

## CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

3111 CAMINO DEL RIO NORTH, SUITE 200

SAN DIEGO, CA 92108-1725

(619) 521-8036



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Permit Application No. 6-97-140/DL

Date December 18, 1997

ADMINISTRATIVE PERMIT

APPLICANT: Pizza Nova

PROJECT DESCRIPTION: Conversion of 2,250 sq.ft. of retail lease space to restaurant use in an existing approximately 215,942 sq.ft. shopping center on a 17.4 acre lot.

PROJECT LOCATION: 945 Lomas Santa Fe Drive, Solana Beach, San Diego County. APN# 263-293-10, 14, 43-60.

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: January 12, 1998  
10:00 a.m., MondayLOCATION: Embassy Suites -- San Luis Obispo  
333 Madonna Road  
San Luis Obispo, CA 93405IMPORTANT - 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 DirectorBy: Diana Jilly

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.

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 conversion of 2,250 sq.ft. of retail lease space to restaurant use. The project site is located in an existing approximately 215,955 sq.ft. shopping center on a 17.4 acre lot on the southeast corner of Marine View Lane and Lomas Santa Fe Drive, several hundred feet east of Interstate 5, in the City of Solana Beach. There are currently 780 parking spaces at the center.

The Commission has approved a number of expansions in the subject shopping center since September 1996, including a 945 sq.ft. restaurant addition (#6-96-112), a 995 sq.ft. addition to an existing retail building (#6-96-141), conversion of an existing 1,127 vacant retail leasehold to a restaurant and construction of a 631 sq.ft. addition to the leasehold (#6-96-145), and demolition of an existing 26,700 sq.ft. supermarket and shop and construction of new 52,071 sq.ft. supermarket (#6-96-157). In addition, in July 1996, the shopping center received a permit exemption from the Commission to regrade and resurface the entire parking lot creating an additional 149 parking spaces above the 163 spaces previously on the site.

Section 30252 of the Act requires that new development provide 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. Under the City of Solana Beach's regulations, conversions or additions to existing structures erected prior to the City's incorporation are required only to provide sufficient parking to accommodate the increase in intensity. There is a similar provision in the County regulations for existing structures erected prior to May 10, 1985.

The City of Solana Beach parking standards require 1 parking space per 225 sq.ft. of retail space be provided and 1 space per 100 sq.ft. of restaurant area. Under the certified County of San Diego Local Coastal Program, which the Commission uses for guidance within the City of Solana Beach, 1 parking space per 225 sq.ft. of restaurant space is required where less than 10% of the existing shopping center is occupied by restaurant, or 1 space per 100 sq. ft. of restaurant space where between 10% and 25% of the center is occupied by restaurant. Currently, between 10% and 25% of the center's leaseholds are occupied by restaurants.

Final parking plans with the subject application indicate that the regrading and restriping, which occurred in late summer/early fall 1997, did result in an increase of 149 parking spaces, for a total of 780 spaces in the center. Using the City's guidelines, the previously approved additions and conversions required the addition of 138 additional parking spaces. The proposed project involves converting an existing 2,250 sq.ft. retail store to a restaurant. Ten spaces would be required for the current retail use, but 23 spaces for a restaurant use. Thus, 13 additional parking spaces would be required for the conversion. In total, including the proposed retail to restaurant conversion, the recent expansions would require an additional 151 parking spaces, or two more than the 149 created through the restriping. However, slightly fewer parking spaces would be required under the County's standards, as the first restaurant addition occurred when the center contained less than 10% restaurant uses. Thus, the previous increase in spaces can accommodate the parking requirement for the proposed project. However, it should be noted that the center appears to be at capacity for higher intensity uses such as restaurants unless existing restaurants convert to retail use or more parking is provided.

In addition, the project site is located east of Interstate 5, several miles from the shoreline, such that the surrounding streets are not used for beach parking. The City has indicated that there are no transit lines leading from this shopping area to the beach. Any "spillover" parking on adjacent streets by shopping center patrons caused by insufficient parking within the center itself, would not displace beach visitors. Therefore, since adequate parking will be

provided and public access to the shoreline will not be affected, the Commission finds the development consistent with Section 30252 of the Act.

Section 30251 of the Coastal Act states in part that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. The proposed retail to restaurant conversion will be located within an existing commercial center with no expansion of the existing building footprint. 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. There are no pole signs at the shopping center currently. To assure that all proposed signage is consistent with Chapter 3 policies, Special Condition #1 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.

The site is zoned and designated for commercial uses in the City of Solana Beach and is also designated for such uses in the previously-certified County of San Diego LCP. The proposed development is consistent with these designations. The site is not subject to any of the special area overlays established in the County LCP. As discussed above, as conditioned, the proposed project is consistent with all applicable Chapter 3 policies of the Coastal Act, and no adverse impacts to coastal resources will result. Thus, the proposed development will not prejudice the ability of the City of Solana Beach to prepare a certifiable local coastal program.

**SPECIAL CONDITIONS:** 1. Sign Program. Prior to the issuance of the coastal development permit, the applicant shall submit a comprehensive sign program for all proposed signage documented 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, and signs shall subsequently be installed consistent with the approved plans.

**ACKNOWLEDGMENT 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.

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Applicant's Signature

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Date of Signing