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CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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Filed: 12/10/97
49th Day: 1/28/98
180th Day: 6/8/98
Staff: A. Padilla
Staff Report: 12/10/97
Hearing Date: 1/13-16/98
Commission Action:



STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 5-97-346
APPLICANT: Warren Roberts
PROJECT LOCATION: 1602 Ocean Avenue, Santa Monica
PROJECT DESCRIPTION: Remodel an existing 773 square foot restaurant and add 3,237 new square feet for a total service area of 2,040 square feet. The height of the structure will be 30 feet as measured from natural grade. The project will include a 38 space parking garage plus 12 tandem spaces with a valet service, during business hours, beneath the restaurant.

Lot Area: 14,500 sq. ft.
Building Coverage: 3,960 sq. ft.
Pavement Coverage: 9,242 sq. ft.
Landscape Coverage: 1,297 sq. ft.
Parking Spaces: 50
Zoning: RVC-Residential Visitor Commercial
Plan Designation: Commercial
Ht abv fin grade: 30 feet

LOCAL APPROVALS RECEIVED: Approval in Concept; Variance 97-030;
Administrative Approval 97-014

SUBSTANTIVE FILE DOCUMENTS: City of Santa Monica's Certified Land Use Plan

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends approval with a special condition informing the applicant that any future change regarding the number of parking spaces or the hours of availability of the parking attendant service will require an amendment to this permit.

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, 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 is 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.

III. Special Condition

1. Parking

With the acceptance of this permit, the applicant acknowledges that any change in the parking proposed under this permit, including but not limited to elimination of the parking attendant service or change in hours that the parking attendant service is available, will require an amendment to this permit.

IV. Findings and Declarations.

The Commission hereby finds and declares as follows:

A. Project Description and Background

The applicant proposes to remodel an existing 773 square foot restaurant and add 3,237 new square feet for a total service area of 2,040 square feet. The height of the new addition will be 30 feet, as measured from natural grade. The project will include a 38 space parking garage plus 12 tandem spaces with a valet service, during business hours, beneath the restaurant.

The project site is located on the southwest corner of Ocean Avenue and Colorado Boulevard, in the City of Santa Monica. The site is immediately adjacent to and south of the entrance bridge to the Santa Monica Pier. The site is roughly rectangular and slopes to the southwest with a total ground relief of approximately 16 feet.

Surrounding development consists of a multi-story multifamily residential building to the south, a multi-story hotel to the east and across Ocean Avenue, and the Santa Monica Pier bridge to the north.

B. Parking

The proposed project site is located near the Santa Monica Pier and beach. In addition to the retail stores, food establishments, and amusement rides offered on the Pier and surrounding beach the area provides many recreational activities including, roller-skating, bicycling, strolling, and volleyball. The Pier and surrounding beach area are very popular visitor destinations and attracts millions of visitors each year. Due to this popularity the availability of parking for the Pier and surrounding beach area is important.

The Commission has consistently found that a direct relationship exists between the provision of adequate parking and the availability of public access to the coast. Section 30252 of the Coastal Act requires that new development should maintain and enhance public access to the coast by providing adequate parking facilities.

Section 30252 of the Coastal Act states in part:

The location and amount of new development should maintain and enhance public access to the coast by. . . (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation. . .

In addition, policy #20 of the Santa Monica certified Land Use Plan states in part that:

New development shall provide adequate parking to meet all demands created by the development . . .

Therefore, in order to conform to the requirements of the Coastal Act, the proposed project must provide adequate support parking in order not to negatively impact parking for beach parking.

The proposed project will total approximately 3,960 square feet. The project will have a seating capacity of 144 seats including 28 on the rear terrace with a service area of 2,040 square feet and a support area of 1,920 square feet. The City's parking requirements require 1 parking space per each 75 square feet of seating and service area plus 1 space per each 300 square feet of support area. Based on the City's requirements the proposed project requires a total of 34 parking spaces. The project will provide 38 parking spaces, thus meeting City parking requirements. Furthermore, due to the grade (8%) of the parking entrance off of Ocean Avenue the City is requiring that the 10 spaces located along the parking entrance be attendant service parking only.

Although the project's parking supply meets the City of Santa Monica's parking requirements the Commission has consistently applied the parking standards that have been established by the Commission through hearing and voting on permit items. For restaurant use the Commission has required 1 parking space per 50 square feet of service area. Based on this standard and the amount of service area for this project, 41 parking spaces will be required. Therefore, based on Commission parking standards the proposed project will be deficient 3 spaces.

This deficiency may not be significant due to the location of the project site and the possibility of walk-up customers from other visitor attractions in the surrounding area. Since the project is located adjacent to the Pier and beach, the restaurant may attract visitors that have come to the beach and Pier and have parked in the beach or Pier parking lots. On the other hand the proposed restaurant may become an attraction in and by itself and a deficiency of on-site support parking may adversely impact the parking supply for other visitor uses in the area. The Commission has approved food service uses along Venice Beach's Ocean Front Walk with reduced parking based on the fact the food service would be walk-up food service [5-86-518A3 (Park Plaza Partnership); 5-90-789R (Blanchard); 5-92-203 (Dror); 5-92-338 (Elzas)]. The Commission has allowed less stringent parking requirements for walk-up service along Venice Beach because the area is heavily used by pedestrians and the Commission's parking standard is based on impacts caused by vehicular access, and not pedestrian access. The Commission found that the food service uses were located in a high visitor service area and that the projects would help supplement visitor use of the area and would not be an attraction in and by themselves.

Although the proposed site will be located in an area that receives a large amount of pedestrian traffic, Ocean Avenue is also heavily used by vehicle traffic making the restaurant easily accessible by drive-in customers. Furthermore, due to the size of this restaurant, as compared to the smaller strictly walk-up food service uses located along Venice Beach's Ocean Front

Walk, this restaurant may become a visitor attraction in and by itself. The proposed restaurant, because of its location, will attract a number of walk-up customers but because of its size and seating area it will also attract customers that will drive and park at the restaurant. Therefore, until a parking study can be conducted after the restaurant has been in operation showing the actual parking demand, the project needs to provide a minimum of 41 parking spaces to be consistent with Commission parking standards to ensure that public beach access is protected.

In response to staff concerns regarding the project's parking deficiency, the applicant is proposing to provide stack or tandem parking with an attendant to meet the Commission's minimum parking requirement of 41 spaces. With the proposed stack or tandem parking the applicant will be able to provide a maximum of 12 additional parking spaces for a total of 50 spaces.

The City is requiring that the ten parking spaces at the entrance be designated as attendant service parking spaces. In addition, since an attendant is required by the City, the applicant is proposing to provide stack or tandem parking during all operating hours of the restaurant to meet Commission parking requirements. The inclusion of a parking attendant in the project description will increase the number of parking spaces to a number that meets or exceeds the number required by the guidelines. To ensure that the project will continue to provide adequate parking and that the project will not have an adverse impact on beach access, a special condition is necessary to ensure that the applicant is aware that any change in the number of parking spaces, the elimination of the parking attendant service, or a change in the hours of the attendant service, will require an amendment to this permit.

As proposed the project will provide sufficient parking to meet the Commission's parking requirements. The Commission, therefore, finds that the proposed project will not adversely impact access and will be consistent with Section 30252 of the Coastal Act and with the policies of the City's certified Land Use Plan.

C. Development

Section 30250 of the Coastal Act states in part that:

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have a significant adverse effects, either individually or cumulatively, on coastal resources.

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. 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 landforms, to be visually compatible with the character surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

The project is located adjacent to the entrance to the Santa Monica Pier. The proposed site is within the City's certified Land Use Plan's planning Subarea 2--The Santa Monica Pier. Within this area the City's Land Use Plan allows visitor serving uses, such as restaurants.

The Santa Monica Pier is a popular visitor destination. According to the LUP the Pier attracts approximately three million visitors each year. The Pier provides amusement rides, arcade, food service establishments, retail shops and fishing opportunities. There are also food service and retail establishments along the beach promenade, just south of the Pier. The proposed project will be consistent with the visitor serving uses of the Pier and surrounding area.

The Land Use Plan limits height of building to 2 stories, 30 feet. The height of the existing building is approximately 12 feet. The new addition will extend to 30 feet with an architectural element atop the elevator extending to 35 feet.

The Commission, therefore, finds that the proposed project will not significantly impact scenic and visual resources of the area and will be compatible with the character of the surrounding area. As proposed the project is consistent with Section 30250 and 30251 of the Coastal Act and with the policies of the certified Land Use Plan.

D. Local Coastal Program

(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 Coastal Program that is in conformity with the provisions of Chapter 3.

In August 1992, the Commission certified, with suggested modifications, the land use plan portion of the City of Santa Monica's Local Coastal Program, excluding the area west of Ocean Avenue and Neilson way (Beach Overlay District), and the Santa Monica Pier. On September 15, 1992, the City of Santa Monica accepted the LUP with suggested modifications.

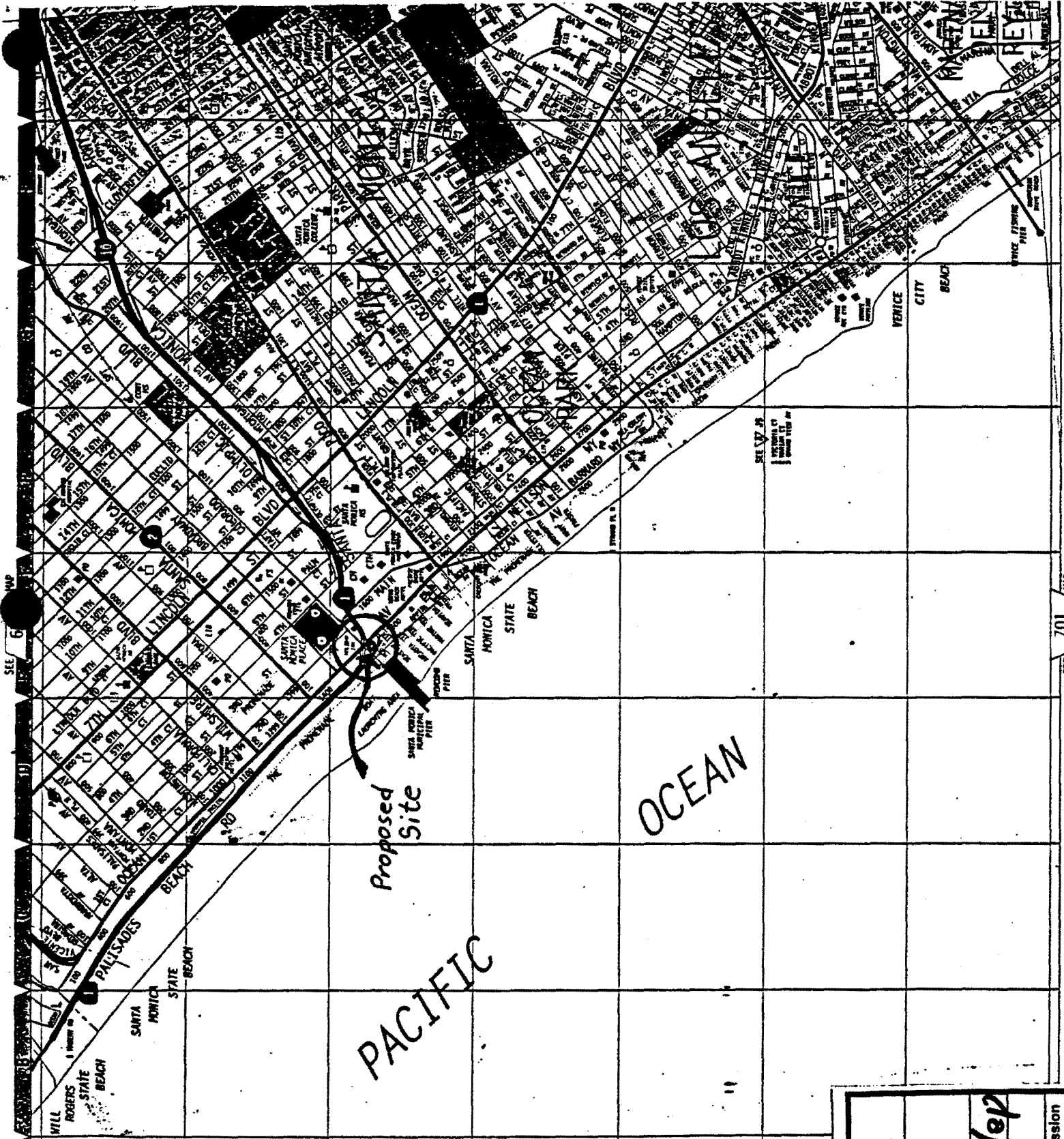
The subject site is suitable for residential development, which is a low priority use. As proposed the project will not adversely impact coastal resources or access. The Commission, therefore, finds that the proposed project will be consistent with the Chapter 3 policies of the Coastal Act and will not prejudice the ability of the City to prepare a Local Coastal Program implementation program 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 applications 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.

There are no negative impacts caused by the proposed development which have not been adequately mitigated. Therefore, the proposed project is found consistent with CEQA and the policies of the Coastal Act.

0277G



Proposed Site

OCEAN

PACIFIC

EXHIBIT NO. 1
 Application Number
 1-97-34C
 Vicinity Map
 California Coastal Commission

5-97-346

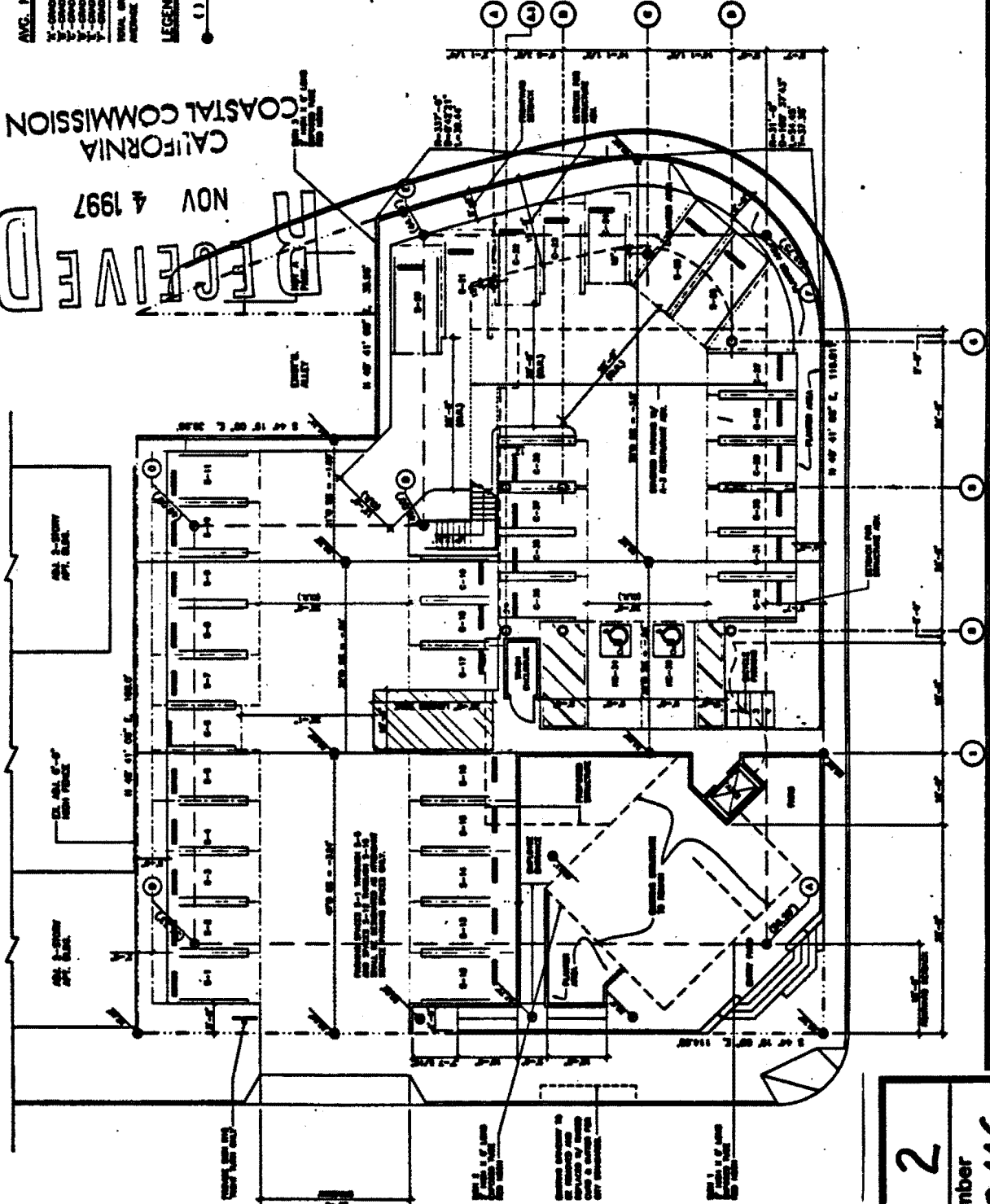
AVG. NAT. GRADE CALC.

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99-99	15.00
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 CALIFORNIA
 COASTAL COMMISSION

PACIFIC COAST HWY. APPROACH



SANTA MONICA PER / BRIDGE

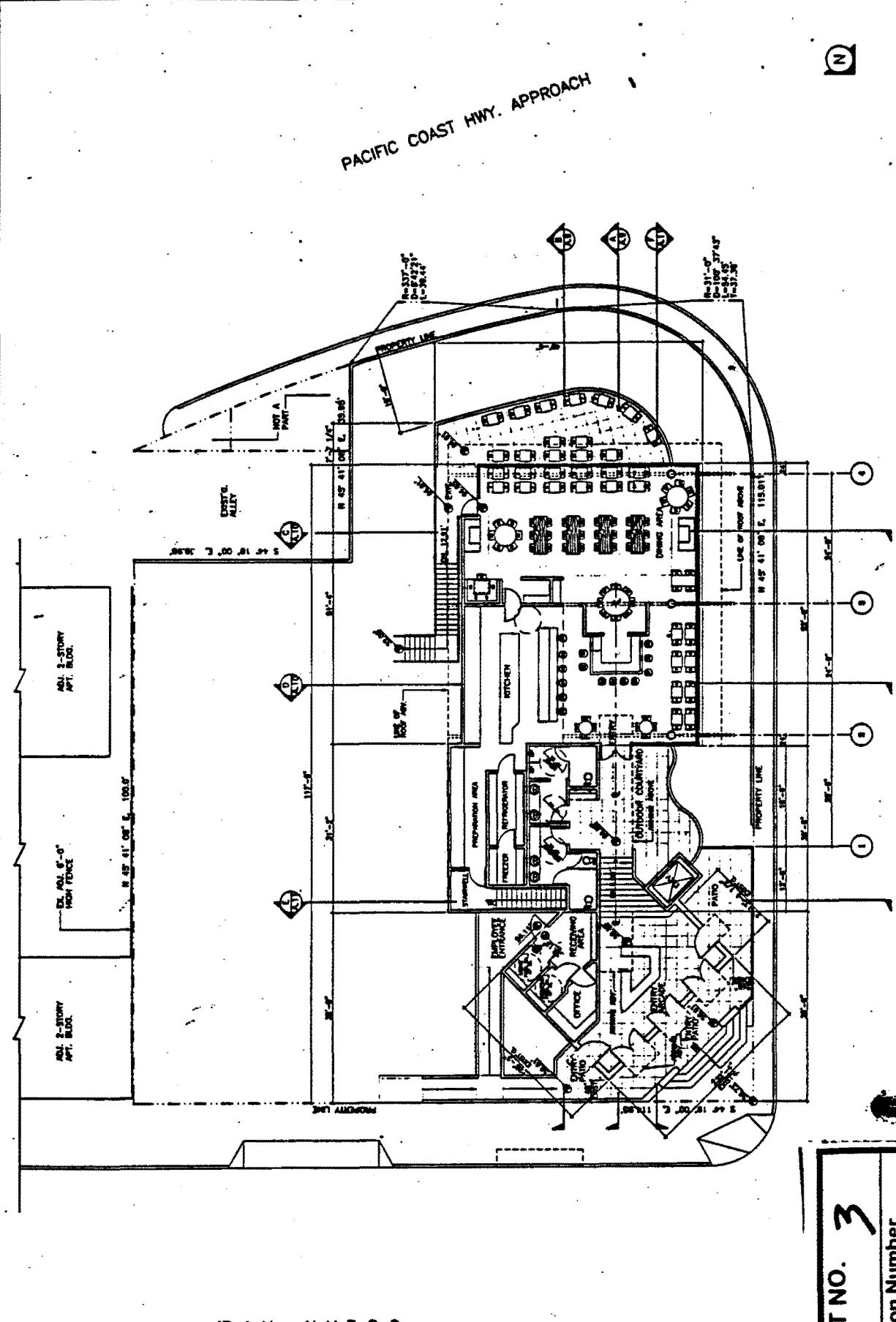
EXHIBIT NO. 2
 Application Number
 5-97-346
 Site Plan
 California Coastal Commission

REVISIONS	BY	DATE

HOWARD LARK ASSOCIATES ARCHITECTS
 1602 Ocean Ave., Santa Monica, CA 90401

THE LOBSTER, THE TAIL CONTINUES
 RESTAURANT SEATING PLAN
 1602 Ocean Ave., Santa Monica, CA 90401

Date: 4/22/87
 Scale: 1/8" = 1'-0"
 Drawn: JMS
 Job:
 Sheet: **A.5**
 of Sheets



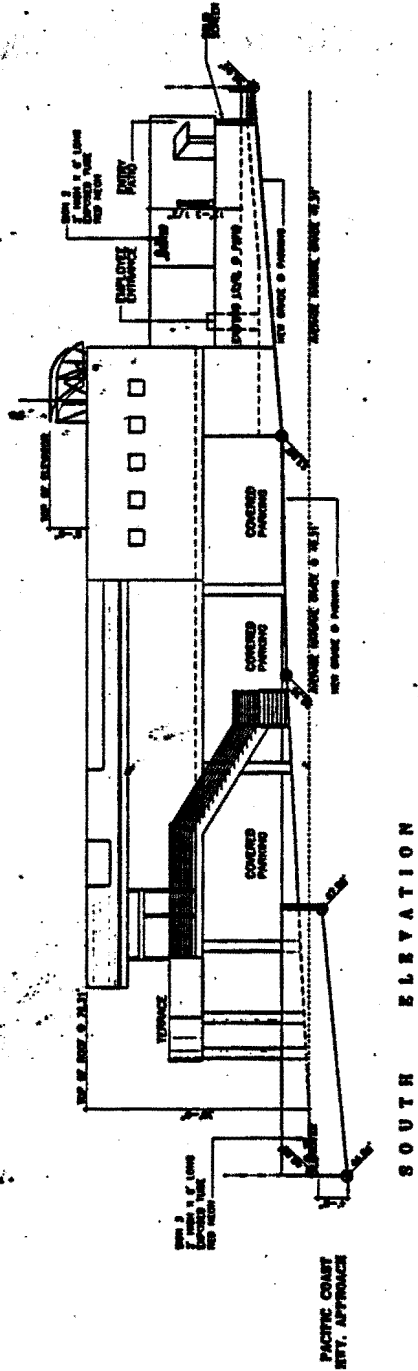
XHIBIT NO. 3
 Application Number
15-97-346
Restaurant
Floor Plan
 California Coastal Commission

REVISIONS	BY

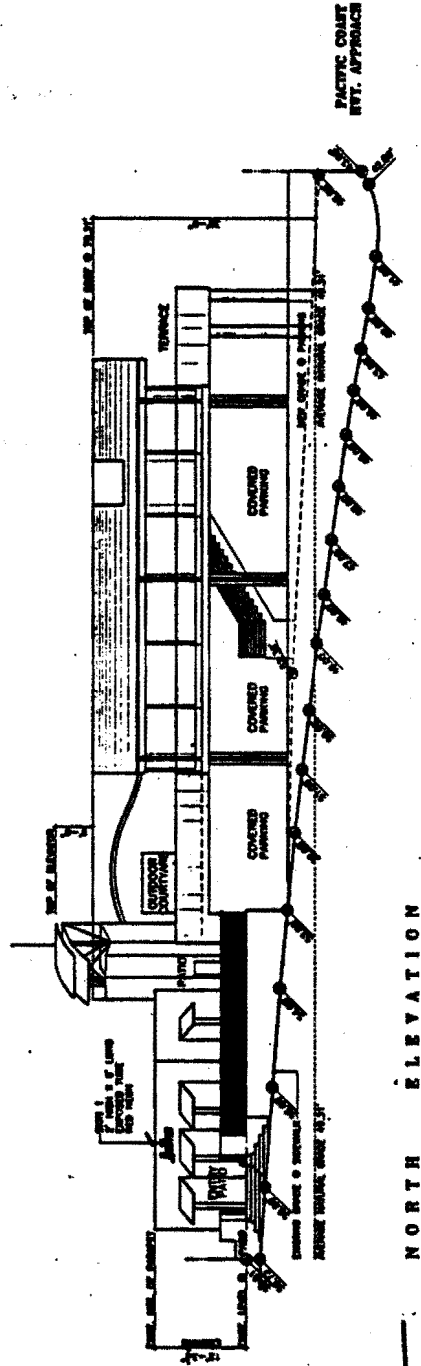
HOWARD LANS ASSOCIATES ARCHITECTS

THE LOBSTER, THE TAIL CONTINUES
 1602 Ocean Ave., Santa Monica, CA 90401.
 NORTH AND SOUTH ELEVATIONS

Date: 1/17/87
 Scale: 1/8" = 1'-0"
 Sheet: 200
 Project: 200
 A-7
 of 20 sheets



SOUTH ELEVATION



NORTH ELEVATION

EXHIBIT NO. 4

Application Number

2-97-346
 Elevations