

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302  
(562) 590-5071



Filed: May 28, 1999  
49th Day: July 16, 1999  
180th Day: November 24, 1999  
Staff: KFS-LB  
Staff Report: July 24, 1999  
Hearing Date: August 10-13, 1999  
Commission Action:

**STAFF REPORT: PERMIT AMENDMENT****AMENDMENT**

**APPLICATION NUMBER:** 5-99-201-A1  
An Amendment to Coastal Development Permit P-1-17-78-2639

**APPLICANT:** Jim Watson

**AGENT:** Donald W. Kelley, Jr., Watson & Associates

**PROJECT LOCATION:** Bay City Center  
400 5<sup>th</sup> Street, and 500, 600, 610, 620, 630 and 640  
Pacific Coast Highway, City of Seal Beach, Orange County

**DESCRIPTION OF PROJECT PREVIOUSLY APPROVED:** Demolition of an existing lumber yard and structures, subdivision of the 3.77 acre site into eight parcels, construction of a 235 parking space parking area with landscaping, and construction of eight commercial structures including a 1,500 square foot one-story medical building; 8,000 square foot two-story restaurant and lounge; 3,000 square foot one-story mini-restaurant; 4,000 square foot one-story fast food restaurant; 9,000 square foot two story commercial building; 7,000 square foot two-story commercial building; 13,125 square foot home improvement center; and 1,200 square foot lumber storage building.

**DESCRIPTION OF AMENDMENT:** Change special condition 3.a. to allow wall signs to be mounted above the first story line of two story structures.

**LOCAL APPROVALS RECEIVED:** City of Seal Beach building permit 7833, building permit 14141, building permit 17736.

**SUBSTANTIVE FILE DOCUMENTS:** Coastal development permit P-1-17-78-2639; coastal development permit P-11-7-78-4291; coastal development permit 5-82-597-A

**SUMMARY OF STAFF RECOMMENDATION:**

Staff is recommending approval of the proposed coastal development permit amendment. The major issue of this staff report concerns an after-the-fact development and visual impacts related to the placement of signs above the first story line of two story structures. Staff is recommending a change to special condition 3.a. of coastal development permit P-1-17-78-2639 to authorize the placement of signage above the first story line of two story structures. In addition, staff is recommending a special condition which notes that all prior conditions established by coastal development permit P-1-17-78-2639 remain in effect.

## **PROCEDURAL NOTE**

The Commission's regulations provide for referral of permit amendment requests to the Commission if:

- 1) The Executive Director determines that the proposed amendment is a material change,
- 2) Objection is made to the Executive Director's determination of immateriality, or
- 3) The proposed amendment affects conditions required for the purpose of protecting a coastal resource or coastal access.

If the applicant or objector so requests, the Commission shall make an independent determination as to whether the proposed amendment is material. 14 Cal. Admin. Code 13166.

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## **STAFF NOTE:**

The applicant is proposing to change special condition 3.a. to allow the placement of signs above the first story line of two story structures. Signs are presently in place above the first story. Currently, special condition 3.a. would not allow signs above the first story. Since the amendment includes after-the-fact development which requires a change in special condition 3.a. the Executive Director has determined that the proposed amendment is a material change to coastal development permit P-1-17-78-2639. In addition, although the amendment proposes to modify special condition 3, the applicant submitted new relevant evidence of similar sign regimes on buildings in the near vicinity including structures at 600 Marina Drive, 801 Pacific Coast Highway, 1250 Pacific Coast Highway and several properties on Main Street at 222, 320, and 330 Main Street. Therefore, pursuant to Section 13166 of the Commission's regulations, the Executive Director is referring this application to the Commission.

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## **STAFF RECOMMENDATION:**

The staff recommends that the Commission adopt the following resolution:

### **I. APPROVAL WITH CONDITIONS**

The Commission hereby **APPROVES** the amendment to coastal development permit P-1-17-78-2639, 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, 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. Modification To Existing Condition

Change Special Condition 3 of coastal development permit P-1-17-78-2639 as follows:

- A. The applicant shall not place signs above the parapet walls of structures on the subject property nor shall any roof signs be placed on any structure on the subject property.
- B. The permittee shall undertake development in accordance with section A. of this special condition. Any deviation from section A. of this special condition shall be reported to the Executive Director. No deviation from section A. of this special condition shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

#### 2. Prior Conditions

Unless specifically altered by this amendment, all regular and special conditions attached to coastal development permit P-1-17-78-2639 remain in effect.

## **IV. FINDINGS AND DECLARATIONS:**

The Commission hereby finds and declares:

### **A. AMENDED PROJECT DESCRIPTION AND LOCATION**

Coastal development permit P-1-17-78-2639 approved the demolition of an existing lumber yard and structures, subdivision of the 3.77 acre site into eight parcels, construction of a 235 parking space parking area with landscaping, and construction of eight commercial structures including a 1,500 square foot one-story medical building; 8,000 square foot two-story restaurant and lounge; 3,000 square foot one-story mini-restaurant; 4,000 square foot one-story fast food restaurant; 9,000 square foot two story commercial building; 7,000 square foot two-story commercial building; 13,125 square foot home improvement center; and 1,200 square foot lumber storage building (see Exhibit 3, page 9).

The proposed development was constructed, excluding the home improvement center as noted below, and is known as Bay City Center (Exhibit 2). The shopping center is located in the City of Seal Beach, County of Orange, and is bound by Pacific Coast Highway to the northeast, 5<sup>th</sup> Street to the northwest, and Marina Drive to the south (Exhibit 1). The site is not located between the first public road and the sea nor within 300 feet of the inland extent of any beach or the mean high tide line.

The applicant is proposing an amendment to coastal development permit P-1-17-78-2639 to change special condition 3 (Exhibit 3, page 7) so that signs may be placed above the first story line of two story structures within the shopping center.

### **Previous Commission Action at the Site**

#### **Coastal Development Permit P-1-17-78-2639**

On March 6, 1978, the Commission approved with conditions coastal development permit P-1-17-78-2639 for the demolition of an existing lumber yard and commercial structures, subdivision of the parcel into 8 parcels, construction of a parking lot with landscaping, and construction of eight multiple-use commercial structures, including Building A (the subject site), totaling 46,825 square feet gross floor area. Uses approved included medical offices, restaurants, general commercial, a home improvement center, and lumber storage. Issues raised during the permit application process included adequate parking and signing.

Proposed parking was not consistent with the Commission's parking guidelines. However, the Commission noted the applicant's contention that any parking deficiency was mitigated by the variable parking demand and staggered peak usage of the parking lot by the mixed commercial uses in the center. Since the proposed development included a parcel subdivision and since the parking lot would straddle the subdivision, special condition number one (1) required the applicant to record a document showing that a reciprocal parking agreement was agreed upon by all parties of interest for the life of the project. In addition, special condition number two (2) required that a statement be submitted which stipulated that no signs or mechanical means would be used to prevent public usage of the parking lot when non-coastal related uses were closed (see Exhibit 3, page 7).

Finally, the Commission found that the proposed signage was excessive, redundant, and out of character with the surrounding community. Therefore, the Commission found that the proposed development was not consistent with section 30251 of the Coastal Act. Accordingly, the Commission imposed special condition 3 which required the submittal of a

new signage plan showing the deletion and relocation of proposed signs (see Exhibit 3, page 7).

Coastal Development Permit P-11-7-78-4291

On December 11, 1978, the Commission approved with conditions coastal development permit P-11-7-78-4291. While not an amendment, the approved permit allowed the applicant to construct a 17,500 square foot office/retail structure in place of the previously approved (P-1-17-78-2639) home improvement center and lumber yard. Commission staff noted that the proposed change was not processed as an amendment because the applicant wished to be able to use either coastal development permit, depending on their ability to enter into agreements with appropriate tenants. The issue of concern was appropriate use. Parking was not raised as an issue because the approved change resulted in an increase from 235 parking spaces to 247 parking spaces.

The proposed use represented a change from a coastal community serving use to a general public serving use. The Commission found that the proposed structure could only be constructed if the applicant was unable to locate a tenant for the home improvement center/lumber yard. Special conditions were imposed which clarified that the home improvement center/lumber yard approved under P-1-17-78-2639 remained in effect for that portion of the development until permit P-11-7-78-4291 was issued. In addition the applicant was ordered to diligently pursue a development at the site that was a coastal related/visitor serving use and was required to execute and record a deed restriction which limits first floor use of the structure to commercial retail only.

This approved office/retail structure was constructed in place of the previously approved home improvement center and lumber yard which was a portion of coastal development permit P-1-17-78-2639.

Coastal Development Permit Amendment 5-82-597A

On October 29, 1982, the Commission granted an amendment to coastal development permit P-11-7-78-4291 to delete a special condition requiring that the first floor of the structures be used for commercial retail purposes only. In approving the amendment, the Commission found that there was no intention to establish general public serving uses as the preferred use, but only to establish that general public serving uses were not a prohibited use. The Commission encouraged the applicant to continue to give priority to retail commercial/visitor-serving uses of the ground floor structures. No special conditions were imposed.

**B. VISUAL RESOURCES**

Section 30251 of the Coastal Act states:

*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 land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

Typically, the addition of signage to existing structures would be exempt since they are normal fixtures attached to buildings and do not intensify use. However, the Coastal Commission approved coastal development permit P-1-17-78-2639 with a special condition limiting the location of signage within Bay City Center (see Exhibit 3, page 7). There was a concern at that time that the signage in the proposed Bay City Center would be excessive and out of character with the area. This concern was largely related to the proposed home improvement center and its attendant signage. Since approval, Bay City Center was constructed without the home improvement center and includes restaurants, specialty retail stores, and professional offices.

Bay City Center is located on the northern side of the City of Seal Beach facing upon Pacific Coast Highway. In this area, Pacific Coast Highway is a commercial corridor with a mixture of commercial development including commercial strip malls, fast food restaurants, banks, gas stations and other similar development. The placement of signs above the first story line of two story structures is consistent with the commercial character of the area. Pursuant to Section 13166 of the California Code of Regulations, the applicant submitted new relevant evidence of similar sign regimes on buildings in the near vicinity including structures at 600 Marina Drive, 801 Pacific Coast Highway, 1250 Pacific Coast Highway and several properties on Main Street at 222, 320, and 330 Main Street (Exhibit 4). In each of these cases, signage is located above the first story line of a two story structure. Commission staff confirmed the presence of these signs and verified that signage above the first story line of two story structures is consistent with community character. These types of signs do not degrade the visual quality of these predominantly commercial areas. In addition, there are no public coastal views from or through the subject site, therefore, the signage does not intrude upon any public coastal views.

Also, the proposed signage is consistent with local government sign provisions. The stated intent and purpose of these local government provisions is to protect and enhance the visual quality of the city. The provisions carry out this intent by prohibiting certain types of signs (i.e. flashing signs, moving signs, etc.) and controlling the size and location of signs.

Signage above the first story line of two story structures at Bay City Center will not visually degrade the area and is consistent with the character of the surrounding area. However, roof signage or signage above the parapet walls of buildings on the subject site would not be consistent with the character of the surrounding area and would visually degrade the area. Therefore, the Commission imposes special condition one, which modifies special condition 3 of coastal development permit P-1-17-78-2639 to allow the placement of signs above the first story line of two story structures but does not authorize the placement of any signage on the roof or above any parapet walls. As conditioned, the proposed project is consistent with section 30251 of the Coastal Act.

### **C. UNPERMITTED DEVELOPMENT**

Without benefit of a coastal development permit amendment, the applicant has placed five signs above the first story line of two story buildings within the Bay City Center. Specifically, signs were placed as follows: a sign reading "Seal Beach Chiropractic" was placed on the structure at 600 Pacific Coast Highway; two signs reading "Seal Beach Podiatry Group Foot Specialist" were placed on the structure at 550 Pacific Coast Highway; a sign reading "WelSprings, Finbar's Italian, Baseball Cards, Wear to Consign Brand Name Women's Clothing" was placed at the structure at 550 Pacific Coast Highway, and a sign reading "Patty's Place Steaks Spirits" was placed at 500 Pacific Coast Highway. These signs are inconsistent with condition 3.a. of coastal development permit P-1-17-78-2639.

Consideration of the permit amendment application by the Commission has been based solely on the consistency of the proposed development with the policies of Chapter 3 of the Coastal Act.

Approval of this permit amendment does not constitute a waiver of any legal action with regard to the alleged unpermitted development, nor does it constitute admission as to the legality of any development undertaken on the subject site without a coastal development permit. The Commission may take action at a future date with respect to the removal of the unpermitted development and/or restoration of the site.

**D. LOCAL COASTAL PROGRAM**

Section 30604 of the Coastal Act provides for the issuance of coastal development permits directly by the Commission in regions where the local government having jurisdiction does not have a certified local coastal program. The permit may only be issued if the Commission finds that the proposed development will not prejudice the ability of the local government to prepare a Local Coastal Program which conforms with the Chapter 3 policies of the Coastal Act.

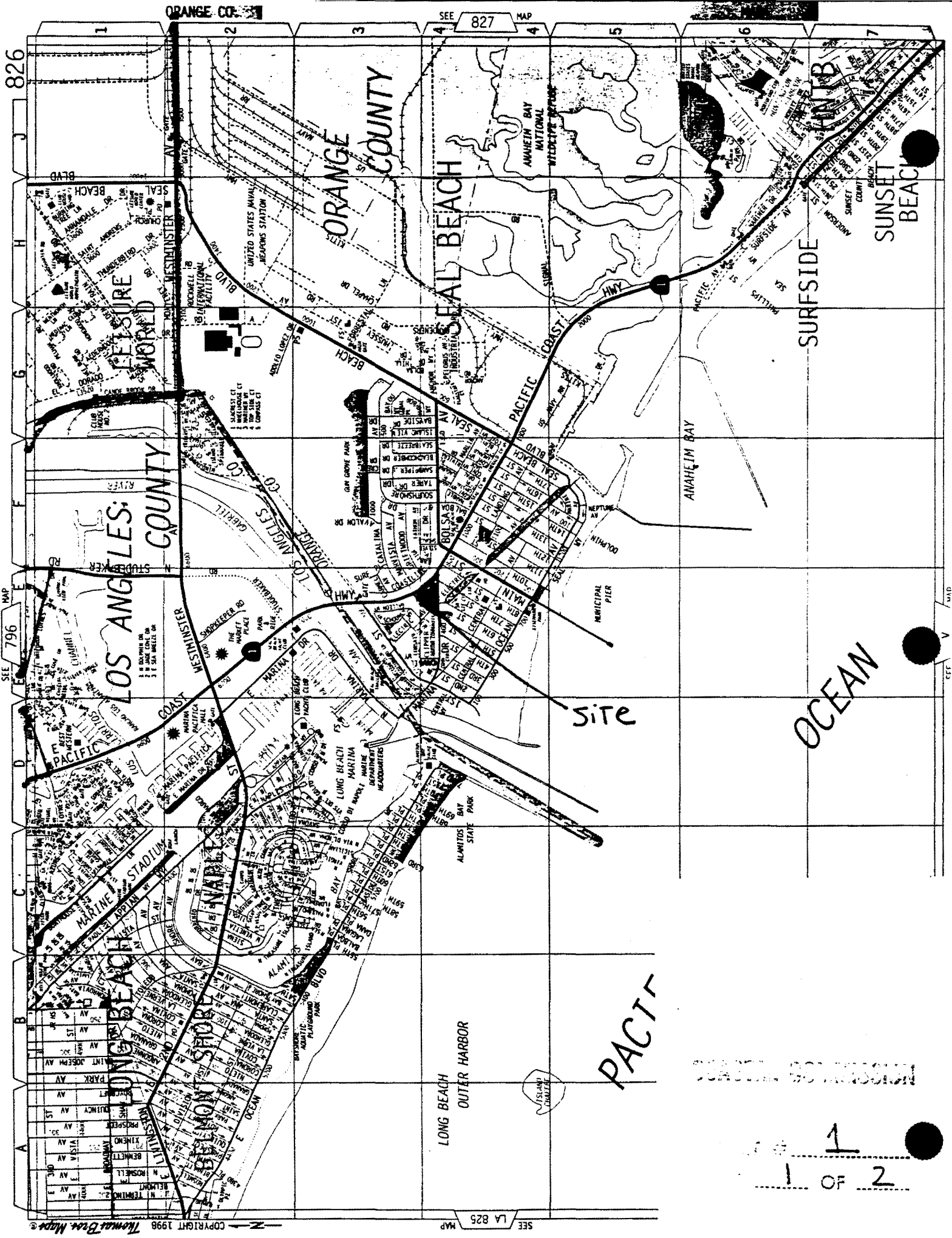
On July 28, 1983, the Commission denied the City of Seal Beach Land Use Plan (LUP) as submitted and certified it with suggested modifications. The City did not act on the suggested modifications within six months from the date of Commission action. Therefore, pursuant to Section 13537(b) of the California Code of Regulations, the Commission's certification of the land use plan with suggested modifications expired. The LUP has not been resubmitted for certification since that time.

The proposed development is consistent with the Chapter Three policies of the Coastal Act. Therefore, the Commission finds that the proposed development would not prejudice the ability of the City to prepare a certified coastal program consistent with the Chapter Three policies of the Coastal Act.

**E. CALIFORNIA ENVIRONMENTAL QUALITY ACT**

Section 13096 of the Commission's 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)(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 is located in an urban area. The proposed development has been conditioned to assure that the project will not have a significant adverse impact on coastal resources. The proposed development, as conditioned, is consistent with the Chapter 3 policies of the Coastal Act. There are no feasible alternatives or mitigation measures available which will lessen any significant adverse impact the activity would have on the environment. Therefore, the Commission finds that the proposed project is consistent with CEQA and the policies of the Coastal Act.



SEE MAP 796

SEE MAP LA 825

827

COASTAL COMMISION

1 OF 2

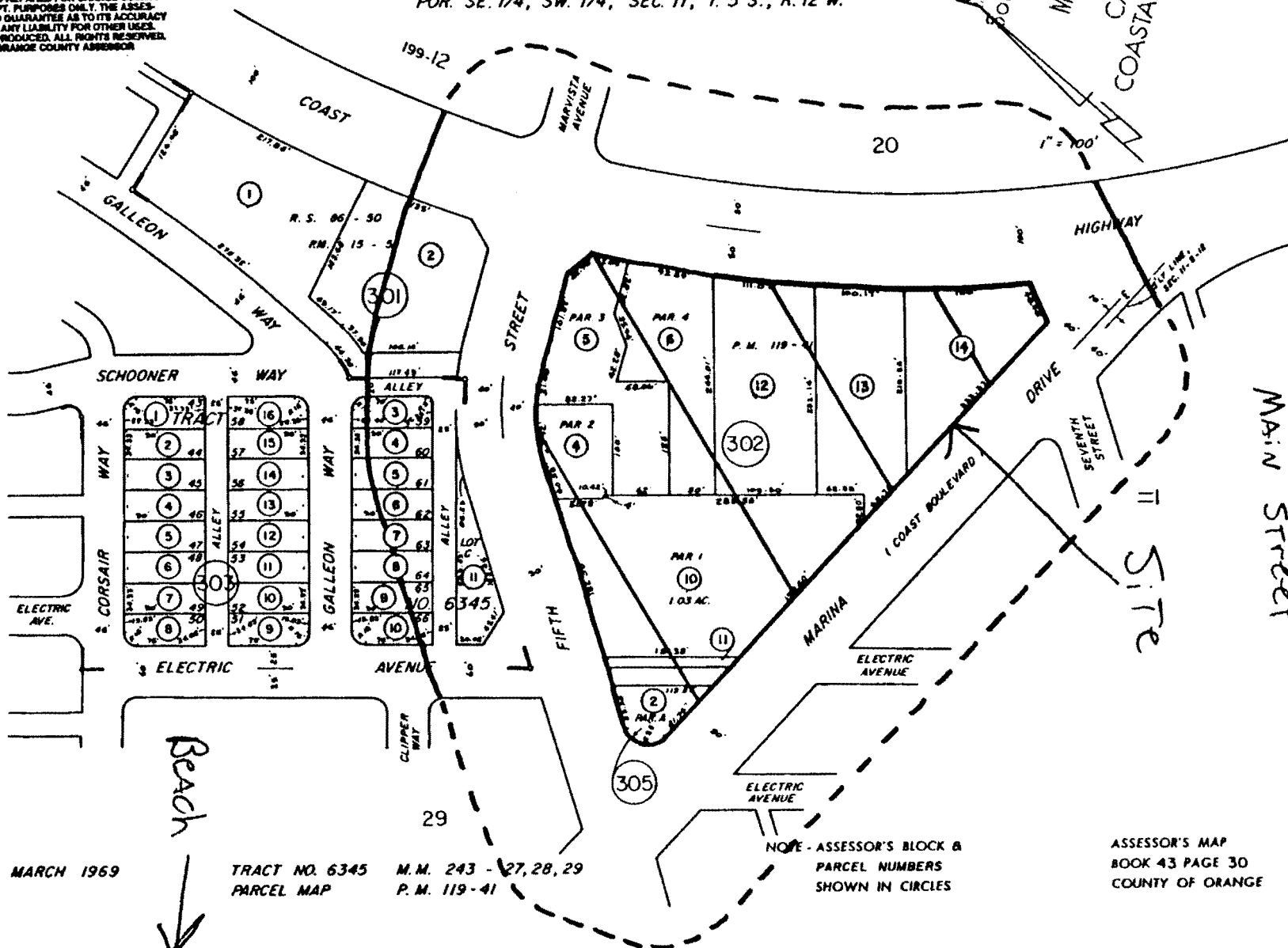


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POR. SE. 1/4, SW. 1/4, SEC. 11, T. 5 S., R. 12 W.

**RECEIVED**  
South Coast Region  
MAY 28 1999  
CALIFORNIA  
COASTAL COMMISSION

43-30



MAIN STREET

SITE

Beach

MARCH 1969

TRACT NO. 6345  
PARCEL MAP

M.M. 243 - 27, 28, 29  
P.M. 119 - 41

NOTE - ASSESSOR'S BLOCK & PARCEL NUMBERS SHOWN IN CIRCLES

ASSessor's MAP  
BOOK 43 PAGE 30  
COUNTY OF ORANGE

5-99-201

2 of 2

1

# SITE PLAN

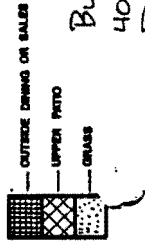
# BAY CITY CENTER

RECEIVED  
South Coast Reg  
MAR 17 1999  
CALIFORNIA  
COASTAL COMMISSION

SEAL BEACH

WATSON and ASSOCIATES

RECEIVED  
South Coast Reg  
MAR 17 1999  
CALIFORNIA  
COASTAL COMMISSION



BLDG H, 1-Story  
400 5th STREET  
DENTAL OFFICE  
1,500 S.F.

BLDG A, 2-Story  
600 PCH  
RETAIL/COMMERCIAL  
10,327 S.F.  
SEE FLOOR PLAN

BLDG B, 2-Story  
610 PCH  
OFFICES  
6,884 S.F.  
SEE FLOOR PLAN

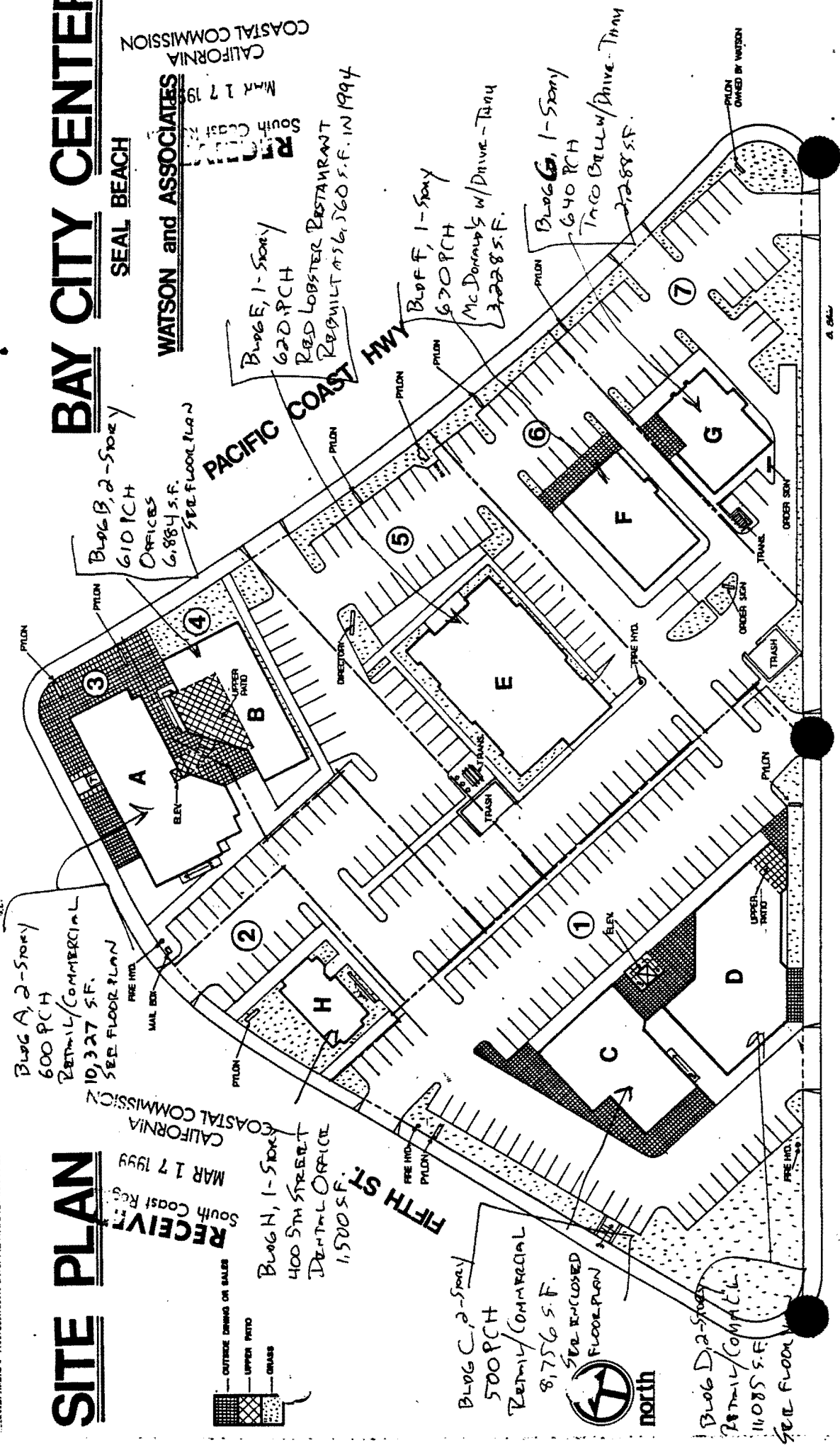
BLDG E, 1-Story  
620 PCH  
RED LOBSTER RESTAURANT  
REQUILT #16,560 S.F. IN 1994

BLDG F, 1-Story  
630 PCH  
McDonald's w/ Drive-Thru  
3,228 S.F.

BLDG G, 1-Story  
640 PCH  
Taco Bell w/ Drive-Thru  
2,288 S.F.

BLDG C, 2-Story  
500 PCH  
RETAIL/COMMERCIAL  
8,756 S.F.  
SEE ENCLOSED  
FLOOR PLAN

BLDG D, 2-Story  
RETAIL/COMMERCIAL  
11,085 S.F.  
SEE FLOOR PLAN



A. 841

CALIFORNIA COASTAL COMMISSION  
SOUTH COAST REGIONAL COMMISSION

666 E. OCEAN BOULEVARD, SUITE 3107

P.O. BOX 1450

LONG BEACH, CALIFORNIA 90801

(213) 590-5071 (714) 846-0648

dp



February 22, 1978

To: Commissioners  
From: Executive Director  
Subject: Staff Summary and Recommendations  
Application No.: P-1-17-78-2639  
Attachments: 1. Site Location Map  
2. Site Plan  
3. Letter, City of Seal Beach, Park Dedication  
4.  
5.  
6.

1. Administrative Action:

The application has been reviewed and is complete. The 42-day hearing period expires 2/28/78. Public Hearing is scheduled for 3/6/78. Continuations, (if any) were granted as follows:

a. \_\_\_\_\_ b. \_\_\_\_\_ c. \_\_\_\_\_

2. Applicant:

Tom Lewis (213) 430-0503

Applicant's full name Telephone number

101 Main Street, Suite A

Address

Seal Beach, CA

Or James R. Watson (213) 430-0503

Representative's name Telephone number

101 Main Street, Suite A

Address

Seal Beach, CA

3. Project Location:

5-99-201-A1

(a) City or District Seal Beach 3

(b) County Orange 1 10

(c) Street Address None assigned  
NW corner Marina Dr. & Pacific Coast Hwy

(d) Area is Zoned commonly known as the Edison Triangle  
Commercial

PROJECT DESCRIPTION:

Demolition of existing lumber yard, retail rental structure and storage  
shacks, subdivision, and the construction of an eight structure  
clustered commercial development with appurtenant parking area,  
signing, and landscaping:

(see text of staff report for detailed project description)

LOCATION DESCRIPTION & STREET ADDRESS: between Marina Drive, Fifth  
Street and Pacific Coast Highway in Seal Beach (Edison Triangle)

DISTANCE FROM MEAN HIGH TIDE LINE: 750 yards

PRESENT USE OF PROPERTY: Foto-Mat Kiosk, storage sheds, lumber yard,  
retail rental

SITE SIZE: Irregular = 164,221 sq. ft. 3.77 acres

DENSITY: GROSS: NET:

UNIT MIX: Commercial and Professional

ON-SITE PARKING: Primary = 236 Size = 9' X 20'  
Handicapped 3 Size = 12' X 20' Total = 239  
Tandem =

PROJECT HEIGHT: Above CFR = 35 ft. Above AFG = 35 ft.

two stories

PROJECT COST: \$3,000,000

EIR: Negative Declaration

AGENCY APPROVAL: Approval in Concept - City Planning 12/7/77

-Homeowners Assoc. -

Health Dept. -

Building Dept. -

RWQCB -

APCD

### Detailed Project Description:

Demolition of existing lumber yard and commercial structures, subdivision of a 3.77 acre parcel into 8 separate parcels, parking area paving and landscaping for 235 on-site spaces, total signing for the development, and the construction of eight commercial structures as follows:

1. Medical building, one story,	1500 sq. ft.
2. Restaurant and lounge, two story,	8000 sq. ft.
3. Mini-restaurant, one story,	3000 sq. ft.
4. Fast food restaurant, one story,	4000 sq. ft.
5. Commercial building, two story,	9000 sq. ft.
6. Commercial building, two story,	7000 sq. ft.
7. Home improvement center, one story,	13125 sq. ft.
8. Lumber storage building, one story,	1200 sq. ft.

Total gross floor area	46,825 sq. ft.
Percent covered by structures	30%

### Issues:

1. Subdivision
2. Appropriate Use
3. Parking
4. Signing

### Subdivision:

The subdivision is for the purpose of providing a means for private ownership/lessor for the individual uses within the development and for the dedication of approximately 4800 sq. ft. to the City of Seal Beach for use as a public park. This area of the development is currently being maintained as a public park by the city under license from the Southern California Edison Company.

Section 30250(a) of the Act states, in part, as follows:

"...land divisions outside existing developed areas shall be permitted only when 50 percent of the usable parcels in the area have been developed..."

The proposed development is located in the midst of a fully developed area and represents one of the few remaining areas to be developed. Further, the development is located within the corporate boundaries of a highly developed city. In staff's opinion, then, the proposed subdivision is in conformity with Section 30250(a) of the Act.

### Appropriate Use:

Section 30250(a) of the Act also states, in part that:

"New development...shall be located contiguous with or in close proximity to, existing developed areas able to accommodate it..."

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3 10

Section 30251 of the Act states, in part:

"...permitted development shall be sited and designed to  
...be visually compatible with the character of surrounding  
areas..."

Section 30255 of the Act states, in part:

"Coastal-dependent developments shall have priority over  
other developments on or near the shoreline."

The development is located within a fully developed area. The project is surrounded by walled-in residential communities to the west across Fifth Street and to the north across Coast Highway and an extensive plant nursery to the south across Marina Drive. Other commercial developments bordering the proposed project include a service station and, Commission approved, small shopping center at the northwest corner and the commercial cluster to the southeast at the intersection of Coast Highway and Marina Drive. In staff's opinion the development is therefore in conformity with Section 30250(a) 30251 of the Act.

Of a total structural area of 46,825 sq. ft., 15,000 sq. ft., or 32% is truly devoted to coastal related use; that being the portion of the proposed project represented by the dining establishments.

In staff's opinion the mitigation factor here is that while the total development is not coastal related that portion of the proposed project which is not provides needed services to the surrounding residential community and further, the development is located some 0.4 mile from the actual coastline. Additionally, there is no reason to believe that some of the undesignated uses represented by the two commercial structures will not contain some coastal related use.

#### Parking:

When the project is considered on the basis of specific use the required on-site parking for the project is as follows:

- |  |           |           |
|--|-----------|-----------|
| 1. Medical building                        |           |           |
| 78 sq. ft. waiting room, 3 treatment rooms |           | 8 spaces  |
| 2. Restaurant                              |           |           |
| 2665 sq. ft. service area                  |           | 53 spaces |
| 3. Mini-restaurant                         |           |           |
| 1060 sq. ft. service area                  |           | 21 spaces |
| 4. Fast food restaurant                    |           |           |
| 1505 sq. ft. service area                  | 3<br>4 10 | 30 spaces |
| 5. Commercial building                     |           |           |
| 7000 sq. ft. gross structural area         |           | 35 spaces |
| 6. Commercial building                     |           |           |
| 9000 sq. ft. gross structural area         |           | 45 spaces |

7. Home improvement center	
13,125 sq.ft. gross structural area	66 spaces
8. Lumber storage	
1200 sq. ft. gross structural area	2 spaces
Total required spaces	260 spaces
Spaces provided	235 spaces
Spaces deficient	25 spaces

The deficiency of 25 on-site parking spaces is mitigated by the fact that in dedicating the mini-park to the city the applicant, in staff's estimation, is giving up approximately 26 spaces. Without this dedication the project would comply, or nearly comply with the Commission's parking criteria based upon aggregate use within the project.

It is the applicant's contention that in view of the mixed use in the development that any parking deficiency is further mitigated by the fact that the parking lot will probably not be filled to capacity at any time because of the staggered peak use hours for the different uses.

An alternative method of assessing parking requirements for mixed commercial use (and one included in the new Interpretive Guidelines) is the Shopping Center Criteria where multi-use parking requirements are determined on the basis on the average parking required for a balanced multi-use complex which contains no preponderance of high parking intensity of use.

On this basis the parking would be assessed at the ratio of one space for each 200 sq. ft. of gross floor area for the entire development. In this instance the aggregate area of 46,825 sq. ft. would then require 235 on-site spaces and the proposed project would then have no parking deficiency.

A foreseeable parking problem could arise out of the Subdivision which is a part of this application virtue of one use owning/leasing an area which contains parking for another use. Staff would point out that this eventuality is precluded by a condition placed upon the approval of the City Conditional Use Permit required for the project. This condition in essence requires the recordation of a document which guarantees reciprocal parking use throughout the life of the project.

#### Signing:

The application contains plans for total signing of the project which shows the following:

a) One two sided, 141 sq. ft. (copy area) center identification sign, 15 ft. high with a compatible architectural feature extending to a height of 30 feet.

b) Home Improvement Center

2- 50 sq. ft. painted wall signs

2- 50 sq. ft. illuminated wall signs

- c) Lumber storage
  - 1- 50 sq. ft. painted wall sign
- d) Medical office
  - 1- 15 sq. ft. illuminated wall sign
- e) Commercial buildings
  - 6- 15 sq. ft. illuminated wall signs
  - 1- 20 sq. ft. illuminated wall sign
  - 1- 25 sq. ft. illuminated wall sign
  - 4 roof signs (unspecified)
- f) Restaurant
  - 1- 15 sq. ft. illuminated wall sign
  - 1- 20 sq. ft. illuminated wall sign
- g) Fast food restaurant
  - 3- 40 sq. ft. illuminated wall sign
  - 1- 36 sq. ft. illuminated wall logs
- h) Mini-restaurant
  - 1- 40 sq. ft. illuminated wall sign

In the opinion of staff the signing for the proposed development is excessive and in some instances redundant, out of character with the surrounding commercial community, and inconsistent with previous Commission action with regards to signing for commercial complexes and is therefore not in conformity with Section 30251 of the Act which requires permitted development to be visually compatible with the character of surrounding areas.

#### Findings:

1. The proposed project includes a subdivision of land located in a fully developed area and is therefore in conformity with Section 30251(a) of the Act.
2. The proposed development contains only 32% of coastal related use and is therefore not in conformity with Section 30255 of the Act.
3. The mitigating measures with regard to the priority of coastal related use are that the remaining portion of the development provides needed services to nearby residential communities and is located approximately 0.4 miles from the coastline.
4. The proposed development is deficient 25 on-site parking spaces and is therefore not in conformity with Section 30254(4) of the Act.
5. The mitigating measures with regard to inadequate parking are that the proposed development will dedicate approximately 10,000 sq. ft. to be used for maintenance of a public park and in doing so some 26 on-site parking spaces are eliminated and that an alternative method for determining parking requirements for a balanced commercial complex indicates that the project is not deficient in on-site parking.



6. The proposed signing for the project is excessive and redundant and is therefore not in conformity with Section 30251 of the Act.

7. As conditioned below the proposed project will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976 and will not prejudice the ability of the local government to prepare a local coastal program that is in conformity with said chapter.

8. There are feasible alternatives and feasible mitigation measures, as provided in the California Environmental Quality Act, available for imposition by this Commission under the power granted to it which would substantially lessen any significant adverse impact the development, as finally proposed may have on the environment.

STAFF RECOMMENDATION: Approval with/conditions

Conditions:

Prior to issuance of permit applicant shall submit the following:

1. Evidence that a document has been recorded that a reciprocal parking agreement has been agreed upon by all parties of interest; said agreement to be in effect for the entire life of the project.

2. A signed and sworn statement that the on-site parking area will not be barred for public use by signs or mechanical means during the hours when the non-coastal related uses are normally not in use.

3. Revised signing plans which show the following:

a) Deletion of all structure roof signs and wall signs mounted above the first story line of two story structures or above the parapet walls of one story structures.

b) Deletion of the following additional signs from the development:

1. the 50 ft. painted wall signs on the southwest corner of the Home Improvement Center

Staff Planner

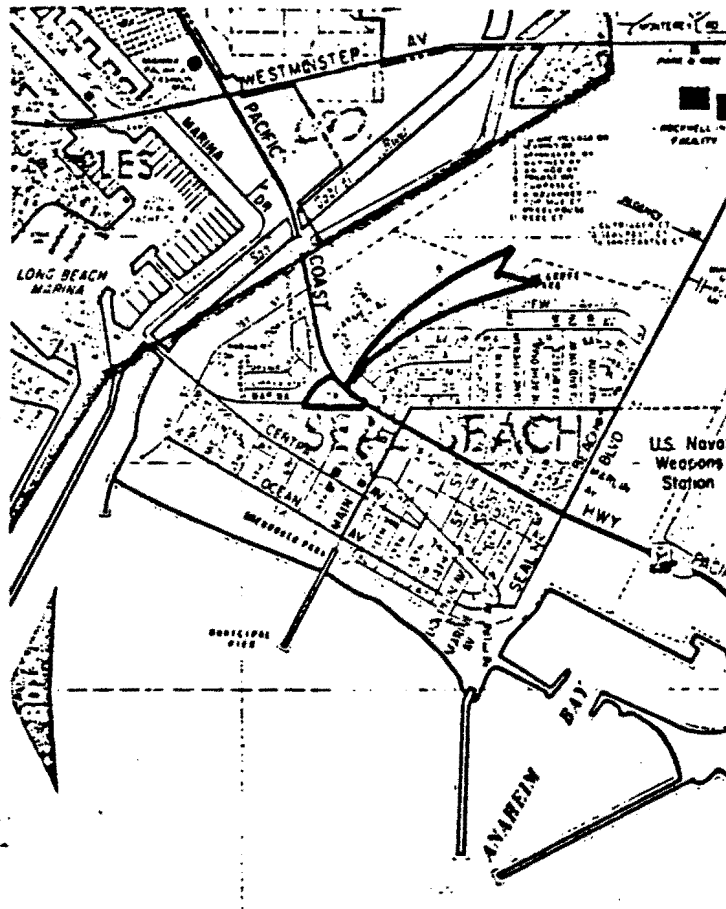
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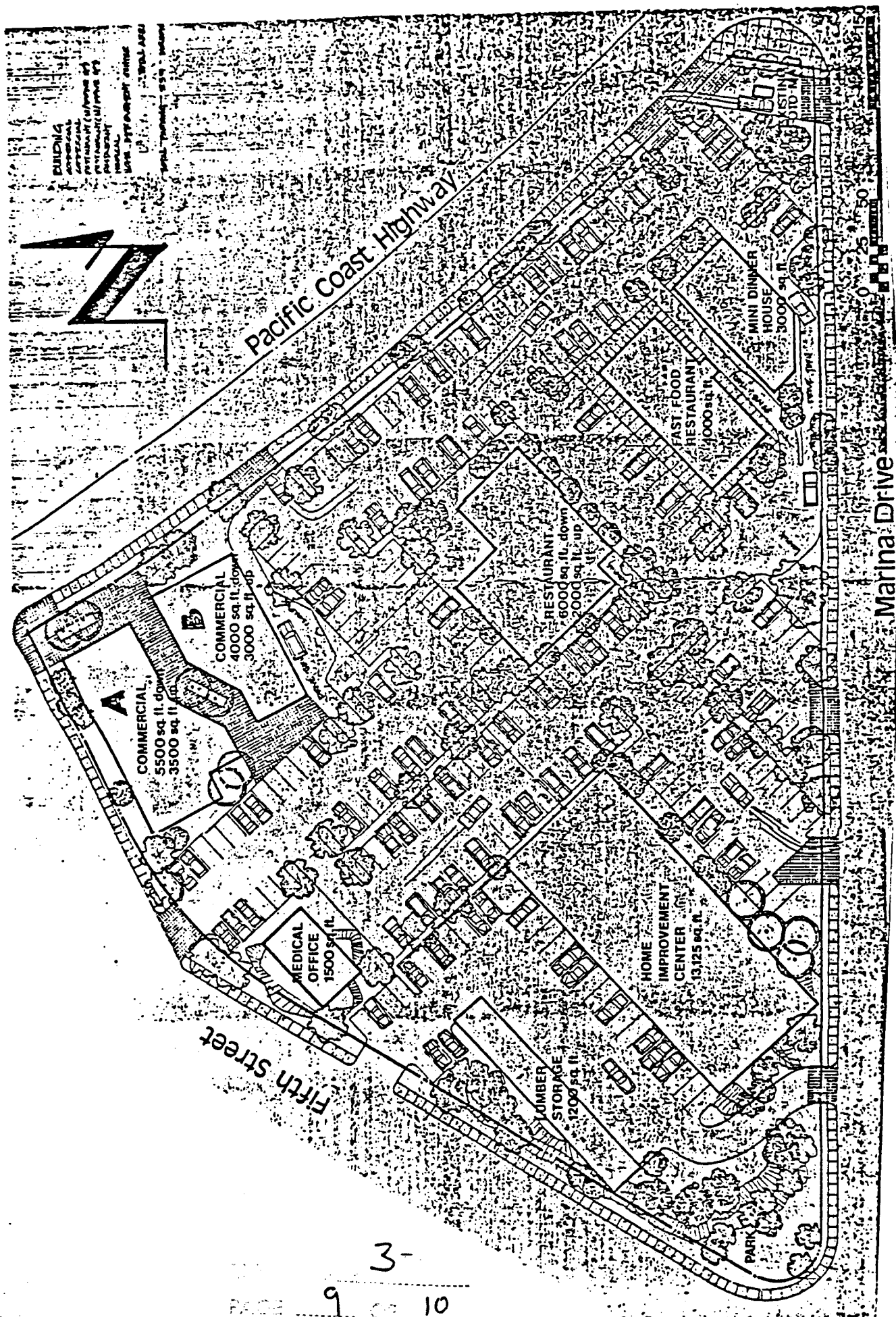
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SITE LOCATION

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DNCR



CITE DI ANI



December 23, 1977

Mr. Mel Carpenter  
Executive Director  
South Coast Regional Commission  
666 E. Ocean Blvd., Suite 3107  
Long Beach, CA 90801

Dear Mel:

Two local businessmen, James Watson and Tom Lewis, are proposing to redevelop certain property in the City of Seal Beach bounded by Pacific Coast Highway, Marina Drive and Fifth Street, commonly known as the Edison triangle. In conjunction with this commercial development 239 on-site park spaces will be provided. The City's Planning Commission, after a public hearing, has determined this number of spaces is more than sufficient to meeting the parking needs of the project.

There is a 10,000+ square foot parcel at the west end of the project which is presently landscaped and maintained by the city under a license from the Southern California Edison Company. The developers have agreed to dedicate this land as a park provided that the Coastal Commission does not require additional on-site parking that would require the use of this space for automobile parking.

The city would very much like to have this park retained. It is at the terminus of the Electric Avenue greenbelt and provides an attractive link between this greenbelt and the landscaped areas on 5th Street in front of the community of Bridgeport. We would ask your assistance in retaining this park.

Very truly yours,

CITY OF SEAL BEACH

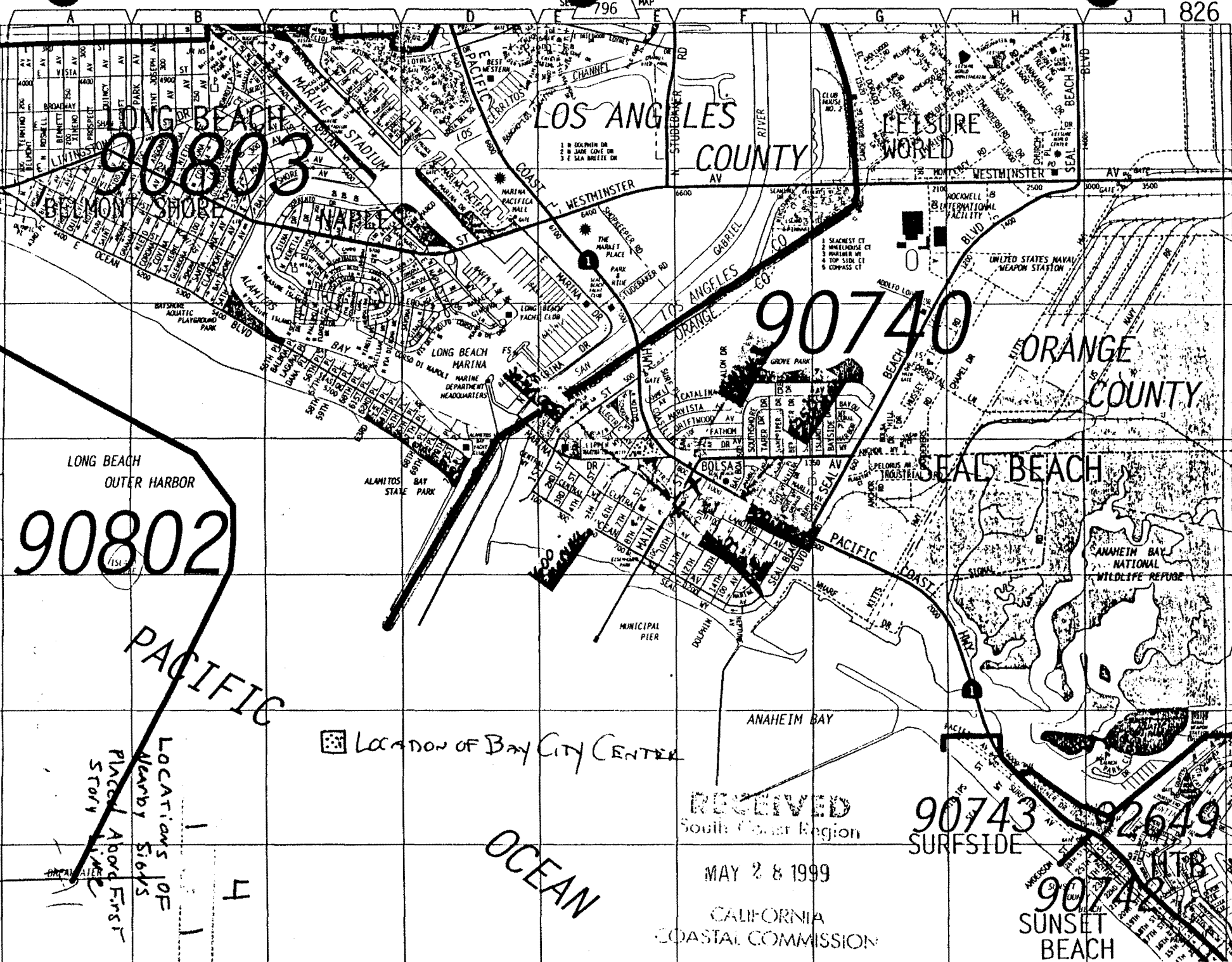
  
Dennis Courtemarche  
City Manager

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SEE LA 825 MAP



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LOCATIONS OF  
NEARBY SIGNS  
PLACED ABOVE FIRST  
STORY

Location of Bay City Center

RECEIVED  
South Coast Region

MAY 28 1999

CALIFORNIA  
COASTAL COMMISSION

OCEAN

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