Restaurant) which is 5,689 sq.ft. in size. Two leaseholds are retail uses and the subject leasehold (Ranch Catering) occupies two separate buildings. There are a total of 500 on-site parking spaces for the subject facility which is more than adequate parking for all uses on site. The center contains far more than the required number of parking spaces utilizing the most restrictive parking standards established for Mission Bay Park. As such, the proposed project will not result in any adverse impacts to public access opportunities in this nearshore area.

Both vertical and lateral pedestrian access are available through the commercial center and the proposed addition will have no impact on existing public access. In addition, and as stated, adequate parking facilities are provided for vehicular access. Therefore, the Commission finds the proposed development consistent with Section 30252 of the Act, and with all public access policies as well.

Section 30251 of the Act provides for protection of scenic coastal areas and for the compatibility of new and existing development. The proposed outdoor patio is compatible with the surrounding development. In addition, the construction of the outdoor patio will not result in any blockage of any public views to and along the Bay. Since the proposed patio will involve removal an existing lawn area, the applicant proposes to install several floral planter boxes adjacent to the public walkway for landscaping purposes. The Commission finds the proposed development consistent with Section 30251 of the Act.

As stated previously, the proposed development is located within Mission Bay

Park. Mission Bay Park is both an area of deferred certification and an area of original jurisdiction, where the Commission retains permit authority permanently. The certified Mission Bay Park Master Plan designates this area for Park and Shoreline use. The proposed patio addition is consistent with this designation and can be found consistent with all applicable Chapter 3 policies of the Coastal Act.

SPECIAL CONDITIONS: None.

ACKNOWLEDGEMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

Applicant's Signature

Date of Signing

(7027R)