

**Use Permit Amendment to:**

- a) Expand hours of operation from: “5pm to closing time” (dinner service only), to: 10 AM to 2 AM (brunch, lunch and dinner service).
  - b) Legalize improvements to the property that were not authorized by the previous Use Permit, including: Lighting added to the building; tiles and railings added to outdoor patios.
- Approval of the Use Permit amendment is NOT appealable to the Coastal Commission.

**Off-Site Parking Agreement:** Original UP requires 53 spaces (Lot A: 33 spaces & Lot C: 20 spaces), to be made available to beach users prior to 5pm each day, but only 52 spaces are currently provided. Applicant’s proposal for daytime dining will require 31 spaces in the daytime. Applicant proposes to dedicate Lot C for lunch customers (20 spaces) and provide an additional 11 spaces within access areas of the parking lot. All lunchtime parking will be valet service only. The applicant proposes to provide 54 daytime parking spaces available for beach users, by creating 21 paved parking spaces in adjoining parcel already used informally by beach visitors for parking (Lot B) and retaining beach user parking in Lot A (33 spaces). The State of California Department of Parks and Recreation owns the adjoining parcel and has authorized by the State under a signed Letter of Intent. The applicant has applied for a CDP from the CCC for all aspects of the project. CCC has jurisdiction over all CDPs associated with this project.

5/11/11 CML - CCC involvement was in response to MCC complaint letter regarding various violations (parking signs & lighting). Lighting & signage are under CCC jurisdiction, but parking is a joint jurisdiction issue, to which the County defers its authority to the CCC. Additional complaints: potential illegal patios, illegal gas line and torches.

11/9/11 CML - Legalizations requested by CCC, but as Use Permit Amendments -- lighting, signage, patios, gas lamps. CCC also requires CDP for minor grading. Failing rip rap needs repair on both State & Costanera properties. Project needs to go to MCC prior to PC.

6/28/12: Received seating, landscape, parking, grading plans. Applicant says no change to signs, so no signage plan needed. Gas lamps and Xmas lights removed - verified by photos 7/19/12.

8/20/12 CML - Received Bio Survey Map with Mean High Tide Line, Lighting Plan, Grading Plans with Amounts. Applicant plans to submit CDX for banner usage for rest of year, and schedule for banner usage as part of UP Amendment.

9/21/12 DPW comments: This site is near the ASBS and therefore subject to additional requirements for stormwater treatment. Check C.3, C.6 and new ASBS requirements, revise and resubmit. Also, plans are not to the scale shown, please revise, calculate total impervious and new impervious areas. See conditions.

10/16/12 no comments from County Parks, MWSD

10/24/12 State Parks comments (Paul Keel)

10/30/12 CML - Met with Applicants (Farhad, Hamid), Mike McCracken, Dave Holland, Sup. Horsley, Nick Calderon, Jim E. and Steve M. regarding La Costanera. Applicant agreed to do a traffic study to address Caltrans 2010 and 2012 comments, and to address anticipated CCC comments (where weekends may be considered peak periods). Staff said that Jan. 9 PC hearing will be reasonable IF traffic report is received by Dec. 1st.

Online permit site for 8150 Cabrillo Hwy: <http://tinyurl.com/c2s8esy>