

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
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Filed: 3/28/2001  
 49th Day: 5/16/2001  
 Staff: CP-LB  
 Staff Report: 4/19/2001  
 Hearing Date: May 7, 2001  
 Commission Action:

**M 12a**

**STAFF REPORT: APPEAL**  
**SUBSTANTIAL ISSUE**

RECORD PACKET COPY

**LOCAL GOVERNMENT:** City of Long Beach

**LOCAL DECISION:** Approval with Conditions

**APPEAL NUMBER:** A-5-LOB-01-111

**APPLICANT:** Genesis Real Estate Group (Gordon Ip)

**AGENTS:** George Medak & Mel Nutter

**PROJECT LOCATION:** 350 E. Ocean Boulevard, City of Long Beach

**PROJECT DESCRIPTION:** Appeal of City of Long Beach approval of coastal development permit for construction of two 18-story, 278-unit residential condominium towers (total of 556 units) above a three-level parking garage with 1,008 parking spaces. Includes use of Victory Park and vacation of portions of the Elm Avenue, Marine Way and Seaside Way public rights-of-way.

**APPELLANTS:** James Mewes, Dennis Apodaca and Donald Snow

**SUMMARY OF STAFF RECOMMENDATION**

The staff recommends that the Commission, after public hearing, determine that a **substantial issue exists** with respect to the grounds on which the appeal has been filed for the following reason: Pursuant to Section 30603(b)(1) of the Coastal Act; the local approved development does not conform to the standards set forth in the certified Local Coastal Program (LCP) in regards to the provision of on-site parking, protection of public views through the site, and protection of Victory Park for public recreation. The motion carry out the staff recommendation is on **page 6**.

Staff further recommends that the Commission **continue the de novo hearing** to the June 12-15, 2001 Commission meeting in Long Beach.

**SUBSTANTIVE FILE DOCUMENTS:**

1. City of Long Beach Certified Local Coastal Program.
2. City of Long Beach Local Coastal Development Permit No. 0012-20.
3. City of Long Beach Resolution of Intention to Vacate portions of Elm Way, Marine Way and Seaside Way, 4/17/2001.
4. City of Long Beach Vesting Tentative Tract Map No. 53405.
5. Parking Study, by Kaku Associates Inc., 12/4/2000.
6. Draft Traffic Impact Analysis, by Kaku Associates Inc., 9/19/2000.

## **I. APPELLANTS' CONTENTIONS**

Local Coastal Development Permit No. 0012-20, approved by the Long Beach City Council on March 20, 2001, has been appealed by the following three persons: James Mewes, Dennis Apodaca and Donald Snow.

Dennis Apodaca and Donald Snow have established their right to appeal as aggrieved persons by testifying personally at a public hearing for the local coastal development permit. There is no record of James Mewes testifying or otherwise participating in the local review of the proposed project. Therefore, James Mewes has not established himself as an aggrieved person. The City of Long Beach certified LCP procedures for appeals to the Coastal Commission limit the right to appeal to aggrieved persons only.<sup>1</sup> Therefore, the appeal by James Mewes is not a valid appeal. The appeals by Dennis Apodaca and Donald Snow are valid appeals.

The appeal by Dennis Apodaca focuses primarily on the issue of the adequacy of the on-site parking supply for the proposed project and whether it complies with the requirements of the certified LCP (Exhibit #7). The appeal also questions the validity of the parking study used by the City to justify the parking variance.

The certified LCP parking standard for the LCP subarea where the proposed project is located would require the provision of 1,205 parking spaces for the proposed 556 residential units. The City granted the applicant a Standards Variance for parking that requires the provision of only 1,008 on-site parking spaces: 888 parking spaces for the proposed 556 residential units plus 120 public/guest spaces. The City is requiring the applicant to provide 120 public parking spaces in exchange for the use of the area beneath Victory Park as part of the parking garage.

In addition, approximately fourteen curbside parking spaces would be removed in order to open an additional eastbound traffic lane on Ocean Boulevard as traffic mitigation for the proposed project. The appeal states that the loss of the curbside parking would negatively effect the neighborhood parking supply.

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<sup>1</sup> An "aggrieved person" as defined by Section 21.15.120 of the City of Long Beach Zoning Ordinance and the certified LIP, means: any person who testified personally or through a representative at a public hearing; who informed staff of the zoning division of the department of planning and building in writing prior to hearing of an interest in the subject of a hearing; or who, for good cause, was unable to do either.

The appeal by Dennis Apodaca also asserts that the proposed project would negatively impact Victory Park. Victory Park is part of a narrow (80 feet wide) park strip that runs along the coastal bluff on the southern side of Ocean Boulevard in downtown Long Beach. The applicant proposes to excavate Victory Park and develop the area below Ocean Boulevard grade as underground parking for the project. At Ocean Boulevard level, the applicant proposes to restore the public park by landscaping the roof of the parking garage with lawn and palms (Exhibits #4&5).

Dennis Apodaca asserts that the City-approved project violates the following LCP policy regarding protection of views to the Shoreline:

All buildings shall be arranged on their sites so as to provide views between the buildings, so as to avoid the impression of a wall of buildings, so as to minimize blocking shoreline views of other buildings, and so as to entice pedestrians into the shoreline area.

The appellant asserts that the proposed project is a wall two blocks long that blocks views to the Long Beach Arena and H.M.S. Queen Mary. The certified LCP specifically requires that views through the site be protected at Elm Avenue and Hart Place.

Dennis Apodaca's appeal also asserts that the LCP density limits have been violated by the City's approval of the proposed project. The certified LCP limits residential density on the project site to 250 dwelling units per acre. The City staff report states that the project site contains 2.2 acres of area, including the portions of the Elm Avenue, Marine Way and Seaside Way rights-of-way which are being vacated as part of the proposed project. The certified LCP would allow a maximum of 550 dwelling units on a 2.2 acre site ( $250 \times 2.2 \text{ acres} = 550 \text{ units}$ ). The local approval permits 556 dwelling units.

The appeal by Donald Snow asserts that the proposed project would negatively impact Victory Park and the public views that currently exist through the park. Specifically, the proposed project would change the recreational experience in Victory Park because of the proposed removal of several large shade trees and the eradication of the ground squirrels that live in the park (Exhibit #8). He also asserts that the proposed project would obstruct the coastal views that currently exist from Ocean Boulevard, and that adequate on-site parking is not being provided.

The issues raised by the James Mewes appeal (parking, density and view blockage) are covered by the two valid appeals.

## **II. LOCAL GOVERNMENT ACTION**

On February 15, 2001, the City of Long Beach Planning Commission held a public hearing for the proposed project. The proposed 556-unit residential project, known as Case No. 0012-20, was seeking Planning Commission approval or certification of the following development applications:

Local Coastal Development Permit

Site Plan Review

Vesting Tentative Tract Map No. 53405 (Exhibit #4)

Standards Variances (parking, driveway and public pedestrian access requirements)

General Plan Conformity for Street Vacations (Exhibit #3)

Mitigated Negative Declaration ND-42-00 (CEQA)

Several persons spoke for and against the project at the February 15, 2001 public hearing. At the conclusion of the public hearing, the Planning Commission found that the proposed project is consistent with the goals and policies of the City of Long Beach General Plan and certified Local Coastal Program (LCP). Vesting Tentative Tract Map No. 53405, the requested standards variances, the Site Plan Review application, and Local Coastal Development Permit No. 0012-20 were approved for the construction of two 18-story, 278-unit residential condominium towers (total of 556 units) above a three-level parking garage with 1,008 parking spaces. The Planning Commission also certified Mitigated Negative Declaration ND-42-00 for the proposed project, and found that the proposed street vacations (portions of the Elm Avenue, Marine Way and Seaside Way public rights-of-way) are in conformity with the General Plan.

The Planning Commission's entire action was appealed to the City Council by Joyce Bloom, George L. Campbell and Jerry DeMeo. The appellants opposed the proposed project on the basis of view blockage, traffic and parking impacts, appropriateness of the land use, affordability of the units, and other issues.

On March 20, 2001, the City Council held a public hearing for the appeal of the Planning Commission's actions to approve the proposed project. At the conclusion of the public hearing, the City Council concurred with the Planning Commission that the proposed project is consistent with the goals and policies of the City of Long Beach General Plan and certified LCP. The appeal was denied and the approval of Local Coastal Development Permit No. 0012-20 and the other applications was upheld.

On March 22, 2001, the City's Notice of Final Local Action for Local Coastal Development Permit No. 0012-20 was received in the Commission's Long Beach office. The Commission's ten working day appeal period was then established and noticed. The appeals by James Mewes and Dennis Apodaca were received on March 28, 2001. The appeal by Donald Snow was received on March 30, 2001. The Commission's ten working day appeal period expired on April 5, 2001.

### **III. APPEAL PROCEDURES**

After certification of Local Coastal Programs, the Coastal Act provides for limited appeals to the Coastal Commission of certain local government actions on coastal development permits. Developments approved by cities or counties may be appealed if they are located within the mapped appealable areas, such as those located between the sea and the first public road paralleling the sea or within 300 feet of the top of the seaward face of a coastal bluff. Furthermore, developments approved by counties may be appealed if they are not designated "principal permitted use" under the certified LCP. Finally, developments which constitute

major public works or major energy facilities may be appealed, whether approved or denied by the city or county. [Coastal Act Section 30603(a)].

The City of Long Beach Local Coastal Program was certified in July 22, 1980. Section 30603(a)(2) of the Coastal Act identifies the proposed project site as being in an appealable area by its location being within 300 feet of the top of the seaward face of a coastal bluff.

Section 30603 of the Coastal Act states:

- (a) After certification of its Local Coastal Program, an action taken by a local government on a Coastal Development Permit application may be appealed to the Commission for only the following types of developments:
  - (1) Developments approved by the local government between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.
  - (2) Developments approved by the local government not included within paragraph (1) that are located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, stream, or within 300 feet of the top of the seaward face of any coastal bluff.

The grounds for appeal of an approved local Coastal Development Permit in the appealable area are stated in Section 30603(b)(1), which states:

- (b)(1) The grounds for an appeal pursuant to subdivision (a) shall be limited to an allegation that the development does not conform to the standards set forth in the certified Local Coastal Program or the public access policies set forth in this division.

The action currently before the Commission is to find whether there is a "substantial issue" or "no substantial issue" raised by the appeal of the local approval of the proposed project. Section 30625(b)(2) of the Coastal Act requires a de novo hearing of the appealed project unless the Commission determines that no substantial issue exists with respect to the grounds for appeal.

If Commission staff recommends a finding of substantial issue, and there is no motion from the Commission to find no substantial issue, the substantial issue question will be considered moot, and the Commission will proceed to the de novo public hearing on the merits of the project. The de novo hearing will be scheduled at the same hearing or a subsequent Commission hearing. A de novo public hearing on the merits of the project uses the certified LCP as the standard of review. In addition, for projects located between the first public road and the sea, findings must be made that any approved project is consistent with the public

access and recreation policies of the Coastal Act. Sections 13110-13120 of the California Code of Regulations further explain the appeal hearing process.

If the Commission decides to hear arguments and vote on the substantial issue question, proponents and opponents will have three minutes per side to address whether the appeal raises a substantial issue. The only persons qualified to testify before the Commission at the substantial issue portion of the appeal process are the applicants, persons who opposed the application before the local government (or their representatives), and the local government. Testimony from other persons must be submitted in writing.

The Commission will then vote on the substantial issue matter. It takes a majority of Commissioners present to find that no substantial issue is raised by the local approval of the subject project.

#### **IV. STAFF RECOMMENDATION ON SUBSTANTIAL ISSUE**

The staff recommends that the Commission determine that **a substantial issue exists** with respect to the conformity of the project with the policies of the City of Long Beach certified Local Coastal Program, pursuant to Public Resources Code Section 30625(b)(2).

**MOTION:** Staff recommends a **NO** vote on the following motion:

I move that the Commission determine that Appeal No. A-5-LOB-01-111 raises **NO** substantial issue with respect to the grounds on which the appeal has been filed.

A majority of the Commissioners present is required to pass the motion.

#### **V. FINDINGS AND DECLARATIONS**

The Commission hereby finds and declares:

##### **A. Project Description**

The applicant proposes to construct two 18-story, 278-unit residential condominium towers (total of 556 units) above a three-level parking garage (Exhibit #6). Each proposed condominium tower would reach approximately 220 feet above Ocean Boulevard level and 250 feet above Seaside Way elevation (Exhibit #6). No commercial uses are proposed as part of the proposed residential condominium project.

The project site is located on the coastal bluff which runs along the south (seaward) side of Ocean Boulevard in downtown Long Beach (Exhibit #2). Earlier this century, the ocean and beach occupied the area near the toe of this bluff, but several landfill projects (most occurring prior to the Coastal Act) and the construction of the Long Beach Convention and

Entertainment Center have displaced the former beach. The nearest shoreline is the beach located about a thousand feet southeast of the site (Exhibit #2). The Chapter 138 Line, which runs along Seaside Way on the southern boundary of the site, is the former shoreline and the boundary between the Commission's area of original jurisdiction (tidelands) and the City's LCP jurisdiction (Exhibit #3).

The 2.2-acre project site includes portions of the Elm Avenue, Marine Way and Seaside Way public rights-of-way which the City intends to vacate (Exhibit #3). The use of Victory Park, an 80-foot wide park strip on the coastal bluff, is also included as part of the proposed project (Exhibit #4). Except for Victory Park and Elm Avenue, the project site is vacant and has been fenced-off for several years. The area located to the west and south of the project site is occupied by the Long Beach Convention and Entertainment Center and its parking facilities (Exhibit #2). The blocks to the north and east of the project site are developed with high-rise residential and commercial buildings.

Victory Park would be excavated and developed for the proposed project's parking supply, a three-level garage built below Ocean Boulevard grade (Exhibit #6, p.2). After the park is demolished and excavated, and the proposed parking garage is constructed, the applicants propose to landscape the top of the garage roof and restore the area as a City park (Exhibit #4). The restored park would be the same elevation as Ocean Boulevard, and eighty feet wide from Ocean Boulevard curblin to the proposed towers. The restored park, however, would be bisected by a driveway providing vehicular access to the proposed parking garage. The proposed driveway through the park would occupy part of the present Elm Avenue right-of-way (Exhibit #4).

The proposed three-level parking garage contains 888 parking spaces for the proposed 556 residential units and 120 parking spaces for the general public and guests. Vehicular access to the parking garage is proposed from Ocean Boulevard, Hart Place and Linden Avenue (Exhibit #4). Vehicular access from Seaside Way is not proposed so as to avoid conflict with the use of Seaside Way for the Long Beach Grand Prix circuit each April.

The City approval includes easements for public pedestrian access on the Ocean Boulevard level across the following three portions of the project site (See Exhibit #4):

- Public Promenade (20' wide) on the southern (seaward) side of the site
- North-South walkway (20' wide) from park to Promenade along Hart Place
- North-South walkway (30' wide) from park to Promenade between the towers

A circular drop-off and loading area and five surface parking spaces are proposed to be situated within the City-required 30-foot wide easement located between the two towers where Elm Avenue currently exists (Exhibit #4). The two towers would be cantilevered over half of the City-required 20-foot wide public promenade situated along the south side of the site (at Ocean Boulevard elevation).

## **B. Substantial Issue Analysis**

As stated in Section III of this report, the grounds for appeal of a coastal development permit issued by the local government after certification of its Local Coastal Program (LCP) are specific. In this case, the local coastal development permit may be appealed to the Commission on the grounds that it does not conform to the certified LCP or the public access policies of the Coastal Act. The Commission must then decide whether a substantial issue exists in order to hear the appeal.

In this case, the appellants contend that the City-approved project does not provide an adequate on-site parking supply, does not protect public views through the site, and does not protect Victory Park for public recreation as required by the City of Long Beach certified LCP (See Section I). The appeal also asserts that the proposed project exceeds the density limits contained in the certified LCP for the project site.

Staff has recommended that the Commission concur that the locally approved project does not conform to the currently certified LCP and find that a substantial issue does exist with respect to the grounds on which the appeal has been filed.

### **Parking Supply**

The neighborhood where the project is proposed currently suffers from an insufficient parking supply. The appellants and other local residents have testified that there is a parking shortage during the local hearings on the proposed project. The shortage of parking in the project area is the result of the presence of several older high-density residential developments that lack adequate parking, the high parking demand generated by the Long Beach Convention and Entertainment Center, and the parking demand generated by local commercial uses and the nearby shoreline recreation facilities.

Annual special events, including the Long Beach Grand Prix, Gay Pride Festival, Beachfest, and numerous concerts and sporting events create very high demands for parking throughout the Downtown Shoreline area. The demand for parking during these events, as mandated by the certified LCP, is met through the Parking and Traffic Management Organization (PTMO). The PTMO is an association that manages the private parking facilities throughout the Downtown Shoreline area in order to ensure that an adequate parking supply is available during peak demand periods. The certified LCP requires that all new development provide parking at a specific standard, not only to meet the parking demands of the project, but also to ensure that an adequate parking supply exists for the entire Downtown Shoreline area. This overall shared parking plan is organized and implemented through the PTMO. The City-approved project, in this case, requires the applicant to provide 120 public parking spaces and to participate in the PTMO.

The City approval includes a Standards Variance that would allow the applicant to provide substantially fewer on-site parking spaces than the certified LCP requires for the proposed project. The certified LCP requires that on-site parking be provided (below Ocean Boulevard level) at the following rate:



**PD-6 General Development Standards: Parking**

Two spaces per residential unit (2 spaces/unit)  
plus guest parking: one space per six residential units (1 space/6 units)

Therefore, the certified LCP requires that the proposed 556-unit project provide at least 1,205 on-site parking spaces. The local approval requires the provision of 1,008 on-site parking spaces, 120 of which would be public parking spaces not used to meet the demands of the proposed project. Even if the 120 City-required public parking spaces are counted toward the project's proposed parking supply, the proposed 1,008 parking spaces is 197 spaces fewer (16%) than the 1,205 spaces required by the certified LCP. Therefore, the locally approved project does not conform to the parking requirements of the certified LCP.

The City cited a parking study conducted by Kaku Associates in granting the applicant the Standards Variance for a reduced parking supply. The parking study is based on parking occupancy counts at three multi-family developments located somewhere near downtown Long Beach. The specific location of the parking surveys has not been disclosed to the public. The parking occupancy counts, on which the parking study and Standards Variance are based, were conducted on Friday and Saturday, December 1-2, 2000. The parking study estimates that the demand for parking for residents and guests of the proposed project is 1.8 spaces per unit ( $1.8 \times 556 = 1000.8$  spaces)

The proposed project will also reduce the number of public parking spaces on Ocean Boulevard. Approximately fourteen curbside parking spaces would be removed in order to open an additional eastbound traffic lane on Ocean Boulevard as part of the proposed project's traffic impact mitigation. These curbside parking spaces support public access Victory Park.

The City approval clearly permits the proposed project to provide fewer parking spaces than the LCP mandates for this area of the coastal zone. The City's variance for a reduced parking supply relies on a parking study that estimates the project parking demand using parking counts taken at three locations over two December nights. Public parking will be removed from Ocean Boulevard. The adequacy of the proposed project's parking supply, the City-approved variance for parking, the limited data on which the parking study is based, and the loss of public parking are all substantial issues which have been raised by the appellants. The Commission will address these issues during the de novo hearing at a future meeting.

**Visual Impacts**

The certified LCP states that two 30-foot wide north-south walkways shall be provided through the project site and that these walkways shall be open public areas providing unobstructed views to the southern boundary of the subarea:

PD-6 Specific Development Standards: Subarea 9 Pedestrian Access.

(b)2. A public walkway from Ocean Boulevard to the Promenade shall be provided at Hart Place, Elm Avenue, Atlantic Avenue and Lime Avenue. These walks shall be within open public areas not less than 30 feet (30') in width providing an unobstructed view from Ocean Boulevard to the southern boundary of the subarea.

The above-stated LCP standard requires that two 30-foot wide north-south walkways be provided on the project site: one at Hart Place on western edge of site and one at Elm Avenue in the middle of the project site (Exhibit #3). The local approval permits a reduced width (20' instead of 30') for the north-south walkway at Hart Place on the western edge of site. The local approval also permits an on-site vehicular loading and parking area within the 30-foot wide walkway on the vacated Elm Avenue right-of-way (Exhibit #4). The reduced width of one view corridor, and the placement of a vehicular loading and parking area within the Elm Avenue view corridor, are inconsistent with the LCP requirement for *unobstructed* views through two 30-foot wide accessways on the site.

The proposed vehicular loading and parking area within the Elm Avenue view corridor violates two other provisions of the certified LCP. The certified LCP prohibits new open parking areas on the Ocean Boulevard level:

PD-6 General Development Standards: Parking

(d)3. Open Parking. No open parking shall be permitted at Ocean Boulevard grade. This does not prohibit vehicle drop off or automobile court areas where these areas are specifically permitted.

The City-approved on-site surface parking spaces in the view corridor are not specifically permitted because they would be accessed by a driveway through Victory Park in violation of the following LCP provision which prohibits vehicular access from Ocean Boulevard:

PD-6 Specific Development Standards: Subarea 9 Access

(b)1. Vehicular Access. All construction of new buildings shall have vehicular access only from Seaside Way and Elm and Linden Avenues. Existing buildings may maintain access from Ocean Boulevard for reuse or conversion to condominium.

The local coastal development permit requires the provision of a 90-foot wide view corridor on the eastern edge of the site adjacent to Linden Avenue, even though the LCP does not require a view corridor in this location. The local approval, however, authorizes the development of the 90-foot view corridor area with a swimming pool enclosed by a wall, trellis and lush landscaping. Public access is not allowed within the 90-foot wide view corridor/private swimming pool area. The only views protected by this 90-wide view corridor would be views from the high-rise apartment building located immediately inland of the view corridor.

Therefore, the locally approved project would eliminate all public views toward the shoreline that are currently available from Ocean Boulevard and Victory Park, and would not provide the two thirty-foot wide unobstructed view corridors at Hart Place and Elm Avenue as required by the certified LCP. The visual impacts of the proposed project and the lack of conformity with the view protection standards of the certified LCP are substantial issues which have been raised by the appellants. The Commission will address these issues during the de novo hearing at a future meeting.

### **Victory Park**

The certified LCP requires that Victory Park shall be preserved as a dedicated City Park, and that all development on the site be set back a minimum of 80 feet from the Ocean Boulevard curblines, or the width of the existing City Park strip, whichever is greater [PD-6 General Development Standards: Building Design]. The local approval does not specifically define the dimensions of the restored City Park area so it is difficult to determine if the local coastal development permit enforces the minimum 80-foot setback from the Ocean Boulevard curblines.

The local approval also permits development of a driveway within the required City Park strip in violation of the LCP provision which protects Victory Park by prohibiting new buildings from being accessed from Ocean Boulevard. The driveway would be located on the site of the current Elm Avenue right-of-way, which the City intends to vacate.

#### **PD-6 Specific Development Standards: Subarea 9 Access**

(b)1. Vehicular Access. All construction of new buildings shall have vehicular access only from Seaside Way and Elm and Linden Avenues. Existing buildings may maintain access from Ocean Boulevard for reuse or conversion to condominium.

The prohibition against vehicular access from Ocean Boulevard protects Victory Park for public recreation uses rather than for private vehicular uses. It also prevents ingress and egress traffic from interfering with the flow of traffic on Ocean Boulevard.

In addition, the local approval permits excavation of City parkland to accommodate the proposed three-level parking garage which would be partially located beneath Victory Park. This would remove the park from public use for an undetermined amount of time. When the park is finally restored as required by the City, it will no longer have the large shade trees and the character of the park will be changed. The curbside parking along Ocean Boulevard that supports the use of the park will be removed.

The loss of the park during construction, the loss of public curbside parking near the park, the use of park area for a driveway access to the proposed project raise substantial issues with regards to the project's conformance with the certified LCP.

### **Residential Density**

The certified LCP states that residential density on the site shall not exceed 250 dwelling units per acre. The local approval states that the project site contains 2.2 acres, including the portions of the Elm Avenue, Marine Way and Seaside Way rights-of-way which are being vacated as part of the proposed project. The certified LCP would allow a maximum of 550 dwelling units on the 2.2 acre site ( $250 \times 2.2 \text{ acres} = 550 \text{ units}$ ). The local approval permits 556 dwelling units, six units more than the maximum permitted by the certified LCP [PD-6 Specific Development Standards: Subarea 9 Uses].

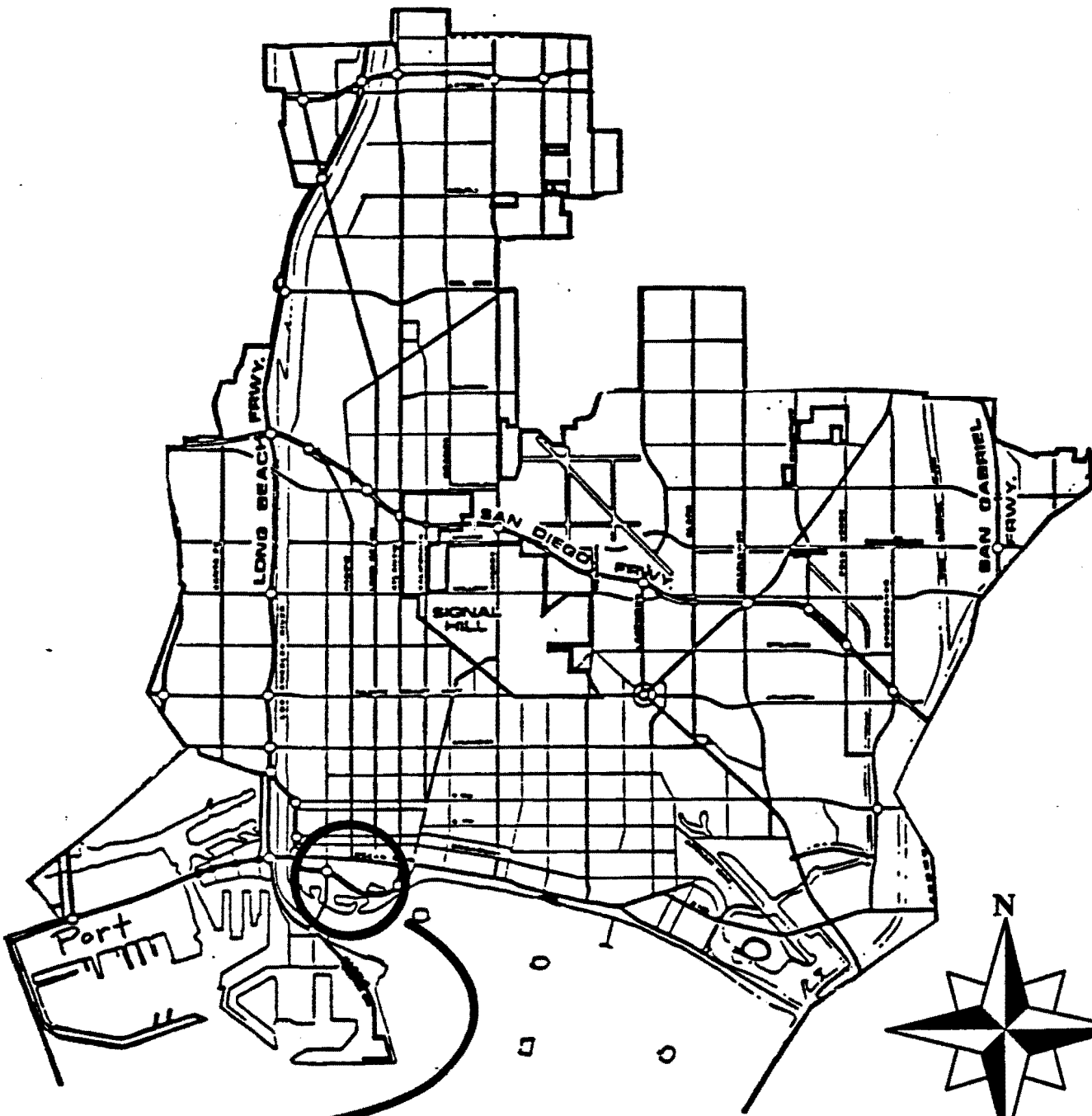
The applicant states that the project site actually contains 2.226 acres, which would allow the proposed 556 residential units. The exact size of the project site, and the maximum allowable density, is a substantial issue that the Commission will address as part of a de novo permit.

### **Conclusion**

In conclusion, substantial issues exist with the local government action because the proposed project cannot be found to be consistent with the policies of the certified LCP as stated above. Therefore, staff recommends that the Commission find that a substantial issue exists with the approval Local Coastal Development Permit No. 0012-20 on the grounds that locally approved development does not conform to the standards set forth in the certified LCP in regards to the provision of on-site parking, protection of public views through the site, and protection of Victory Park for public recreation.

End/cp

# City of Long Beach



Site

COASTAL COMMISSION  
A5-L0B-01-111

EXHIBIT # 1  
PAGE 1 OF 1



# LONG BEACH

Site:  
350 E. Ocean Blvd.



COASTAL COMMISSION  
A5-LoB-01-111

EXHIBIT # 2  
PAGE 1 OF 1

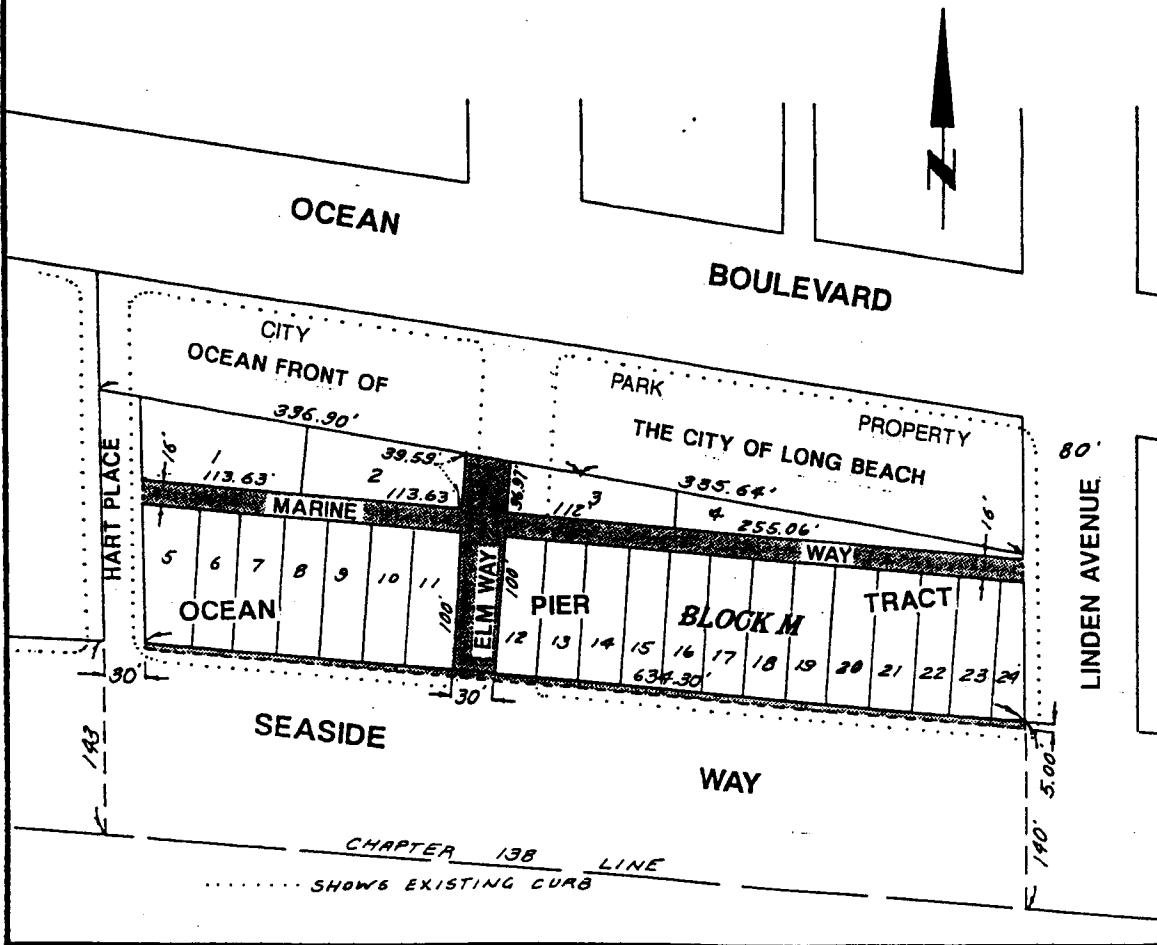
**926V**  
**SKETCH SHOWING ELM WAY, MARINE WAY, AND A**  
**PORTION OF SEASIDE WAY BETWEEN HART PLACE AND**  
**LINDEN AVENUE TO BE VACATED BY THE CITY OF LONG**  
**BEACH.**

[Hatched Box] **SHOWS PORTIONS TO BE VACATED**

ENGINEERING BUREAU  
 CITY OF LONG BEACH, CALIFORNIA

**COASTAL COMMISSION**  
**AS-LoB-01-111**

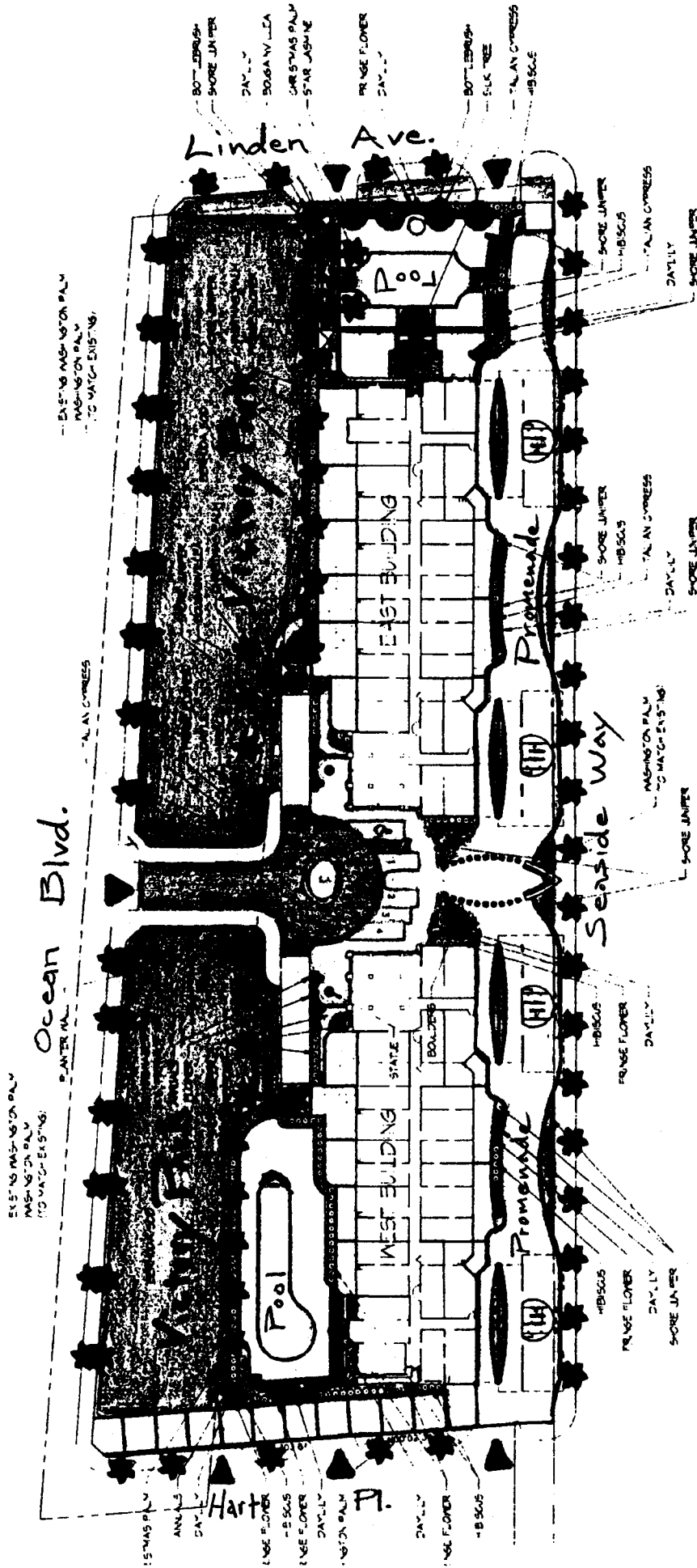
EXHIBIT # **3**  
 PAGE **1** OF **1**



DIETRICH POST REORDER NO. 149820

**EXHIBIT**

# Site Plan



COASTAL COMMISSION  
AS-LOB-01-111  
EXHIBIT # 7  
PAGE 1 OF 1

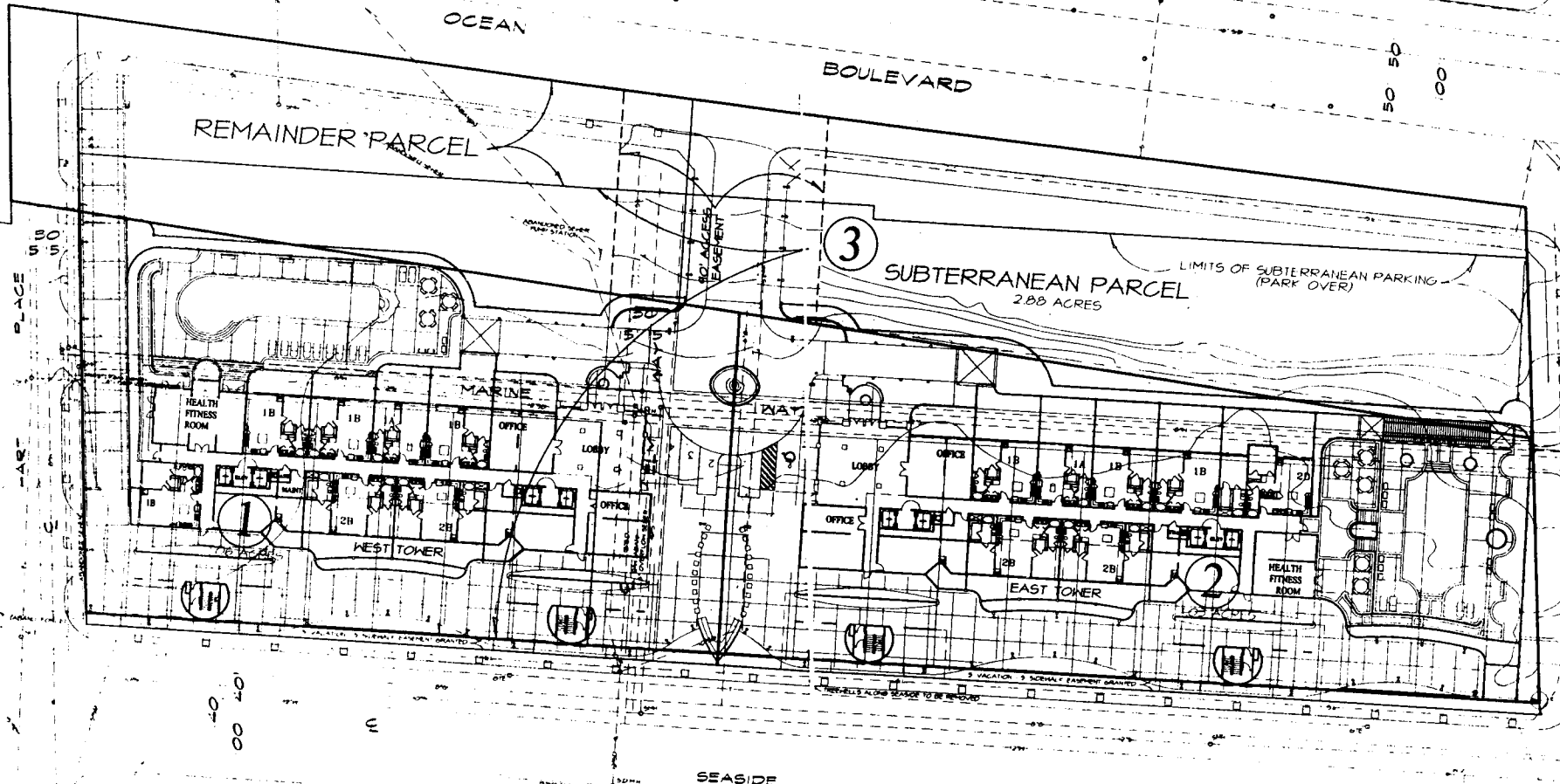
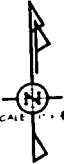
► Garage entry/exit



# VESTING TENTATIVE TR. NO. 405 FOR CONDOMINIUM PURPOSES

IN THE CITY OF LONG BEACH  
COUNTY OF LOS ANGELES  
STATE OF CALIFORNIA

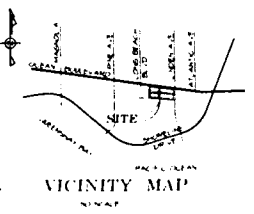
BEING A SUBDIVISION OF LOTS 1 THROUGH 24, AND CONTIGUOUS PORTIONS OF ELM WAY AND MARINE WAY IN BLOCK "M" OF THE OCEAN PIER TRACT PER MAP BOOK 5 PAGE 107 OF MAPS, AND LOT G OF THE OCEAN FRONT OF THE CITY OF LONG BEACH PER MAP RECORDED IN BOOK 39, PAGES 18 TO 33 OF MISCELLANEOUS RECORDS, TOGETHER WITH A SUBTERRANEAN PORTION OF SAID LOTS LYING BETWEEN THE HORIZONTAL PLANES OF ELEVATION 30.5 FEET AND 0.50 FEET, THE MEAN SEA LEVEL DATUM AS ESTABLISHED FROM THE CITY OF LONG BEACH BENCHMARK 1134. ALL RECORDS OF SAID COUNTY



**COASTAL COMMISSION**

**A5-LoB-01-111**  
**EXHIBIT # 5**  
**PAGE 1 OF 1**

RECEIVED  
COURT CLERK  
APR 17 2001



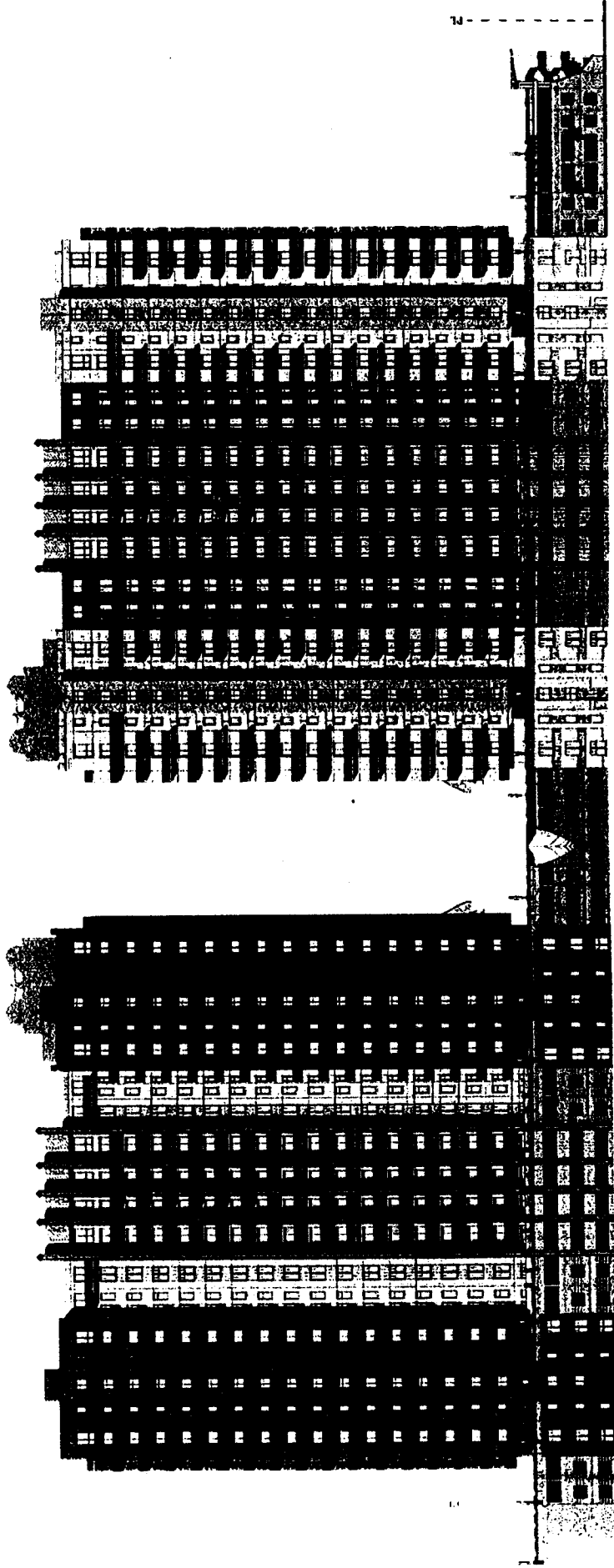
UNFILED  
OWNER: CITY OF LONG BEACH WATER 76021 426 395  
BENCHM: CITY OF LONG BEACH WATER 76021 426 395  
MARINE WAY 76021 426 395  
OCEAN PIER TRACT 76021 426 395  
SUBTERRANEAN PORTION 76021 426 395  
WEST TOWER 76021 426 395  
EAST TOWER 76021 426 395  
HEALTH FITNESS ROOM 76021 426 395  
OFFICE 76021 426 395  
LOBBY 76021 426 395  
MARINE WAY 76021 426 395  
SEASIDE WAY 76021 426 395

SITE ADDRESS: 390 E. 1ST OCEAN BOULEVARD  
BENCHM: CITY OF LONG BEACH WATER 76021 426 395  
MARINE WAY 76021 426 395  
OCEAN PIER TRACT 76021 426 395  
SUBTERRANEAN PORTION 76021 426 395  
WEST TOWER 76021 426 395  
EAST TOWER 76021 426 395  
HEALTH FITNESS ROOM 76021 426 395  
OFFICE 76021 426 395  
LOBBY 76021 426 395  
MARINE WAY 76021 426 395  
SEASIDE WAY 76021 426 395

OWNER - SUBDIVIDER  
**MR. GEORGE M. MEDAK**  
6230 MAGGIO CIRCLE, LONG BEACH, CA 90803  
Telephone: (562) 597-0211

West Tower

East Tower



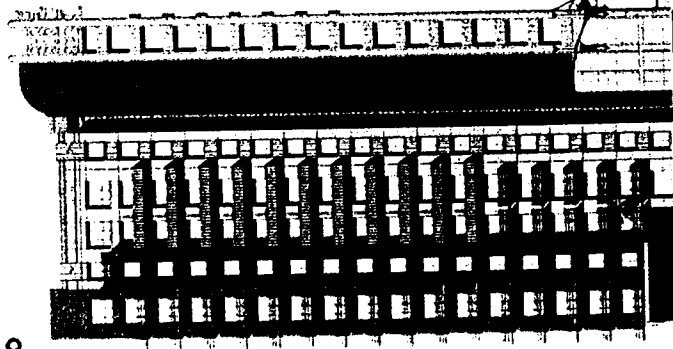
South Elevation

COASTAL COMMISSION  
AS-LOB-01-111

EXHIBIT # 6

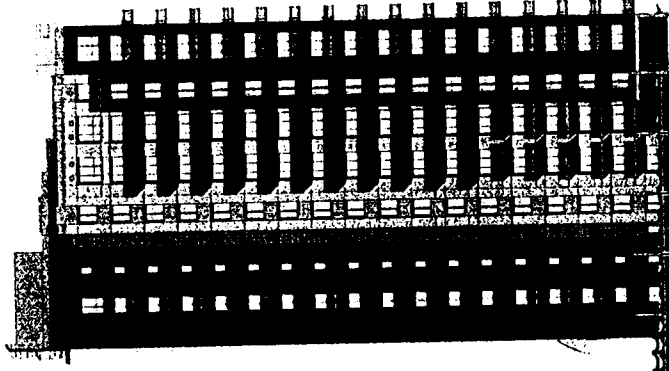
PAGE 1 OF 2

30' SEASIDE WAY



East Elevation

VICTORY PARK  
OCEAN BLVD.



West Elev.

VICTORY PARK  
SEASIDE WAY

# COASTAL COMMISSION AS-L0B-01-111

EXHIBIT # 6  
PAGE 2 OF 2

300'  
100'  
167'

CALIFORNIA COASTAL COMMISSION

South Coast Area Office  
200 Oceanside, 10th Floor  
Long Beach, CA 90802-4302  
(562) 590-5071

APPEAL FROM COASTAL PERMIT  
DECISION OF LOCAL GOVERNMENT  
(Commission Form D)

MAR 28 2001

CALIFORNIA  
COASTAL COMMISSION

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name, mailing address and telephone number of appellant(s):

DENNIS APODACA  
425 E OCEAN BLVD #220 LONG BEACH CA  
90802 (562) 437-6058  
Zip Area Code Phone No.

SECTION II. Decision Being Appealed

1. Name of local/port government: City of Long Beach

2. Brief description of development being appealed: 556 APARTMENT / CONDO DEVELOPMENT

3. Development's location (street address, assessor's parcel no., cross street, etc.): 350 E OCEAN BLVD LONG BEACH TRACT MAP # 53405 0012-20

4. Description of decision being appealed:

- a. Approval; no special conditions: \_\_\_\_\_
- b. Approval with special conditions: Transfer, Design, Design
- c. Denial: \_\_\_\_\_

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: A-5-LOB-01-111

DATE FILED: 3/28/01

DISTRICT: South Coast

H5: 4/88

COASTAL COMMISSION  
A5-LOB-01-111

EXHIBIT # 7

PAGE 1 OF 6

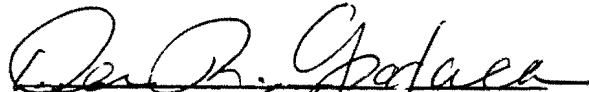
State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

ATTACHED PLEASE FIND MY LETTER TO  
THE CITY COUNCIL DATED 20 MARCH 2001 -  
PLEASE NOTE THAT I HAVE HIGHLIGHTED  
THE AREAS THAT PERTAIN TO THIS APPEAL.

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

**SECTION V. Certification**

The information and facts stated above are correct to the best of my/our knowledge.

  
Signature of Appellant(s) or  
Authorized Agent

Date 3/27/2001

NOTE: If signed by agent, appellant(s) must also sign below.

**Section VI. Agent Authorization**

I/We hereby authorize \_\_\_\_\_ to act as my/our representative and to bind me/us in all matters concerning this appeal.

\_\_\_\_\_  
Signature of Appellant(s)

Date \_\_\_\_\_

**COASTAL COMMISSION**

EXHIBIT # 7  
PAGE 2 OF 6

20 March 2001

Mayor and Councilmembers:

I have lived in the Long Beach area most of my life and have resided in the downtown area (East Village) for the past 12 years. Twelve years ago, living downtown was a questionable proposition; in fact many of my friends and associates did not understand the potential of the area.

However, in those twelve years, downtown and the East Village have blossomed into an area that has become desirable to both live and work. I've seen development improve the area for the better, however with these improvements come more people, traffic and congestion. East Village is still a great place to live even with the current congestion problems, I and my neighbors would all agree that we are not against continued development of the area, but we want to insure that it is done wisely as the decisions made today may adversely affect our quality of life tomorrow.

I reviewed the Site Plan Review for the project located at 350 East Ocean Boulevard and in summary found the following problems:

**Page 1, Item 3 (Reason for Recommendation):** states "The requested Standard Variances are relatively minor and will not create negative impacts on adjacent land uses. Off-street parking for residents and guests is sufficient as discussed in Negative Declaration No. 42-00 and the parking study prepared by Kaku and Associates.

**Not only is this statement untrue but I believe that the Kaku and Associates study is flawed because it does not take into account the following facts:**

1. **The parking study looked only at parking during a non peak time of the year December. If a parking study is to be valid it must account for those times of the year when parking is at it's maximum. Based on selling prices of units in surrounding buildings I would assume that individuals or couples who buy these new units are not big users of public transportation and will therefore will have an impact on parking in the area**
2. **The Lafayette building with more than 150 units has no parking.**
3. **The Cooper Arms with 159 units has no parking.**
4. **The building on Ocean at Atlantic has no parking.**
5. **The Villa Riviera has very limited parking and is insufficient for the size of the building.**
6. **Many other residential units in the area have no parking.**

Consequently most of these people must park on the street or in paid parking structures (many are not open to public access 24/7). Parking is tight during the week, but on weekends it is even worse because:

**COASTAL COMMISSION**

EXHIBIT # 7  
PAGE 3 OF 6

- A. There are (4) major buildings in the area with no parking.
- B. During the summer months tourism increases the parking density.
- C. The myriad of movie filming done downtown.
- D. During the week and on weekends people attending the convention center and the sports arena functions utilize street parking so as not to have to pay the parking fees at the convention center.
- E. The Grand Prix which eliminates our use of parking for full four days as well as the set up and take down time for this event which takes months.
- F. The numerous festivals throughout the year.

Page 1, Item 2 (Reason for Recommendation): The last line states "... and restores and maintains Victory Park for use by the public".

All of the beautiful trees that have grown in Victory Park for years are to be destroyed with the only thing left being the palm trees which will have to be placed in pots. Potted trees do not grow large or lush. In addition, this space is more transitional (moving) than a park (sitting). Rather than a comfortable park this will become an austere area, and makes a statement that is only there to compliment someone else's architecture. Also, not only are we losing the park area will also lose the view of the world's largest circular Wylan mural on the sports arena. This has become a landmark in Long Beach.

My recommendation is that the council re-look at the impact that the new structure is making on the identity and personality of Long Beach and the East Village.

Page 2, Item 4 (Reason for Recommendation): states "The proposed building design is attractive,...."

I've review the building design and although it does have some interesting details which are in keeping with the history of Long Beach, the color and materials really need to be re-assessed as they are not in keeping with the personality of the downtown area. One might expect to see these colors and materials on a building in Miami not in Long Beach.

My recommendation is to use more neutral tones, and add the colors as accents.

Page 5 Traffic, Circulation and Parking(Paragraph 1): states "The traffic mitigation includes removal of curb side parking on Ocean Boulevard along the project frontage during the afternoon peak hour to provide an additional through lane eastbound traffic on Ocean Boulevard.

Again, taking parking off of Ocean anytime will create major parking problems for the adjacent residents. In addition, consider that on street sweeping day we may have to park blocks from our homes because 50% of the parking is unavailable,

**COASTAL COMMISSION**

EXHIBIT # 7  
PAGE 4 OF 6

unless one wants to awake at 4:00 am to move the car. The developer has given no consideration to those businesses on Ocean Blvd that need this parking area for their customers.

My recommendation is that parking NOT be removed or restricted on Ocean Boulevard and that access to the project should be on Linden, Hart or Seaside Way. This is similar to the building directly to the east of the project.

Page 5 Traffic, Circulation and Parking (Paragraph 3): PD-6 establishes a parking requirement of two parking spaces per unit plus one space for every six units for guest parking.

The calculation for this project is as follows:

556 units x 2 spaces = 1,112 spaces

556 units / 6 spaces = 93 spaces

### **Total Spaces Required 1,205**

This project only provides 1008 spaces total available for parking. This will add 223 cars onto the adjacent street parking.

Again, on street sweeping day, the additional cars will exacerbate the parking problem.

Page 5, Traffic, Circulation and Parking (Paragraph 5): "The driveway access on to Hart Place has not been fully resolved."

This needs to be resolved prior to any approvals as it will impact the neighborhood, traffic and parking.

Page 6 Landscaping (Paragraph 1): All on-site landscaping will be in containers, limiting to some extent the size and variety of plant materials that can be used.

Again, this creates problems in NOT creating a park-like atmosphere in Victory Park.

Page 6 Current Action Requested (Item 1): "Allow 1,008 parking spaces, plus 4 tandem spaces..."

My recommendation is that the required amount of parking be met so as not to adversely impact our neighborhood.

**COASTAL COMMISSION**

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PAGE 5 OF 6



Page 6 Current Action Requested (Item 2): "Allow a driveway on Ocean Boulevard...."

My recommendation is to not allow access on Ocean thus eliminating parking and creating problems and also eliminate the restriction of parking in the early and evening hours.

Page 7, Current Action Requested (items 3 and 4): "Allow driveways on Hart Place and Linden that are 25'-0" from Seaside Way,..." and "Allow the pedestrian walkway along Hart Place to be 20'-0" in width (instead of not less than 30'-0" as required by PD-6)."

More study should be put into the actual impact these requests will have on parking, traffic and the overall neighborhood.

Page 10, Local Coastal Development Permit Findings (item A, paragraph 1): States "All buildings shall be arranged on their sites so as to provide views between the buildings, so as to avoid the impression of a wall of buildings, so as to minimize blocking shoreline views of other buildings, and so as to entice pedestrians into the shoreline area."

Are we not losing the view of the Sports Arena, The Queen Mary? This structure is TWO BLOCKS LONG, if this is not a wall I would like someone to define wall for me!

Page 10 Local Coastal Development Permit Findings (item A, paragraph 1): States "PD-6 also calls for "dense residential" and establishes a maximum density of 250 dwelling units per acre...."

This project sits on 2.2 acres of land which calculates to maximum of 550 units as opposed to 556 units.

General Parking: The East Village currently has parking problems as well as the adjacent Alamitos beach area. In fact, in a letter written by vice mayor Dan Baker to the Grunion Gazette dated March 8<sup>th</sup>, 2001, the following:

"As everyone in Alamitos Beach knows, parking is one of our biggest neighborhood concerns. I am pleased to report that a partnership with my Parking Advisory Committee has resulted in the creation of more than 300 new parking spaces for residents in this area. While finding parking spaces is still difficult at times, we have added new diagonal spaces, reduced and removed red zones and opened existing lots to accommodate overnight permit parking"

In closing, I implore you, the Mayor and City Council, to act responsibly and insure that that wise planning will be used when further developing the East Village and adjacent areas.

Thank you.

Dennis Apodaca  
425 East Ocean

COASTAL COMMISSION

EXHIBIT # 7

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**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
200 Ocean Plaza, 10th Floor  
Long Beach, CA 90802-4302  
(562) 980-6071

**APPEAL FROM COASTAL PERMIT  
DECISION OF LOCAL GOVERNMENT  
(Commission Form D)**



**RECEIVED**

South Coast Region

MAR 30 2001

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COASTAL COMMISSION

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

**SECTION I. Appellant(s)**

Name, mailing address and telephone number of appellant(s):

DONALD SNOW  
425 E. OCEAN BLVD., UNIT 410, LONG BEACH  
CA 90802 (562) 432223  
Zip Area Code Phone No.

**SECTION II. Decision Being Appealed**

1. Name of local/port government: LONG BEACH CITY COUNCIL

2. Brief description of development being appealed: 2-18 STORY APARTMENT BUILDINGS ABOVE 3 TIERS OF PARKING STRUCTURE

3. Development's location (street address, assessor's parcel no., cross street, etc.): 335 E. OCEAN BLVD. BETWEEN S. HART PL. AND LINDEN AVE. 0012-20

- 4. Description of decision being appealed:
  - a. Approval; no special conditions: \_\_\_\_\_
  - b. Approval with special conditions: +
  - c. Denial: \_\_\_\_\_

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

**TO BE COMPLETED BY COMMISSION:**

APPEAL NO: A5-LOB-01-111

DATE FILED: 3/28/01

DISTRICT: South Coast

H5: 4/88

COASTAL COMMISSION  
**A5-LOB-01-111**

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PAGE 1 OF 2

**DONALD SNOW**

**A R C H I T E C T**

425 East Ocean Blvd., Unit 410

Long Beach, CA 90802

(562) 4322223

**MY CONCERNS REGARDING THE PROPOSED DEVELOPMENT ARE BRIEFLY SUMMARIZED AS FOLLOWS:**

- There is a beautiful, tree filled public park on the property. Some of the canopy shade trees are at least 70 years old. The proposed development would destroy these trees and install container planting because all landscaping would be on top of a concrete parking garage.
- The park is home to families of ground squirrels. I see people bringing food and feeding them daily. On weekends, children also enjoy this unique delight. The proposed development would eliminate this very special downtown experience.
- One of the City's written guidelines for the appropriate development of the property states that there shall be a minimum obstruction of the views toward the ocean and the Queen Mary. This is the only remaining property where these views can be enjoyed by visitors and locals traveling along Ocean Blvd.; the most picturesque street in Long Beach because of its proximity to the ocean. The proposed development is an 18 story wall of construction.
- The California Coastal Commission, in a letter to the City requested an additional 200 cars be provided. Parking is drastically insufficient in this area. The developer hired a traffic consultant to justify this insufficiency. Over the years, I have hired traffic consultants on many projects. Their methods and conclusions can be shaped as required. The proposed development has completely ignored the California Coastal Commission's request.
- No Environmental Impact Report was required.
- I purchased my home in this area knowing that the public park property in question was owned by the City, and fully believing that the governing agencies having jurisdiction over it would be sensitive enough to insure its unique characteristics would be maintained.

Thank you very much for considering my concerns.

 **COASTAL COMMISSION**

EXHIBIT # 8

PAGE 2 OF 2

**AFFILIATED DEVELOPMENT  
GROUP, Inc.**

*Real Estate Development Services*

6230 Majorca Circle  
Long Beach, California 90803  
(562) 597-2077 FAX (562) 597-1369

**Hand Delivered**

April 16, 2001

**RECEIVED**  
South Coast Region

APR 16 2001

CALIFORNIA  
COASTAL COMMISSION

Charles R. Posner  
Coastal Program Analyst  
California Coastal Commission  
200 OceanGate, 10<sup>th</sup> Floor  
Long Beach, California 90802

**Re: Case No. 0012-20  
Ocean Villas - 350 Ocean Boulevard, Long Beach**

Dear Chuck,

Thank you for the time and consideration given by you and Pam Emerson last Thursday afternoon reviewing the Ocean Villas project in downtown Long Beach. This letter is intended to respond to the questions that were outstanding from our meeting and to respond to the items for which additional information or confirmation was requested. Those items, responded to in the paragraphs below include:

- Victory Park Development Plan
- Roadway Vacation Status
- Elm Way Access
- Parking Space Allocations
- City Codes for Home Based Businesses
- Density Calculations

**Victory Park Development Plan**

Enclosed please find a set of detailed landscape drawings for the proposed Victory Park plan prepared by EDI Architecture, the project architect. The plan has been developed in concert with and reviewed by staff of the Long Beach Department of Parks, Recreation and Marine to ensure compliance with the approved Victory Park Guidelines. The only matter yet to be resolved is the exact design and placement of the Victory Park identification signs in accordance with City requirements.

**COASTAL COMMISSION**

**AS-LOB-01-111**

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The plan clearly identifies public walkways, benches, and drinking fountains. As can be seen from the drawing that illustrates the current condition of Victory Park, the new park will not only be slightly enlarged, but will also remove the large trees and concrete driveways that inhibit the use of the property and limit open space. Please note that the landscape plans also provide detail regarding the other significant public area, the Promenade, that will ultimately connect to the north/south Promenade on the west side of the Convention Center that extends from City Place to Shoreline Village on the water.

City staff is prepared to submit and recommend approval of the proposed Victory Park development plans before the Recreation Commission at its regular monthly meeting scheduled for June 17, 2001.

#### **Roadway Vacation Status**

Vacations require a Finding of General Plan Consistency by the Planning Commission. In a report to the Commission dated February 15, 2001, staff concluded, "These vacations are necessary both to consolidate the underlying lots and in order to accommodate the residential density allowed for by PD 6, and thus are in conformance with the goals and policies of the General Plan". The Planning Commission unanimously approved the vacation request as a part of overall approval for the project on February 15, 2001.

The City Council will act on a Resolution of Intention to vacate Elm Way, Marine Way and a portion of Seaside Way between Hart Place and Linden Avenue at its regular meeting of April 17, 2001. Approval of the resolution will set a public hearing on the matter at 5:00 PM on Tuesday, May 15, 2001. A copy of the agenda item, staff report and illustrative maps are enclosed for your review.

#### **Elm Way Access**

The portion of Elm Way that crosses Victory Park immediately north of the development property line will not be vacated and remain as a public access easement to the site, even though it will be maintained by the developer/property owner. PD-6 requires that the property be accessed only from Hart Place, Linden Avenue and Seaside Way. The City has recognized that Hart Place and Linden Avenue are

**COASTAL COMMISSION**

EXHIBIT # 9  
PAGE 2 OF 4

severely sloped and Seaside Way is not accessible during the Toyota Grand Prix of Long Beach. Accordingly, the City desires to maintain the current signalized intersection at Elm Avenue for access to the property from both the easterly and westerly directions on Ocean Boulevard, particularly for public parking that will be provided on the site.

**Parking Space Allocations**

The proposed parking plan approved by the Planning Commission and the City Council provides 1,008 parking spaces plus 4 tandem stalls for a total of 1,012. Since approval of the project by the City of Long Beach the top two floors have been slightly modified for structural purposes and the number of two and three bedroom units has been reduced and number of one bedroom units increased to make up the difference. The new ratios result in spaces being allocated according to the following chart.

<u>Unit Type</u>	<u>Number</u>	<u>Spaces Allocated</u>	<u>Per Unit</u>
3 Bedrooms	8	16	2
2 Bedrooms	251	502	2
1 Bedroom	77	154	2
1 Bedroom	220	220	1
Guest/Public	—	120	—
<b>Total</b>	<b>556</b>	<b>1,012</b>	<b>1.82</b>

The above table shows that the development will provide sufficient parking for 26% of the one-bedroom units to have access to two parking spaces. A detailed Traffic Impact Analysis prepared by Kaku & Associates included a survey of several other large multi-family residential properties along the Ocean Boulevard corridor in or near downtown Long Beach. That study, a copy of which was forwarded to your offices by the Long Beach, concluded that a maximum of 1.59 parking spaces per dwelling unit was observed in use during peak parking periods. Given the level of parking proposed for the Ocean Villas development, a level slightly higher than that standard is provided even if all public spaces were to be in use at any given time.

**COASTAL COMMISSION**

Case No. 0012-20  
Ocean Villas - 350 Ocean Boulevard, Long Beach  
April 16, 2001  
Page Four

Moreover, given the fact that the Long Beach Transit Mall with connection to the Blue Line is slightly more than one city block from the property, the City of Long Beach and the developer are quite comfortable that the number of spaces provided will adequately serve the residents, guests and the public. The development of additional spaces may actually result in the development of parking spaces that will not be used.

#### City Codes for Home Based Businesses

Home occupations and businesses are governed by Long Beach Municipal Code Section 21.51.235, a copy of which is enclosed for your review. Please note that the restrictions include limits on parking, deliveries and other activities that would alter the nature of any residential property.

#### Density Calculations

Hall & Foreman, the project Civil Engineer performed an ALTA survey of the site and calculated the total square footage of the property, which was reviewed and verified by the Long Beach Department of Public Works, Engineering Division.. The total site, including approved vacations, is 2.226 acres. Based upon the allowable density of 250 units per acre, the City determined that 556 dwelling units can be permitted for development on the property.

Thank you for the opportunity to provide this information and we are prepared to respond immediately to any additional questions or concerns that may arise.

Sincerely,

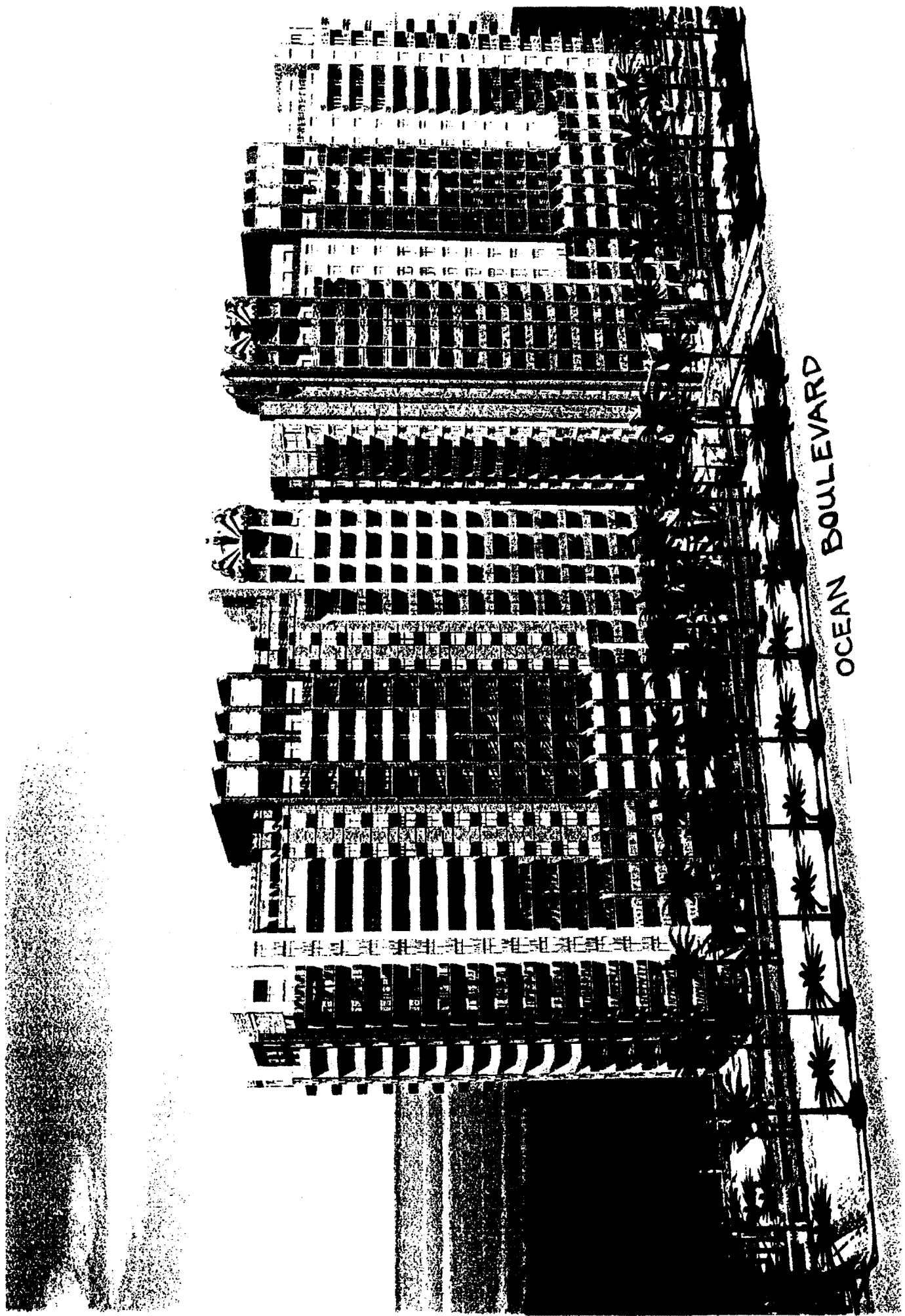


George Medak  
Principal

Copy: Pam Emerson  
Gordon Ip  
Melvin Nutter, Esq.

**COASTAL COMMISSION**

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PAGE 4 OF 4



OCEAN BOULEVARD

A5-70B-III