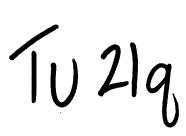
CALIFORNIA COASTAL COMMISSION

South Coast Area Office 00 Oceangate, Suite 1000 Long Beach, CA 90802-4302 (562) 590-5071



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Filed:December 1, 199949th Day:January 19, 2000180th Day:May 29, 2000Staff:KFS-LBStaff Report:December 16, 1999Hearing Date:January 11-14, 2000Commission Action:Image: Commission Action

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO: 5-99-331

APPLICANT: Makena Resources

AGENT: Bundy-Finkel Architects

PROJECT LOCATION: 347 Main Street, City of Seal Beach, County of Orange

PROJECT DESCRIPTION: Construct a 5,900 square foot, single story, multi-tenant retail commercial structure on a vacant, 0.34 acre lot (14,657 square feet). Proposed parking includes 19 parking stalls on site.

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends <u>DENIAL</u> of the proposed project because it is not in conformity with the Chapter 3 policies of the Coastal Act. Staff is recommending denial of the proposed project because the project would not provide adequate parking and would therefore be inconsistent with the public access policies of the Coastal Act. Private commercial development which does not provide adequate on-site parking would require the use of public parking spaces for a private development. Patrons of the commercial development would displace public use of public parking spaces, resulting in an adverse impact upon coastal access.

LOCAL APPROVALS RECEIVED: Conceptual approval by the City of Seal Beach dated October 26, 1999.

SUBSTANTIVE FILE DOCUMENTS: City of Seal Beach Main Street Specific Plan and In-Lieu Parking Fee Program; Orange County Regional Interpretive Guidelines; *Parking Analysis* for Pacific Coast Highway/Main Street Retail Use (City of Seal Beach, California), prepared by KHR Associates of Irvine, California dated October 22, 1999; Parking

Surveys at Two Starbucks Coffee and Two Video Rental Retail Locations in Orange County Beach Communities, prepared by KHR Associates of Irvine, California dated August 31, 1999; Coastal development permit application 5-99-363 (Equilon Enterprises); 5-93-050 (Ursini); Selected coastal development permits involving parking on Main Street (see Appendix A).

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STAFF RECOMMENDATION:

The staff recommends that the Commission make the following motion and adopt the following resolution:

I. DENIAL - MOTION AND RESOLUTION.

Motion:

"I move that the Commission approve Coastal Development Permit 5-99-331 for the development proposed by the applicant."

Staff Recommendation of Denial:

Staff recommends a <u>NO</u> vote. Failure of this motion will result in denial of the permit application and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby **DENIES** a coastal development permit for the proposed development on the grounds that the development will not conform with the policies of Chapter 3 of the California Coastal Act of 1976 including the public access and recreation policies of Chapter 3, the development would 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 because there are feasible mitigation measures or alternatives available which would reduce significant adverse effects on the environment within the meaning of the California Environmental Quality Act.

II. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares as follows:

A. PROJECT DESCRIPTION AND LOCATION

The proposed project is located at 347 Main Street, at the corner of Main Street and Pacific Coast Highway ("PCH") in the City of Seal Beach (Exhibit 1). The proposed project is to construct a 5,900 square foot single story commercial structure with 19 parking spaces upon a vacant 0.34 acre site (Exhibit 2). No specific use, other than "multi-tenant retail" has been specified.

The subject site is located at the entrance to the "Old Town" area of the City of Seal Beach, which is the primary visitor serving commercial area of the city.

The subject site is also located approximately 1,900 feet from the City's popular, mile-long public beach. Vertical public access to this beach is available at the end of Main Street. A

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lateral accessway (paved walkway) along the shoreline extends from Main Street and the municipal pier to Electric Avenue.

B. HISTORY OF SUBJECT SITE

The subject property was previously a gas station. The gas station was demolished without a coastal development permit. A separate application (5-99-363), filed by the present owners of the site, is on the agenda to obtain permission for the demolition.

C. PUBLIC ACCESS/PARKING

Section 30252 of the Coastal Act states, in relevant 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...

The subject site is approximately 1,900 feet from the shoreline and is not located between the sea and the first public road paralleling the sea. However, the site is located at the entrance to Seal Beach's "Old Town" area, a popular visitor oriented commercial area next to the City's heavily visited municipal pier and beach. The lots along Main Street are shallow and narrow in size. In addition, many of the commercial structures along Main Street pre-date the Coastal Act and do not have adequate on-site parking. Therefore, on-street public parking is necessary to accommodate many of the existing, older, pre-Coastal Act commercial structures. The lack of on-site parking, the popularity of the commercial area, and the heavy use of the adjacent public beach have resulted in inadequate parking for public access in the area.

1. Parking Impacts

Section 30252 of the Coastal Act requires the protection of public access to the beach. An adequate quantity of parking spaces to accommodate new development maintains this public access. However, public access can be adversely affected if commercial development in the coastal zone does not provide adequate on-site parking. In cases of inadequate parking, commercial center users would displace public users from public parking spaces.

In order to provide direction on performing parking analyses, the Commission established guidelines which calculate the parking demand generated by various uses within the coastal zone. The proposed development falls within the *General Retail Stores* category of the parking guidelines contained within the *Orange County Regional Interpretive Guidelines*.

Using the Commission's parking guidelines for *General Retail Stores*, the guidelines state that the parking demand would be 1 parking space per 225 square feet of total gross floor area within the building. The proposed development is a 5,900 square foot structure. Based upon the Commission's guidelines, the multi-tenant retail center would need 26 parking spaces to meet the parking demand. The proposed development has 19 parking spaces. Therefore, based upon the guidelines for this category of use, the proposed development has a 7 parking space deficiency.

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The applicant has submitted a parking analysis for the proposed development titled *Parking Analysis for Pacific Coast Highway/Main Street Retail Use (City of Seal Beach, California)*, prepared by KHR Associates of Irvine, California dated October 22, 1999 (Exhibit 3). The parking analysis describes the various parking demand ratios applied by the California Coastal Commission and the City of Seal Beach. The parking analysis also cites a parking ratio developed by the Institute of Transportation Engineers (Exhibit 4).

The parking analysis acknowledges that the proposed development does not meet the parking standards outlined in the Orange County Regional Interpretive Guidelines which have been adopted by the Commission. However, the applicants parking analysis also points out that under the City of Seal Beach's Specific Plan for Main Street, the proposed development would fall under the category of "retail stores." The City requires a parking ratio of 1 space for each 500 square feet of floor area. Under this ratio, the development would require 12 parking spaces. Since the development provides 19 parking spaces, the development exceeds City requirements. In addition, the parking analysis cites the parking ratio referenced in the Institute of Transportation Engineer's (ITE) Parking Generation manual. This parking ratio, which has not been adopted by the Commission, states that peak weekday demand would be 3.23 parking spaces per 1,000 square feet of gross floor area. Based on this ratio, the site would require 19 parking spaces to accommodate peak weekday demand. Since the development provides 19 parking spaces, the peak weekday demand based upon ITE standards is satisfied.

The parking analysis submitted by the applicant states that the City of Seal Beach's parking standards may be too generous, but the Commission's commonly utilized parking standard is excessively stringent. The parking analysis points to the ITE standard as a balance between the City and Commission standards. The analysis also states that since the site is approximately 2,000 feet from the beach, the demand for public curbside parking spaces is not generated by beach users, but instead by the commercial oriented uses in the area. The study states that public curbside parking spaces can provide any parking not provided on-site. The parking study also states that the proposed development will provide one public parking space which did not previously exist. The parking study states that this public parking space would improve access. However, the applicant has since revised their project which resulted in the elimination of this proposed on-street public parking space.

As noted previously, and highlighted in the conclusions of the applicant's parking analysis, the "Old Town" area where the proposed project is located is a visitor oriented commercial area. Visitor serving commercial uses within the coastal zone are a priority use under the Coastal Act, and such visitor serving areas provide a form of recreation to visitors. Therefore, public on-street parking spaces provide a manner of access to the shopping-oriented coastal zone visitor. On Main Street in Seal Beach, the shallow and narrow lots were designed when the community was primarily serviced by public rail transit, rather than private automobile. As noted before, many of the structures constructed on these lots pre-date the Coastal Act. In most cases, on-site parking cannot be accommodated unless the structure is demolished and designed to include parking. Therefore, in order for visitors to patronize these pre-Coastal Act commercial buildings, public on-street parking spaces must be used. Therefore, there is already a heavy demand placed upon public on-street parking spaces by the existing uses. Therefore, in order to avoid additional cumulative impacts upon public parking spaces by private development, it is very important that new development provide adequate on-site

parking. In the case of the subject application, the lot is vacant and the site can be designed to provide all required on-site parking.

In cases where a proposed development does not provide a quantity of parking spaces consistent with Commission adopted standards, a site specific parking study can sometimes be used to substantiate that the quantity of spaces provided is adequate to satisfy the parking demand generated by the site. In this case, the applicant has submitted a parking study which concludes that adequate parking is provided on site primarily based upon a parking ratio provided by the ITE. This parking standard has not been adopted by the Commission. According to excerpts from the ITE <u>Parking Generation</u> manual the ITE parking ratio was developed based upon 1,450 individual parking generation studies performed nationwide. The quantity of parking studies which apply to each land use type varies. In this case, regarding the limitation of the data relating to the land use category of *Shopping Center* (which is the category used by the parking study to substantiate that the site has adequate parking), the ITE <u>Parking Generation</u> manual states

Much of the data contained herein is for average business periods. Shopping center parking is usually designed to accommodate peak season demand rather than average demand. Hence, the data contained in this report should not be used to determine design day shopping center parking supply.

Peak parking occurred during the mid-day hours for shopping centers smaller than 50,000 square feet, and during the lunchtime and late afternoon and early evening hours for shopping centers between 50,000 and 99,999 square feet.

It would be desirable to obtain additional data in order to better determine the peak rates.

The proposed development will occur within the City of Seal Beach's main commercial destination area. This commercial area is also located in close proximity to the City's most popular beach. Parking demand in such areas with a high visitation rate for both the beach and the commercial area would tend to be higher than a typical commercial center which is not located next to a popular beach. The Commission has commonly found that the parking guidelines outlined in the Orange County Regional Interpretive Guidelines are adequate to avoid any adverse impact that a commercial center's parking demand may have upon public access in Seal Beach (e.g., 5-97-196 (Griffith)). However, the ITE parking standard was based upon commercial centers nationwide, some of which may not be within areas with high commercial and beach visitation patterns. In addition, the ITE manual states that the ratio is for peak visitation on weekdays. Peak visitation in commercial areas next to a popular beach would tend to be on weekends, not weekdays. This is one indication that the ITE ratio was not designed to be used to assess parking demands in heavily visited commercial/beach areas. Also, the ITE manual states that the parking ratio is for average business periods and not peak seasonal demand. The peak season is when the adverse parking impacts of a commercial development which does not provide adequate parking on-site would be most pronounced. Therefore, the Commission finds that the ITE parking ratio is not representative of the parking demand associated with commercial development in the coastal zone. A site specific analysis based upon specific uses at the site would more adequately characterize the parking demand generated by the proposed commercial development.

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The parking analysis submitted bases the conclusion that the site has adequate parking by simply replacing the parking standards provided in the Regional Interpretive Guidelines with standards generated by the ITE. Both sets of standards are generalized ratios meant to apply to a variety of situations. However, the Regional Interpretive Guidelines have been adopted by the Commission and found to be an appropriate standard for parking for those sites where a coastal development permit has been issued for development on Main Street in Seal Beach. The ITE standards have not been found by the Commission to be adequate for Seal Beach. In either case, generalized parking standards are not site specific. A site specific analysis could take into account the many variables which are not adequately represented by generalized parking ratios. For instance, a site specific analysis could take into account the specific type of uses (e.g., restaurant, clothing store, etc.), opportunities for shared use of on-site parking, variable daily demand of the individual uses, among other variables. However, since the applicant has not identified a use more specific than "multi-tenant retail", and no such site specific study was performed, the site specific demand of the proposed commercial development could not be evaluated. Although site specific analysis could reveal that a particular combination of uses at the site would result in no adverse off-site parking impacts, no such analysis has been provided in this case.

Some specific uses, such as video stores and gourmet coffee outlets have a very high parking demand. When the applicant initially submitted the subject application, a coffee house and video store were planned as tenants. The parking demand of these uses based upon the *Regional Interpretive Guidelines* exceeded that provided. In addition, separate from the parking demand study cited above, the applicant submitted a parking study based upon these uses. While the study was based upon observations of parking demands at coffee houses and video stores at other locations and may not have been entirely representative of the situation at the subject site, even this parking analysis, based upon specific uses, concluded that the site did not provide adequate parking and would rely upon public curbside parking spaces to make up the difference.

2. Feasible Alternatives

The proposed development is a 5,900 square foot structure with 19 parking spaces on site. The site is deficient parking based upon the Commission's commonly used parking standards for development in this portion of the coastal zone. In addition, the parking analysis submitted by the applicant is not site specific and does not substantiate that the proposed development provides adequate parking. Since inadequate parking results in adverse impacts upon public access the development is inconsistent with Section 30252 of the Coastal Act. There are several feasible alternatives available which would result in no adverse impact upon public access.

a. Reduce Size of Proposed Development to Match Proposed Parking

The proposed development is occurring upon a vacant lot. Therefore, one feasible alternative would be to reduce the size of the proposed commercial structure. With 19 parking spaces on site, a 4,275 square foot commercial structure could be constructed and would provide adequate parking based upon the *General Retail Store* category of the Commission's commonly used parking standards in the *Orange County Regional Interpretive Guidelines*. However, in order to adequately assess whether such development would have any adverse

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impact upon public access, the type of commercial use (i.e. type of retail, restaurant, etc.) would need to be specified. Information available in the newspaper, telephone inquiries, and the applicant's first application submittal have shown that the site may be used for a coffee store/restaurant and a video store. These types of uses are high intensity uses. A specific proposal and specific parking analysis would be required to adequately assess the effect such development would have upon coastal resources.

b. Lesser Building Size Reduction and Increased Quantity of Parking Spaces

A second alternative would be to decrease the size of the proposed development and increase the number of on-site parking spaces. For instance, it appears feasible to construct a 4,500 square foot structure with 20 on-site parking spaces or a 4,725 square foot structure with 21 on-site parking spaces. Whereas these combinations are physically feasible, the applicant would need to assess how the parking spaces and the structure would be oriented on the lot. Identification of site specific uses and development of a site specific parking analysis may also be need to substantiate that the site has adequate parking.

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c. Off-Site Parking

Another alternative to mitigate the parking deficiency is to require the applicant to lease offsite parking spaces within a reasonable distance of the subject site. This condition has been imposed several times by the Commission on Main Street development projects in the past (see Appendix A). Some limitations on this alternative for the proposed project are that there is not a large supply of off-site parking available for lease, given the built-out nature of the area. Further, many of the off-site parking areas have already been committed to projects previously approved by the Commission. However, the opportunity for off-site parking remains a possibility. A complete assessment would be required to determine whether there are off-site parking opportunities.

3. Infeasible Alternative

The applicant has suggested that an in-lieu fee is a possible alternative to mitigate any parking deficiency at the site. However, based on the following information, such an alternative is not feasible.

The City charges businesses on Main Street three thousand five hundred dollars (\$3,500) for each parking space required by the City's code which is not provided on-site or within 300 feet of the parcel on which the business is located. This fee only applies to businesses, such as the proposed development, which come into existence after September 1, 1996, the date when the City adopted the fee. For businesses established before September 1, 1996, the inlieu fee is one hundred dollars on an annual basis for each deficient space, or as specified in a development agreement.

The \$3,500 fee was calculated by adding up the costs of all parking improvements contemplated within the next eight years, subtracting potential parking revenue from all sources during the eight years, and dividing the revenue shortfall (\$173,479.00) for forty-eight (48). This is the number of parking spaces which would be provided in a public parking garage proposed to be built at some point in the future on the existing 8th Street public surface parking lot.

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However, in addition to the cost of the proposed parking structure, the City's calculation includes costs for improvements which do no result in the construction of actual parking spaces, such as improved signage for the public beach parking lots, ticket machines for the beach lot, and parking meters. Further, the estimated cost of constructing the proposed public parking garage is four hundred forty thousand dollars (\$440,000). Divided by 48 spaces, the cost to construct the proposed garage is actually \$9,166.67 per space. Therefore, the City's in-lieu \$3,500 fee is not adequate to cover the actual cost of building one parking space.

Since the City's in-lieu fee does not cover the full cost of providing an off-site, public parking space that cannot be provided on-site for development, the City's in-lieu fee should not be considered as an alternative for mitigating the parking deficiency of the proposed development.

Further, since the City's projections extend over eight years, it may be up to eight years or more before the public parking spaces which would relieve the parking burden of proposed development come into existence. In the interim, proposed development would be creating a public burden which results in adverse public access impacts.

In addition, The City of Seal Beach's parking standards in its Main Street Specific Plan are much less restrictive than those of the Coastal Commission. For instance, the City only requires one space for every 500 square feet of general commercial space. This is only half the parking required by the standards the Commission regularly uses to ensure public access in Seal Beach. Based on the City's standards, the proposed project meets the on-site parking requirements. Since there is no parking deficiency based on City standards, the City would not even require an in-lieu fee in this case.

If the applicant were to pay an in-lieu fee for the seven space parking deficiency resulting from the application of Commission standards to the proposed project, this would eliminate seven spaces from the 48 spaces in the proposed public parking garage. This results in eliminating seven in-lieu spaces that may be needed for a future project that is deficient in parking based on the City's standards and for which the City would have to charge an in-lieu fee to satisfy their requirements. Therefore, the Commission finds that the applicants participation in the City's in-lieu fee program is not substantiated by the program itself and would create rather than eliminate adverse impacts.

Page 23 of the City's adopted Main Street Specific Plan states that "[s]ince the existing commercial lots on Main Street have inadequate room for new parking, the only likely solution to parking needs is a City in-lieu parking program." This indicates that the City is relying on in-lieu fees to mitigate parking deficiencies. Once the City runs out of in-lieu spaces, then future development would no longer have the option of using in-lieu spaces to mitigate parking deficiencies.

There is also no definite estimate of when the proposed public parking garage will be built. In addition, the 48 spaces in the proposed garage ultimately may not be enough to satisfy all inlieu parking demand from future Main Street development. Further, there are no City provisions for tracking in-lieu fees and correlating them with the number of public parking spaces built. Therefore, the Commission finds that the use of in-lieu parking to mitigate the

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parking deficiency is not a feasible alternative to eliminate significant adverse impacts on public access to the beach.

4. Conclusion - Access

Using the Regional Interpretive Guidelines which have been adopted by the Commission, the proposed development is deficient by 7 parking spaces. The applicant has submitted a parking analysis based on different standards which states the site has adequate parking. However, the conclusion is based upon a generalized parking ratio (ITE) not adopted by the Commission. The generalized ITE parking ratio has been found to inadequately represent parking demand since no information was submitted which demonstrates that the ratio is an appropriate measure of parking demand at the subject site. Furthermore, the conclusions of the parking study are based upon a generalized parking ratio, rather than a site specific parking analysis based upon specific uses at the site. Therefore, the Commission finds that the proposed development does not have adequate parking. Inadequate on-site parking will require that patrons of the commercial development will displace beach visitors from public parking spaces and displace those commercial-recreation-oriented coastal zone visitors who patronize those commercial sites which do not have the opportunity to provide adequate onsite parking. Therefore, the proposed development will have an adverse impact upon public access. Therefore, the Commission finds that the proposed development is not consistent with Section 30252 of the Coastal Act. As discussed above, there are feasible alternatives such as reducing the intensity of the development which would result in no adverse impact upon coastal resources. Therefore, since the proposed development is not consistent with Section 30252 of the Coastal Act and feasible alternatives are available which would result in no adverse impact upon coastal access, the project must be denied.

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.

As outlined in this staff report, the proposed project is not in conformity with the public access bolicies of Chapter 3 of the Coastal Act. The proposed development would not provide adequate parking, resulting in adverse impacts upon the publics ability to access the coast. Since the development results in adverse impacts upon coastal access, the proposed development prejudices the ability of the local government to prepare a Local Coastal Program for Seal Beach that is consistent with the Chapter 3 policies of the Coastal Act as required by Section 30604(a).

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.

As described above, the proposed project is not consistent with the public access policies of the Coastal Act. There are feasible alternatives or mitigation measures available, such as reducing the size of the development and therefore reducing the intensity of use of the site. This alternative would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the proposed project is not consistent with CEQA or the policies of the Coastal Act because there are feasible alternatives which would lessen significant adverse effects which the activity would have on the environment. Therefore the project must be denied.

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<u>APPENDIX A</u> <u>Selected Coastal Development Permits</u> <u>Involving Parking on Main Street</u>

Permit #;	Project	Special Conditions;	
Address	Description	Rationale	
A-77-1403;	Construction of a 145 sq. ft.	No Conditions	
115 Main St.	addition to an existing restaurant	(Addition did not increase public service	
		area)	
5-97-012;	Remodel and existing 1,838 sq. ft.	1. Future Development	
119 Main St.	bldg. and convert from medical	(Use was deintensified and existing	
	offices to retail use, 6 on-site	parking deficiency thus reduced, new use	
	spaces, no new parking proposed	is more visitor-serving in nature)	
5-85-39;	Conversion of an existing	1. Provide 30 spaces in beach parking lot	
138 1/2 - 140	commercial building to a	for development's exclusive use.	
Main Street	restaurant/bar and demolition of an	2. If Condition 1 isn't met, submit revised	
	existing garage to create 6 tandem	plans reducing service area.	
	parking spaces		
A-77-1724;	Interior alterations and 2 new	No conditions	
143 Main St.	bathrooms to convert commercial	(Rationale not known)	
	structure to liquor-delicatessen		
5-89-143;	Convert deli and wine store to sit-	1. Provide 7 off-site spaces (agreement	
143 Main St.	down restaurant	now terminated); 2. Signage;	
		3. Future Improvements	
P-74-3537;	Expansion of Walt's Wharf	No conditions	
201 Main St.	seafood restaurant & fish market	(Rationale not known)	
P-78-3558;	Construction of a 2nd story	No conditions	
207 Main St.	addition to a 1-story retail store	(Rationale not known)	
P-74-3539;	Construction of a 1-story	No conditions	
207 Main St.	commercial building, removal of	(Rationale not known)	
	utility building to construction 5		
	parking spaces (2 tandem)		
5-95-155;	Expansion of an 840 sq. ft. sweet	No conditions	
210 Main St.	shop, selling items on a carry out	(Grandfathered existing parking	
	basis, by 160 sq. ft. No sit down	deficiency; resultant deficiency less than	
	eating permitted.	one space; heavy walk-in, as opposed to	
		drive-in, traffic; no in-store dining;	
		expansion needed to create handicap	
·		accessible bathroom)	

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5-99-331 (Makena Resources)

<u>APPENDIX A</u> <u>Selected Coastal Development Permits</u> <u>Involving Parking on Main Street</u>

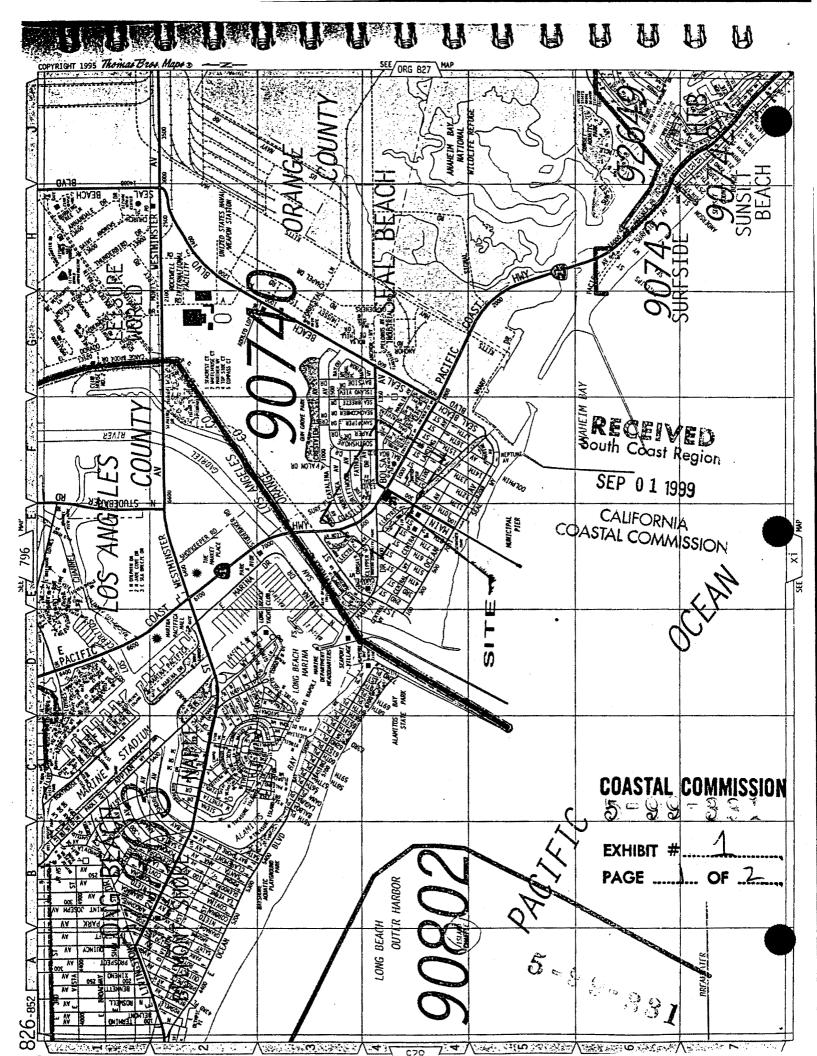
Permit #;	Project	Special Conditions;	
Address	Description	Rationale	
5-93-225;	Convert an existing 5,674 sq. ft.	1. Revised Plans (remove kitchen)	
212 Main St.	building from Masonic Lodge to	2. Future Improvements	
212 Maii D.	office/retail use	(Project also deintensified use)	
A-75-4788	Add 125 sq. ft. to front of existing	No conditions	
215 Main St.	hardware store with 6 spaces	(Rationale not known)	
P-78-3940;	Convert retail to restaurant with	DENIED; (Inadequate on-site parking, 16	
216 Main St.	936 sq. ft. of dining area	space deficiency)	
A-76-7933	850 sq. ft. addition to existing 400	1. Prior to issuance of permit, applicant	
218 Main St.	sq. ft. commercial building with 6	shall submit revised plans with a	
210 Main St.	substandard tandem parking	minimum of 5 parking spaces.	
	spaces	minimum of 5 parking spaces.	
P-79-6092;	Add 550 sq. ft. 2nd story to 1-story	1. Revised plans showing 6 on-site spaces	
218 Main St.	structure for use as office adjunct	(up to 3 tandem)	
	to existing retail use	2. No further intensification of use unless	
		entire development is made to comply	
		with Commission parking standards	
		3. Deed restriction limited use of structure	
		to office use	
A-75-4569;	Establish postal distribution	No conditions	
221 Main St.	substation. City to label curb for 4	(Rationale not known)	
	short-term parking spaces. 1		
	employee space in rear.		
P-76-7170;	Construct 2-story office building	No conditions	
224 Main St.		(Rationale not known)	
P-75-6596;	2-story, 4-unit commercial	1. Revised plans showing that either 3	
228 Main St.	building	additional on-site spaces are provided or	
		the building area is reduced by	
		approximately 650 sq. ft. to comply with	
		Commission parking standards.	
P-73-1915;	Convert portion of building to	No conditions	
306 Main St.	1,600 sq. ft. restaurant	(Rationale not known)	
P-76-9716;	Demolish storage sheds and	1. Submit signed/notarized statement	
311 Main St.	convert existing commercial	agreeing to; (a) on-site parking will be	
	building to office/retail mall. 28	made available to public when any use in	
	on-site parking spaces.	project is closed; (b) no use will be	
		permitted which increases on-site parking.	
		2. Signs will require separate permit.	

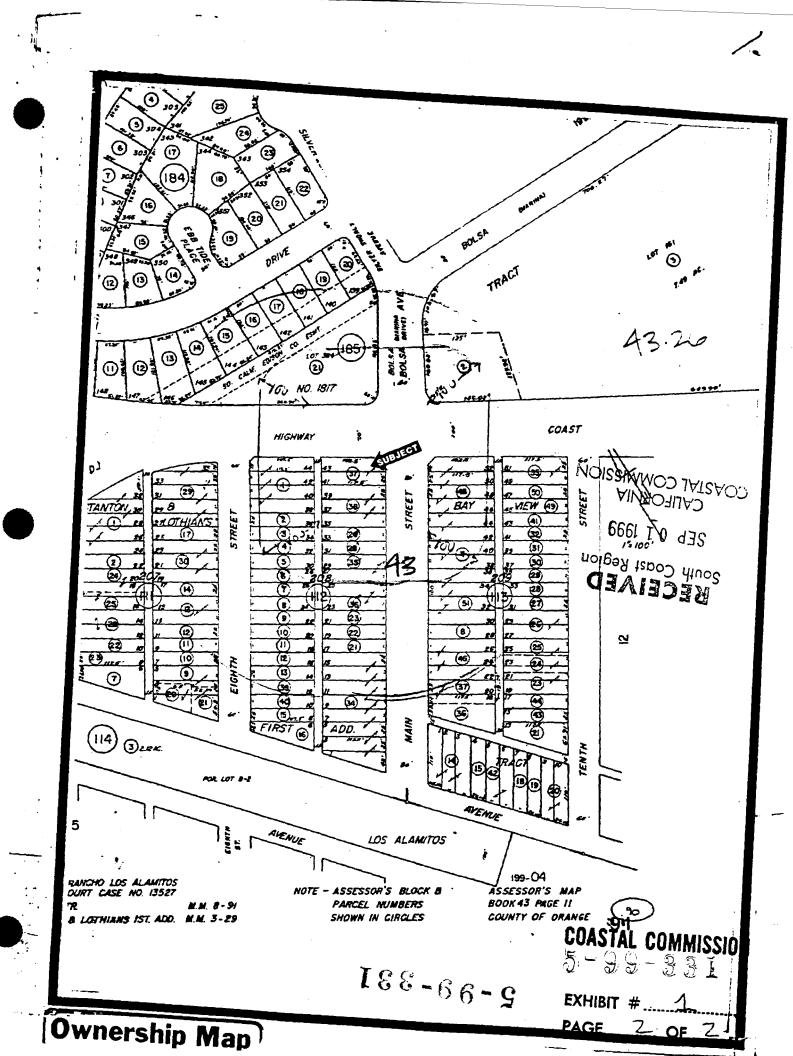
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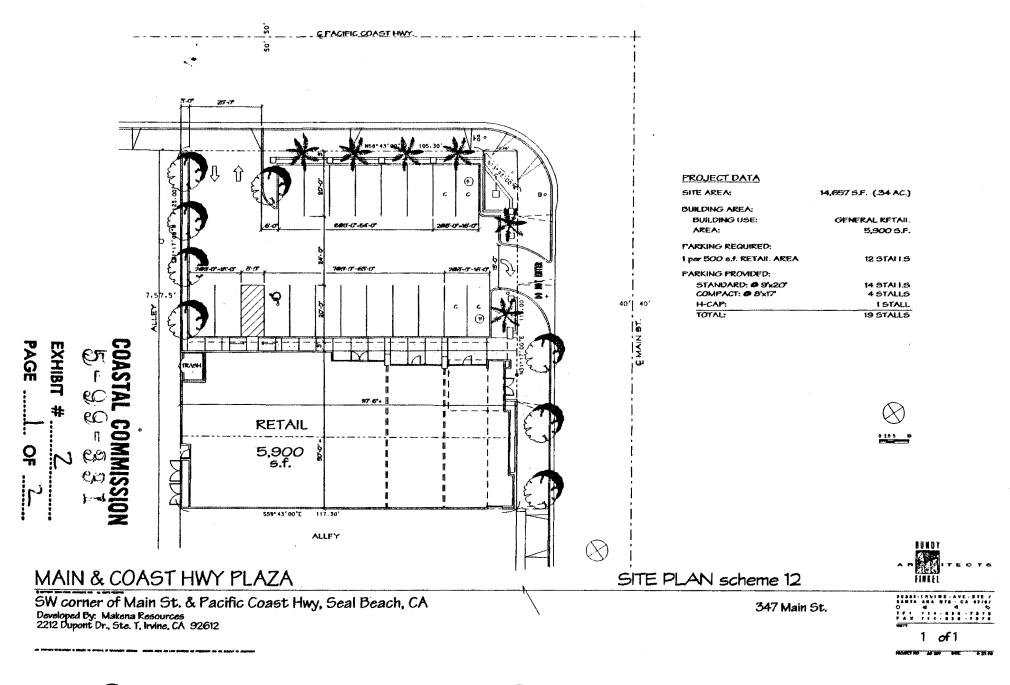
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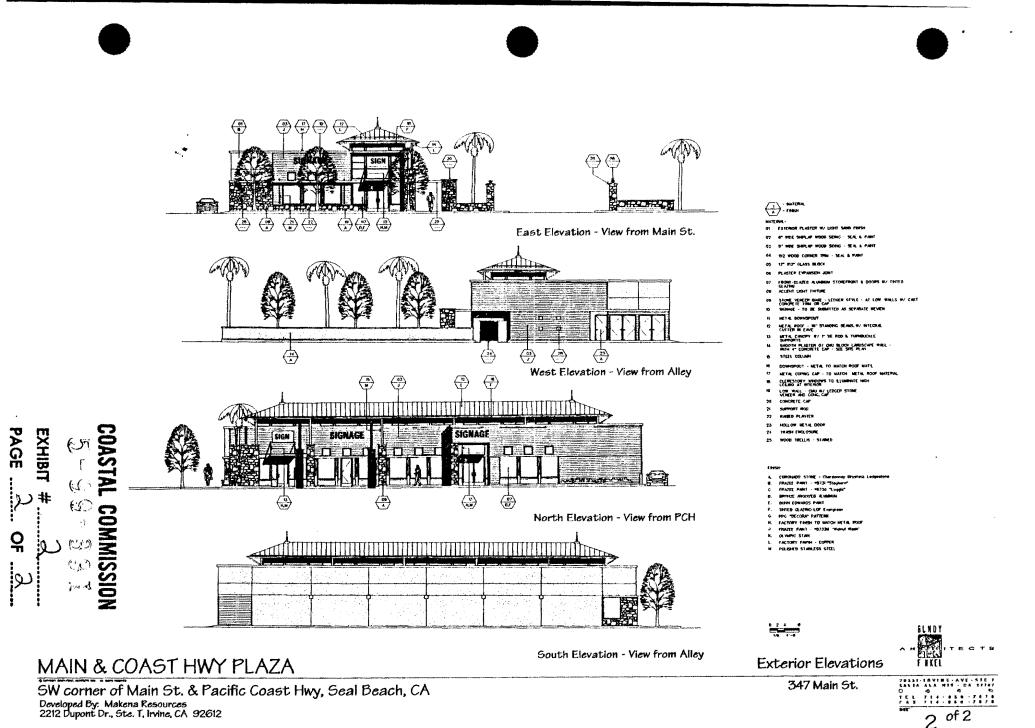
<u>APPENDIX A</u> <u>Selected Coastal Development Permits</u> <u>Involving Parking on Main Street</u>

Permit #;	Project	Special Conditions;
Address	Description	Rationale
5-84-782;	Construct 2-story, 5,320 sq. ft.	1. (a) Provide on-site or off-site 24 spaces
320 Main St.	commercial bldg. with 5 on-site	for exclusive use of development; (b) If
	parking spaces on vacant site.	1(a) can't be fulfilled, applicant must
	1	submit revised plans reducing project
		2. Record deed restriction for provision of
		19 spaces at St. Ann's Church
		3. Future Development
5-84-782-A1;	Change Spec. Cond. 2 from deed	Special Condition 2 changed;
320 Main St.	restriction to recorded contract	Special Conditions 1 and 3 unchanged.
5-84-782-A2;	Allow restaurant as permitted use	Changes:
320 Main St.	and add 7 off-site parking spaces	1(a). Provide 31 spaces total
	at St. Ann's.	2. Record contract providing 26 spaces at
		St. Ann's Church
P-78-3918;	Demolish existing drive-thru and	1. Applicant to submit revised plans
323 Main St.	construct 2-story commercial	showing provision of one parking space
	structure with 1,246 sq. ft. of retail	per 225 sq. ft. of gross floor area of retail
	use and 1,194 sq. ft. of office use	use, one space per 250 sq. ft. of gross floor
	with on-site parking.	area for office use; No tandem spaces
		allowed.
5-97-196	Construct on a vacant lot a 7,635	Revised plans limiting square footage, use
328 Main	square foot, 3 story building with	of a parking management plan,
Street	703 square feet of gross floor area	implementation of a deed restriction
	of retail on the first floor, 1,804	regarding uses and future building
	square feet of gross floor area of	enclosures
	office space on the third floor,	
	balcony area, and 10 indoor	
	parking spaces including a car lift	
5-87-1011	Demolish medical office and	1. Deed restriction allowing 12 spaces of
330 - 332	construct 2-story, 6,900 sq. ft.	applicant's parking lot to be available for
Main Street	commercial building with 25	public use on weekends.
	spaces	2. Future improvements.









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	EXHIBIT # 3		
Consulting Engineers - Architects - Planners			
October 22, 1999	OCT 2 9 1999		
Mr. Don Robertson	for the second second second		
C/o Lobo Seal Beach Associates	COMUNE CONTRALICATION		
2212 Dupont Drive Suite "T"			
Irvine, CA 92715			
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SUBJECT: PARKING ANALYSIS FOR PACIFIC COAST HIGHWAY/MAIN STREET RETAIL USE (CITY OF SEAL BEACH, CALIFORNIA)

Dear Mr. Robertson:

Transmitted herein is an analysis of parking requirements for a proposed retail development in the City of Seal Beach, California.

Background

Lobo Seal Beach Associates, Irvine, California, has proposed to build a commercial/retail development on a 0.34 acre site on the southwest corner of Main Street and Pacific Coast Highway in the City of Seal Beach, California. A site plan for the proposed project was developed by the proponent's Architect, Bundy Finkel Architects, Santa Ana Heights, California. The site plan calls for a 5,900 square foot building and 19 marked spaces (including one handicapped parking space and 4 compact spaces). In addition, one new on-street parallel parking space is provided on Main Street immediately contiguous to the subject site. Access is provided via a two-way driveway on Pacific Coast Highway and a right turn out only driveway on Main Street. The proposed tenants are not identified, other than as "retail commercial."

The City of Seal Beach has approved the proposed project with the building size, use, and parking spaces specified on the site plan. The site is located within the City's "Commercial Core" and under the City's *Specific Plan for Main Street*, adopted January 1976, and updated July 1996. Under the Specific Plan one space per 500 square feet of gross building floor area is required for the proposed project (or 12 spaces). The proposed use falls under the City category of "retail stores." It is important to note that the one space per 500 square feet of gross building floor area for retail stores in the Main Street Specific Plan area was determined to be appropriate based on a comprehensive 1994 parking and traffic study by Linscott, Law & Greenspan.

The California Coastal Commission staff, upon its review of the subject project, has indicated that, per the *Regional Interpretive Guidelines* for Orange County, the subject project requires an off-street parking ratio of one space per 225 square feet of gross building floor area for the Coastal Commission category of "general retail."

COASTAL COMMISSION

Mr. Don Robertson October 22, 1999 Page 2

Using the parking criteria of the Coastal Commission, the proposed project would be required to provide 26 parking spaces, or 2.2 times the amount required by the City of Seal Beach.

Use & Site Specific Factors

The wide discrepancy between the City of Seal Beach's requirements for parking and the *Regional Interpretive Guidelines* for Orange County suggests that a compromise must be developed.

Consideration should be given to the following:

- Due to economic considerations and seasonal variations, parking provisions in Southern California beach communities are typically overextended during summer months, and underutilized during winter months. This is the case in Seal Beach.
- 2) It is noteworthy that the parking requirements set forth in the Regional Interpretive Guidelines for Orange County, are based on the goal of preserving beach access. Since parking demand at Southern California beaches often exceeds parking supply, off-street parking requirements for properties contiguous to or near points of public beach access must be kept high to prevent an exacerbation of parking shortages.
- 3) The subject project site, while within a "beach community," is actually around 2,000 feet away from the nearest point of beach access (at the Seal Beach Pier). Thus, it highly unlikely that parking demands in the immediate area around the subject site are generated primarily by beach going traffic. Rather, the parking and traffic characteristics of Main Street Seal Beach are a mixture of commercial, recreational, tourist-oriented, and neighborhood residential uses within a beach community atmosphere.
- 4) The City of Seal Beach's code requirement of one space per 500 gross square feet of retail building is based on a comprehensive parking and traffic study commissioned specifically for the Main Street area.
- 5) When applied to the subject project, the City code requires 12 parking spaces be provided. However, the project proponent has provided 19 spaces 7 more than is required (or nearly 60% more than the City's requirement).
- 6) *The City of Seal Beach's jurisdictional rights to determine the adequacy of parking provided by the project proponent (i.e., project has City approval with 19 parking spaces).
- 7) Per the Coastal Commission's parking standard, the proposed project is 7 short of the required 26 parking spaces. COASTAL COMMISSION

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Mr. Don Robertson October 22, 1999 Page 3

- 8) By eliminating an existing driveway on Main Street, the proposed project will also create one new on-street parking space (i.e., a space that does not currently exist).
- 9) Public on-street parking is readily available within easy walking distance of the project site along Main Street and Pacific Coast Highway. A total of 10 on-street public parking spaces are available within 150 feet of the project site, including one new on-street parking space provide by the proposed project.
- 10) Per the Institute of Transportation Engineer's (ITE) Parking Generation manual, 2nd Edition, a retail use (Land Use category 820-828) will generate a peak weekday parking demand for 3.23 parking spaces per 1,000 square feet of gross leasable floor area. With a correlation coefficient (R²) of 0.939, the confidence factor in applying this parking rate is very high.
- 11) Applying the ITE parking generation rate of 3.23 parking spaces to the 5,900 square foot subject project yields a peak demand of 19 parking spaces exactly the number of spaces provided by the project.

Conclusions

Based on the information provided by the project proponent, the City of Seal Beach, the Coastal Commission, and our independent investigation into the subject matter, the following conclusions are reached:

- While the City's parking code requirement of 1 space per 500 square feet of retail use may seen "overly generous," the Coastal Commission's requirement of 1 space per 225 square feet of retail use appears "excessively stringent."
- Based on standardized ITE parking generation rates for retail commercial uses, the proposed project will generate a peak parking demand for 19 parking spaces.
- 3) Since 19 off-street parking spaces will be provided, the proposed project should be sufficiently parked under normal operating conditions, even during peak periods of parking demand.
- 4) Since the proposed project will provide 7 more parking spaces than is required by City code, but is, at the same time, 7 short of meeting Coastal Commission requirements, the 19 spaces provide by the proposed project represents an "", "equally balanced" parking provision between a "parking surplus" (City code) and a "parking shortage" (Coastal Commission requirement).

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PAGE _____ OF ____

In Closing

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Mr. Don Robertson October 22, 1999

If there are any questions regarding our findings or conclusions, please do not hesitate to call at your convenience.

Sincerely yours,

KHR Associates

James H. Kawamura, P.E. President

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INTRODUCTION

OBJECTIVES OF THE REPORT

The primary objective of this report is to provide a comprehensive source of parking occupancy rates for land uses and building types. Updated editions of this report will be periodically published to include analyses of additional land uses and building types.

CHANGES IN THE SECOND EDITION

This edition of *Parking Generation* contains considerably more data than the previous edition. Data from more than 650 new parking generation studies have been added for a total data base of nearly 1450 individual parking generation studies. Data for the following land uses are now available:

- Land Use: 021—Commercial Airport
- Land Use: 150—Warehousing
- Land Use: 311—Convention hotel
- Land Use: 312---Non-Convention hotel
- Land Use: 321—Motel with restaurant/lounge
- Land Use: 322-Motel without restaurant/lounge
- Land Use: 480—Amusement Park
- Land Use: 760—Research Center
- Land Use: 851—Convenience Market

Other changes in the Second Edition are as follows:

- Graphic presentations of parking generation data by land use are provided.
- Standard deviations, correlation coefficients, and regression equations are provided.
- Sources of parking generation studies are provided in a source list at the end of the document, sorted by land use code.
- Additional descriptive material and characteristics of land uses are provided.
- Some land use codes have been ranumbered so that the numbering system is consistent with that used in ITE's *Trip Generation*.
- ____

USE OF THE PARKING GENERATION REPORT

Parking generation data have been included for 64 land uses. In some cases, only limited data have been obtained to date, and thus, may not accurately reflect the true characteristics of a particular land use or building type. Variations exist in parking generation characteristics for the same building classifications or land uses. These will be further identified in future editions of this report. Because of these variations, sample size, and special characteristics of a site being analyzed, extreme care must be exercised in the use of this data. Users of this report should exercise extreme caution when utilizing data that is based on a small number of studies.

The analyst should also use discretion when studying a multi-use project. For more details, refer to the section in this report on multi-use projects.

A vast majority of the data included in this report is derived from auburban developments with little or no significant transit ridership. At specific sites, the user may consider modifying the parking generation rates presented in this report because of location (central city, suburban, rural), public transportation service, ridesharing, proximity to other developments which may reduce parking generated, either through walking or combined trips, or of special characteristics of the site or surrounding areas. Local data should be collected for comparison when considering use of the data in this report.

Graphic presentations and regression equations of parking generation data have been provided as a new feature of this edition. Plots have been included for most relationships having more than two data points.

INSTRUCTIONS

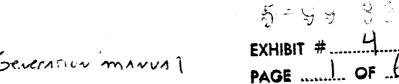
Choice of Generation Rate

Rate tables in this report provide average parking occupancy rates for weekdays, Saturdays, and Sundays and include average, maximum, and minimum rates for the range of studies included for each land use. The minimum and maximum rates are provided only to show the full range of the data. An approximation of the standard deviation and R² for the average rates are provided along with a plot of the actual measured parking occupancies from each study versus the size of the independent variable.

Choice of Independent Variable

Parking occupancy rates for most land use types or building types have been provided for more than one independent variable. The phoice of indepen-

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A PORTION OF ITE PARKING GENERATION MANUAL

dent variable can be one of the most important decisions in making the parking generation calculation. Sometimes there is no choice because the only information known may be the size of the site or the building. Correlation coefficients between the average weekday rates and various independent variables are provided with the trip rate tables. The first step in selecting an independent variable is to choose the variables with the best correlation. However, it is also important to check the sample size for each given independent variable. In the case of two variables with similar correlation coefficients, one should then choose the variable with the larger sample size.

Data Analysis

The following three tools are provided to give the user an approximation of the variance of the data.

- A plot of the actual parking occupancies versus the size of the independent variable for each study. THE NUMBERS REPRESENTED ON THE PLOTS ARE NOT PARKING OCCUPANCY RATES. THEY ARE ACTUAL PARKING OCCU-PANCIES plotted against an independent variable. The user will achieve slightly different results when using rates versus plots.
- The standard deviation for the average parking occupancy rate representing:
 - 1. The difference between studies or data sets.
 - 2. The difference between generating units within a study or data set.
- Regression equations of parking occupancies related to the appropriate independent variable, the R², and a plot of the calculated parking occupancies versus the size of the independent variable.

DEFINITION OF TERMS

The following definitions of terms are presented to clarify the terminology used throughout the text and tables:

Correlation Coefficient (R): A measure of the degree of linear association between two variables. The correlation coefficient indicates the degree to which the model estimated values account for the deviations in the individual observed values of the dependent variable from their mean value. Numerical magnitudes for "least squares" models range from -1 to +1 with larger absolute values representing higher degrees of linear association.

R-squared (R²) is a measure of the proportion of total variation between two variables.

Gross Leasable Area (GLA):" The total building area designed for tenant occupancy and exclusive use,

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including any basements, mezzanines, or upper floors, expressed in square feet and measured from the centerline of joint partitions and from outside wall faces.

Gross leasable area is that area for which tenants pay rant; it is the area that produces income. GLA lends itself readily to measurement and comparison. Because of this feature, GLA has been adopted by the shopping center industry as its standard for statistical comparison.

independent Variable: A physical, measurable, and predictable unit quantifying the study site or generator, i.e. building area, employees, seats, acres, dwelling units, etc.

Office Building Size:* The gross area of the entire building is the sum of the areas at each floor level, including cellars, basements, mezzanines, penthouses, corridors, lobbies, stores, offices, included within the principal outside faces of exterior walls. not including architectural setbacks or projections. Included are all stories or areas that have floor surfaces with clear standing head room (6 feet 6 inches minimum) regardless of their use. Where a ground level area, or part thereof, within the principal outside faces of the exterior walls is left unenclosed. the gross area of the unenclosed portion is to be considered as a part of the overall square footage of the building. All unroofed areas and unenclosed roofed-over spaces, except as defined above, are to be excluded from the area calculations.

For purposes of the parking generation calculations, the gross area of any parking garages within the building shall not be included within the gross area of the entire building. The gross area of the . entire building shall be referred to as the gross square feet building area.

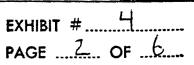
Parking Generation Rate: The number of occupied parking spaces per one unit of independent variable (i.e., per employee). This number is an average, not a weighted average.

Peak Parking Occupancy: The number of occupied parking spaces during the time of peak usage of a land use.

Regression Equation: An expression of the optimal mathematical relationship between two or more related items (variables) according to a specified criterion. If the variables are related linearly, the equation will be in the following format: P = s + bX. In a non-linear relationship, the equation will have a different type of format.

The objective in developing the relationship between X (independent variable) and P (dependent variable) is to determine values of the parameters "e" and "b" so that the expected error involved in estimating

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the dependent variable given estimates of the independent variable will be minimum.

In this report, P is the dependent variable, number of occupied parking spaces, and X is the independent variable, such as floor area, or number of employees.

Shopping Center Size: The unit of measure for all shopping centers and other retailing of goods and apparel (land use codes 870 to 828, 850 to 890) shall be gross leasable area.

DATA LIMITATIONS

As indicated in the land use descriptions, the data presented have limitations. The basic limitation, and a reason for variation in rates, is the sample size of counts at some generators. Additional data are needed for some generators to more accurately predict the peak hour parking demand.

Another reason for such variation is the time of year that parking studies were conducted. Daily and seasonal variations exist for many generators. Not all of the data in this report have been collected during seasonal peak periods, "design days," or even average days.

Variations may also exist because of the geographic location of the generator studied, either within the United States or Canada, or a metropolitan area. These locations have been identified in the data sets, but no separate analyses have been made to determine if a difference exists because of location.

MULTI-USE PROJECTS

There is a great deal of concern about the parking generation characteristics of multi-use projects. Specifically, questions have been raised about whether the parking generation characteristics of multi-use projects are the same as for the singleuse projects that compose the project. It appears reasonable to assume that multi-use projects would potentially demand fewer parking spaces, because of the internal matching of trip ends within the project. In addition, one trip to a multi-use project could satisfy a number of trip purposes at the same time.

For purposes of parking generation analyses, a multiuse project would contain two or more land uses or building types that each attract people from outside the project, share parking facilities and driveways, and include unimerrupted pedestrian connections. This definition is somewhat different than the commonly accepted definition of a mixed-use development, as stated previously, because the practitioner would be interested in defining the inter-relationships between the two or more uses sharing the same driveways.

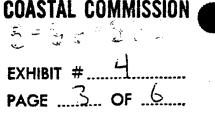
Central business districts (downtowns) are, in fact, examples of extensive multi-use developments, and can provide a model for smaller multi-use project parking generation characteristics. For example, downtown areas typically have a mixture of very diverse uses (retail, residential, commercial, recreation, and lodging). The high intensity and close proximity of these uses are unique. Extensive pedestrian interaction occurs between these different uses, because of the scale of the downtown area, the ease of access, and the proximity of the uses. Some downtown areas have excellent transit service, which often results in a higher percentage of all person trips arriving by transit. In addition, auto occupancy, particularly during the peak commute hours, is usually higher in a central business district that it is in an outlying area. For these reasons, parking generation characteristics in a downtown environment are different than those outside of a central business district. Parking generation rates indicated herein are from outside the downtown, Parking generation rates in the central business district are normally lower than those in suburban areas.

Shopping centers are also multi-use projects which are treated as individual projects. For parking generation purposes, a shopping center should be treated as an individual project when all of its uses are retail in nature, such as convenience and comparison retail goods, stores, restaurants, theaters, and banking institutions. The reason for this distinction is that this is the historic makeup of shopping centers and the parking generation rate data reflects these uses. However, the addition of substantial office space or a hotel or motel (with or without convention facilities) to a shopping center should then constitute a multi-use project.

Office buildings with support retail or restaurant facilities and services contained inside the building should not be treated as a multi-use project because the data for general office buildings also contain these uses. However, a development with an office building, a free-standing restaurant and/or freestanding retail facilities should be treated as a multiuse project.

If a building or project contains uses that do not attract people from outside but are entirely supportive of the people within the project then those uses would not be considered within the definition of a multi-use project.

A report published by the Urban Land Institute, Shared Parking, addresses multi-use parking generation characteristics. This document contains date



on the effect of the captive market. Table 1 summarizes Exhibit 23 from Shared Parking, Indicating the percentage of employees who were measured to also be patrons in the same or nearby development.

This report also indicates a strong linkage between hotel guests and nearby restaurants or retail uses. In one survey of eight hotels, 73 to 100 percent of the guests indicated that they were also patrons at

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retail establishments and/or restaurants. This appears to be consistent for both downtown and suburban hotels.

'Urban Land Institute, Dollars and Cents of Shopping Centers: 1984.

finatitute of Real Estate Management of the National Association of Realtors, Income/Expense Analysis, Office Buildings, Downtown, and Suburban, 1985. *Urban Land Institute, Shared Parking, 1983.

EFFECTS OF CAPTIVE MARKET— PERCENTAGE OF EMPLOYEES WHO ARE ALSO PATRONS IN SAME OR NEARBY DEVELOPMENT					
	CBD S	ITE	NON-CBD SITE		
	AVERAGE	RANGE	AVERAGE	RANGE	
SINGLE-USE SITES	29	0-76	19	0-78	
MIXED-USE SITES	61	22-85	28	08 3	
ALL SITES	43	085	24	0-83	

TABLE 1

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LAND USES: 820–828 SHOPPING CENTER

820-Less Than 50,000 Gross Square Feet Leasable Area 821---50,000-99,999 Gross Square Feet Leasable Area 822---100,000-199,999 Gross Square Feet Leasable Area 823---200,000-299,999 Gross Square Feet Leasable Area 824---300,000-399,999 Gross Square Feet Leasable Area 825---400,000-499,999 Gross Square Feet Leasable Area 826---500,000-999,999 Gross Square Feet Leasable Area 827---1,000,000-1,250,000 Gross Square Feet Leasable Area 828---Greater Than 1,250,000 Gross Square Feet Leasable Area

DESCRIPTION

A shopping center is an integrated group of commercial establishments which is planned, developed, owned, and managed as a unit. It is related to its market area in terms of size, location, and type of store. Off-site parking facilities are provided.

Nearly all of the facilities surveyed were located in suburban areas. Many were served by transit. The shopping centers surveyed range in size from 10,479 to 1,858,000 square feet gross leasable area.

PARKING CHARACTERISTICS AND DATA LIMITATIONS

Much of the data contained herein is for average business periods. Shopping center parking is usually designed to accommodate peak season demand rather than average demand. Hence, the data contained in this report should not be used to determine design day shopping center parking supply.

Peak parking occurred during the mid-day hours for shopping centers smaller than 50,000 square feet, and during the lunchtime and late atternoon and early evening hours for shopping centers between 50,000 and 99,999 square feet.

It would be desirable to obtain additional data in order to better determine the peak rates.

Parking Generation, August 1987/Institute of Transportation Engineers 125

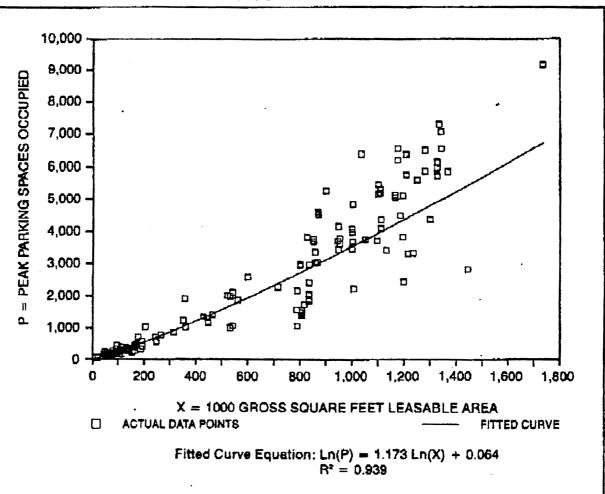
SHOPPING CENTER (820-828)

Peak Parking Spaces Occupied vs: 1,000 GROSS SQUARE FEET LEASABLE AREA

On a: WEEKDAY

PARKING GENERATION RATES

Average	Range of	Standard	Number of	Average 1,000
Rate	Rates	Deviation	Studies	Square Feat GLA
3.23	1.02-6.17	1.20	141	635



DATA PLOT AND EQUATION

Parking Generation, August 1987/Institute of Transportation Engineers

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PAGE	6	OF	<u>.</u>

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