

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

7575 METROPOLITAN DRIVE, SUITE 103

SAN DIEGO, CA 92108-4421
767-2370

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Filed: June 1, 2004
 49th Day: July 20, 2004
 180th Day: November 28, 2004
 Staff: GDC-SD
 Staff Report: July 22, 2004
 Hearing Date: August 12, 2004

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-04-52

Applicant: Parioli Italian Bistro Agent: Don Schucard, Architect

Description: Installation of a 170 sq. ft. outdoor dining patio, construction of a 7 space parking lot consisting of a permeable surface and reconfigure the existing parking area to add 1 additional parking space for an existing approximately 2,030 sq. ft. restaurant on an approximately 35,000 sq. ft. lot.

Site: 647 South Highway 101, Solana Beach, San Diego County.
 APN No. 298-211-47

Substantive File Documents: City of Solana Beach General Plan and Zoning Ordinance; Solana Beach Permit No. 17-03-04; CDP #6-03-70/Parioli.

I. STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission approve the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

STAFF RECOMMENDATION TO ADOPT CONSENT CALENDAR:

Staff recommends a YES vote. Passage of this motion will result in approval of all the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. **Final Plans.** **PRIOR TO THE AUTHORIZATION TO PROCEED WITH DEVELOPMENT**, the applicant shall submit to the Executive Director for review and written approval final site and construction plans approved by the City of Solana Beach documenting the use of an impervious surface parking lot.

The permittee shall undertake the development in accordance with the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the plans shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

IV. Findings and Declarations.

The Commission finds and declares as follows:

A. Detailed Project Description/History. The applicant proposes to construct an approximately 170 sq. ft. outdoor dining area on an existing flagstone pad and a 7 space parking lot consisting of a permeable surface on an approximately 35,000 sq. ft. lot that contains an existing approximately 2,030 sq. ft. restaurant, 132 sq. ft. detached storage building and approximately 306 sq. ft. garage. The Commission previously approved a request by the applicant to construct approximately 396 sq. ft. of outdoor dining (6-03-70/Parioli). The applicant has subsequently decided not to pursue that project and has rescinded Coastal Development Permit #6-03-70.

The subject site currently contains 15 parking spaces (including the 1 space in the garage) and the existing parking area will be reconfigured to accommodate 1 additional parking space. Following completion of the subject development, the restaurant will have a total of 23 parking spaces which is the minimum required to serve the existing restaurant structures and proposed dining area consistent with City zoning. The proposed project will not increase the amount of impervious surfaces over what currently exists. To assure the 7 space parking area is constructed as a permeable area, Special Condition #1 requires the submission of final plans to be reviewed and approved by the Executive Director.

B. Biological Resources. Coastal Act policies 30240 and 30251 restrict the alteration of natural landforms and protect sensitive habitats. Section 30231 of the Coastal Act requires that coastal waters are protected and runoff minimized. The proposed development will not have an adverse impact on any sensitive habitat, and, as conditioned, will not result in erosion or adverse impacts to water quality, as adequate

drainage controls will be provided. Thus, the project is consistent with the resource protection policies of Chapter 3 of the Coastal Act.

C. Community Character /Visual Quality. The development is located within an existing developed area and will be compatible with the character and scale of the surrounding area and will not impact public views. Therefore, the Commission finds that the development conforms to Section 30251 of the Coastal Act.

D. Public Access/Parking. The proposed development will not have an adverse impact on public access to the coast or to nearby recreational facilities. The proposed development conforms to Sections 30210 through 30214, Sections 30220 through 30224, Section 30252 and Section 30604(c) of the Coastal Act.

E. Local Coastal Program. The City of Solana Beach does not have a certified LCP at this time. Thus, the Coastal Commission retains permit jurisdiction in this community and Chapter 3 of the Coastal Act remains the legal standard of review. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act. Approval of the project, as conditioned, 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.

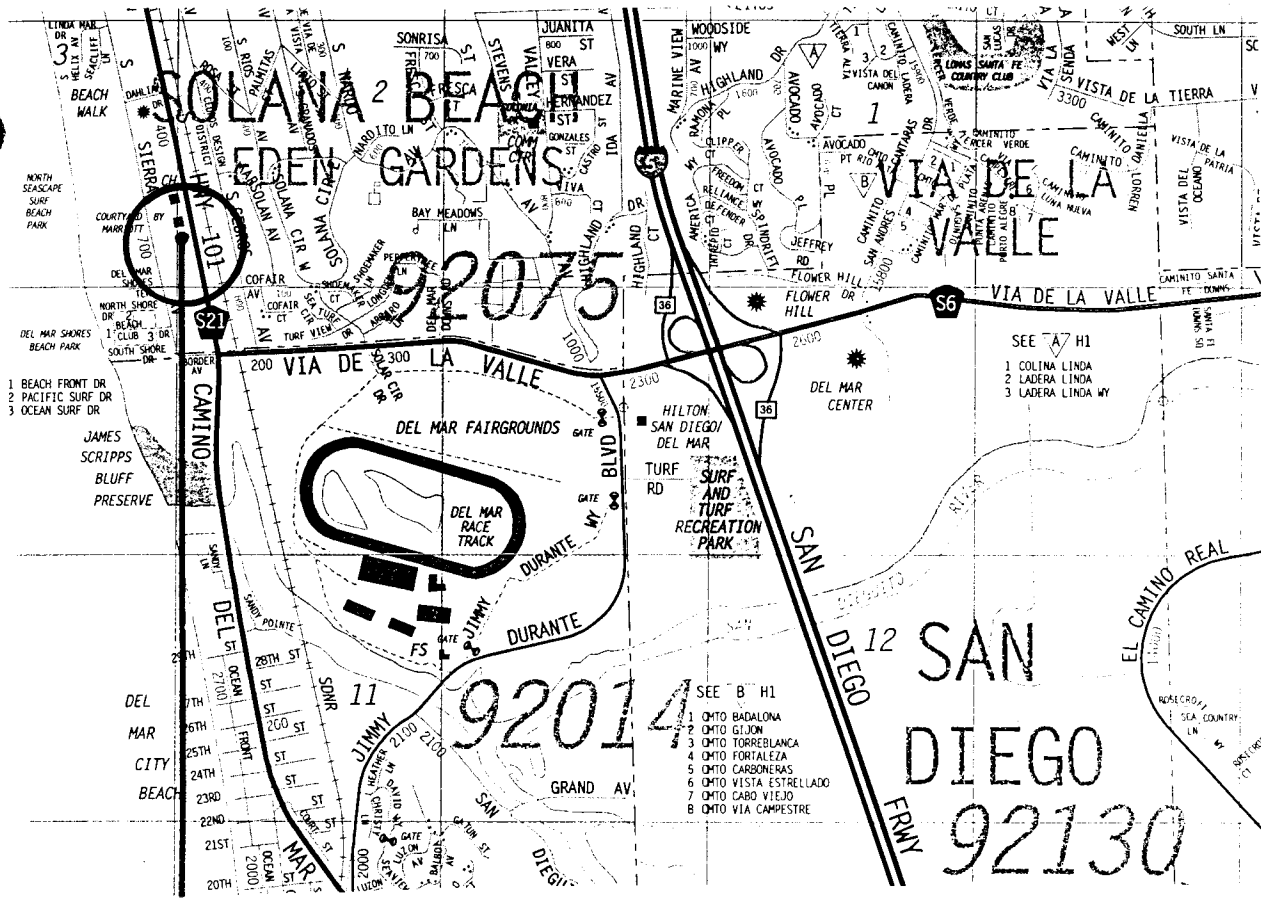
F. California Environmental Quality Act. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and is consistent with the requirements of the Coastal Act to conform to CEQA.

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. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

4. 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.

5. 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.



SITE

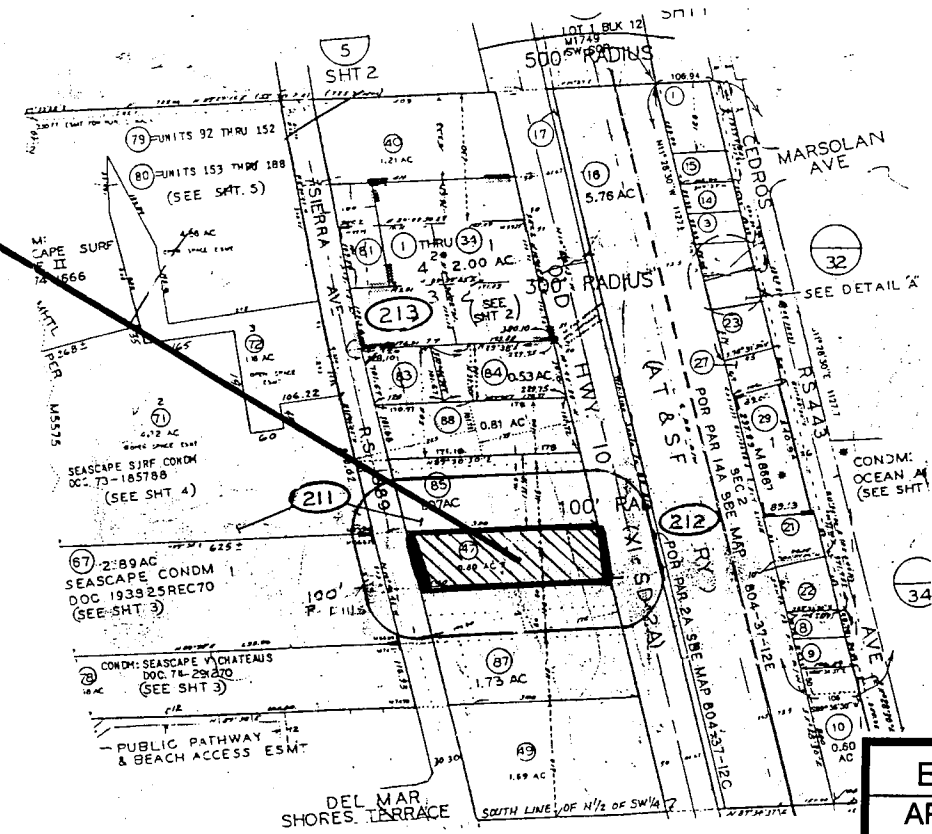
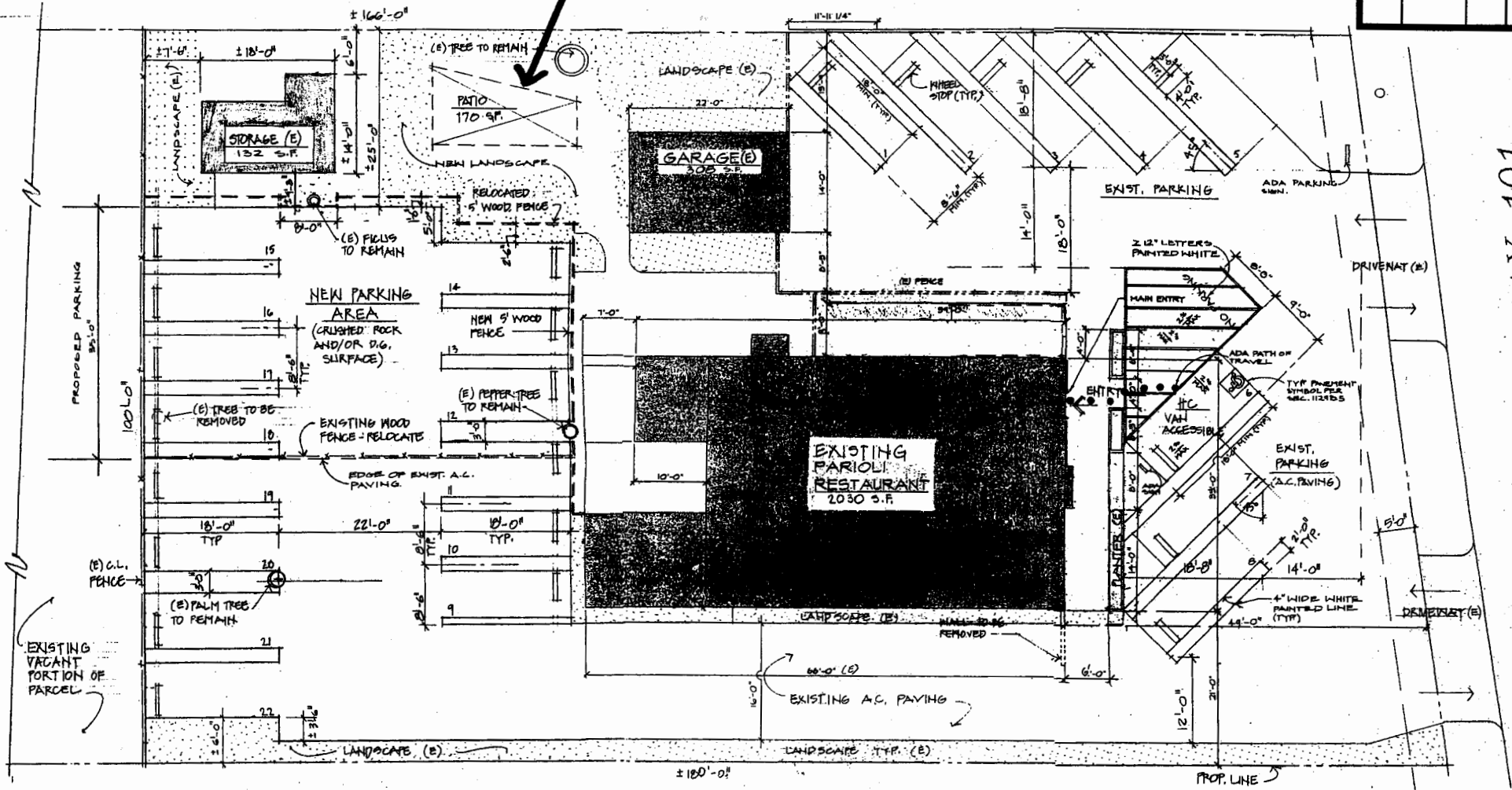


EXHIBIT NO. 1
APPLICATION NO.
6-04-52
Location Map

Proposed patio dining

EXHIBIT NO.
APPLICATION NO.
6-04-52
Site Plan
California Coastal Commission



S. HIGHWAY 101

