

CALIFORNIA COASTAL COMMISSION**RECORD PACKET COPY**

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

Filed: March 9, 2000
 49th Day: April 27, 2000
 180th Day: September 5, 2000
 Staff: KFS-LB *[Signature]*
 Staff Report: April 20, 2000
 Hearing Date: May 9-12, 2000
 Commission Action:

STAFF REPORT: PERMIT AMENDMENT

AMENDMENT

APPLICATION NUMBER: 5-93-225-A1

APPLICANT: Natural Touch Beauty Supply

AGENT: Tom Nguyen

PROJECT LOCATION: 212-1/2 Main Street, City of Seal Beach, Orange County

DESCRIPTION OF PROJECT PREVIOUSLY APPROVED: Change in use of an existing 5,674 square foot two story building from a Masonic Lodge to office/retail uses.

DESCRIPTION OF AMENDMENT: Change in use of 1,400 square feet of retail use on the first floor to a beauty shop/nail salon having 3 chairs/stations.

LOCAL APPROVALS RECEIVED: City of Seal Beach approval-in-concept dated February 24, 2000.

SUBSTANTIVE FILE DOCUMENTS: Coastal development permit 5-93-225

SUMMARY OF STAFF RECOMMENDATION:

The major issue of this staff report concerns parking and public access in the primary visitor serving "Old Town" area of Seal Beach. The subject amendment was found to be immaterial by the Executive Director. However, a written objection raising a Coastal Act issue was received within the 10 day objection period. The objection states that the proposed development will not have adequate parking and will result in adverse impacts upon parking and public access to the coast. Staff believe the proposed change in use will result in a small parking demand increase at the site. However, the small increase results in an overall parking demand for the site that is still at least two-thirds less than the parking demanded for the pre-Coastal Act building when it was used as a Masonic Lodge. Therefore, staff is recommending approval of the proposed coastal development permit amendment subject to one special condition which notes that all prior conditions established by coastal development permit 5-93-225 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.

The Executive Director determined that the proposed development was immaterial. On March 8, 2000, pursuant to Section 13166 (b) of Title 14 of the California Code of Regulations, the Executive Director issued a Notice of Proposed Permit Amendment regarding this determination and established a 10 day objection period to expire on March 22, 2000. On March 22, 2000, within the 10 day objection period, two written objections to the immaterial amendment were received (Exhibit 4). At least one of the written objections raised an issue of conformity with the Coastal Act. Therefore, pursuant to Section 13166(b)(2) of the Commission's regulations, the Executive Director is referring this application to the Commission.

STAFF RECOMMENDATION:

Staff recommends that the Commission APPROVE the amendment application with special conditions.

MOTION

I move that the Commission approve CDP Amendment #5-93-225-A1 pursuant to the staff recommendation.

Staff recommends a YES vote. Passage of this motion will result in adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION

I. APPROVAL WITH CONDITIONS

The Commission hereby **APPROVES** the amendment to Coastal Development Permit 5-93-225, 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. SPECIAL⁰² CONDITIONS₀₀₁

1. Prior Conditions

Unless specifically altered by this amendment, all regular and special conditions attached to coastal development permit 5-93-225 remain in effect.

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. AMENDED PROJECT DESCRIPTION AND LOCATION

The subject site is located at 212½ Main Street, City of Seal Beach, Orange County. The proposed development is occurring within an existing building located two blocks from the beach within "Old Town", the primary visitor serving commercial area in Seal Beach (Exhibit 1).

On August 13, 1993, the Commission granted Brian Kyle and Jim Klisanan Coastal Development Permit 5-93-225 which authorized the conversion of an existing 5,674 square foot two-story building from a Masonic Lodge to office and retail uses. Retail uses were proposed on the first floor and included approximately 2,387 square feet of space. Office uses were proposed on the second floor and included 3,287 square feet of space. The existing building has no on-site parking. No building demolition was proposed and no additional parking spaces were proposed on or off site. The approval was subject to two special conditions. Special Condition 1 required the applicant to submit revised plans showing the exact allocation of office and retail space, removal of an existing kitchen, and evidence of no exterior modifications to the building. Special Condition 2 required that any future additions, development, or alteration of the building obtain a coastal development permit amendment (Exhibit 3).

The applicant is proposing to amend Coastal Development Permit 5-93-225 to change the use of 1,400 square feet of retail space on the first floor to a beauty shop/nail salon having 3 chairs/stations (Exhibit 2). The beauty shop/nail salon will also have a retail sale component.

The proposed development will not result in any exterior modifications to the building. However, the proposed project is a change in intensity of use of the site. A change in intensity of use of a site is development as defined by Section 30106 of the Coastal Act. Pursuant to the Coastal Act, this change in intensity of use is a non-exempt form of development which requires a coastal development permit amendment.

B. 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 1,000 feet from the shoreline and is not located between the sea and the first public road paralleling the sea. However, the site is located within Seal Beach's "Old Town" area, a popular visitor oriented commercial area next to the City's heavily visited municipal pier and beach. Property lots along Main Street are shallow and narrow in size. In addition, many of the commercial structures along Main Street, including the building that is the subject of this application for amendment, pre-date the Coastal Act and typically do not have any 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 means that existing development is not providing the parking spaces necessary to support the development, which limits the public's ability to use on-street parking for coastal access.

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 shop users would displace public users from public parking spaces.

The Commission commonly requires that assembly or lodge halls provide one parking space for each 75 square feet of gross floor area. Under use as a Masonic Lodge the existing pre-Coastal Act building and use had a parking demand of 76 parking spaces based upon the Commission's commonly used parking guideline. None of these parking spaces were provided on site.

When the subject site was converted, under Coastal Development Permit 5-93-225, from a Masonic Lodge to office space (3287 square feet) and retail space (2387 square feet) the subject site had an overall parking demand of 23.7 spaces based upon the Commission's commonly used parking guideline of 1 parking space for each 250 square feet of gross floor area of office use and 1 space for each 225 square feet of gross retail space area. The Commission found that the conversion of use from a Masonic Lodge to office and retail uses constituted a de-intensification of use of the site. Since no major exterior demolition of the structure was occurring, and since the project was improving access by decreasing the intensity of use of the site, the Commission did not require the converted use to provide any new parking spaces.

The project proposed under this amendment will not significantly change the intensity of use of the site from that approved under Coastal Development Permit 5-93-225. In addition, upon implementation of the proposed project, the subject site will still have a level of intensity of use that is significantly lower than when the site was used as a Masonic Lodge.

In order to demonstrate that the proposed change in intensity of use of the site will not result in an adverse impact upon public access several parking standards may be referenced. For instance, as noted above, the Commission has frequently required retail stores to provide 1 parking space for each 225 square feet of floor space. Therefore, the existing 1,400 square foot retail space that is the subject of this amendment would theoretically require 6.2 parking spaces. Meanwhile, the Commission commonly requires beauty shops to provide 3 parking

spaces for each of the first 2 beauty chairs, plus 1.5 spaces for each additional chair. The proposed development will have retail sale of beauty products and 3 beauty chairs/manicurist stations. Based upon the Commission's commonly used parking guideline, the proposed use would theoretically require 7.5 parking spaces. With the changed use, the parking demand for the subject 1,400 square foot space would change from 6.2 spaces to 7.5 spaces, resulting in an increased demand of 1.3 parking spaces. Therefore, the overall parking demand for the entire building would change from 23.7 parking spaces to 25 parking spaces. The overall demand of 25 parking spaces is two-thirds lower than the 76 parking spaces required when the site was used as a Masonic Lodge. This information is a strong indication that the level of intensity of use of the site is less than it was when the site was used as a Masonic Lodge. Since the intensity of use of the site is less than the pre-Coastal Act condition, the proposed project will not have any adverse impact upon public access.

Another way of evaluating whether the proposed development would result in any adverse impact upon public access is to compare the proposed change to other parking standards. For instance, the American Planning Association compiled the parking standards used by various governmental entities throughout the nation in their publication titled Off-Street Parking Requirements edited by David Bergman. Using the standards contained in this publication, the subject site would have required between 40 to 190 parking spaces when the site was used as a Masonic Lodge. Under the proposed scenario with office space, retail space, and a beauty parlor, the subject site would require between 10 to 20 parking spaces. Therefore, similar to the Commission's commonly used parking standards, the various standards found in the American Planning Association's publication indicate that the proposed development would result in a decrease in intensity of use of the site compared with the pre-Coastal Act use of the site as a Masonic Lodge. Accordingly, the proposed development would result in no adverse impact upon public access.

The proposed development involves no changes to the square footage of the building and no exterior changes to the existing building. However, any future development involving demolition or addition to the existing building must be reviewed for impacts related to parking and public access. The Commission previously notified the applicant regarding the need for coastal development permit or permit amendment for future improvements by imposing a future improvements special condition. Special Condition 1 of this amendment clarifies that the previously imposed special conditions remain in effect.

Under use as a Masonic Lodge the existing building had a significantly higher parking demand than the uses proposed under this amendment. Therefore, the proposed use has a smaller parking requirement than use of the building as a Masonic Lodge and results in no adverse impact upon public access to the coast. However, future improvements to the subject site could result in impacts upon parking and public access. Therefore, the Commission imposes Special Condition 1 which clarifies that the previously imposed special conditions, including one regarding future improvements, remain in effect. Therefore, as conditioned, the proposed development is consistent with Section 30252 of the Coastal Act.

C. 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.

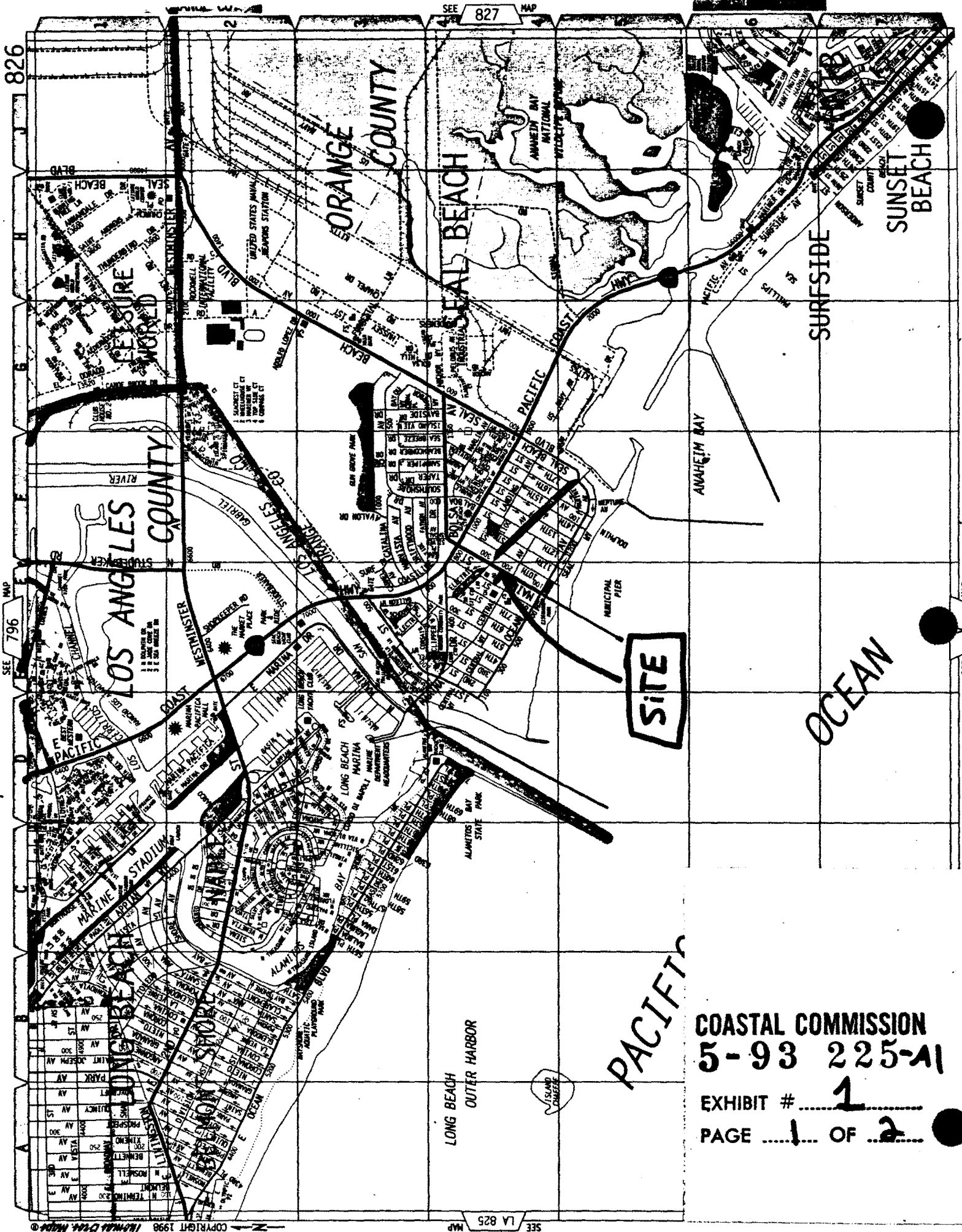
On July 28, 1983, the Commission denied the City of Seal Beach Land Use Plan (LUP) as submitted and certified it with suggested modifications. The City did not act on the suggested modifications within six months from the date of Commission action. Therefore, pursuant to Section 13537(b) of the California 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.

D. 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.



826

SEE 827 MAP

SEE 796 MAP

SITE

OCEAN

PACIFIC

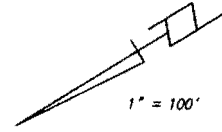
COASTAL COMMISSION
 5-93 225-A1

EXHIBIT # 1

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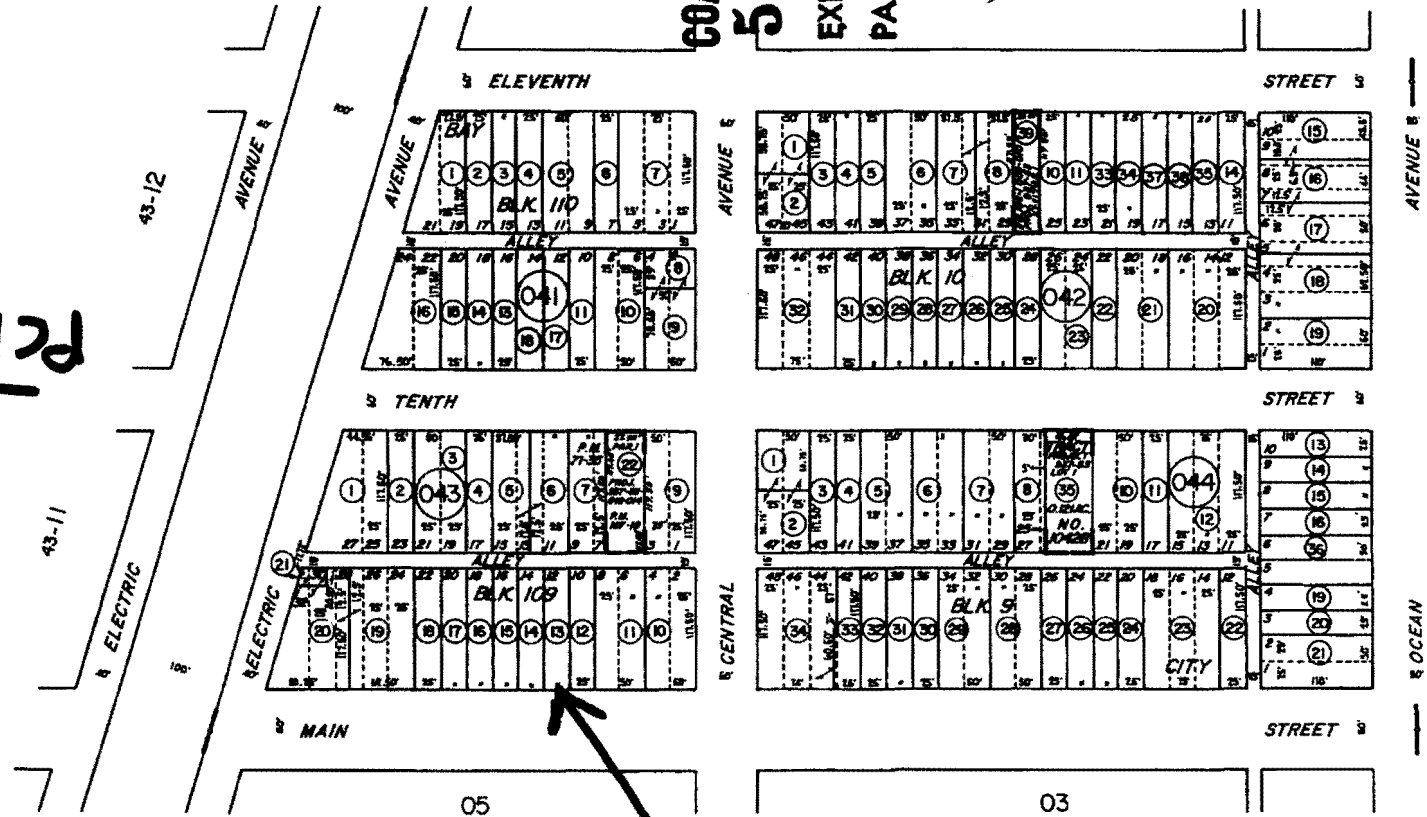
THIS MAP WAS PREPARED FOR ORANGE COUNTY ASSESSOR DEPT. PURPOSES ONLY. THE ASSESSOR MAKES NO GUARANTEE AS TO ITS ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED. © COPYRIGHT ORANGE COUNTY ASSESSOR 1998

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EXHIBIT # 1
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199-04

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MARCH 1980

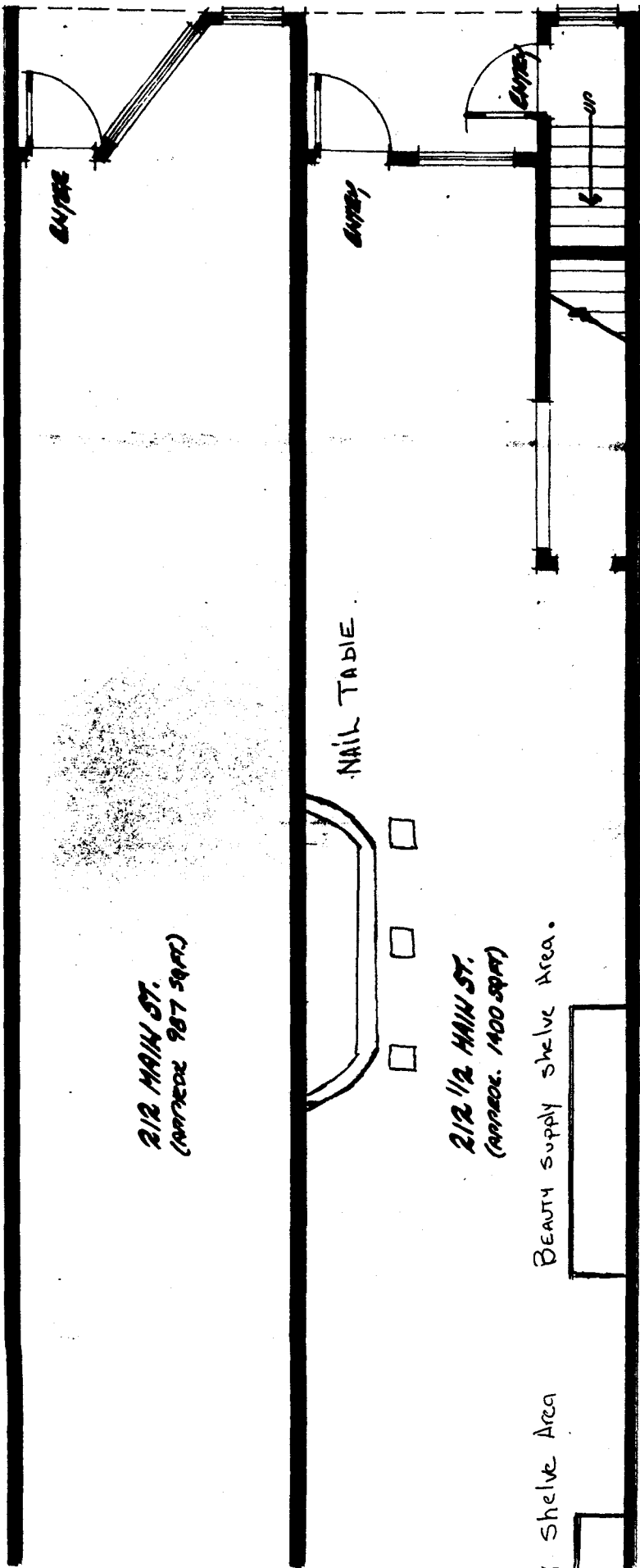
BAY CITY M.M. 3-19
TRACT NO. 10428 M.M. 456-27, 28
PARCEL MAP P.M. 186-01
PARCEL MAP P.M. 197-18

SITE

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

ASSESSOR'S MAP BOOK 199 PAGE 04 COUNTY OF ORANGE

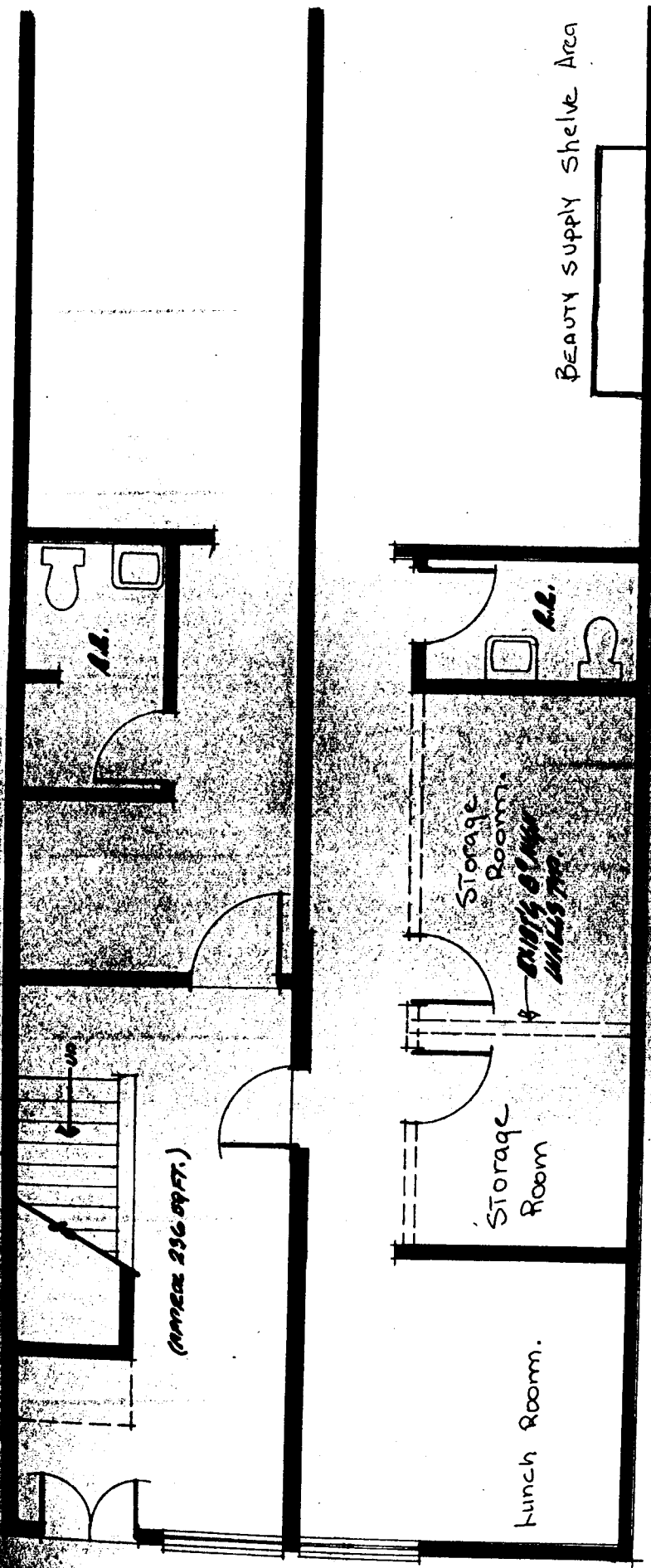
Pier →



AS PREPARED BY ARCHITECT
 FOR PLACER COUNTY PLANNING DEPT.
 [Signature]
 DATE _____ SIGNATURE _____

COASTAL COMMISSION
5-93 225-A1

EXHIBIT # 2
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COAST GUARD MISSION
 25-A1

EXIST'G - FIRST FLOOR

CALIFORNIA COASTAL COMMISSION

SOUTH COAST AREA
245 W. BROADWAY, STE. 380
P.O. BOX 1450
LONG BEACH, CA 90802-4416
(310) 590-3071

RECEIVED

FEB 17 1994

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Date: 8-16-93

Permit No. 5-93-225



CALIFORNIA
COASTAL DEVELOPMENT COMMISSION
SOUTH COAST DISTRICT

1993.02
ATL
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On August 13, 1993, the California Coastal Commission granted to

Brian Kyle & Jim Klisanan

this permit subject to the attached Standard and Special conditions, for development consisting of:

Change in use of an existing 5,674 square foot two-story building from a Masonic Lodge to office/retail uses.

more specifically described in the application file in the Commission offices.

The development is within the coastal zone in Orange County at 212 Main Street, City of Seal Beach.

Issued on behalf of the California Coastal Commission by

COASTAL COMMISSION

5-93 225-A

PETER DOUGLAS
Executive Director

EXHIBIT # 3
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John T. Alyong
BY: JOHN T. ALYONG

Title: Staff Analyst

ACKNOWLEDGMENT

The undersigned permittee acknowledges receipt of this permit and agrees to abide by all terms and conditions thereof.

The undersigned permittee acknowledges that Government Code Section 818.4 which states in pertinent part, that: "A public entity is not liable for injury caused by the issuance. . . of any permit. . ." applies to the issuance of this permit.

IMPORTANT: THIS PERMIT IS NOT VALID UNLESS AND UNTIL A COPY OF THE PERMIT WITH THE SIGNED ACKNOWLEDGEMENT HAS BEEN RETURNED TO THE COMMISSION OFFICE. 14 Cal. Admin. Code Section 13158(a).

2/9/94
Date

Jim Klisanan
Signature of Permittee

COASTAL DEVELOPMENT PERMIT

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Permit No. 5-93-225

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. 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.

SPECIAL CONDITIONS:

1. Revised Plans

Prior to issuance of the Coastal Development Permit, the applicant shall submit revised plans, acceptable in form and content to the Executive Director, showing the exact allocation of office and retail space, the removal of the existing kitchen as required by the City of Seal Beach, and evidence that there will be no exterior modifications to the building.

COASTAL COMMISSION

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2. Future Improvements

Any future addition to, or development or alterations of, the property that results in an intensification of use will require a Coastal Development Permit or a permit ammendment from the Coastal Commission or its successor agency in order to determine the extent to which additional parking is needed. Any future improvements and development shall conform to the parking requirements as stated in the Commission's adopted Orange County Regional Interpretive Guidelines, and the parking deficiency shall be remedied at that time.

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JA/lm

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CALIFORNIA COASTAL COMMISSION

SOUTH COAST AREA
245 W. BROADWAY, STE. 380
P.O. BOX 1450
LONG BEACH, CA 90802-4416
(310) 590-5071

Filed: 7/12/93
49th Day: 8/30/93
180th Day: 1/8/94
Staff: JTA/LB
Staff Report: 7/29/93
Hearing Date: August 10-13, 1993
Commission Action:



STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 5-93-225

APPLICANT: Brian Kyle/Jim Klisanan

PROJECT LOCATION: 212 Main Street, City of Seal Beach, County of Orange

PROJECT DESCRIPTION: Change in use of an existing 5,674 square foot two-story building from a Masonic Lodge to office/retail uses.

Lot area: 2,937 square feet
Building coverage: 2,937 square feet
Parking spaces: none
Zoning: C-1
Ht abv fin grade: 25 feet

LOCAL APPROVALS RECEIVED: City of Seal Beach Approval-In-Concept, City of Seal Beach Variance 93-1.

SUBSTANTIVE FILE DOCUMENTS: Orange County Regional Interpretive Guidelines on parking, California Coastal Commission permits P-79-6092, 5-86-343, 5-87-460, City of Seal Beach Staff Report on Variance 93-1, City of Seal Beach Planning Commission Resolution 93-38 approving Variance 93-1, City of Seal Beach City Council Resolution 4242 approving various short and long term parking programs, Minutes of City of Seal Beach City Council meetings of 6/14/93.

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends that the Commission approve the proposed development with two special condition regarding (1) the submission of revised plans and (2) the requirement of a Coastal Development Permit for any future improvements to the proposed development resulting in an intensification of use.

COMMISSION ACTION ON 8-13-93

- Approved as Recommended
- Denied as Recommended
- Approved with Changes
- Denied

*OK approved
- consent*

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STAFF RECOMMENDATION

Staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions

The Commission hereby grants, subject to the conditions below, a permit 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 impacts 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.

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III. Special Conditions

1. Revised Plans

Prior to issuance of the Coastal Development Permit, the applicant shall submit revised plans, acceptable in form and content to the Executive Director, showing the exact allocation of office and retail space, the removal of the existing kitchen as required by the City of Seal Beach, and evidence that there will be no exterior modifications to the building.

2. Future Improvements

Any future addition to, or development or alterations of, the property that results in an intensification of use will require a Coastal Development Permit or a permit ammendment from the Coastal Commission or its successor agency in order to determine the extent to which additional parking is needed. Any future improvements and development shall conform to the parking requirements as stated in the Commission's adopted Orange County Regional Interpretive Guidelines, and the parking deficiency shall be remedied at that time.

IV. Findings and Declarations

A. Project Description and History

The applicants are proposing to convert an existing, legally nonconforming former Masonic Lodge located at 212 Main Street in the City of Seal Beach, County of Orange, to commercial and retail uses that are in conformance with current zoning. The proposed development is a change in intensification of use and constitutes development as defined by Section 30106 of the Coastal Act. The subject building is two stories, 25 feet high, 5,647 square feet in area and covers the entire lot.

The first floor consists of a 20'x15' lobby area, 23'x50' dining room, two restrooms, and a kitchen area. The second story consists of two restrooms, a 23'x12' office, a 12'x17' foot reception area, and a 23'x70' foot meeting room. The city is requiring the removal of the kitchen to preclude the possible conversion into a residential unit. Other than the removal of the kitchen, the applicants are proposing not to modify the existing interior of the structure. No exterior modifications to the building are proposed. No parking is currently provided and none is proposed.

The subject site is not located between the nearest public roadway and the shoreline. It is located in the second block from the beach along Main Street, which is the primary street in the Central Business District and dead-ends at the Seal Beach municipal pier.

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5-93-225-A1

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B. Public Access/Parking

Section 30106 of the Coastal Act states, in part, that "new development" consists of any change in the intensity of use of land. The proposed development will result in a deintensification of use and is therefore new development according to Section 30106 of the Coastal Act.

Section 30252(4) of the Coastal Act states:

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 proposed development is located in the second block from the beach on Main Street, the primary street in the City of Seal Beach Central Business District. Many of the older existing buildings provide no onsite parking as Main Street was developed in the early 1900's when uses were less intense and there was less demand for parking. Increasing demand for coastal businesses resulted in increased intensification of use of existing buildings, but parking to support the increased demand was not provided by new development.

Therefore, patrons of many of the currently existing businesses must park on the street or in the limited number of public lots available in the area. This results in competition between patrons of private uses competing with beach users for the available public parking. Lack of public parking can deter people from going to the beach and visiting the Coastal Zone, thus resulting in possible adverse impacts on coastal access.

To ensure that adequate public access to the coast is maintained, the Commission has consistently required that new development resulting in an intensification of use provide adequate parking to meet its parking demand. To define project parking demand, the Commission, on October 14, 1980, adopted the Orange County Regional Interpretive Guidelines (Guidelines). These Guidelines include standards for the provision of parking spaces based on different types of uses.

The proposed development has an office use component and a retail use component and therefore has two different parking requirements. At the current time, the applicants have not secured tenants for the development and did not submit a plan showing a definitive allocation between the two uses. The possibility of an antique store on the ground floor was mentioned by one of the applicants. Most likely, the second floor will contain the office space. However, prior to issuance of the Coastal Development Permit, the applicants will be required to submit plans showing the definitive allocation between the office and retail uses. There will be no interior or exterior modifications or additional square footage added.

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5-93-225-11

EXHIBIT # 3

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Public Access/Parking (cont'd)

The Guidelines state that office uses require one parking space for every 250 square feet of gross floor area. The Guidelines also state that retail uses require one parking space for every 225 square feet of gross floor area. The existing structure contains 2837 square on both the first and second floors. Assuming retail use on the ground floor and office use on the second floor, the proposed development will require 25 parking spaces: thirteen for the retail use and twelve for the office use. Even assuming that both floors, or all 5674 square feet of the existing structure, are used for the higher intensity retail uses, the proposed development would require only one additional space, for a total of 26 spaces.

Under the previous use of the site as a Masonic lodge and assembly hall, the parking requirement was one square foot for every 75 square feet of gross floor area, according to the Guidelines. The previous use therefore required 76 spaces. None of these parking spaces was provided either on or offsite. The previous use consequently was deficient by the entire 76 spaces. The 25 or 26 spaces required for the proposed development is a deintensification of use since the parkin demand would be reduced by about two-thirds.

The parking demand generated by the proposed use, while resulting in less required parking than the existing use according to the Guidelines, may be of a different nature and timing than that generated by the existng use. The City Staff Report stated that under the existing use as a Masonic Lodge, the structure was used by different organizations on a regular basis and catered parties on an occasional basis (see Exhibit 1). The time of day of these meetings was not given, although conversation with City staff indicated they were generally in the late afternoon or early evening, sometimes on the weekends, and rarely during morning hours.

The proposed use would operate on a much more regular, daily, continuous use basis. Although there will be more frequent trips to the site by patrons of the office and retail uses, and this may result in greater parking demand during the weekdays over the existing use, these visits will generally be of shorter duration than those generated by the existing use. Therefore, there will be a higher turnover rate of parking spaces. Further, the office component will most likely not be open on the weekends, when demand for Coastal Zone visitor-serving parking is at is peak.

The most recent parking study available, conducted during the months of February and March of this year, shows that parking spaces along the three blocks of Main Street comprising the Central Business District are less utilized the farther they are from the municipal pier and the beach. The proposed development is in the second block from the beach. The survey was taken at 12:00 noon, 8:00 p.m., and 12:00 midnight. The results from the noon hour are included, as peak demand for beach parking occurs around this time (see Exhibit 2). Although the spaces are nearing capacity, the City is finalizing plans to encourage more use of currently underused public parking spaces available in adjacent alleys.

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Public Access/Parking (cont'd)

As mitigation for the deficient parking, the applicants will be required by the City to participate in the City's In-Lieu Parking Program. This program requires the applicants to pay a specified amount for each deficient parking space into an in-lieu fund that will be used to implement various parking programs under consideration by the City. The City is completing a Specific Plan for the Main Street area that should resolve medium and long term parking problems, including solutions such as the possibility of a shuttle service along Main Street and the immediate area. Beach parking itself is generally adequate, according to City staff, as the two public parking lots adjacent to the beach and flanking the municipal pier are never at capacity except for the major summer holidays.

In addition, the Commission approved three prior permits in Seal Beach in which parking deficiencies were allowed. A distinction was made between the different development components comprised of both an existing use that was not changed as well as new construction/development. The components containing the existing uses, which were not changed and had deficient or no parking, were "grandfathered" and not required, at the time of original permit issuance, to comply with Commission parking criteria for new development since these existing portions did not result in an intensification of use. Only the new portion of the development resulting in an intensification of use was required to provide parking to meet its demand. In contrast, the proposed development involves no additional construction or modifications to the existing structure and results in a deintensification of the existing use and a substantial reduction in the existing parking deficiency.

Coastal Development Permit P-79-6092 involved the addition of office use to an existing retail use on the same block as the proposed development. Only the new office portion was required to provide parking. The existing parking deficiency resulting from the existing retail use was not required to be remedied. However, a condition was imposed requiring that no further intensification of use be approved unless all components of the future development, including existing and new uses, complied with Commission recommended parking criteria.

Administrative Permit 5-86-343 approved the addition of 3,500 square feet of office space to an existing 4,000 square foot office building at the corner of Pacific Coast Highway and 15th Street. The existing use did not provide any parking and was deficient by sixteen parking spaces. The Commission required parking to meet the demand generated only by the addition of the 3,500 square feet of office space. In this case, the development was not located as close to the beach as the development proposed under this current Permit Application (5-93-225).

Coastal Development Permit 5-87-460 approved the expansion of an existing structure, located in the same block as the proposed development, that contained both commercial and residential uses. The new structure was converted to commercial uses only. The Commission allowed a five parking space deficiency resulting from the existing commercial use. The Commission required parking only for the commercial space that was added by construction or created by the conversion from residential use.

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Public Access/Parking (cont'd)

The proposed development has a parking deficiency as did the developments approved by the three prior permits. However, no reduction in the existing parking deficiencies resulted from the previously approved developments, in contrast to the proposed development which results in a substantial reduction in the existing parking deficiency. Further, the proposed development, as opposed to the previously approved developments, will not result in additional construction or have a component resulting in an intensification of use.

In addition, unlike the existing use, the proposed development will be in conformance with the visitor-serving nature of the surrounding area. In allowing the change in use, the City required that the applicant only be allowed to have the least intensive use provided by current zoning along Main Street. In the C-1 zone along Main Street, office and retail uses are the least intense uses allowed. Restaurant or lodge assembly uses are considered more intense uses. Therefore, the proposed development is consistent with Section 30252(4) of the Coastal Act.

C. Visitor Serving Facilities

Section 30213 of the Coastal Act states, in part:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided.

More members of the public should be able to patronize the proposed use than are able under the existing use as a meeting hall primarily for members-only fraternal organizations and occasional private catered parties. Main Street is primarily a visitor serving area. The retail component of the proposed development is anticipated to be more in keeping with the surrounding visitor serving commercial uses, such as restaurants, swimwear boutiques and ice cream stores, than the existing use. The proposed development is therefore consistent with Section 30213 of the Coastal Act.

Therefore, because (1) the proposed development requires approximately two-thirds less parking than the previous use, (2) the Commission has previously approved the "grandfathering" of existing parking deficiencies elsewhere in Seal Beach, (3) the proposed development is a reduction in the intensity of use from the existing use, is comprised of the least intense uses allowed in the current zoning along Main Street, and, unlike the existing use, is a use in conformance with surrounding uses, (4) the proposed development will not contain a component of new construction that will result in an intensification of use, and (5) the proposed development should be patronized more by Coastal Zone visitors than the existing use, the Commission finds that the proposed development, as conditioned, will not result in adverse impacts to public access and resources and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

However, the Commission further finds that any future improvements to the structure resulting in an intensification of use shall require a Coastal Development Permit or a permit amendment. All components of the future development shall conform to the Commission's Guidelines on parking.

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D. Local Coastal Program

Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Development Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with the Chapter 3 policies of the Coastal Act.

In July 1983, the Commission denied the Land Use Plan (LUP) submitted by the City of Seal Beach and approved it with suggested modifications. No further action has been taken by the City.

The existence of limited parking along the three blocks of Main Street in the City's Central Business District has resulted from developmet which did not provide adequate parking. A limited amount of parking in an area so close to the beach can create adverse impacts to coastal access. The City Council recently passed measures that begin to address the parking problem, including plans to promote more usage of currently underused parking lots.

By reducing the need for parking, the proposed development helps alleviate the problem of limited parking in Seal Beach. Therefore, the Commission finds that the proposed development, as conditioned, will not prejudice the City's ability to prepare a Local Coastal Program that is consistent with Chapter Three policies of the Coastal Act, including the public access policies of Chapter Three.

E. California Environmental Quality Act

Section 13096(a) of the Commission's administrative regulations requires Commission approval of a Coastal Development Permit application to be supported by a finding showing the application to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) 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 impact which the development may have on the environment.

The proposed development represents a less intense use than the alternative of continuing the former, higher intensity use of an assembly hall/Masonic Lodge that is the current allowable use. In addition, the proposed office/retail uses are less intense uses than other allowable uses in the C-1 zone, such as restaurant uses. It also represents a reduction in parking demand from the existing use.

Further, the proposed project is in an urban zone. Since development has already occurred on the site and all necessary utilities needed to serve the proposed project are in place, the proposed development would not have a significant adverse impact on the environment. Therefore, the Commission finds that the project is consistent with the requirements of the Coastal Act and is in conformance with CEQA.

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➤ [EXISTING USES]

ESTIMATED USAGE OF STRUCTURE			
Group	Hours/Meeting	Frequency	Attendance
Masons	3-4	1/week	25 to 50
Job's Daughters	3-4	1/week	15-25
Church Group	2-3	1/week	15-25
Parties	3-6	1/month	25-200

➤ The subject property provides no on-site parking spaces. The subject property is considered legally nonconforming due to inadequate on-site parking, and therefore is considered to meet parking requirements for the existing use.

➤ The surrounding land uses and zoning are as follows:

NORTH, WEST
& SOUTH

A mixture of commercial uses in the Service Commercial zone, (C-1).

EAST

A mixture of single-family and multi-family residential dwellings in the Residential High Density zone, (RHD).

APPLICANTS' STATEMENT

See attached application.


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ENVIRONMENTAL REVIEW

Pursuant to the requirements of the California

Environmental Quality Act (CEQA), the City has performed an initial environmental assessment for the proposed project. Based on the findings contained in the initial environmental assessment, a Negative Declaration has been prepared and circulated and is on file at the Department of Development Services, City Hall, 211 Eighth Street, Seal Beach. This document was previously provided to the Planning Commission for review.

EXHIBIT NO. 1
APPLICATION NO. 5-93-225
Existing Usage
 California Coastal Commission

- ✓ 8th and 10th Streets will be reserved for resident, permit parking only in evenings.

In conjunction with the recent request to reestablish a restaurant at 209 Main Street (BJ's), City staff required the applicant (BJ's) to perform a public parking survey of Main Street. The survey was performed five days a week, including weekends, at noon, 8:00 p.m. and midnight for all three blocks of Main Street.

The results of that survey are included as Exhibits II and III, with Exhibit II showing percent of usage of on-street public parking along Main Street at the abovementioned times and Exhibit III showing percent of parking utilized per block at the above times. City staff has independently reviewed the data provided by the applicant and concluded it is representative of the parking situation on Main Street. Additionally, the data provided by the applicant is consistent with the data collected to date by City staff in its larger scale study of the Main Street Area parking utilization.

The parking survey, though based on a very limited window of time, indicates the following:

Noon: 82% to 100% of the available parking is used.
 8:00 p.m.: 75% to 100% of the available parking is used.
 Midnight: 11% to 35% of the available parking is used.

The results of Exhibit III are indicated in the following table:

Table 1.

Main Street On-Street Parking Spaces (Percent Occupied)			
	Noon	8:00 p.m.	Midnight
100 Block	98.5%	96.5%	40.0%
200 Block	96.0%	93.5%	12.0%
300 Block	84.5%	87.0%	6.0%


*

Table 1 indicates the 200 block has a slightly higher percentage of available parking at noon and 8:00 p.m. than the 100 block and a substantially higher percentage of available parking at midnight. The 300 block has a substantially higher percentage of available spaces at all times. During the hours that the business will be open (11:00 a.m. to 10:00 or 11:00 p.m.) the 200 block of Main Street is slightly less impacted than the 100 block.

The results of this parking survey indicate a high percentage of parking utilization on the 100 and 200 blocks of Main Street at noon and 8:00 p.m. However, staff believes the existing uses have the potential for a greater impact on existing parking resources than the more common retail and business office uses. Therefore, staff b

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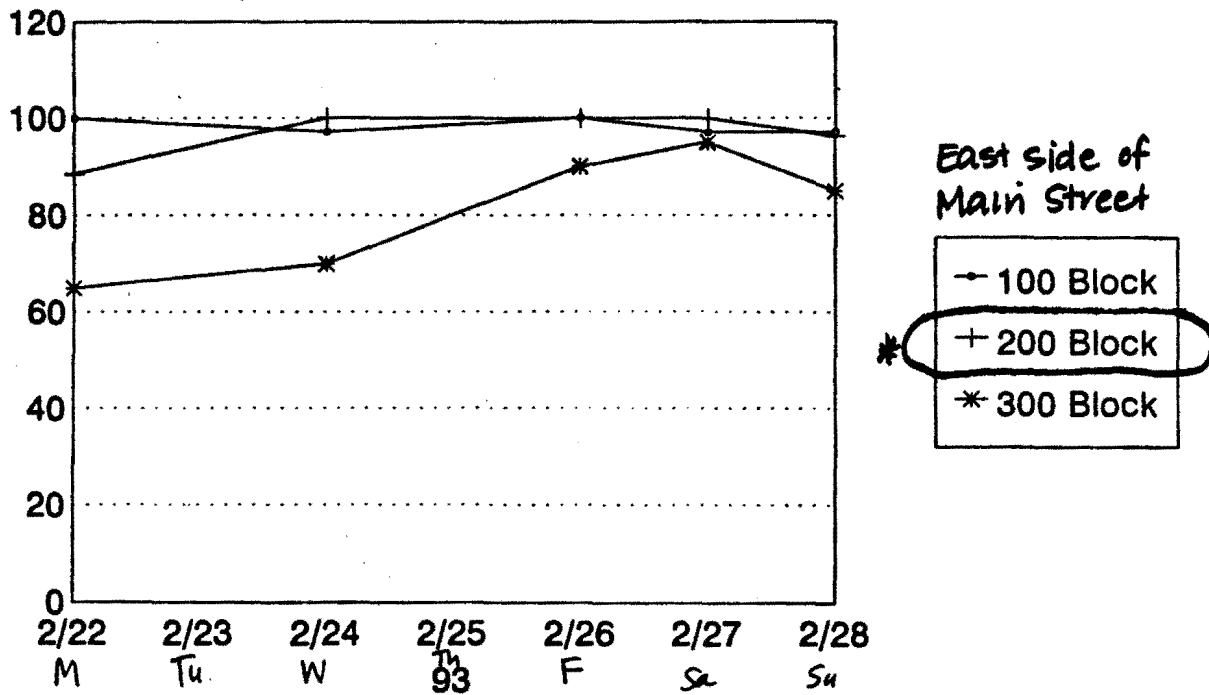
EXHIBIT Page 6 3
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EXHIBIT NO. 2
APPLICATION NO. 5-93-225
Parking Demand
 California Coastal Commission

* subject site is located in this block 13 OF 33

Conditional Use Permit 92-23 & Variance 92-3

East Main Street Parking Utilization, 12:00 PM (Percent Occupied Spaces)



Source: Michael R. Lewis

* Subject site is located in the 200 block of Main Street on the East side

Conditional Use Permit 92-23 & Variance 92-3

East Main Street Parking Utilization, 12:00 PM (Percent Occupied Spaces)

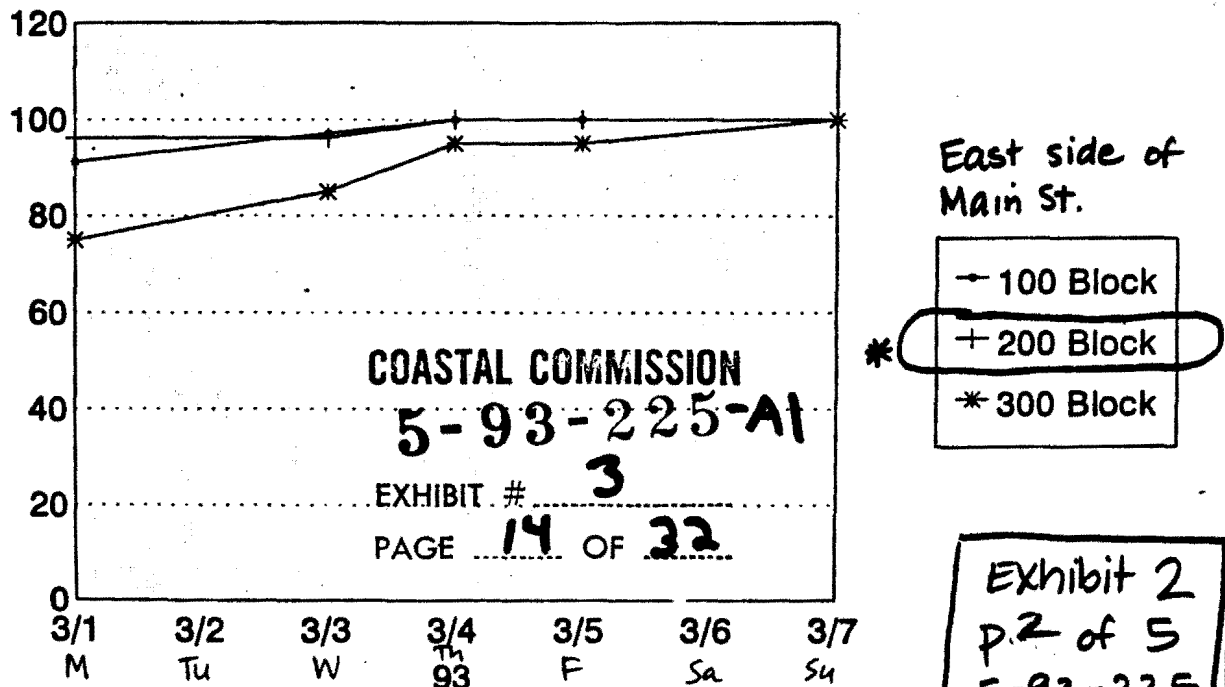
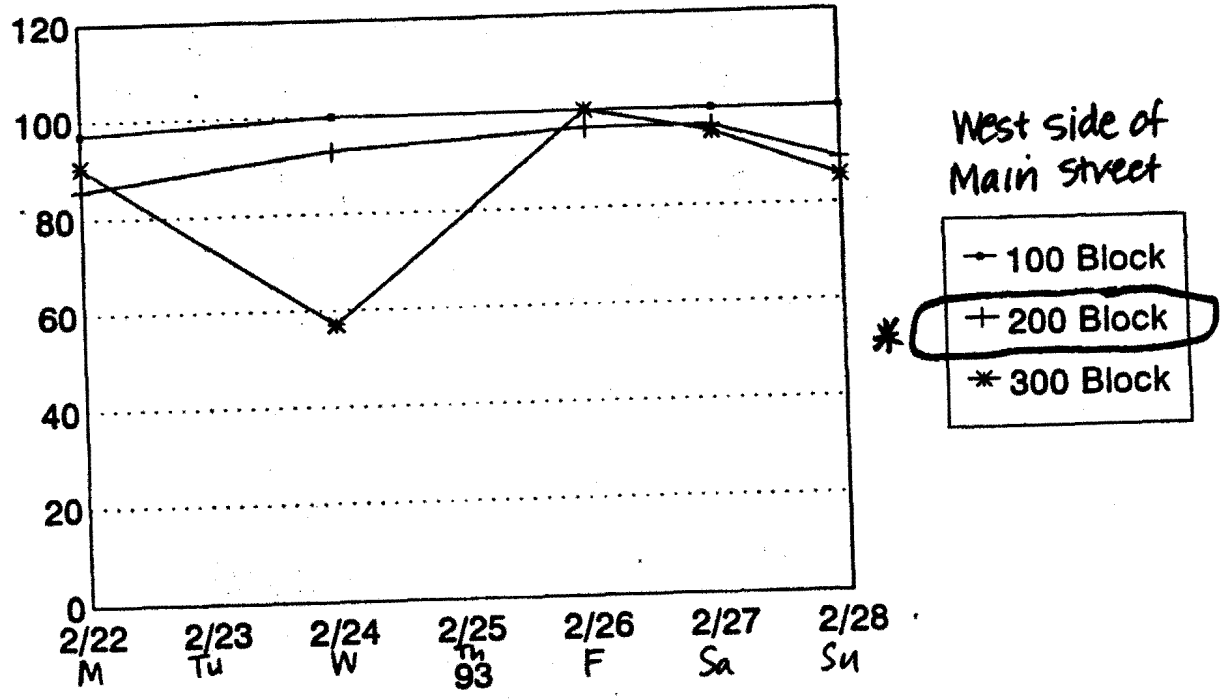


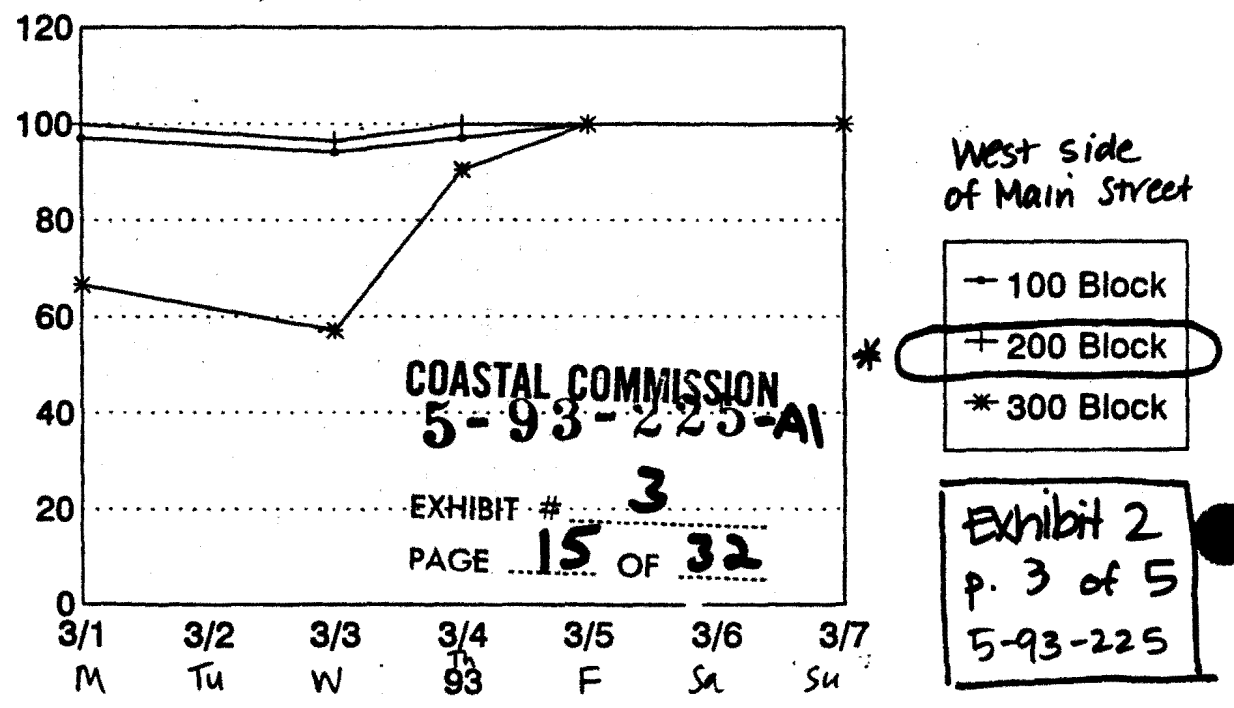
Exhibit 2
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EXHIBIT III
Conditional Use Permit 92-23 & Variance 92-3
 West Main Street Parking Utilization, 12:00 PM (Percent Occupied Spaces)



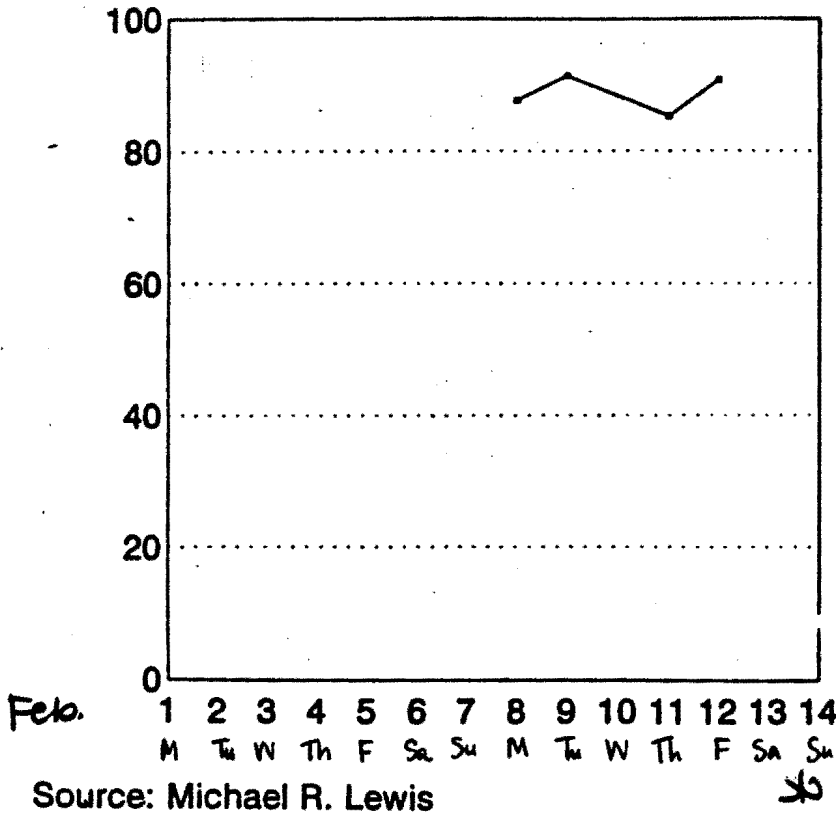
Source: Michael R. Lewis * [Subject site is located in the 200 block on the East side of Main Street]

Conditional Use Permit 92-23 & Variance 92-3
 West Main Street Parking Utilization, 12:00 PM (Percent Occupied Spaces)



Source: Michael R. Lewis

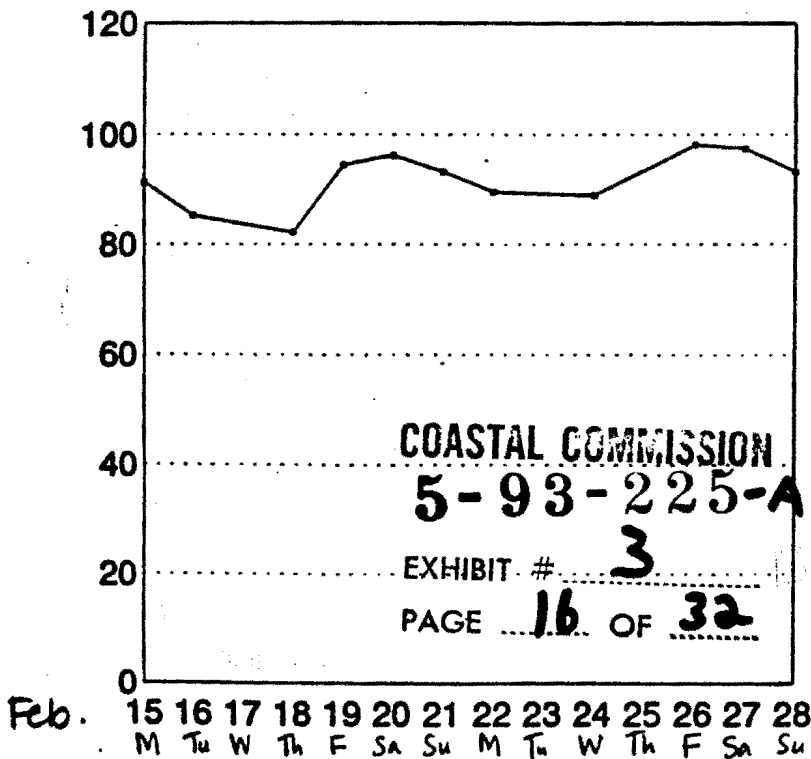
EXHIBIT II
MAIN STREET PARKING UTILIZATION SURVEY (February, 12:00 PM)
 Conditional Use Permit 92-23 & Variance 92-3



— % All Street Spaces

% of parking spaces occupied at 12:00 noon along ALL blocks on Main St

MAIN STREET PARKING UTILIZATION SURVEY (February, 12:00 PM)
 Conditional Use Permit 92-23 & Variance 92-3



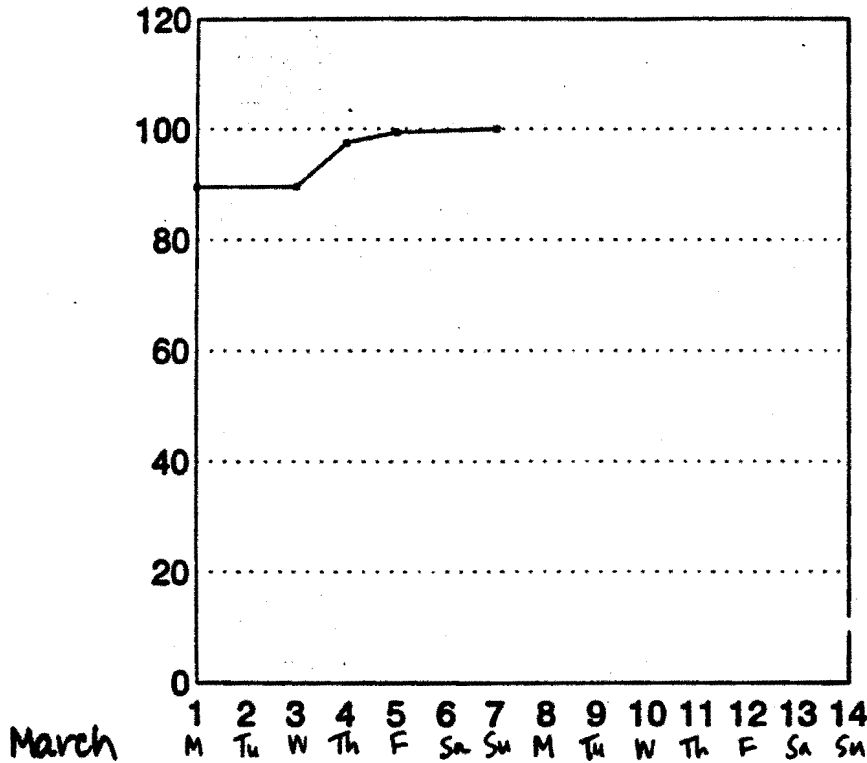
— % All Street Spaces

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 EXHIBIT # **3**
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Exhibit 2
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MAIN STREET PARKING UTILIZATION SURVEY (March, 12:00 PM)

Conditional Use Permit 92-23 & Variance 92-3



— % All Street Spaces

% of spaces occupied at 12:00 along All blocks of Main St.

Source: Michael R. Lewis

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**A RESOLUTION OF THE PLANNING
COMMISSION OF THE CITY OF SEAL BEACH
ADOPTING NEGATIVE DECLARATION NO. 93-5,
AND APPROVING VARIANCE NO. 93-1 TO VARY
FROM THE COMMERCIAL PARKING, LOADING
ZONE AND LANDSCAPING REQUIREMENTS IN
CONJUNCTION WITH A REQUEST TO
DETERMINE THE APPROPRIATE AMOUNT OF
OFF-STREET PARKING AT THE PROPERTY
GENERALLY KNOWN AS 212 MAIN STREET
(MASONIC LODGE) ***

**THE PLANNING COMMISSION OF THE CITY OF SEAL BEACH DOES
HEREBY FIND AND RESOLVE:**

Section 1. On February 19, 1993, Brian Kyle and Jim Klisanin (hereinafter collectively known as "Applicant") filed an application for Variance 93-1 with the Department of Development Services to vary from the commercial parking requirements, loading zone requirements and landscaping requirements. Applicant has requested that the Commission determine that the subject property is legally non-conforming and does not have to provide 28 off-street parking spaces, and that it can establish a restaurant use on the site without providing the required parking spaces.

Section 2. Pursuant to 14 Calif. Code of Regs. § 15025(a) and §§ II.C and III of the City's Local CEQA Guidelines, staff prepared an Initial Study and a Negative Declaration, which were circulated for public review and comment from May 3, 1993 to May 24, 1993, in compliance with the provisions of the California Environmental Quality Act and the City's Local CEQA Guidelines.

DON


Section 3. A duly noticed public hearing was held before the Planning Commission on July 7, 1993 to consider the application. At the public hearing, the applicant and a partner spoke in favor of the request and 4 persons spoke in opposition.

Section 4. The record of the hearing indicates the following:

(a) The subject property is located on the easterly side of Main Street approximately 155 feet north of the center of the intersection of Main Street and Central Avenue. The property is similar in size and shape, being flat and rectangular, to its neighbors and to other uses in the zone.

(b) The subject property is legally described as Lot 12 of Block 109 of Bay City Tract, as per Map recorded in Book 3 Page 19 of Miscellaneous maps, in the Office of the County Recorder of Said County (Orange County, California) and is also identified as Orange County Assessor's Parcel Number 199-043-13.

(c) The subject structure was constructed prior to 1950, when the City's oldest recorded permit for the property indicates a dinner room was added to the Masonic Lodge.

EXHIBIT NO. 3
APPLICATION NO. 5-93-225
Reso. # 93-38
 California Coastal Commission

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EXHIBIT # **3**

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(d) The structure has housed the local chapter of the Masonic Lodge for approximately 45 years. According to the applicants and the Masons, the structure has been primarily used by fraternal organizations (Masons and Job's Daughters) as well as being rented out to a church group and occasionally rented out for parties or gatherings. Such use was established prior to the City's current parking requirements. Under the City Code, uses established prior to changes in the City's parking requirements are considered legal-nonconforming and are allowed to continue operations without compliance with new parking standards adopted subsequently to the establishment of such use. Accordingly, the subject property, although providing no off-street parking, does not have to meet current parking standards to continue its present use.

(e) The following table illustrates the applicants' estimate of the usage of the structure:

ESTIMATED USAGE OF STRUCTURE

Group	Hours/Meeting	Frequency	Attendance
Masons	3-4	1/week	25 to 50
Job's Daughters	3-4	1/week	15-25
Church Group	2-3	1/week	15-25
Parties	3-6	1/month	25-200

The property would lose its legal nonconforming status if the present use of the property were to change, and any future use proposed for the site must comply with current parking requirements, or obtain a variance from the required parking.

(f) The subject property is located on Main Street, which is a commercial strip fully developed with a variety of commercial uses. The surrounding land uses and zoning are as follows:

NORTH, WEST & SOUTH

A mixture of commercial uses in the Service Commercial zone, (C-1).

EAST

A mixture of single-family and multi-family residential dwellings in the Residential High Density zone, (RHD).

(g) A parking study performed in conjunction with an application for the re-institution of a restaurant use across Main Street from the subject location, at 209 Main Street, demonstrates that public parking facilities within 300 feet of the site are often fully occupied, and this is especially true of the 100 block of Main Street and the 200 block which includes the subject property.

(h) The building and property at 212 Main Street cannot provide the on-site parking required for any new use without demolition of the existing structure. Further, no off-site facilities within three hundred feet of the site can provide adequate parking.

(i) In connection with this application and other recent applications, the City has performed certain parking studies to, *inter alia*: analyze present supply and future needs; determine the impacts arising from the proposed use; consider whether current Code parking requirements should be modified; and to provide additional parking and other mitigation

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measures to alleviate the impacts arising from the proposed use, as well as others. To mitigate any impacts arising from the proposed use and other proposed uses, a reserve fund has been established in the 1993-1994 Fiscal Year budget for the acquisition and implementation of a public transit trolley. In addition, the City Council has authorized the use of City-owned parking facilities to satisfy parking requirements and the preparation of an amendment to the Main Street Specific Plan to establish more flexible and appropriate parking standards. Council has directed staff to consider whether the city-wide commercial parking standards should be modified so that uses on Main Street, limited by physical constraints, may satisfy parking needs by in-lieu fees, parking mitigation fees, or offsite facilities, rather than providing parking onsite.

Section 5. Based upon the evidence in the record, including the facts stated in § 4 of this resolution, and in the environmental documentation prepared in conjunction with this project, and pursuant to §§ 28-2403.1 and 28-2500 - 28-2504 of the City's Code, the Planning Commission hereby finds as follows:

(a) The record reveals that the utilization of the structure on the subject property for commercial retail and office uses, as conditioned and mitigated herein, will not have any appreciable impact on traffic to and from the use. The existing roadways which serve the site are adequate to serve the proposed use and accordingly the application is consistent with the goals, standards, and policies of the Circulation Element and Growth Management Element. Variance No. 93-1 is consistent with the provisions of the Land Use Element of the City's General Plan, which provides a "service commercial" designation for the subject property and permits commercial retail and office uses. As conditioned, Variance 93-1 will not adversely affect the General Plan because requiring the Applicant to mitigate parking impacts is consistent with the policy of the General Plan to require new uses to provide adequate parking for commercial uses within the immediate vicinity of the subject site. The parking demand caused by the proposed use can be accommodated by the existing City parking facilities. Approval of the project for commercial retail and office uses allows its owner a reasonable economic use of the property of a type proposed in the Land Use Element. The use is also consistent with the remaining elements of the City's General Plan as the policies of those elements are consistent with, and reflected in, the Land Use Element. Accordingly, allowing a variance to permit the establishment of commercial retail and office uses is consistent with the General Plan.

(b) As conditioned herein, the building and property at 212 Main Street are adequate in size, shape, topography and location to meet the needs created by commercial retail and office uses. The subject property has been devoted to fraternal meeting uses for approximately 45 years, and is no longer viable due to the reduced membership of the fraternal organization. The use of the existing structure for commercial retail and office uses, not including restaurant use, is compatible with the Main Street commercial area. The building, constructed in approximately 1945, is adequate for commercial retail and office uses. While no future use can provide parking onsite or upon any site within 300 feet in strict compliance with the Code, the prior occupant, who enjoyed legal nonconforming status, likewise did not provide onsite parking. The Code requires 18 spaces for commercial retail and office uses. The parking demand caused by commercial retail and office uses can be accommodated by existing City parking facilities.

(c) The subject property has inadequate area for landscaping and a loading zone. There are special circumstances which, through the strict application of this Chapter, deprive the subject property of privileges enjoyed by other property in the same vicinity and zone.

(d) The granting of this variance would not be the granting of a special privilege inconsistent with other limitations on other properties in the same vicinity and zone.

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(e) The applicants have the right to enjoy some use of the subject property, including the continuation of the existing uses, provided the uses do not cease for over 90 consecutive days.

(f) The existing use of the structure, as a meeting place for two (2) fraternal lodges and a church group, and as an assembly hall for parties, has the capacity for greater impacts on surrounding land uses and parking than other uses traditionally found along Main Street, specifically commercial retail and business office uses.

(g) The applicants will be required to participate in the City's in-lieu parking program as it currently exists or may be amended in the future.

(h) Retail shops and business offices are the least intensive uses normally found along Main Street with parking requirements of only 1 space per 300 sq. ft. of gross floor area.

(i) As conditioned hereby, approval of retail commercial and business office uses at the site will be compatible with surrounding uses and the community in general and will not be detrimental to the neighborhood. The uses of the premises for retail commercial and business office purposes will not have an adverse impact on surrounding uses, and for the reasons stated in paragraphs (a), (b), and (c) of this Section.

(j) The Planning Commission hereby affirms that it independently reviewed and analyzed proposed Negative Declaration No. 93-5 prior to acting on the application and hereby finds as follows:

- (1) Negative Declaration No. 93-5 was prepared by City Staff and therefore reflects the independent judgment of the City;
- (2) There is no substantial evidence in the record which would support a fair argument that approval of the application might have a significant environmental impact;
- (3) Approval of this application involves no potential for adverse effect, either individually or cumulatively, on wildlife resources and will not have an adverse impact on fish and wildlife. It is the re-establishment of an urban use on an urbanized site, and has no impact on wildlife resources, since there are no identified wildlife resources on or adjacent to the site. The Planning Commission directs the Director of Development Services to file the appropriate De Minimis Impact Finding for the California Department of Fish and Game Certificate of Fee Exemption.

(k) Pursuant to Government Code Section 65906.5, the City may grant a variance from parking requirements provided certain conditions are met. Although this section applies to general law cities, the City Council has previously found that the legislative policy reflected in this statute is appropriate to the circumstances of the charter city of Seal Beach. Section 65906.5 provides, in relevant part:

"[A] variance may be granted from the parking requirements of a zoning ordinance in order that some or all of the required parking spaces be located offsite, ..., or that in-lieu fees or facilities be provided instead of the required parking spaces, if both the following conditions are met:

- (a) The variance will be an incentive to, and a benefit for, the nonresidential development.

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(b) The variance will facilitate access to the nonresidential development by patrons of public transit facilities,...."

The requirements set forth in Section 65906.5 are satisfied here. Allowing the Applicant to satisfy its parking requirements through in lieu payments provides both an incentive and benefit for the proposed nonresidential development. Further, granting the variance, subject to certain conditions, would facilitate access to the proposed retail commercial and business office uses by patrons of the proposed public transit trolley, and would contribute to a density of commercial uses necessary to sustain public transit.

(l) In accordance with Government Code Section 65906.5, there is no requirement to show special circumstances to justify the granting of a parking variance. Nonetheless, there are special circumstances which warrant the variance here, including the site's location, surroundings, and the availability of public parking nearby. In order to provide the Code required parking, it would be necessary to demolish the existing structure. The site is in close proximity to available public parking. There is no space on or within 300 feet of the site to provide the required parking without destroying all or part of a structure which has a remaining useful life and of which its owner must be allowed a reasonable economic use.

(m) Strict application of the Zoning Code deprives the subject property of privileges enjoyed by other property in the same vicinity and zone. Other commercial retail and business office uses along Main Street likewise cannot, and do not provide on-site parking. The conditional granting of a variance will not constitute a grant of special privileges inconsistent with other limitations upon other properties in the same vicinity and zone because, as conditioned, the proposed use will meet its parking demand through the alternative means provided in the conditions.

Section 6. Based upon the foregoing, the Planning Commission hereby adopts Negative Declaration No. 93-5, conditionally approves Variance 93-1, a variance from Code provisions requiring a loading space, landscaping, and provision of 18 parking spaces within a 300 foot radius of the subject property, subject to the conditions attached hereto as Attachment A.

Section 7. The proposed mitigation monitoring program attached hereto as Attachment "B" is hereby adopted.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Seal Beach at a meeting thereof, held on the 21st day of July, 1993 by the following vote:

AYES:	Sharp, Fife, Dahlman, Law, Soukup
NOES:	---
ABSTAIN:	---
ABSENT:	---


Anton Dahlman, Chairman
Planning Commission

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Lee Whittenberg
Lee Whittenberg, Secretary
Planning Commission

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⁶ COASTAL COMMISSION
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ATTACHMENT A, RESOLUTION NO. 93-38

CONDITIONS OF APPROVAL

VARIANCE 93-1

1. Variance 93-1 is approved for the provision of 18 less than the required 18 on-site parking spaces, no on-site landscaping and no loading space in conjunction with the change in use of an existing structure at 212 Main Street, Seal Beach.
2. The Commission approves a change in use from the current uses (fraternal hall, church and assembly hall) to commercial retail and/or business office uses. No restaurant uses are permitted.
3. The approval of Variance 93-1 is subject to the City's approval of a Development Agreement governing the use of the subject property and the conditional approval herein shall confer no entitlements or rights upon the applicants. Nor shall the City be obliged to issue any permits or approvals until such time as the Development Agreement has been approved, without the prior written consent of the City.
4. Applicants have agreed to contribute an amount specified in the Development Agreement to mitigate traffic and parking impacts from the project. The property owner shall agree to participate in such in-lieu parking program as has been or shall be established by the City Council for the amount equal to eighteen (18) spaces. Any changes to the total parking requirement for the site shall cause the modification of the rate of participation in the in-lieu program, subject to Planning Commission approval. The applicant and/or property owner shall sign and record the in-lieu parking agreement, or an alternative document acceptable to the City, prior to the issuance of any building permits and/or business license. The applicant realizes that this is an interim agreement, and a permanent agreement may result in further costs per space. A covenant shall be recorded on the title of the property which stipulates that eighteen (18) additional parking spaces are required for the commercial retail and/or business office use of the property, pursuant to the Code of the City of Seal Beach §28-1304(4).
5. This Variance shall not become effective for any purpose unless an "Acceptance of Conditions" form has been signed by the applicant in the presence of the Director of Development Services, or notarized and returned to the Planning Department; and until the ten (10) day appeal period has elapsed.
6. That all requirements of the Orange County Health and Fire Departments and the Uniform Building Code be met prior to occupancy.
7. The applicants shall submit plans to the City and receive approval from the City for any proposed facade changes or tenant improvements, prior to the initiation of construction activity.
8. All cooking and food preparation facilities shall be removed from the property prior to issuance of a Certificate of Occupancy.
9. In order to offset the lack of on-site landscaping, a fee shall be paid to the City to purchase a maximum of six (6) street trees for the Main Street area. Additionally, if

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deemed feasible by the City's Engineering Department, a fee shall be paid to the City to cover the cost of purchasing and installing an additional pedestrian bench on Main Street or other hardscape treatments to the sidewalk area adjacent to the subject property. Said fee shall not exceed \$5,000 and shall be paid as a \$5,000 deposit prior to issuance of a certificate of occupancy.

10. If feasible, a six foot tall brick trash enclosure shall be installed at the rear of the structure. In the event it is found to be unfeasible, the applicant shall provide the City with an alternative refuse holding plan for review and approval by the Director of Development Services.
11. The Applicant shall indemnify, defend and save harmless the City of Seal Beach, its officers, agents and employees from any and all claims and losses whatsoever occurring or resulting to any and all persons, firms or corporations furnishing or supplying work, services, materials, or supplies in connection with the performance of the use permitted hereby or the exercise of the rights granted herein, any and all claims, lawsuits or actions arising from the granting of or the exercise of the rights permitted by this Variance, and from any and all claims and losses occurring or resulting to any person, firm, corporation or property for damage, injury, death arising out of or connected with the performance of the use permitted hereby. Applicant's obligation to indemnify, defend and save harmless the City as stated hereinabove shall include, but not be limited to, paying all legal fees and costs incurred by legal counsel of the City's choice in representing the City in connection with any such claims, losses, lawsuits or actions, and any award of damages or attorneys fees in any such lawsuit or action.

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ATTACHMENT B, RESOLUTION NO. 93-38

MITIGATION MONITORING and REPORTING PROGRAM

NEGATIVE DECLARATION 93-5
VARIANCE 93-1
(MASONIC LODGE)
212 MAIN STREET

1. **Mitigation Measure:** The approval of Variance 93-1 is subject to the City's approval of a Development Agreement governing the use of the subject property and the conditional approval herein shall confer no entitlements or rights upon the applicants. Nor shall the City be obliged to issue any permits or approvals until such time as the Development Agreement has been approved, without the prior written consent of the City. (Planning Commission Condition of Approval #3, Resolution No. 93-38)

Method of Verification: Return of properly executed and recorded Development Agreement.

Timing of Verification: Upon return of properly executed and recorded Development Agreement and covenant.

Responsible Person/Agency: City Attorney - Approval as to form of development agreement form; Department of Development Services - Director and/or Assistant Planner - verification of receipt of recorded development agreement prior to issuance of any building permits and/or business license.

2. **Mitigation Measure:** Applicants have agreed to contribute an amount specified in the Development Agreement to mitigate traffic and parking impacts from the project. The property owner shall agree to participate in such in-lieu parking program as has been or shall be established by the City Council for the amount equal to eighteen (18) spaces. Any changes to the total parking requirement for the site shall cause the modification of the rate of participation in the in-lieu program, subject to Planning Commission approval. The applicant and/or property owner shall sign and record the in-lieu parking agreement, or an alternative document acceptable to the City, prior to the issuance of any building permits and/or business license. The applicant realizes that this is an interim agreement, and a permanent agreement may result in further costs per space. A covenant shall be recorded on the title of the property which stipulates that eighteen (18) additional parking spaces are required for the commercial retail and/or business office use of the property, pursuant to the Code of the City of Seal Beach §28-1304(4). (Planning Commission Condition of Approval #4, Resolution No. 93-38)

Method of Verification: Return of properly executed and recorded in-lieu parking participation agreement and covenant.

Timing of Verification: Upon return of properly executed and recorded in-lieu parking participation agreement and covenant.

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Responsible Person/Agency: City Attorney - Approval as to form of in-lieu parking participation agreement form and covenant; Department of Development Services - Director and/or Assistant Planner - verification of receipt of recorded in-lieu parking participation agreement and covenant prior to issuance of any building permits and/or business license.

3. **Mitigation Measure:** All requirements of the Orange County Health Department and the Uniform Building Code shall be met prior to occupancy. (Planning Commission Condition of Approval #6, Resolution No. 93-38)

Method of Verification: Receipt of approved plans by Orange County Health Department and from City contract plan check engineering firm.

Timing of Verification: Upon return of properly approved plans by Orange County Health Department and from City contract plan check engineering firm.

Responsible Person/Agency: Department of Development Services - Building Inspector - verification of approved plans prior to issuance of building permits.

4. **Mitigation Measure:** In order to offset the lack of on-site landscaping, a fee shall be paid to the City to purchase a maximum of six (6) street trees for the Main Street area. Additionally, if deemed feasible by the City's Engineering Department, a fee shall be paid to the City to cover the cost of purchasing and installing an additional pedestrian bench on Main Street or other hardscape treatments to the sidewalk area adjacent to the subject property. Said fee shall not exceed \$5,000 and shall be paid as a \$5,000 deposit prior to issuance of a certificate of occupancy. (Planning Commission Condition of Approval #9, Resolution No. 93-38)

Method of Verification: Receipt of \$5,000.00 deposit from applicant.

Timing of Verification: Prior to final inspection and issuance of certificate of occupancy.

Responsible Person/Agency: Department of Development Services - Director and/or Assistant Planner.

5. **Mitigation Measure:** The applicants shall submit plans to the City and receive approval from the City for any proposed facade changes or tenant improvements, prior to the initiation of construction activity. (Planning Commission Condition of Approval #7, Resolution No. 93-38)

Method of Verification: Verification of substantial compliance of construction plans to approved plans by Department of Development Services prior to submission by City for Plan Check review by City contract plan check engineering firm.

Timing of Verification: Upon receipt of required plans from applicant.

Responsible Person/Agency: Department of Development Services - Director and/or Assistant Planner - verification of substantial compliance of construction plans to approved plans prior to submission by City for Plan Check review by City contract plan check engineering firm.

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAL BEACH ESTABLISHING RESIDENTIAL PERMIT PARKING ONLY FOR EIGHTH STREET AND TENTH STREET, BETWEEN OCEAN AVENUE AND ELECTRIC AVENUE, AND FOR CENTRAL AVENUE BETWEEN SEVENTH AND EIGHTH STREET AND TENTH AND ELEVENTH STREET, AND SETTING FORTH PARKING RESTRICTIONS FOR THE EIGHTH STREET/CENTRAL AVENUE MUNICIPAL PARKING LOT

WHEREAS, at the direction of the City Council, staff prepared a March 22, 1993 Memorandum to the City Council regarding "Main Street Parking Analysis", which provided a historical overview of the parking issues along Main Street, the various studies which have discussed the issue, and alternatives which have been considered in the past as potential solutions; and


WHEREAS, the City Council conducted a joint workshop with the Planning Commission and Environmental Quality Control Board on May 3, 1993, to receive citizen input regarding potential solutions to address the concerns regarding the lack of parking along Main Street and the adjoining residential areas; and

WHEREAS, at the conclusion of the workshop, the City Council indicated they wished to consider both short-term and long-term solutions to the parking issue; and

WHEREAS, the City Council considered on May 10, 1993 a staff report presenting a number of potential short-, medium-, and long-range programs/actions to address the Main Street parking issue. The City Council directed staff to provide additional information and recommendations on specific short-term programs and/or actions; and

WHEREAS, the City Council considered on May 24, 1993 a staff report presenting a number of potential short-range programs/actions to address the Main Street parking issue, with the City Council instructing staff to proceed with proposals for modifications to the existing payment structure at the 8th and 10th Street beach lots, the opening of the 8th Street/Central Avenue lot between 5:00 P.M. and 10:00 P.M. for public parking and for resident parking after 10:00 P.M., the provision of parking meters at all City-owned parking lots along Main Street, and the provision of additional signage along Main Street regarding the availability of parking along the alleys adjacent to the businesses; and

WHEREAS, the City Council considered on June 14, 1993 a staff report presenting a number of potential medium- to long-range programs/actions to address the Main Street parking issues, focusing on the development of a Specific Plan and an "In-Lieu" parking program developed in accordance with the provisions of AB 1600; and

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APPLICATION NO. 5-93-225
Reso. # 4242
 California Coastal Commission

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WHEREAS, the City Council directed staff to proceed with the Specific Plan and Ab 1600 process, and in addition to institute permit parking only on 8th and 10th Streets between Ocean Avenue and Electric Avenue and on Central Avenue between 7th and 8th Streets and between 10th and 11th Streets.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Seal Beach hereby resolves as follows:

Section 1. The City Council establishes the following parking restrictions on certain public streets located within the "Central Traffic District" as defined in Chapter 13, Article I, Section 13-4, set forth below:

- A. Eighth Street between Ocean Avenue and Electric Avenue: Resident Parking Only.
- B. Tenth Street between Ocean Avenue and Electric Avenue: Resident Parking Only.

Section 2. The City Council establishes the following parking restrictions on certain public streets located adjacent to the "Central Traffic District" as defined in Chapter 13, Article I, Section 13-4, set forth below:

- A. Central Avenue between Seventh Street and Eighth Street: Resident Parking Only.
- B. Central Avenue between Tenth Street and Eleventh Street: Resident Parking Only.

Section 3. The City Council establishes the following parking restrictions on certain public parking lots located adjacent to the "Central Traffic District" as defined in Chapter 13, Article I, Section 13-4, set forth below:

- A. Eighth Street/Central Avenue parking lot (adjacent to Fire Station No. 44):
 - 1) Permit Parking Only, Monday through Saturday, 7:00 A.M. to 5:00 P.M. and 10:00 P.M. to 7:00 A.M.

Section 4. These provisions shall become effective on August 1, 1993.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Seal Beach at a meeting thereof held on the 28th day of June, 1993, by the following vote:

AYES: Councilmembers _____

NOES: Councilmembers _____

ABSENT: Councilmembers _____

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MAYOR

ATTEST:

CITY CLERK

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was inadequate, error filled and illegal; that an EIR for further intensification of use of property on Main Street should have been prepared years ago, as the City has been notified and as required by CEQA; the Conditional Use Permit violates the Alcohol Beverage Control Act, the California Code of Regulations, the State Constitution, the California Business and Professions Code, and the California Government Code; grant of the Variance would be in violation of the Seal Beach Municipal Code; and objected to underwriting the applicant's business, estimating that the land and improvements for twenty-one parking spaces would cost conservatively between \$400,000 to \$500,000. Ms. Gail Ayres, 707 Central Avenue, spoke in opposition to the proposed restaurant, cited too many liquor licenses and related problems on Main Street. She requested that a moratorium on the issuance of alcoholic beverage licenses be imposed.

Mr. Jerry Hennessey, partner of BJ's Pizzeria, expressed appreciation for the positive comments relating to their company, stated it is their policy to run successful operations and listen to their employees as they are the persons that deal directly with the customers. There being no further comments, Mayor Forsythe declared the public hearing closed.

It was the order of the Chair, with consent of the Council, to declare a recess at 8:26 p.m. The Council reconvened at 8:40 p.m. with Mayor Forsythe calling the meeting to order.

Members of the Council expressed their opinions and indicated support for the proposed BJ's restaurant; noted the issue of parking is being addressed via various means for improvement; and allowing BJ's is not felt to be an intensification of use given the reduced dining area and the prior restaurant use. With regard to the communication from Ms. West and her reference to various Code provisions, the City Attorney advised that most of the issues mentioned have been reviewed and studied previously, however offered to do so again with a report back prior to consideration of the resolution reflecting the Council action relating to this appeal. Brown moved, second by Doane, to sustain the appeal of BJ's Chicago Pizzeria, reversing the recommendation of the Planning Commission, approving the requested applications subject to the appropriate terms and conditions and execution of a development agreement, and that there be further review of the communication submitted by Ms. West.

AYES: Brown, Doane, Forsythe, Hastings
NOES: None
ABSENT: Lazzlo Motion carried

Councilman Doane was excused from the meeting at 8:48 p.m.

MAIN STREET PARKING - IN-LIEU PROGRAM ACTIONS

The Director of Development Services reviewed prior discussions and actions of the Council relating to the downtown parking issue. He presented a report relating to an in-lieu parking program for the Main Street area and how it is perceived such program might be most effectively implemented in a reasonable manner that would allow activity within the area. The Director summarized requirements of the California Government Code (AB 1600) to establish such program, identification of the purpose of the program, identification of the use of the funds, establishment of a reasonable relationship between projects and the program, and administration of an in-lieu parking program. He presented a general overview of what has taken place under an interim in-

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APPLICATION NO.
5-93-225
Minutes June 14
California Coastal Commission

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lieu parking program, the result of an effort to implement recommendations of the Downtown Parking and Urban Design Task Force in 1984, noted those properties that are currently participating in the interim or parking mitigation program involve one hundred ninety-six spaces at a cost of \$100 per space per year. Based upon recent discussions, past studies and recommendations, the Director explained that staff has attempted to identify programs that are felt could most appropriately be dealt with as part of an AB 1600 analysis for provision of an in-lieu parking program such as a decked parking structure at the 8th/Central parking lot; acquisition of properties in the vicinity of Central/Main for additional parking; a tram vehicle to service the areas of Main Street, Ocean Avenue, Pacific Coast Highway, Seal Beach Boulevard; metering of Main Street as well as the city-owned parking lots adjacent to Main; and residential restricted parking on 8th and 10th Streets. Another issue that should be given attention in the AB1600 analysis would be the impacts of parking for all businesses on the Street, a building nonconforming due to parking as an example, and they are not required to obtain a CUP or Variance. The Director reported that upon calculating all of the parking provided by the businesses, the parking along Main Street, and the three lots adjacent to Main Street, there is a deficiency of four hundred seventy-four spaces based upon the zoning requirements for the current uses, one hundred ninety-six of those spaces have been granted by the City for restaurant and various changes of use requiring a CUP and are part of the interim in-lieu program, therefore there is a deficiency of about two hundred seventy-five spaces for current uses that are not required to come to the City for approval. He pointed out that the theater is deficient to the greatest degree where about eighty to eighty-five spaces would be required under current Code and there are none. The Director recommended that the issue of parking on Main Street be looked at as one would a shopping center, encompassing Ocean Avenue to Pacific Coast Highway, take all of the parking that is available and determine how to resolve the deficiency based on the demand for all of the businesses located in that center. He stated that the mechanism being proposed is to define future goals for the area, land use intensities, building standards, parking requirements, etc. through the Specific Plan process. He recommended that the staff be directed to proceed with the process for consultant selection to develop a Specific Plan, also proceed with consultant selection to prepare the AB1600 analysis, the goal being to define the current situation on the Street, current deficiencies, future anticipated maximum buildout, what the deficiencies would be at that point, the difference then between current and future deficiencies would be the portion that could be covered under the AB1600 program where existing deficiencies would be dealt with through assessment districts, parking meter funds, or other funding mechanisms. The Director reviewed the estimated costs and time to prepare a specific plan and the AB1600 analysis, as set forth in the staff report. The City Manager indicated that funds have been designated for a specific plan and AB1600 analysis in the 1993/94 budget. He noted that such actions would place the City in a pro-active position as to what is desired for Main Street in the future, defined standards rather than project by project review situations, a good position also as it relates to the Air Quality Management District trip reduction requirements. As part of the Specific Plan process the Director indicated it is likely the preparation of an Environmental Impact Report would be recommended, and confirmed that the Plan could set forth maximum allowable square footages for certain types of uses. He explained that the exterior boundaries of a building are presently used as

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the method of calculating square footage for parking space requirements, however some cities use only the public areas for such calculations for certain uses. Ms. Gail Ayres, Central Avenue, noted her prior request for resident restricted parking on 8th and 10th Streets, and added a request that Ocean Avenue and the second block of Central Avenue westerly of Main Street also be considered, possibly Electric Avenue as well. The City Attorney said a resolution designating the residential restricted parking may be desirable. The City Manager offered that it would be the recommendation of staff to initiate the residential tiered hour parking at the earliest possible time, the initial intent would be to retain one hour parking during the day with the residential permit, then limit parking to residents only between 4:00 or 5:00 p.m. until 10:00 or 11:00 p.m., provide for guest permits, all of which could be rescinded at a future time when a specific plan is considered. There was an indicated consensus of the Council to direct staff to commence preparation of the requests for proposals for Specific Plan and AB1600 analysis consultants subsequent to adoption of the budget, and that a resolution be prepared for consideration at next meeting setting forth the residential restricted parking areas and hours.

RESOLUTION NUMBER 4234 - TRANSPORTATION FACILITIES and PROGRAMS DEVELOPMENT FEE

Resolution Number 4234 was presented to Council entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAL BEACH ESTABLISHING THE AMOUNT OF THE TRANSPORTATION FACILITIES AND PROGRAMS DEVELOPMENT FEE AND ESTABLISHING THE AMOUNT OF THE TRANSPORTATION FACILITIES AND PROGRAMS DEVELOPMENT APPLICATION FEE PURSUANT TO CHAPTER 22B OF THE CODE OF THE CITY OF SEAL BEACH." By unanimous consent, full reading of Resolution Number 4234 was waived. The Director of Development Services presented the staff report, made reference to the Traffic Impact Fee Study authorized by Council in 1991 which recommended certain impact fees to meet the demand for future identified traffic impacts within the City, the fee schedule based upon different types and intensities of land uses, and noted that adoption of traffic impact fees is required to be submitted to the Orange County Transportation Authority by June 30th as part of the Measure M funding eligibility. He explained that the fees would take effect upon approval of the final program, thereafter any new development will be charged those fees as part of the building permit process, the funds to be set aside and utilized for specific projects relating to traffic impacts from those new development projects. He noted that the fees set forth under Section 4 of the Resolution are to cover the cost of whatever improvements would be deemed necessary, the fees set forth in Section 5 are for recovery of city administrative overhead costs for administering the program, consultant costs and establishing the accounting system, therefore the total fee would be the sum total of the two. Brown moved, second by Forsythe, to adopt Resolution Number 4234 as presented.

AYES: Brown, Forsythe, Hastings
NOES: None
ABSENT: Doane, Lazzlo Motion carried

PROPOSED 1993/94 FISCAL YEAR BUDGET

The City Manager announced that the budget document is anticipated to be completed and available to the Council within the week, the public hearing relating thereto has been scheduled for the June 28th meeting, and noted the State budget and aerospace reimbursement issue is still uncertain even though a recent news article reported the U. S. Supreme

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RECEIVED

MAR 19 2000

MAR 28 2000

CALIFORNIA
COASTAL COMMISSION

This letter is to state my opposition to amendment of use # 5-93-225A1 at 212 1/2 Main St. Seal Beach. I believe that the nail business will not have the stated 3 operators and will in actuality have many more operators than stated (with no parking available.) I base my statement on the fact that since being forced to go through coastal Commission approval that this business temporarily took out multiple tables with each table designed for use by multiple manicurists. (The one table left alone is set up for four manicurists) Also their present location in Long Beach is set up for ten to twenty manicurists. I feel shortly after coastal commission approval, the tables will return and that the 212 1/2 main st. will be a duplication of their Long Beach location with ten to twenty manicurist stations. Please do not approve amendment 5-93-225A1 thank you.

Donald R. Blount

129 Main St Seal Beach Ca

COASTAL COMMISSION

5-93 225-A1

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California Coastal Commission
200 Oceangate
10th Floor Suite 1000
Long Beach, CA 90802

RECEIVED
MAR 22 2000

CALIFORNIA
COASTAL COMMISSION

This letter is to state my opposition to amendment of use No.5-93-225A1 at 212-1/2 Main Street, Seal Beach. I believe that the nail business will have more operators than was stated in the approval process. Further, that the parking required will have an adverse effect on both the adjoining businesses as well as public access to the coast. Although the Masonic Hall had a requirement for 76 parking spaces, not only was that some number of years ago, but the Masonic Hall did not 'operate' a minimum eight hours a day, anywhere from five to seven days a week. There are now some fourteen beauty/barber salons along a three block stretch of Main Street. If this shop continues as it has at the Long Beach location, with ten to twenty operators, it could well result in illegal parking in my lot. This would adversely affect my business and impose the economic hardship of having to hire a monitor to enforce parking regulations.

Please do not approve amendment 5-93-225A1

Thank you,
KukSun Chu
224 Main Street
Seal Beach, CA 90740

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5-93 225-A1

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