

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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Filed: 5/24/99
49th Day: 7/12/99
180th Day: 11/20/99
Staff: CP-LB
Staff Report: 6/24/99
Hearing Date: July 13, 1999
Commission Action:

STAFF REPORT: CONSENT CALENDAR

APPLICATION NUMBER: 5-99-187

APPLICANT: Phil Knowlton (La Palapa del Mar)

AGENT: John C. Loomis, Thirtieth Street Architects, Inc.

PROJECT LOCATION: 4020 Olympic Plaza, Belmont Plaza Olympic Pool Complex,
City of Long Beach, Los Angeles County.

PROJECT DESCRIPTION: Remodel of an existing beachfront restaurant with a total of
2,980 square feet of customer service area.

LOCAL APPROVAL: Conditional Use Permit and Site Plan Review, Case No. 9902-07
(5/6/99).

SUMMARY OF STAFF RECOMMENDATION:

Staff is recommending that the Commission grant a coastal development permit for the proposed development with special conditions to protect public access to the beach and public beach parking. The applicant agrees with the staff recommendation.

A coastal development permit is required for the proposed development pursuant to Section 13253(b)(1) of the California Code of Regulations because it involves an improvement to a structure that is located on a beach. In addition, special condition one of Coastal Development Permit 5-91-800 requires that any future improvement to the property will require a coastal development permit. A coastal development permit is required from the Commission because the proposed development is located on State tidelands within the Commission's area of original jurisdiction. Pursuant to Section 30519 of the Coastal Act, any development located within the Commission's area of original jurisdiction requires a coastal development permit issued by the Commission. The Commission's standard of review for the development proposed on State tidelands is the Chapter 3 policies of the Coastal Act. The City of Long Beach certified LCP is advisory in nature and may provide guidance.

SUBSTANTIVE FILE DOCUMENTS:

1. Coastal Development Permit 5-91-800 (Ragazzi Restaurant).
2. Coastal Development Permit 5-97-291 (Belmont Pier Renovation).
3. Coastal Development Permits 5-91-821 & 5-96-200 (Belmont Brewing Co.).

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions

The Commission hereby **GRANTS** a permit, subject to the conditions below, 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 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 effects 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 Conditions

1. Public Access on Boardwalk

The applicant, managers, operators and customers of the restaurant shall not block or interfere with public access to and along the Belmont Plaza Pool Boardwalk at any time. The Belmont Plaza Pool Boardwalk is the outdoor cement walkway that is attached to all sides of the Belmont Plaza Olympic Pool complex. A clear passage for public access, at least fourteen feet (14') in width, shall be maintained on the boardwalk between the restaurant's outdoor dining patio areas and the seawall and/or stairways that comprise the outer edge of the boardwalk. There shall be no encroachment onto or over any portion of the protected boardwalk area by the applicant, managers or operators of the restaurant. Prohibited encroachments include, but are not limited to, signs, tables, chairs, displays, merchandise racks, and roof overhangs (palapa). Public access along the boardwalk shall remain open and unobstructed both during construction and subsequent to completion of the permitted development.

2. Public Parking

All parking within the Belmont Pier, beach and Olympic Pool public parking lots shall be reserved for the use of the general public and shall be available for use on a first-come, first-served basis. There shall be no exclusive use of parking spaces or reserved parking spaces within these public parking lots by any person or group other than the general public (handicapped spaces excluded). There shall be no parking spaces reserved for valet parking at any time.

3. Future Uses and Improvements

This approval is limited to the uses and development specifically permitted by Coastal Development Permit 5-99-187. Any additional development, including, but not limited to: new construction; intensification of use; expansion of dining areas outside of the approved building and patio footprints; and the lease of public areas, will require an amendment to the permit or a new coastal development permit.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description

The applicant proposes to remodel an existing beachfront restaurant within the Belmont Plaza Olympic Pool complex in Long Beach (See Exhibits). The proposed project will maintain the existing 2,980 square feet of customer service area that was previously permitted by Coastal Development Permit 5-91-800 (Ragazzi Restaurant). Because the existing restaurant use has already been permitted, this permit application is for the development associated with the proposed remodel.

The development proposed in this application includes a new 30-foot high thatched roof (palapa) proposed to be constructed over most of the existing restaurant's patio area (Exhibit #5). In addition, the existing restaurant's dining, patio and lounge areas are proposed to be reconfigured within the existing permitted restaurant footprint (Exhibit #4). The proposed project would result in 2,500 square feet of indoor customer service area (i.e. dining, bar, lounge and waiting areas) and 480 square feet of outdoor patio dining area for a total of 2,980 square feet of customer service area (Exhibit #6). The proposed thatched roof (palapa) will partially cover the two currently proposed outdoor dining areas, but it will not extend beyond the metal railings that are proposed to enclose the outdoor dining areas patios on the boardwalk (Exhibit #4). The parking supply for the existing restaurant is provided by the public parking lots that serve the Belmont Pier, beach and Olympic Pool (Exhibit #3).

B. Project History

The existing restaurant comprises the southwest corner of the Belmont Plaza Olympic Pool complex (Exhibit #3). The Belmont Plaza Olympic Pool complex which is situated on a sandy beach just east of the Belmont Pier in the Belmont Shore neighborhood of Long Beach (Exhibit #2). The Olympic Pool complex, Belmont Pier, the beach, and the public parking lots are all situated on State tidelands which are administered by the City of Long Beach under the Long Beach Tidelands Trust Agreement. This coastal area is a popular visitor destination.

The Belmont Plaza Olympic Pool complex, which predates the Coastal Act, is an indoor facility designed and utilized for Olympic-class and college swimming and diving events. The complex is surrounded by a boardwalk and public open space that includes a park, bike paths, two public parking lots, and the public beach (Exhibit #3). The City leases the concession area in the southwest corner of the Belmont Plaza Olympic Pool complex to restaurant operators. The existing restaurant is the only food concession permitted within the Olympic Pool complex.

Commission records show that there has been only one coastal development permit action for development within the Belmont Plaza Olympic Pool complex. On January 15, 1992, the Commission approved Coastal Development Permit 5-91-800 (Ragazzi Restaurant) for the conversion and expansion of a take-out food concession built in 1968 to a sit-down dining restaurant.

Coastal Development Permit 5-91-800 was issued by the Commission because the restaurant is located seaward of the Chapter 138 Line within the Commission's area of original jurisdiction. The Chapter 138 Line is the historic mean high tide line and the border between the City of Long Beach LCP jurisdiction and the Commission's original jurisdiction pursuant to Section 30519 of the Coastal Act. All projects located seaward of the historic mean high tide line, on public tidelands, or on submerged lands require a coastal development permit issued by the Commission. The Commission's standard of review for such projects is the Coastal Act, although the LCP may provide guidance.

C. Public Access/Parking

The proposed project is located in the Belmont Shore neighborhood of Long Beach (Exhibit #2). An important coastal planning issue for the Belmont Shore area is the provision of adequate parking facilities to assure continued public access to this popular coastal area. A wide variety of visitor-serving uses exist near the Belmont Pier. Many people are attracted to the area for beach recreation, riding bikes, fishing at the pier, whale watching tours, sightseeing, eating at restaurants, and swimming events at the Belmont Plaza Olympic Pool. The people who drive to this coastal area must compete for the limited parking provided in the public parking lots and on the public streets.

The proposed project will maintain the existing 2,980 square feet of customer service area that was previously permitted by Coastal Development Permit 5-91-800 (Ragazzi Restaurant). No additional customer area is proposed by this application. Therefore, the parking demand of the restaurant will not be increased by the proposed restaurant remodel. The parking supply for the existing restaurant is provided primarily by the two public parking lots located on the west and east sides of the Olympic Pool complex (Exhibit #2). These two public parking lots, which have 174 and 392 metered parking spaces respectively, serve the pier, beach and Olympic Pool complex. Additional parking is provided on the public streets.

The applicant does not propose to alter the existing parking arrangement which has been approved for the existing use by both the City and the Commission. In its 1992 approval of Coastal Development Permit 5-91-800 (Ragazzi Restaurant), the Commission found that the beachfront restaurant could be permitted with public parking as the sole parking supply. On January 15, 1992, the Commission adopted the following findings:

The City calculated the parking requirements for Ragazzi and determined that the new restaurant requires only 23 parking spaces, five less than the previous less

intense use. The City states that the 1,480 square foot indoor service area requires fifteen parking spaces (10 spaces/ 1000 sq. ft.). The 1,500 square foot outdoor patio requires eight parking spaces per City standards (5 spaces/ 1000 sq.ft.). Therefore, the City concludes that no parking should be required for the new restaurant because it requires five fewer parking spaces than the previous use would have required.

The Commission's parking standards for restaurants require more parking than the City of Long Beach. Under the Commission's Interpretive Guidelines for Los Angeles County, the parking requirements for the new restaurant would be sixty parking places for the 2,980 square feet of service area. The guidelines state that there should be one parking place provided for each fifty square feet of restaurant service area.

The Commission's requirement of sixty parking spaces, minus the previous restaurants 28 parking spaces, leaves a parking requirement of 32 parking spaces for the new restaurant. The previous fast food restaurant's 28 parking spaces can be used to partially satisfy the current parking requirements because they have been used for the concession since 1968.

The 32 parking spaces required by the Commission for the restaurant expansion can be supplied in the 392 space parking lot which currently serves the Olympic Pool complex (Exhibit #2). The additional parking demand of 32 spaces created by the new restaurant will not significantly impact coastal access parking in the area because the parking lot is very large and seldom fills to capacity, even during summer weekend days.

In addition, the expanded restaurant will have little impact on coastal access parking because its peak business hours are in the evenings, later than the peak beach use hours which are during the day. The restaurant's hours of operation are 5 p.m. to 10 p.m. daily, with brunch served on Sundays.

There are also other public beach parking lots located in the vicinity which provide the eastern beach area with a slight parking surplus. In addition to the 392 space parking lot to the east of the pool and restaurant, there is a 174 space public parking lot twenty feet to the west of Ragazzi next to Belmont Pier and Plaza (Exhibit #2). The western parking lot serves Belmont Pier and Plaza as well as the public beach. This western parking lot is heavily used by fishermen, beach visitors, sightseers, and customers of nearby commercial establishments.

Therefore, the Ragazzi should be allowed to use parking in the existing 392 space lot which serves the Olympic Pool complex of which Ragazzi is now a component. However, the restaurant should not expand or intensify without providing additional parking. To ensure that unmitigated intensification does not take place, the project is conditioned to require a written agreement from the applicants which states that any future improvements to Ragazzi will require a coastal development permit. Any future permit action can analyze the parking demand and supply in the area prior to issuance. Therefore, because the proposed project will not negatively impact

coastal access parking, it is consistent with the Coastal Access policies of Section 30252 of the Coastal Act.

The restaurant remodel proposed by this application (5-99-187) would not expand or intensify the prior permitted restaurant use. In addition, the peak business hours of the proposed La Palapa restaurant are expected to be very similar (evenings and weekends) to the previously approved restaurant (Ragazzi). La Palapa is expected to be open for lunch and dinner everyday.

Therefore, the Commission finds that the proposed project will not increase the restaurant's parking demand and will not negatively impact coastal access. Special conditions of approval, however, are necessary to protect the general public's ability to access the public parking supplies and to ensure that unmitigated intensification of the restaurant does not take place in the future.

Special condition two prohibits the reservation of any of the public parking spaces by any users other than the general public. This condition is necessary to protect public access to the coastal recreation opportunities near the Belmont Pier. Special condition two states:

All parking within the Belmont Pier, beach and Olympic Pool public parking lots shall be reserved for the use of the general public and shall be available for use on a first-come, first-served basis. There shall be no exclusive use of parking spaces or reserved parking spaces within these public parking lots by any person or group other than the general public (handicapped spaces excluded). There shall be no parking spaces reserved for valet parking at any time.

Special condition three requires that any future development, including, but not limited to: new construction; intensification of use; expansion of dining areas outside of the approved building and patio footprints; and the lease of public areas, will require an amendment to the permit or a new coastal development permit. Only as conditioned is the proposed project consistent with the coastal access policies of the Coastal Act.

D. Public Access on the Boardwalk

The proposed project must not inhibit the public's ability to access and use the Belmont Plaza Pool Boardwalk. The Coastal Act requires that development does not interfere with the public's right to access the coast.

Section 30211 of the Coastal Act states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

The existing restaurant is located entirely on public property (State tidelands). The City of Long Beach has leased the restaurant area to the applicant under the authority granted to the City pursuant to the Long Beach Tidelands Agreement with the State of California. The applicant's lease includes two outdoor patio-dining areas attached to the restaurant (Exhibit #4). The currently proposed 290 square foot and 190 square foot patio areas are in a similar configuration as the previously approved restaurant's patio areas.

The proposed patio dining is a visitor serving commercial use that would provide visitors with an opportunity to enjoy the coastal atmosphere of the Belmont Shore area. Both the indoor and outdoor dining areas are only available for use by customers of the restaurant. While the proposed patio dining areas are located on the Belmont Plaza Pool Boardwalk, a sufficient area would remain open for public passage (Exhibit #4).

The Belmont Plaza Pool Boardwalk is the outdoor cement walkway that is attached to all sides of the Belmont Plaza Olympic Pool complex (Exhibit #3). Several public benches are provided on the boardwalk near the existing restaurant. People often come to the boardwalk to access the beach, view sunsets, people watch, photograph and relax. In particular, the boardwalk on the southern side of the Olympic Pool complex provides an excellent view of the beach, Belmont Pier, Santa Catalina Island, the Orange County coast, and the rest of the seascape. Many people also pass by the restaurant and pool while biking, walking, running or skating on the beach bicycle path, or while on their way to fish off of Belmont Pier.

In order to ensure that public access and use of the boardwalk is protected from restaurant encroachments, the permit is conditioned to require the maintenance of a clear passage for public access, at least fourteen feet (14') in width, between the restaurant's outdoor dining patio areas and the seawall and/or stairways that comprise the outer edge of the boardwalk. As conditioned, the proposed project will have no negative impact on public use and access to the boardwalk and the adjoining public areas. However, future encroachments into the public areas by the restaurant may create negative impacts on public access. Therefore, in order to prevent unmitigated loss of public access opportunities, the project is conditioned to require that any future improvements will require a new coastal development permit or a permit amendment. Only as conditioned is the proposed project consistent with Section 30211 of the Coastal Act.

E. Scenic 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...be visually compatible with the character of surrounding areas...

The proposed project includes the construction of a 30-foot high thatched roof (palapa) over an existing patio dining area (Exhibit #5). Although, the proposed palapa is a unique architectural design for the Belmont Shore area, it will not obstruct views to or along the coast from publicly accessible places or otherwise adversely affect the visual resources of the coast. Its location next to (actually attached to) the Belmont Plaza Olympic Pool complex ensures that it will not be out of scale with the existing development. The Olympic Pool building is nearly 40 feet tall and already blocks the view inland from the beach and boardwalk. Therefore, the proposed project consistent with Section 30251 of the Coastal Act.

F. Local Coastal Program

The City of Long Beach Local Coastal Program (LCP) was certified by the Commission on July 22, 1980. Because the project is located seaward of the former mean high tide line, the LCP is advisory in nature and may provide guidance. The standard of review for this project is the Coastal Act.

The certified LCP includes policies which address development in and around Belmont Plaza, the Olympic Pool, and Belmont Pier (LCP: Section III-C). The certified LCP states that there is a parking shortage in the Belmont Pier area. However, the LCP also states that the 392 space parking lot which serves the Olympic Pool complex (Exhibit #2) rarely fills to capacity, even on summer days. The certified LCP recommends no changes to Belmont Plaza Olympic Pool complex. Therefore, the proposed project, as conditioned, does not violate the policies of the certified LCP.

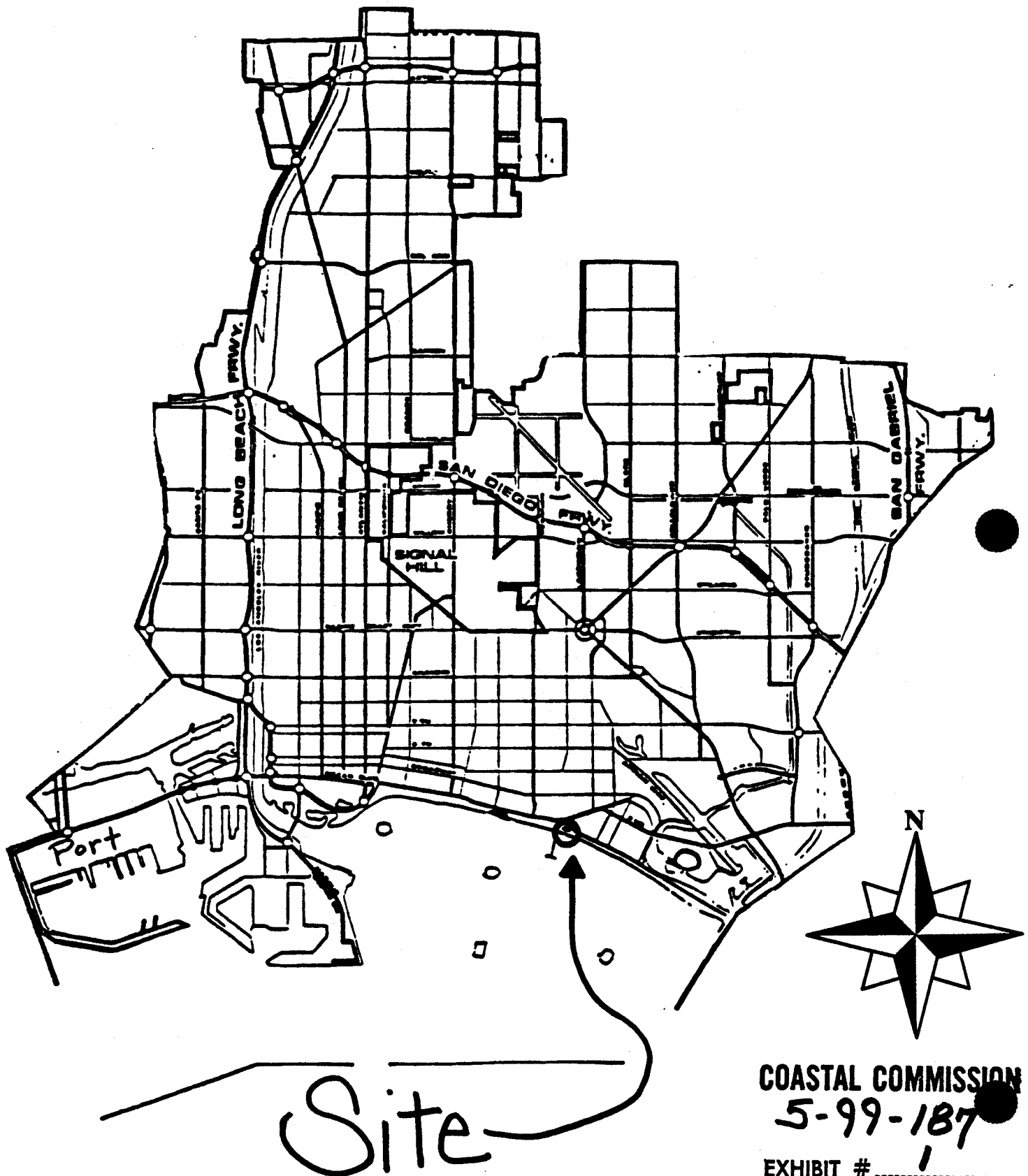
G. California Environmental Quality Act

Section 13096 of the California Code of Regulations requires Commission approval of coastal development permit application 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)(A) 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 effect which the activity may have on the environment.

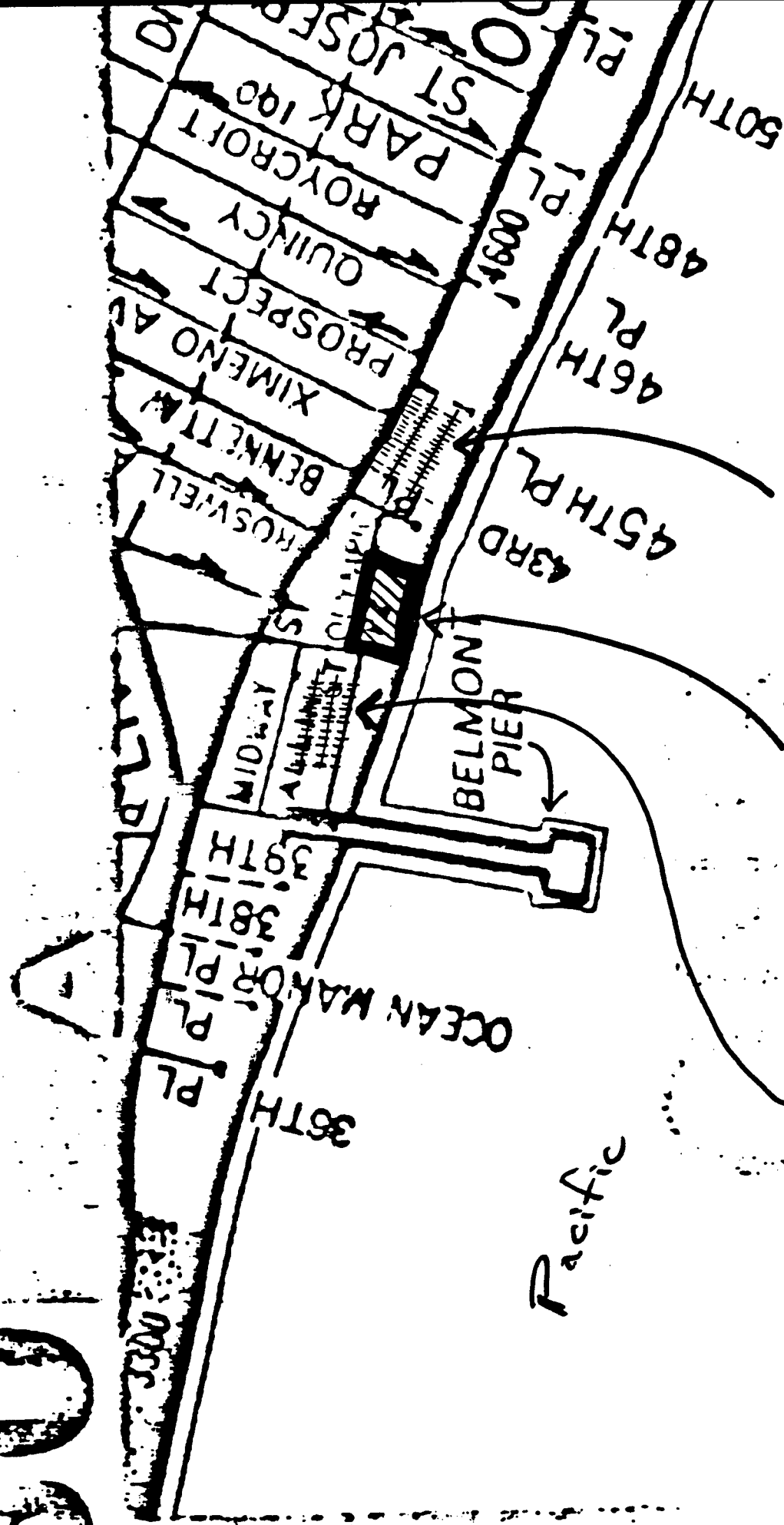
The proposed project, only as conditioned, is consistent with the Chapter 3 policies of the Coastal Act. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

End/cp

City of Long Beach



COASTAL COMMISSION
5-99-187
EXHIBIT # 1
PAGE 1 OF 1



392 space
public
parking lot

Site:
Belmont
Plaza
Olympic
Pool
complex

174 space
public
parking
lot

North

COASTAL COMMISSION

5-99-187

EXHIBIT # 2

PAGE 1 OF 1

COASTAL COMMISSION

5-99-187

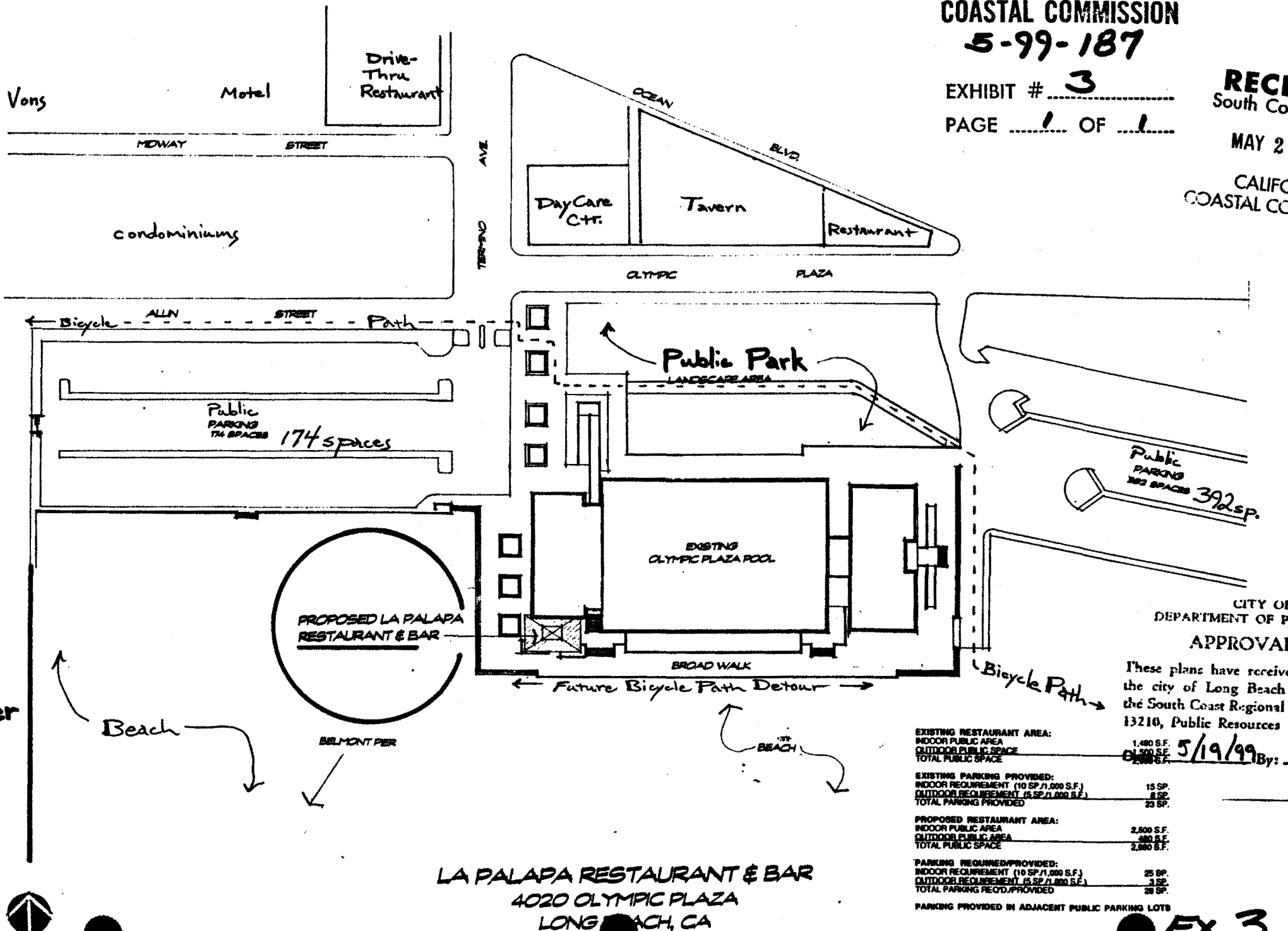
EXHIBIT # 3

PAGE 1 OF 1

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COASTAL CC



CITY OF
DEPARTMENT OF P
APPROVAL

These plans have received the approval of the city of Long Beach, the South Coast Regional 13210, Public Resources

5/19/99 By:

EXISTING RESTAURANT AREA:
INDOOR PUBLIC AREA 1,480 S.F.
OUTDOOR PUBLIC SPACE 852 S.F.
TOTAL PUBLIC SPACE 2,332 S.F.

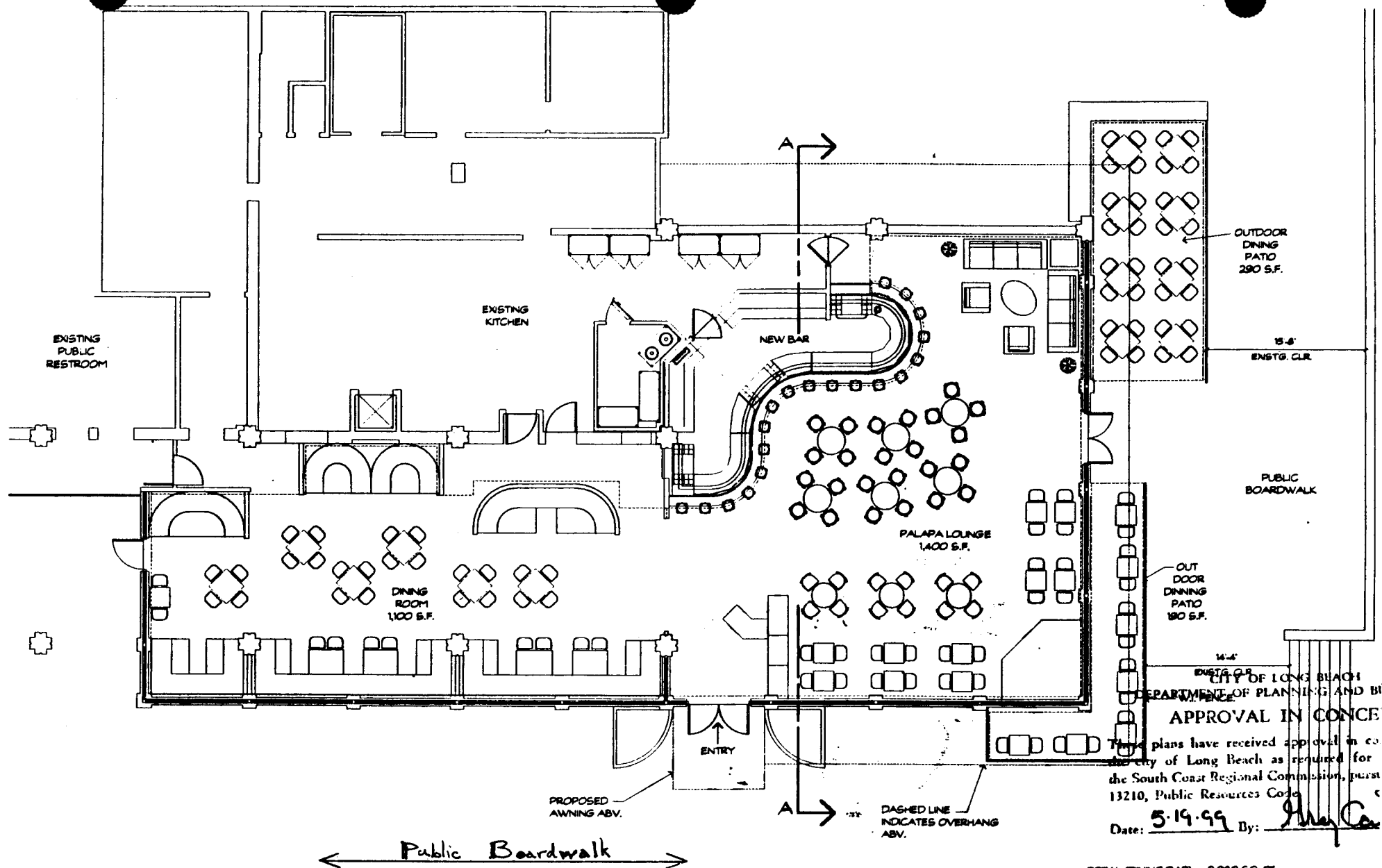
EXISTING PARKING PROVIDED:
INDOOR REQUIREMENT (10 SP/1,000 S.F.) 15 SP.
OUTDOOR REQUIREMENT (5 SP/1,000 S.F.) 8 SP.
TOTAL PARKING PROVIDED 23 SP.

PROPOSED RESTAURANT AREA:
INDOOR PUBLIC AREA 2,500 S.F.
OUTDOOR PUBLIC AREA 480 S.F.
TOTAL PUBLIC SPACE 2,980 S.F.

PARKING REQUIRED/PROVIDED:
INDOOR REQUIREMENT (10 SP/1,000 S.F.) 25 SP.
OUTDOOR REQUIREMENT (5 SP/1,000 S.F.) 3 SP.
TOTAL PARKING REQ'D/PROVIDED 28 SP.

PARKING PROVIDED IN ADJACENT PUBLIC PARKING LOTS

EX.3



LA PALAPA RESTAURANT & BAR
4020 OLYMPIC PLAZA
LONG BEACH, CA

CITY OF LONG BEACH
DEPARTMENT OF PLANNING AND BUILDING
APPROVAL IN CONCE
These plans have received approval in co
city of Long Beach as required for
the South Coast Regional Commission, perst
13210, Public Resources Code
Date: 5-19-99 By: *John C.*

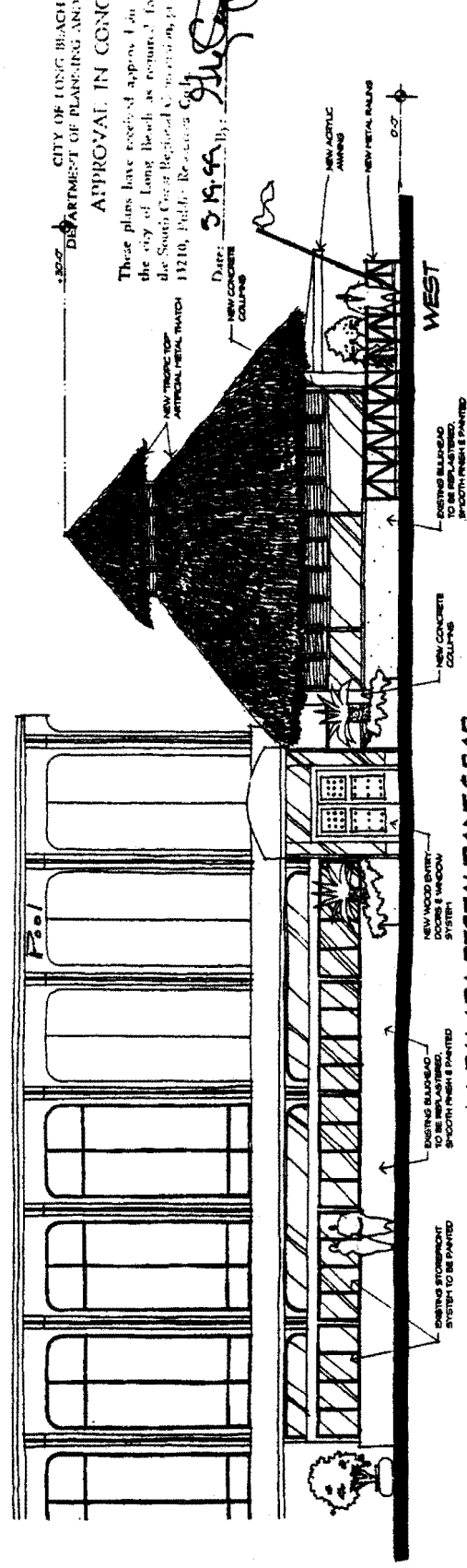
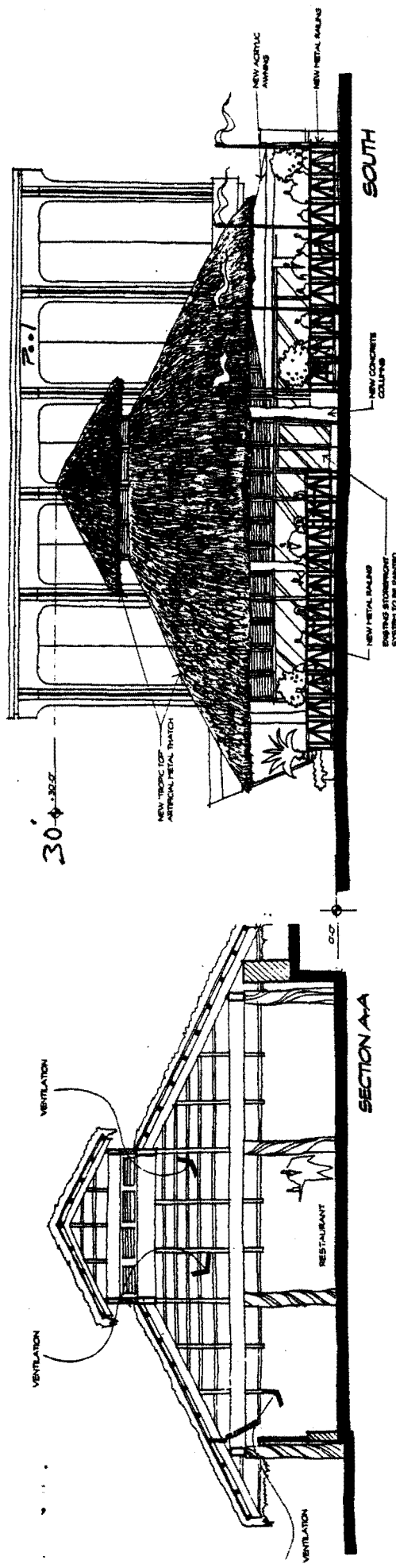
TOTAL (DINING/BAR) 2,980 SQ. FT.
ALLOWED 2,980 SQ. FT.

COASTAL COMMISSION

5-99-187

EXHIBIT # 4

PAGE 1 OF 1



EXTERIOR ELEVATIONS

CITY OF LONG BEACH
DEPARTMENT OF PLANNING AND BUILDING
APPROVAL IN CONCEPT

These plans have received approval from the City of Long Beach as required by the City of Long Beach Ordinance 13210, Public Review Code.

Date: 3/19/95 By: [Signature]

LA PALAPA RESTAURANT & BAR
4020 OLYMPIC PLAZA
LONG BEACH, CA

COASTAL COMMISSION
5-99-187
EXHIBIT # 5
PAGE 1 OF 1

LA PALAPA RESTAURANT & BAR
4020 OLYMPIC PLAZA
LONG BEACH, CA

thirtieth
street
architects
inc.

2021 airport blvd. airport beach,
california 92663 (407) 873-3640

18 MAY, 1999

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COASTAL COMMISSION

RESTAURANT AREA & PARKING SUMMARY

EXISTING RESTAURANT AREA SUMMARY

	AREA	PKG. REQ'D.
INDOOR PUBLIC	1480 S.F.	29.6 SPACES
OUTDOOR PUBLIC	1500 S.F.	30 SPACES
TOTAL	2980 S.F.	59.6 SPACES *

PROPOSED RESTAURANT AREA SUMMARY

	AREA	PKG. REQ'D.
INDOOR PUBLIC	2500 S.F.	50 SPACES
OUTDOOR PUBLIC	480 S.F.	9.6 SPACES
TOTAL	2980 S.F.	59.6 SPACES*

* 0 parking spaces are provided by restaurant.

5-99-187

COASTAL COMMISSION

5-99-187

EXHIBIT # 6

PAGE 1 OF 1

