

CALIFORNIA COASTAL COMMISSION

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 Hearing Date: November 5, 2003
 Commission Action:



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W10a

RESOLUTION

STAFF REPORT: PERMIT AMENDMENT

APPLICATION NUMBER: 5-92-050-A2

APPLICANT: City of Long Beach Department of Parks, Recreation & Marine

AGENTS: Dennis Eschen, City of Long Beach
 Stephen T. Conley, Bancap Investment Group (Lessee)

PROJECT LOCATION: 100 Marina Drive, Alamitos Bay Marina, City of Long Beach.

LOCAL APPROVAL: City of Long Beach Planning Dept., Approval in Concept, 2/21/2003.

DESCRIPTION OF CURRENT AMENDMENT REQUEST (5-92-050-A2):

Modify the vehicular entrance and exit of the Seaport Village/Alamitos Bay Landing public parking lot; install a parking control system with gates and a pay booth; implement new parking restrictions, parking fees and a valet parking service; and improve the parking lot drains and landscaping.

DESCRIPTION OF ORIGINAL APPROVAL AND PRIOR AMENDMENT REQUESTS:

ORIGINAL PERMIT (5-92-050) APPROVED 4/9/1992: Expansion and modification of the existing 267 space parking lot which serves the Seaport Village shopping center. The lot will be expanded by 63 parking spaces for a total of 330 parking spaces.

FIRST AMENDMENT (5-92-050-A1) APPROVED 11/17/1992: Revise approved parking lot expansion plan to reduce the number of new parking spaces from 63 to 57 (324 spaces).

SUMMARY OF STAFF RECOMMENDATION

The applicant is proposing to convert a free public parking lot on State Tidelands into a pay parking facility, with a parking validation program that would grant short-term free parking only to commercial customers. The applicant would like to discourage non-customers from using the public parking lot, and increase turnover in the parking lot by using parking fees to discourage long-term parking (more than three hours). Staff is recommending that the Commission approve the permit amendment request to convert the free public parking lot into a pay parking facility, but with the provision that all marina visitors (not just commercial customers) receive for free the first two hours of parking. The recommended parking fees (\$1 per 30 minutes after two hours of free parking) would discourage long-term parking in the parking lot, while protecting the free short-term parking for coastal recreation. Free long-term parking would remain available in the adjacent public parking lots located about five hundred (500') feet from the commercial center. The recommended two hours of free parking for all visitors would eliminate the discrimination between commercial customers and other marina visitors, which is inherent in the applicant's proposed customer validation program. The applicant agrees with the staff recommendation. **See Page Three for the motion to carry out the staff recommendation and the recommended special conditions of approval.**

SUBSTANTIVE FILE DOCUMENTS:

1. City of Long Beach Certified Local Coastal Program, 7/22/80.
2. Coastal Development Permit 5-92-050 & Amendments (Seaport Village).
3. Coastal Development Permit 5-93-145 (Seaport Village Docks).
4. Coastal Development Permit 5-94-010 & Amendments (Shoreline Village).
5. Coastal Development Permit 5-01-275 (Bancap Seaport Village).

STAFF NOTE:

The project site is on State Tidelands located seaward of the Chapter 138 Line and outside the area covered by a certified Local Coastal Program (LCP). The Chapter 138 line is the historic mean high tide line and the border between the City of Long Beach LCP jurisdiction and the Commission's area of original permit jurisdiction, as described by Section 30519 of the Coastal Act. Therefore, the underlying coastal development permit and the permit amendment request affect an area (State Tidelands) located wholly within the Commission's area of original jurisdiction. Pursuant to Sections 30519 and 30600 of the Coastal Act, only the Commission can approve a coastal development permit for development located in the area of original jurisdiction, which includes tidelands, submerged lands and public trust lands.

When reviewing a coastal development permit application (or permit amendment request) for development within the Commission's area of original jurisdiction, the Commission's standard of review is the Chapter 3 policies of the Coastal Act. Therefore, the Commission's standard of review for this permit amendment request is the Chapter 3 policies of the Coastal Act. The City of Long Beach certified Local Coastal Program (LCP) is advisory in nature and may provide guidance.

PROCEDURAL NOTE:

The Commission's regulations provide for referral of coastal development 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.

In this case, the Executive Director has determined that the proposed amendment is a material change to the previously approved project. If the applicant or objector so requests, the Commission shall make an independent determination as to whether the proposed amendment is material. [14 California Code of Regulations 13166].

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution to **APPROVE** the permit amendment request with special conditions:

MOTION: *"I move that the Commission approve Coastal Development Permit Amendment 5-92-050-A2 pursuant to the staff recommendation."*

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

I. Resolution to Approve a Permit Amendment

The Commission hereby **APPROVES** the coastal development permit amendment and adopts the findings set forth below on grounds that the development as amended and subject to conditions will be in conformity with the policies of Chapter 3 of the Coastal Act and 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. Approval of the permit amendment complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the amended development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the amended development on the environment.

II. Special Conditions

[**Note:** The special conditions of the underlying permit and prior permit amendment remain in effect and are not altered by this permit amendment.]

1. Parking Lot Management Program

The applicant shall maintain and operate the Alamos Bay Landing (a.k.a. Seaport Village) parking lot consistent with the Commission's approval of Coastal Development Permit 5-92-050 as amended. All parking within Seaport Village parking lot shall be reserved for the use of the general public and shall be available for use on a first-come, first-served basis. At least two hours of free public parking shall be available to all visitors (i.e. everyone) on a first-come, first-served basis. Parking fees may be charged, as approved herein, for parking longer than two hours in the Seaport Village parking lot. [Approved Rates: \$1 per 30 minutes after two hours of free parking, \$10 daily maximum.] There shall be no exclusive use of parking spaces or reserved parking spaces within the parking lot by any person or group other than the general public (handicapped spaces excluded), except as permitted by Special Condition Two (Valet Parking).

2. Valet Parking

In order to increase the parking capacity of the Seaport Village parking lot, the applicant is permitted to provide the general public with valet or assisted parking on a first-come,

first-served basis. Fees for any valet or assisted parking shall be the same as for self-parking. No more than 25% of the parking stalls in the Seaport Village public parking lot shall be reserved at any time for valet or assisted parking.

3. Signage

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT AMENDMENT, the applicant shall submit a signage plan, subject to the review and approval of the Executive Director. The signage plan shall provide sign designs and shall identify specific locations of signs at the entrance and exit of the parking lot and within the parking lot which clearly announce:

- a) The availability of up to two hours of free parking for all visitors;
- b) The approved parking fee rates for vehicles that are parked for longer than two hours.

The signs shall be posted in the parking lot prior to, or concurrent with, the implementation of the approved parking lot management program. The signs shall be maintained consistent with the signage plan approved by of the Executive Director.

4. Changes to the Parking Lot Management Program

By acceptance of this permit amendment, the applicant agrees that any increase in the parking fees and/or change in the management practices of the Seaport Village public parking lot shall be submitted to the Executive Director to determine whether another permit amendment or new coastal development permit is necessary.

5. Time Limit on Parking Lot Management Program

The Commission's approval for the fee structure shall expire five years after the date of the Commission's approval of Coastal Development Permit amendment 5-92-050-A2, unless the Commission approves another permit amendment to extend the time limit. If the applicant submits a permit amendment request before expiration of the time limit, the Executive Director may authorize the fees to continue to be collected at the rate authorized by this permit amendment until the Commission can act on the future amendment request. The Commission, in approving any subsequent permit amendment, shall review evidence that the parking lot management program has not reduced the general public's use and enjoyment of the Alamitos Bay Marina and jetty. If the Commission does not approve a permit amendment granting an extension of this time limit, no parking fees may be charged or collected after the expiration of the five-year term established by this condition.

6. Protection of Marine Resources

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT AMENDMENT, the applicant shall submit a project staging and construction plan, subject to the review and approval of the Executive Director, that includes specific staging and construction measures sufficient to prevent the unpermitted deposition, spill or discharge of any liquid

or solid into coastal waters. At a minimum, the plan shall include the following provisions:

- a) The storage or stockpiling of soil, silt, other organic or earthen materials, or any materials and chemicals related to the construction shall not occur where such materials/chemicals could pass into the water. Any spills of construction equipment fluids or other hazardous materials shall be immediately contained on-site and disposed of in an environmentally safe manner as soon as possible.
- b) Washout from concrete trucks shall be disposed of at a location not subject to runoff and more than fifty feet away from all stormdrains, open ditches and surface waters.
- c) All floatable debris and trash generated by construction activities within the project area shall be disposed of at the end of each day, or as soon as possible.
- d) All grading and excavation areas shall be properly covered and sandbags and/or ditches shall be used to prevent runoff from leaving the site, and measures to control erosion must be implemented at the end of each day's work.

The permittee shall implement and carry out the project staging and construction plan during all demolition and construction activities consistent with the plan approved by the Executive Director.

III. Findings and Declarations

The Commission hereby finds and declares:

A. Amendment Description and Project History

The applicant proposes to modify a 324-stall public parking lot in the Alamitos Bay Marina, and to implement new parking restrictions, parking fees and a valet parking service. All parking in the Alamitos Bay Marina, including the subject lot, is on State Tidelands and is currently free for all users (Exhibit #3).

The project site is Seaport Village (a.k.a. Alamitos Bay Landing), a commercial retail and entertainment complex with a maritime theme at Alamitos Bay Marina in southeast Long Beach (Exhibit #1). Seaport Village was built in the late 1960s. Bancap-Seaport Village, Inc. now leases the property from the City of Long Beach and operates the commercial facilities and the Seaport Village public parking lot. The site (excluding for the Seaport Village docks in the bay) is situated entirely on filled tidelands in the Alamitos Bay Marina, within the Commission's area of retained permit jurisdiction (Exhibit #3).

In 1992, the City asserted that a lack of adequate parking contributed to the economic difficulties being experienced at Seaport Village. On April 9, 1992, the Commission approved Coastal Permit 5-92-050 for the expansion and modification of the public parking lot that serves the Seaport Village (Exhibit #4). The 1992 parking lot expansion increased the number

of parking spaces in the Seaport Village public parking lot from 267 to 324. The current permit amendment request is the first change proposed to the parking lot since 1992.

More recently, business at Seaport Village has improved, and the name of the commercial center has been changed to Alamitos Bay Landing. Still, the parking problems remain largely unresolved. There is not always adequate space in the parking lot to serve all the visitors that come to eat at the restaurants, sightsee, fish from the jetty, take scuba or fishing excursions on vessels docked at Seaport Village, or to ride the Aqualink water taxi (operated by Long Beach Transit) to the RMS Queen Mary and Rainbow Harbor in Downtown Long Beach. Saturdays and Sundays are the busiest periods when parking demands peak due to heavy restaurant business, more seagoing excursions departing from the dock, and greater numbers of fishers and sightseers (Exhibit #6, ps.4-5).

As part of this permit amendment request, the applicant is proposing to implement a new parking lot management plan that includes converting the parking lot from a free public parking facility to a controlled pay-for-parking facility (Exhibit #7). The proposed plan includes valet parking and a parking validation system that would grant Seaport Village customers up to three hours of free parking. Other visitors (non-customers) would not receive any free parking, and therefore would be discouraged from using the Seaport Village parking lot. The intent of the proposed parking lot management plan is to make more parking available for restaurant customers and other commercial tenants. Also, the applicant hopes to increase the turnover of parking spaces by discouraging long-term parking (by charging fees by the hour). A higher turnover rate for parking spaces would allow more visitors to park in the parking lot each day, which may increase business for the commercial tenants.

The proposed parking rate is one dollar (\$1.00) per thirty minutes with a maximum daily rate of ten dollars (\$10.00). Customers of the commercial tenants would receive a validation for up to three hours of free parking. Bancap-Seaport Village, Inc. would collect the parking fees and use the money for parking lot maintenance (Exhibit #6, p.2). The parking lot improvements proposed as part of this permit amendment request amount to approximately \$100,000.

The proposed physical improvements to the parking lot include: the modification of the vehicular entrance and exit of the Seaport Village public parking lot, installation of a parking control system with gates and a pay booth, new slurry seal, new striping, improvement of the parking lot drains, and new landscaping. The proposed restriping would not change the number of parking stalls in the parking lot. The proposed improvement of the parking lot drains occurred in 2002, when the lessee (Bancap-Seaport Village, Inc.) installed a Grate Inlet Skimmer Box in the center of the parking lot to filter run-off from the entire parking lot before it is directed into the bay (Exhibit #6, p.3). No changes to the commercial buildings or any dock are proposed as part of this permit amendment.

B. Public Access and Recreation

The primary Coastal Act issue raised by the permit amendment request is whether the proposed parking lot management program will adversely affect the public's ability to access and use the public parking supply that supports public access to the Alamitos Bay Marina and the numerous recreational opportunities in the project area. A basic goal of the Coastal Act is to protect and maximize public access to the coast while providing recreational opportunities

for all the people. The Coastal Act also requires that coastal areas suited for water-oriented recreational activities, and lower cost visitor and recreational facilities shall be protected and encouraged.

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30213 of the Coastal Act states, in part:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred...

Section 30220 of the Coastal Act states:

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Section 30221 of the Coastal Act states:

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

The Seaport Village parking lot is located on public property (State Tidelands) situated seaward of the first public road in the Commission's area of original jurisdiction. Public parking in the parking lot is currently free, as it is free in all of the Alamitos Bay Marina parking lots (Exhibit #2). The Seaport Village commercial center and parking lot are located in a popular coastal recreation area where visitors can take advantage of sailing and boating opportunities, the fishing opportunities, the parks, or shopping and sightseeing.

Persons parking in the Seaport Village parking lot include visitors of the following attractions:

Customers of Commercial Tenants

Restaurant & Retail Customers
Fishing Boat Excursions
Diving Boat Excursions
Electric Boat Renters
Sail Boat Renters
Party Boat Excursions

Others/ Non-tenants

Sightseers & other non-paying visitors
People fishing from the Jetty
Aqualink water taxi riders
Marina Residents and Visitors

The applicant asserts that non-customers and long-term parkers (more than three hours) fill up the parking lot and do not leave an adequate parking supply to support the three restaurants at Seaport Village: Khoury's, Buster's Beach House and McKenna's on the Bay (Exhibits #8-10). The restaurant and retail customers typically do not park in the parking lot longer than two hours while they eat and shop. The boaters (excursions and rentals) often leave their cars for periods that exceed three hours while they are out at sea. The boating activities (arrival and departure) occur on the Seaport Village docks [See Coastal Development Permit 5-93-145 (City of Long Beach)]. Public transient boat docking is protected on 371 lineal feet of the total permitted 745 linear feet of dock space (Exhibit #3). The Seaport Village fishing and diving excursion tenants lease both dock space and land space within the commercial center.

The length of stay for sightseers and jetty fishers can vary from one hour to several hours. The water taxi riders usually cannot return from Downtown Long Beach (the only water taxi destination) within two hours because of the public transportation schedule (Long Beach Transit buses and water taxi). Therefore, most of the water taxi riders leave their cars in the parking lot for more than two hours. The Long Beach Transit operated water taxi, known as the Aqualink, is not a tenant of the shopping center.

In order to make more parking available for restaurant customers and other commercial tenants, the applicant is proposing to convert the parking lot from a free public parking facility to a controlled pay-for-parking facility (Exhibit #7). The proposed parking lot management plan would discourage non-customers and long-term parkers from using the Seaport Village parking lot so that more parking would be available to customers of the restaurants and other commercial tenants. In order to discourage non-customers from using the Seaport Village parking lot, the applicant would charge them by the hour for parking in the lot. Customers of the commercial tenants would receive validation for up to three hours of free parking. The applicant also hopes to discourage long-term parking and increase the turnover of parking spaces by charging fees by the hour. A higher turnover rate for parking spaces would allow more visitors to park in the parking lot each day, which may increase business for the commercial tenants.

The applicant's request would reduce public access to the parking lot by imposing a fee for parking that is currently free. The proposed plan includes a parking validation system that would grant Seaport Village customers three hours of free parking, but the general public (other visitors/non-customers) would not receive any free parking. The non-customer marina visitors would have to pay to park or use one of the other free parking lots in the marina. Essentially, the applicant is proposing to privatize a public parking lot situated on State Tidelands in the marina, a highly popular coastal recreation area.

The proposed parking validation system would discriminate between commercial customers and other recreationists. By requiring recreational visitors to the marina to pay a fee for parking while providing free parking only for Bancap customers, the applicant would be converting the public parking lot from a lower-cost recreation facility to a private commercial facility. Section 30213 of the Coastal Act requires that lower cost visitor and recreational facilities, like the marina parking lots, shall be protected and encouraged. Although the City's Seaport Village lease to Bancap-Seaport Village, Inc. includes the commercial buildings and the public parking lot, the parking lot on State Tidelands is and remains a public parking lot. A City lease cannot convert the public parking lot to a private parking facility where the lessee can grant free parking to its customers while charging everyone else a fee for using the same

facility. Such a conversion is not consistent with the public access and recreation policies of the Coastal Act. Therefore, the applicant's proposed parking validation system is denied because it would adversely affect public access to the marina and reduce public access to the lower-cost recreational opportunities provided at the marina.

While the proposed customer validation program may not be consistent with the Chapter 3 policies of the Coastal Act, there remains, nonetheless, a valid concern over the best use of the public parking lot. The Commission routinely authorizes various parking management schemes as a method for encouraging the best possible use for shoreline parking facilities, both private and public. In this case, the applicant has a legitimate concern about long-term parking in the Seaport Village public parking lot. The fact is: the long-term parkers are using some of the best parking spaces in the marina that could be better utilized by short-term parkers (two hours or less) because of their location near the docks and the three Seaport Village restaurants.

One of the applicant's goals is to increase turnover in the parking lot by using parking fees to discourage long-term parking (more than three hours). This is a parking management technique that the Commission has approved for use in other coastal areas as a way to protect available parking for shoreline recreationists. When long-term parkers in the Downtown Shoreline area (Long Beach), such as office workers and convention center visitors, were found to be displacing the parking supply that supports access to the beach, the Downtown Marina and Shoreline Village shopping center, the Commission approved a series of permits that include provisions for the use of parking fees to discourage long-term parking (more than three hours) in certain public parking lots [See Coastal Development Permit 5-94-010 and amendments (Shoreline Village)]. The situation at the Alamitos Bay Marina is quite different than the situation at the Downtown Long Beach Marina in one way: all of the parking is currently free at Alamitos Bay, while all the parking at the Downtown Marina requires a fee payment. In any case, the Commission has previously acknowledged that parking fees can be a useful tool for managing and protecting public parking facilities.

In this case, staff is recommending that the Commission approve the permit amendment request to convert the free public parking lot into a pay parking facility, but with the provision that all marina visitors (not just commercial customers) receive two hours of free parking. The recommended two hours of free parking for all visitors would eliminate the discrimination between commercial customers and other marina visitors inherent in the applicant's proposed customer validation program. Two hours of free parking is sufficient time to eat at one of the restaurants, sightsee, go fishing or to drop off one's scuba gear at the Seaport Village dock. The recommended parking fees (\$1 per 30 minutes after two hours of free parking) would discourage long-term parking in the parking lot, while protecting the free short-term parking for coastal recreation (which includes restaurant dining, fishing, sightseeing, etc...). Free long-term parking is available in the adjacent public parking lots located about 500 feet from the commercial shopping center. Long-term parking would still be allowed in the Seaport Village parking lot, but it would no longer be free. The proposed parking rate is one dollar (\$1.00) per thirty minutes with a maximum daily rate of ten dollars (\$10.00). Only as conditioned to protect public access to the marina and public access to the lower-cost recreational opportunities provided at the marina, is the permit amendment consistent with the public access and recreation policies of the Coastal Act.

The permit amendment request also includes a proposal to allow valet parking in the Seaport Village public parking lot. The applicant asserts that, with the reservation of part of the parking lot for tandem valet parking arrangements, the capacity of the parking lot can be increased by about fifty cars. Such an increase would be an improvement to the parking deficiency, and would therefore improve public access to the area. Therefore, In order to increase the parking capacity of the Seaport Village parking lot, staff recommends that the applicant be permitted to provide the general public with valet or assisted parking on a first-come, first-served basis. Fees for any valet or assisted parking shall be the same as for self-parking. No more than 25% of the parking stalls in the Seaport Village public parking lot shall be reserved at any time for valet or assisted parking. As conditioned, the permit amendment request will not have any negative effect on the public's ability to access the coast and nearby recreational facilities. Therefore, the amendment, as conditioned, conforms to the public access and recreation policies of the Coastal Act.

Finally, because the approved parking lot management program may have some unintended effects on public access and recreation, the Commission limits its approval to a five-year period (from the date of approval). The Commission may approve another permit amendment to extend the time limit if the Commission finds that the parking lot management program has not reduced the general public's use and enjoyment of the Alamitos Bay Marina and jetty. If the Commission does not approve an amendment granting an extension of this time limit, no parking fees may be charged or collected after the expiration of the five-year term established by this condition.

The permit amendment, only as conditioned, will not have any adverse effects on the public's ability to access the coast and nearby recreational facilities, and conforms to the public access and recreation policies of the Coastal Act.

C. Marine Resources and Water Quality

The proposed work on the Seaport Village parking lot will be occurring in a location where there is a potential for a discharge of polluted runoff from the project site into coastal waters. The storage or placement of construction material, debris, or waste in a location where it could be carried into coastal waters would result in an adverse effect on the marine environment. To reduce the potential for construction and post-construction related impacts on water quality, the Commission imposes special conditions requiring, but not limited to, the appropriate storage and handling of construction equipment and materials to minimize the potential of pollutants to enter coastal waters and for the use of on-going best management practices following construction (e.g., the provision of trash receptacles and refuse bags for the proper disposal of pet feces). As conditioned, the Commission finds that the development conforms with Sections 30230 and 32031 of the Coastal Act.

D. Development

The development is located within an existing developed area and, as conditioned, will be compatible with the character and scale of the surrounding area, has been designed to improve scenic resources, and will avoid cumulative adverse impacts on public access. Therefore, the Commission finds that the development, as conditioned, conforms with Sections 30250, 30251, 30252, 30253 and the public access provisions of the Coastal Act.

E. Unpermitted Development

Prior to applying for this coastal development permit amendment, some of the development on the site occurred without the review or approval of the Commission. The unpermitted development includes the installation of a Grate Inlet Skimmer Box in the center of the parking lot to filter run-off from the entire parking lot before it is directed into the bay (Exhibit #6, p.3).

Although development has taken place prior to Commission action on this permit amendment, consideration of the application by the Commission is based solely upon Chapter 3 policies of the Coastal Act. Commission action on this permit amendment application does not constitute a waiver of any legal action with regard to the alleged violation nor does it constitute an admission as to the legality of any development undertaken on the subject site without a coastal development permit or permit amendment.

F. Local Coastal Program

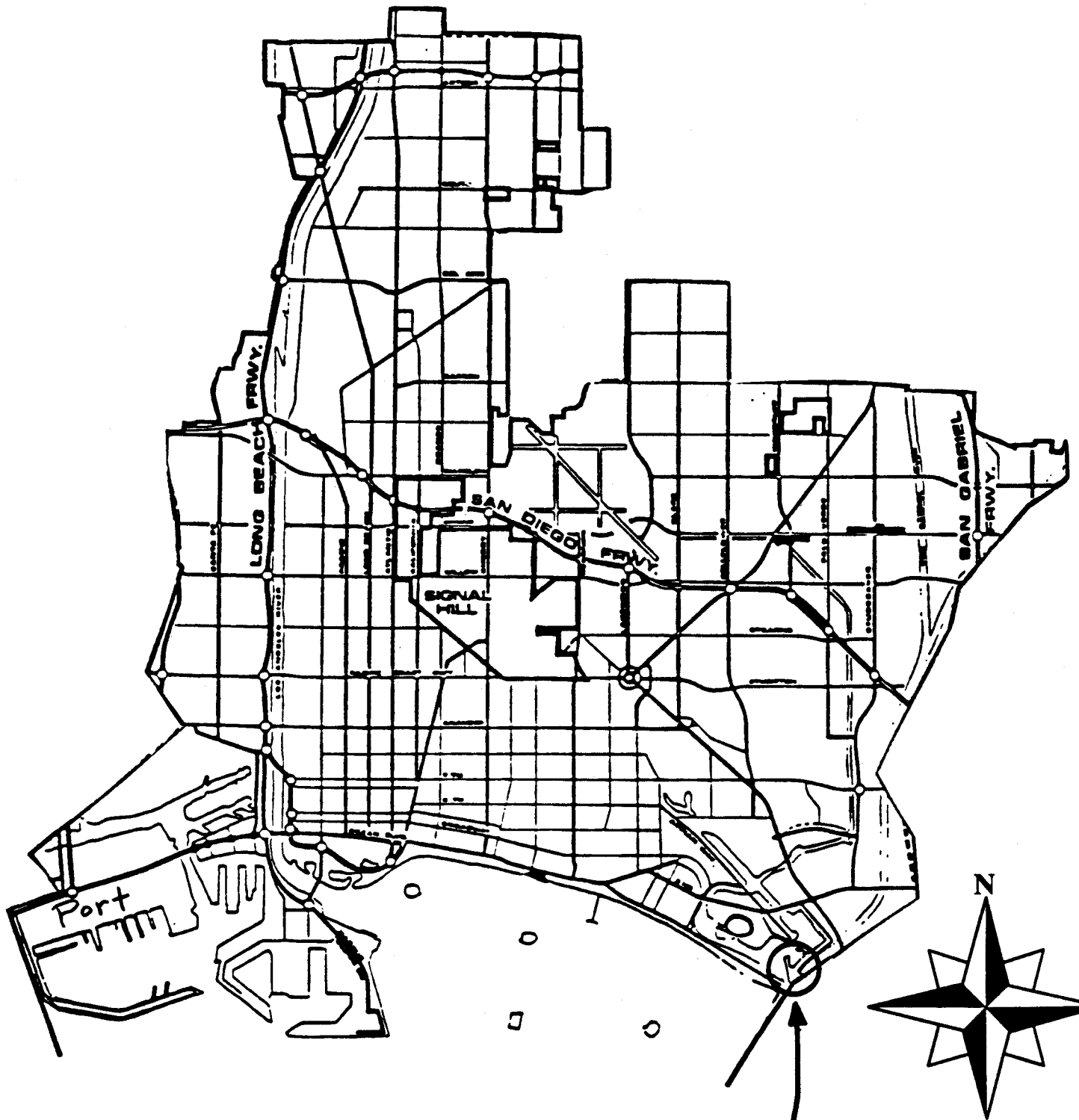
A coastal development permit amendment is required from the Commission for the proposed development because it is located within the Commission's area of original jurisdiction. The Commission's standard of review for the proposed development is the Chapter 3 policies of the Coastal Act. The City of Long Beach certified LCP is advisory in nature and may provide guidance. The Commission certified the City of Long Beach LCP on July 22, 1980. The proposed development and permit amendment are consistent with Chapter 3 of the Coastal Act and with the certified LCP for the area.

G. California Environmental Quality Act (CEQA)

Section 13096 Title 14 of the California Code of Regulations requires Commission approval of a coastal development permit application 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, as conditioned, has been found consistent with the Chapter 3 policies of the Coastal Act. All adverse impacts have been minimized by the recommended conditions of approval and there are no feasible alternatives or additional feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project as conditioned can be found consistent with the requirements of the Coastal Act to conform to CEQA.

City of Long Beach



Seaport Village
Alamitos Bay Landing

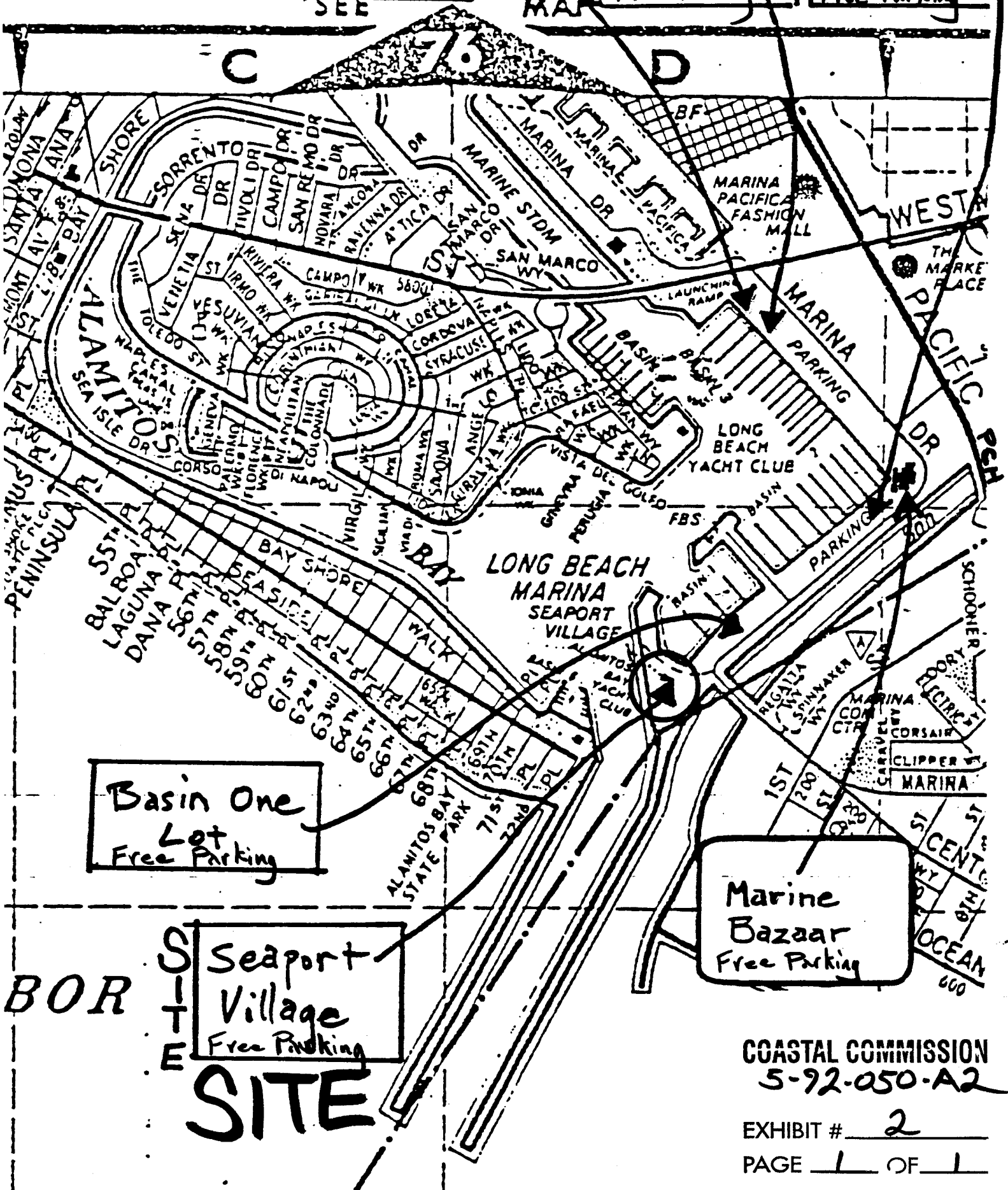
COASTAL COMMISSION
5-92-050-A2

EXHIBIT # 1
PAGE 1 OF 1

Marina
Shipyard
SEE

Basin Three
Lot
Free Parking

Basin Two
Lot
Free Parking



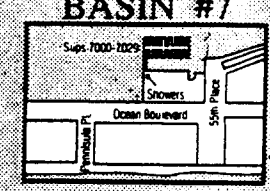
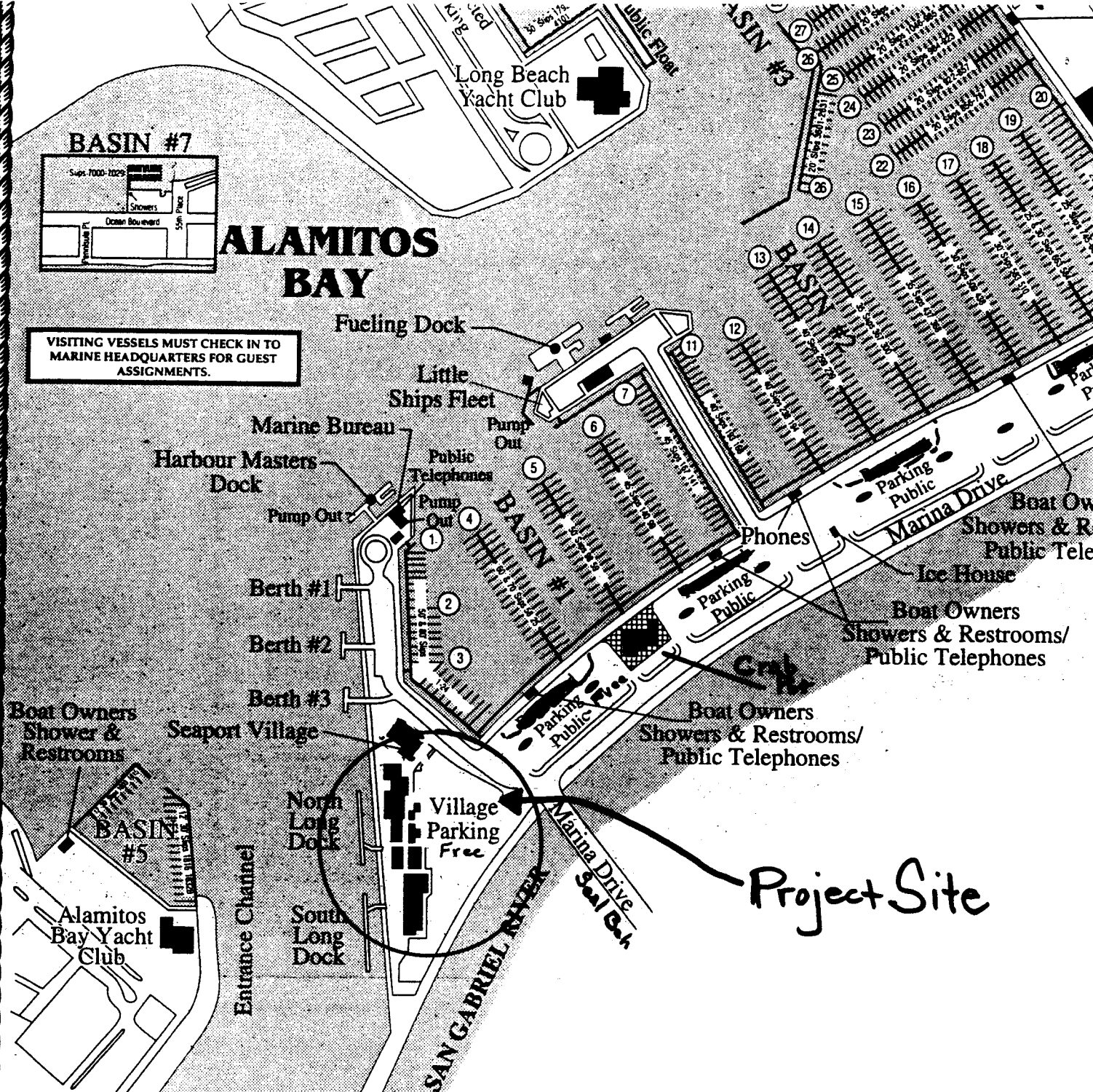
Basin One
Lot
Free Parking

Marine
Bazaar
Free Parking

BOR
SITE
Seaport
Village
Free Parking
SITE

COASTAL COMMISSION
5-92-050-A2

EXHIBIT # 2
PAGE 1 OF 1



VISITING VESSELS MUST CHECK IN TO MARINE HEADQUARTERS FOR GUEST ASSIGNMENTS.

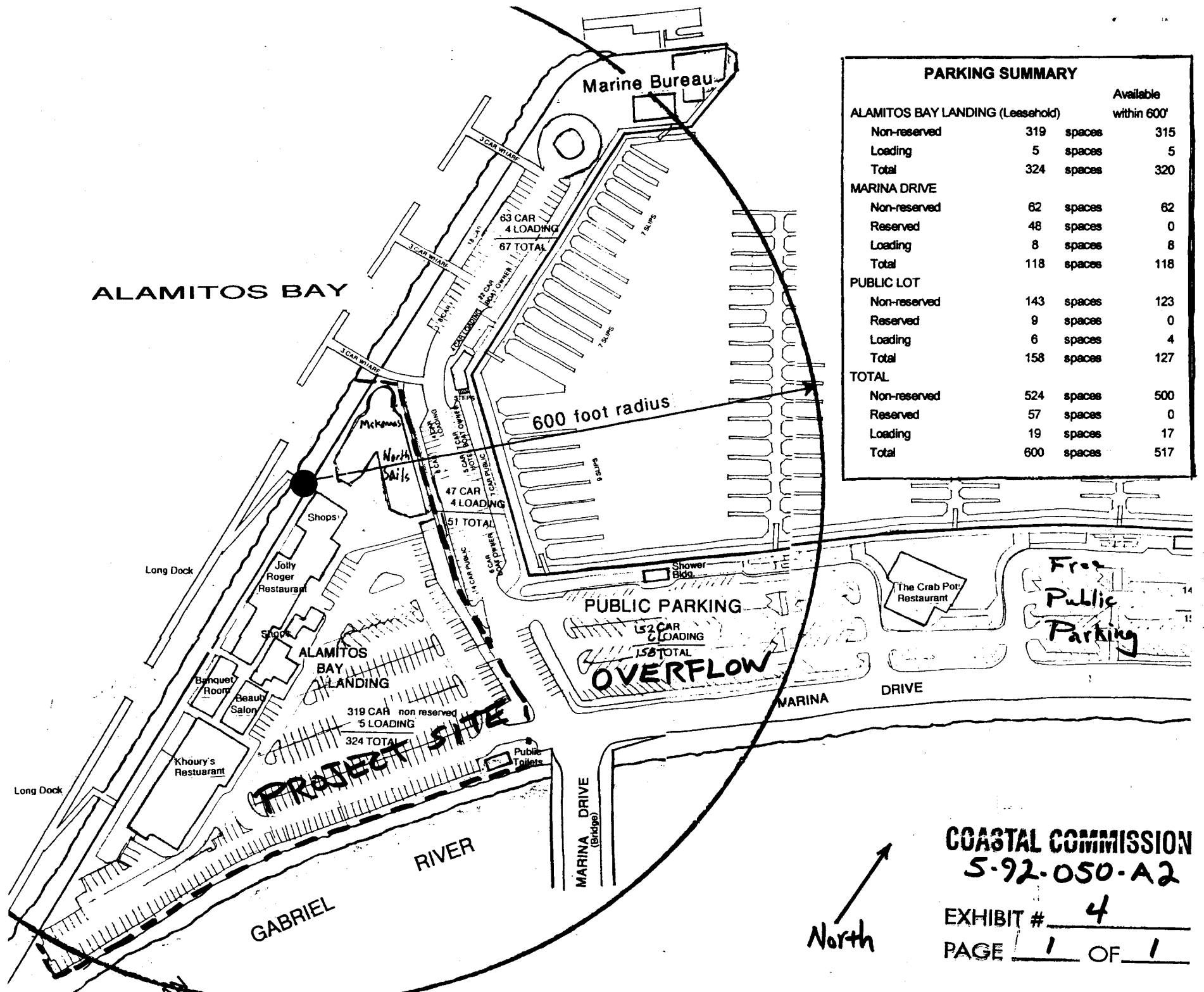
Project Site

- FACILITIES**
- 1,975 Slips
 - Dock Boxes
 - Dinghy Storage
 - 24 Hour Security
 - Parking
 - Boat Owners Showers & Restrooms
 - Fuel Dock
 - Pump Out Stations
 - Ice
 - Slips 16' - 124'
 - Mail Boxes For Live Aboards



COASTAL COMMISSION
5-92-050-A2

EXHIBIT # 3
 PAGE 1 OF 1



PARKING SUMMARY			
			Available
			within 600'
ALAMITOS BAY LANDING (Leasehold)			
Non-reserved	319	spaces	315
Loading	5	spaces	5
Total	324	spaces	320
MARINA DRIVE			
Non-reserved	62	spaces	62
Reserved	48	spaces	0
Loading	8	spaces	8
Total	118	spaces	118
PUBLIC LOT			
Non-reserved	143	spaces	123
Reserved	9	spaces	0
Loading	6	spaces	4
Total	158	spaces	127
TOTAL			
Non-reserved	524	spaces	500
Reserved	57	spaces	0
Loading	19	spaces	17
Total	600	spaces	517

COASTAL COMMISSION
5-92-050-A2

EXHIBIT # 4
 PAGE 1 OF 1



AMENDMENT TO COASTAL DEVELOPMENT PERMIT #5-92-050
SEAPORT VILLAGE dba ALAMITOS BAY LANDING PARKING
LONG BEACH, CALIFORNIA
February, 2003

South Coast

FEB 27 2003

CALIFORNIA
COASTAL COMMISSION

Bancap-Seaport Village, Inc. (Ground Lessee) has now completed construction of a new two story, class A, multiuse building at Alamitos Bay Landing ("ABL"). We are pleased that it is 100% leased to tenants with businesses conforming to PD-4 authorized uses. At this time we are submitting plans for improvements to the entrance to the 4 1/2 acre ABL site in the form of an Amendment to Coastal Permit 5-92-050 issued in April, 1992. These improvements include the installation of a controlled, pay parking system which will operate under a liberal validation system for customers of ABL tenants (i.e. 3 hours). The need and rationale for such a system is the principal subject of this document. Following approval and construction of these improvements, the existing ABL parking lot will be repaired, sealed and restriped with no change in the number of parking places.

The 324 space ABL parking lot is included in the master lease between the City of Long Beach and Bancap-Seaport Village, Inc. (dba ABL). Repair and maintenance of the parking lot is funded by the Common Area Maintenance charge borne by the tenants of ABL.

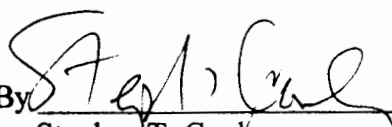
There are 324 parking spaces in the ABL leasehold lot. Within 600 feet walking distance there are an additional 276 city parking spaces (118 on Marina Drive and 158 in the public lot just north of ABL) for a total of 600 spaces.


Per code the tenants of ABL require 315 parking spaces which is less than the capacity of the ABL lot. Yet during the summer and on weekends during the rest of the year the ABL lot is over taxed. This is because people boarding boats on the City's docks adjacent to ABL park for extended periods in the ABL lot rather than the public lot provided for them just north of ABL (see map). These operators include commercial fishing boats, scuba boats, party boats, rental boats and the public transit Aqualink. While many of these operators have offices at ABL, they occupy only 5% of the square footage of ABL and pay a corresponding 5% of the upkeep of the leasehold parking lot. Yet at peak periods they can tie up over 50% of the ABL parking lot, and these peak periods are the same times that the other tenants who pay 95% of the upkeep have their heaviest parking requirements. Attached is a map of the area parking and an analysis of peak hour usage.

The plan being submitted modifies the entrance and exit of the leasehold ABL parking lot. It creates two lanes of parking ticket generation at the entrance and provides an attendant booth at the exit. Parking fees and guest validations will be consistent with other coastal leasehold parking lots in Long Beach. As far as we know, the ABL lot is the only waterfront leasehold lot in Long Beach that does not control access.

Bancap-Seaport Village, Inc. (Lessee)

City of Long Beach (Lessor)

By 
Stephen T. Conley
Vice President

By 
Parks Recreation & Marine Department

COASTAL COMMISSION
5-92-050-A2

EXHIBIT # 5
PAGE 1 OF 2

**SUMMARY OF ABL PARKING REQUIREMENTS
ALAMITOS BAY LANDING, LONG BEACH, CALIFORNIA
February 2003**

Code Requirements for ABL:

Retail and Approved Office Uses at 4 spaces per 1,000 sq. ft	17,759 sq. ft.	71.1 spaces
Food Service (total rented space incl. kitchen, storage, etc.)	27,960 sq. ft.	<u>243.5 spaces</u>
Total Spaces Required		314.6 spaces

Unassigned Spaces Available at ABL 319.0 spaces

Peak Time Usage By Users of the City's Docks at ABL

(Peak time is defined as lunch and dinner times Friday through Sunday)

Vehicles to be
Parked at one time

Two Large Fishing Boats that often make two runs a day Based upon 2.5 persons per vehicle.	60 vehicles
Two Scuba Diving Boats that go to Catalina & the Channel Islands Based upon 2.0 persons per vehicle.	30 vehicles
Aqualink This public transit boat has a capacity of 75 passengers and makes 8 stops a day at ABL on summer weekends. Based upon 3 persons per vehicle.	50 vehicles
Star Party Cruise A "Party Boat" that often has 60 passengers during peak periods. Based upon 3.0 persons per vehicle.	20 vehicles
Bay Boat Rentals 12 rental electric boats are rented most often during peak weekend periods. 2 vehicles per boat with average of 8 boats at one time.	16 vehicles
Total Parking Spaces Required by Customers of the City's Docks Lessees	<u>176 vehicles</u> 55% of capacity

These users of the ABL parking lot pay for 5% of the maintenance of the lot or 16 spaces. There are 185 unassigned parking spaces available within 600 feet of the docks in the City's Public Parking Lot and on Marina Drive. The proposed solution of a controlled parking lot will encourage the longer-term users of the City docks to park free in public parking areas.

COASTAL COMMISSION
5-92-050-A2

EXHIBIT # 5

PAGE 2 OF 2

BANCAP

6265 East Second Street, Suite 102
Long Beach, California 90803-4613

(562) 598-3351

FAX: (562) 430-0712

E-MAIL: Bancap5@aol.com

RECEIVED
California Coastal Commission

April 15, 2003

Charles Posner
Staff Analyst
California Coastal Commission
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302

RE: Coastal Development Permit Amendment Request 5-92-050-A2

Dear Mr. Posner,

As you are aware, the referenced request was submitted to your office on February 27, 2003. That documentation included some background information which I will reiterate in this letter. It is extremely critical to the three restaurants (Khoury's, Buster's Beach House and McKenna's On The Bay) that operate in Alamitos Bay Landing that control of our parking lot be established before the summer overload begins from the two long docks that the City operates in front of Alamitos Bay Landing. Please make every possible effort to have this request agendized for the June Coastal Commission in Long Beach.

Alamitos Bay Landing (formerly known as Seaport Village) is a 4.5 acre commercial center at the entrance of Alamitos Bay from the ocean. The land is leased by Bancap Seaport Village, Inc. from the City of Long Beach. The center includes several buildings totaling 46,584 square feet which are owned by Bancap Seaport Village, Inc. as are all other improvements to the property (parking lot, landscaping, lighting, service buildings, etc.). In late 2000 one of the buildings was destroyed by fire and has been replace by a new 17,577 Class I multi-tenant building which is in the process of becoming occupied for the first time.

The City of Long Beach operates two long docks in front of Alamitos Bay Landing. Space on these docks is rented to fishing, scuba diving, sightseeing, sailing, electric boat rental and the Aqualink water taxi service operators by the City. By the nature of the activity, the customers of these aquatic services park their cars for several hours while out on the water. In fact, during peak periods between May and October these businesses generate enough automobile traffic to tie up more than half of the privately maintained parking at Alamitos Bay Landing. This creates extreme hardship for the three restaurants which will be operating by the end of May, 2003. These restaurants pay for over 60% of the parking lot maintenance fees, but many of their guests are unable to park in the Alamitos Bay Landing lot because it is filled up with those utilizing the dock-based services which pay for only 5% of the parking lot maintenance. There is sufficient unassigned public parking on Marina Drive and in the Marina parking lot across the street from Alamitos Bay Landing to accommodate these longer term parkers.

COASTAL COMMISSION
5-92-050-A2

EXHIBIT # 6
PAGE 1 OF 5

In answer to your letter of March 25, 2003, the following is provided:

1. The proposed parking rate is \$1.00 per half hour with a maximum daily rate of \$10.00. The parking lot is leased from the City and the tenants pay for the maintenance of the parking lot. Their customers will receive a validation for up to three hours. The parking lot is open 24 hours a day. There are no proposed preferential parking programs.
2. **Exhibit 1** illustrates the current (April 2003) level of use of the Seaport Village dba "Alamitos Bay Landing" parking lot and the public parking facilities within 600 feet of the Center. Your letter refers to the Alamitos Bay Landing as "the public parking lot". Please note that the parking lot in question is part of a land lease from the City of Long Beach to Bancap Seaport Village, Inc. for the use of the tenants of the center. The parking lot is maintained by private common area maintenance funds paid monthly by these tenants. There are significant public parking facilities in the area that are maintained by the City and are properly designated as "Public". The City does not charge for parking at these facilities. Exhibit 1 shows that in the winter and early spring there is usually sufficient parking available at the Alamitos Bay Landing parking lot to meet the needs of the tenants and their customers.
3. **Exhibit 2** illustrates the level of use of the same parking facilities in July 2002 and forecasts the parking usage this next July which includes parking for the tenants, employees and customers of the new building at Alamitos Bay Landing. Note that during the high season, which runs from May through October, demand for parking at the Alamitos Bay Landing parking lot will often exceed the lot's capacity even though there is adequate additional capacity in the City maintained parking areas adjacent to Alamitos Bay Landing. This heavy load is caused by those boarding the fishing, scuba diving, sightseeing, sailing and electric boats that rent space on the adjacent long dock from the City and by those taking the Aqualink to the Queen Mary and Rainbow Harbor. **We encourage the public usage of these attractions but can not accommodate their four to 12 hour parking needs in the Alamitos Bay Landing parking lot. It is believed that the proposed parking system with a three hour validation will encourage these longer-term parkers to park in the free City maintained parking areas.**
4. The City receives no funds from parking fees for any of the above referenced parking facilities. The parking receipts collected at the Seaport Village, dba Alamitos Bay Landing parking will be used to assist in maintaining this leased parking lot. It is not anticipated that such fees will fully cover the cost of maintaining the parking lot, but they will help. As stated in the application, parking control is necessary during periods of heavy long-term demand. Otherwise, the tenants who pay for the maintenance suffer.
5. There have been few changes to the original parking striping plan approved in 1992. The two that impact parking capacity are the opening of a separate vehicle exit for safety reasons and the construction of a new trash enclosure. These

COASTAL COMMISSION

5-92-050-A2

EXHIBIT # 6

PAGE 2 OF 5

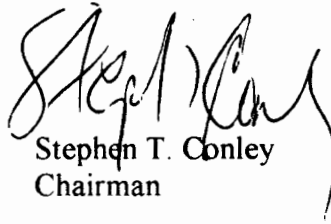
changes are noted on the parking lot plan which has been updated effective 3/15/03 (**Exhibit 3**). Minor changes in landscaping are shown on the plans submitted with the amendment request.

6. The parking lot drainage system was modified during the construction of the new building in 2002. The new system fulfills a City requirement to install a Grate Inlet Skimmer Box in the center of the parking lot to filter run-off from the entire parking lot before it is directed into the bay (**Exhibit 4**). The skimmer box is serviced every 30 days and filters are replaced every six months. Its location is shown in **Exhibit 3**.

Validated parking is already approved and operating at Shoreline Village in the Downtown Marina in Long Beach. Approval of this request will assure consistent treatment of the two major commercial sites at Long Beach's two principal marinas. By approving this request, the tenants, employees and customers of the Alamitos Bay Landing leasehold will be assured of having adequate parking during the high season from May through October.

It is critical to the tenants and especially the restaurants of Alamitos Bay Landing that the proposed parking control system be installed before this summer. Please arrange to have this request, which was originally submitted February 27, 2003, presented to the Coastal Commission at the June, 2003 meeting in Long Beach. If additional information or clarification is required please call me at (562) 598-3351.

Sincerely,


Stephen T. Conley
Chairman

COASTAL COMMISSION
5-92-050-A2

EXHIBIT # 6
PAGE 3 OF 5

EXHIBIT 1 Parking Utilization in April, 2003.

SEAPORT VILLAGE, dba ALAMITOS BAY LANDING, LONG BEACH									
PARKING UTILIZATION STUDY									
WINTER/SPRING SEASON (This Year, but before new restaurant opened.)									
TIME	ALAMITOS BAY LANDING PARKING LOT					PUBLIC PARKING AREAS			
	Reserved Spaces	Unassigned Parking Spaces			Reserved Spaces	Unassigned Parking Spaces			
		Available	Occupied	% Occupied		Available	Occupied	% Occupied	
Wednesday, April 9, 2003									
9:00 AM	5 Loading	315	95	30.2%	78	185	16	8.6%	
NOON	5 Loading	315	129	41.0%	78	185	34	18.4%	
7:00 PM	5 Loading	315	111	35.2%	78	185	15	8.1%	
11:00 PM	5 Loading	315	82	26.0%	78	185	8	4.3%	
Friday, April 21, 2003									
9:00 AM	5 Loading	315	123	39.0%	78	185	55	29.7%	
NOON	5 Loading	315	186	59.0%	78	185	60	32.4%	
7:00 PM	5 Loading	315	222	70.5%	78	185	41	22.2%	
11:00 PM	5 Loading	315	150	47.6%	78	185	18	9.7%	
Saturday, April 22, 2003									
9:00 AM	5 Loading	315	139	44.1%	78	185	53	28.6%	
NOON	5 Loading	315	194	61.6%	78	185	60	32.4%	
7:00 PM	5 Loading	315	315*	100.0%	78	185	138*	74.6%	
11:00 PM	5 Loading	315	204	64.8%	78	185	71	38.4%	
Sunday, April 23, 2003 Long Beach Grand Prix increased boat passengers from Public Dock during the day.									
9:00 AM	5 Loading	315	99	31.4%	78	185	39	21.1%	
NOON	5 Loading	315	265	84.1%	78	185	95	51.4%	
7:00 PM	5 Loading	315	123	39.0%	78	185	27	14.6%	
11:00 PM	5 Loading	315	89	28.3%	78	185	12	6.5%	
ADJUSTING FOR FULL OCCUPANCY									
At the time of this study the new building was completed and all tenants except the restaurant were open and operating. The restaurant is expected to add 40 cars at noon and 60 (code maximum) cars from 6 to 11 pm on the weekends with lesser impact on weekdays. The above numbers have been adjusted to reflect the parking required for the open restaurant with overflow added to the public parking areas on Saturday at 7:00 pm.									
*Note: The high number of vehicles requiring parking on Saturday evening was caused by a large, chartered boat that loaded at the Marine Bureau dock which is at the end of Marina Drive. According to Marine Bureau officials the charter permit required them to bus all guests into the area, but the bus was not available and so the guests drove their vehicles to the area and parked in the closest available parking.									
Wednesday, April 9, 2003									
9:00 AM 5 Loading 315 100 31.7% 78 185 16 8.6%									
NOON 5 Loading 315 159 50.5% 78 185 34 18.4%									
7:00 PM 5 Loading 315 151 47.9% 78 185 15 8.1%									
11:00 PM 5 Loading 315 102 32.4% 78 185 8 4.3%									
Friday, April 21, 2003									
9:00 AM 5 Loading 315 128 40.6% 78 185 55 29.7%									
NOON 5 Loading 315 226 71.7% 78 185 60 32.4%									
7:00 PM 5 Loading 315 282 89.5% 78 185 41 22.2%									
11:00 PM 5 Loading 315 190 60.3% 78 185 18 9.7%									
Saturday, April 22, 2003									
9:00 AM 5 Loading 315 144 45.7% 78 185 53 28.6%									
NOON 5 Loading 315 234 74.3% 78 185 60 32.4%									
7:00 PM 5 Loading 315 315* 100.0% 78 185 138* 74.6%									
11:00 PM 5 Loading 315 244 77.5% 78 185 71 38.4%									
Sunday, April 23, 2003									
9:00 AM 5 Loading 315 104 33.0% 78 185 39 21.1%									
NOON 5 Loading 315 305 96.8% 78 185 95 51.4%									
7:00 PM 5 Loading 315 183 58.1% 78 185 27 14.6%									
11:00 PM 5 Loading 315 120 38.1% 78 185 12 6.5%									
*No change for 7:00 pm because of special circumstances in actuals.									
9:00 AM 5 Loading 315 104 33.0% 78 185 39 21.1%									
NOON 5 Loading 315 305 96.8% 78 185 95 51.4%									
7:00 PM 5 Loading 315 183 58.1% 78 185 27 14.6%									
11:00 PM 5 Loading 315 120 38.1% 78 185 12 6.5%									

EXHIBIT 2 Parking Utilization in July, 2002.

SEAPORT VILLAGE, dba ALAMITOS BAY LANDING, LONG BEACH								
PARKING UTILIZATION STUDY								
HIGH SEASON (Last Summer before the new building was complete.)								
TIME	ALAMITOS BAY LANDING PARKING LOT				PUBLIC PARKING AREAS			
	Reserved	Unassigned Parking Spaces			Reserved	Unassigned Parking Spaces		
	Spaces	Available	Occupied	% Occupied	Spaces	Available	Occupied	% Occupied
Wednesday, July 10, 2002								
9:00 AM	5 Loading	315	132	41.9%	78	185	23	12.4%
NOON	5 Loading	315	235	74.6%	78	185	43	23.2%
7:00 PM	5 Loading	315	227	72.1%	78	185	38	20.5%
11:00 PM	5 Loading	315	118	37.5%	78	185	16	8.6%
Friday, July 12, 2002								
9:00 AM	5 Loading	315	181	57.5%	78	185	52	28.1%
NOON	5 Loading	315	280	88.9%	78	185	67	36.2%
7:00 PM	5 Loading	315	315	100.0%	78	185	75	40.5%
11:00 PM	5 Loading	315	315	100.0%	78	185	72	38.9%
Saturday, July 13 2002								
9:00 AM	5 Loading	315	227	72.1%	78	185	62	33.5%
NOON	5 Loading	315	315	100.0%	78	185	80	43.2%
7:00 PM	5 Loading	315	315	100.0%	78	185	92	49.7%
11:00 PM	5 Loading	315	298	94.6%	78	185	78	42.2%
Sunday, July 14, 2002								
9:00 AM	5 Loading	315	245	77.8%	78	185	58	31.4%
NOON	5 Loading	315	315	100.0%	78	185	102	55.1%
7:00 PM	5 Loading	315	259	82.2%	78	185	72	38.9%
11:00 PM	5 Loading	315	124	39.4%	78	185	19	10.3%
ADJUSTING FOR FULL OCCUPANCY								
<p>At the time of this study the new building was not completed. The non-restaurant tenants are forecast to increase the number of cars by a maximum of 45 on weekdays and 10 on weekends between 8am and 5pm. The non-restaurant tenants of the new building will have little or no impact on evening parking. The restaurant is expected to add 40 cars at noon and 60 (code maximum) cars from 6 to 11 pm on the weekends. Therefore, the above numbers can be forecast to increase as follows. Note that the Alamitos Bay Landing parking lot is forecast to be saturated from noon on Fridays to late afternoon on Sundays because of the high number of longer-term parkers boarding boats at the City dock.</p>								
Wednesday, July 10, 2002 Adjusted for new building.								
9:00 AM	5 Loading	315	177	56.2%	78	185	23	12.4%
NOON	5 Loading	315	315	100.0%	78	185	48	25.9%
7:00 PM	5 Loading	315	287	91.1%	78	185	27	14.6%
11:00 PM	5 Loading	315	158	50.2%	78	185	16	8.6%
Friday, July 12, 2002 Adjusted for new building.								
9:00 AM	5 Loading	315	226	71.7%	78	185	52	28.1%
NOON	5 Loading	315	315	100.0%	78	185	117	63.2%
7:00 PM	5 Loading	315	315	100.0%	78	185	135	73.0%
11:00 PM	5 Loading	315	315	100.0%	78	185	112	60.5%
Saturday, July 13, 2002 Adjusted for new building.								
9:00 AM	5 Loading	315	272	86.3%	78	185	62	33.5%
NOON	5 Loading	315	315	100.0%	78	185	165	89.2%
7:00 PM	5 Loading	315	315	100.0%	78	185	152	82.2%
11:00 PM	5 Loading	315	315	100.0%	78	185	101	54.6%
Sunday, July 14, 2002 Adjusted for new building.								
9:00 AM	5 Loading	315	290	92.1%	78	185	58	31.4%
NOON	5 Loading	315	315	100.0%	78	185	162	87.6%
7:00 PM	5 Loading	315	315	100.0%	78	185	76	41.1%
11:00 PM	5 Loading	315	164	52.1%	78	185	19	10.3%

ALAMITOS BAY LANDING PARKING REVIEW

9/4/2003 (Bancap)

COASTAL COMMISSION APPLICATION NO. 5-92-050-A2: The Applicant is the City of Long Beach and its Agent, Bancap Investment Group, Inc. representing Bancap-Seaport Village, Inc. (Lessee) which holds a 55 year land lease and owns the improvements to the subject property.

THE CHALLENGE: During peak times the Alamitos Bay Landing (ABL) Parking Lot does not have sufficient capacity to service both the principal tenants of ABL and those whose businesses are based upon use of the Public Docks adjacent to ABL. The complication is caused by vehicles parked for over 3 hours.

A BROADER VIEW: There is sufficient, close-in capacity to meet the parking demands when the available parking on Marina Drive and the Public Lot between ABL and the Crab Pot are added to the solution.

MAINTENANCE:

- The ABL Parking Lot is under a 55 year master lease and is maintained by the Lessee and the ABL Tenants who pay a common area maintenance fee for such purpose. There are 315 unassigned parking spaces in the ABL Parking Lot.
- The Public Lot and Marina Drive are maintained by the City of Long Beach. There are 185 unassigned parking spaces in the Public Lot and on Marina Drive which are within 600 feet of the entrance to the Public Dock

REVENUES: Rent from the ABL Tenants is collected by the Lessee and shared with the City in a participating lease. Rent from space on the dock is collected by the City and not shared with the ABL Lessee.

COASTAL COMMISSION: An application (#5-92-050) was submitted to the Coastal Commission by the City of Long Beach and the Lessee as its Agent to permit controlled parking using a charge and validation system on February 26, 2003. This was supplemented with additional requested information on April 15, 2003. Notice of Application was posted on May 15, 2003. To our knowledge, there have been no appeals to the Application. The Application was scheduled for a Coastal Commission hearing the Week of August 5-8, 2003. Shortly before the scheduled meeting, Bancap was notified by Coastal Commission Staff that our hearing had been removed from the schedule because Staff could not support the Application. On August 13, 2003 Dennis Eschen representing the City of Long Beach and Stephen Conley representing Bancap, the Agent, requested an extension of the Application and a meeting with Coastal Commission Management to mutually resolve this request.

SOLUTION: The Application is to approve a method of controlling extended term (over 3 hour) parking in the ABL Parking Lot during peak periods. We have proposed a gate controlled system with 3 hour validations available to the customers of the tenants who pay for the maintenance of the ABL Parking Lot. This will encourage those parking in excess of 3 hours to park in the Public Lot across Marina Drive. The recommended solution is not aimed at a class of citizen but at extended term parkers not employed at the location. The City and Bancap believe that this is the only practical solution.

COASTAL COMMISSION

5-92-050-A2

EXHIBIT # 7

PAGE 1 OF 1



TRADEWINDS REALTY, INC.
194 MARINA DR., SUITE 202, LONG BEACH, CA 90803

TEL: (562) 493-5506

FAX: (562) 493-5399

April 28, 2003

Mr. Charles Posner
Staff Analyst
California Coastal Commission
200 OceanGate, Suite 1000
Long Beach, Ca. 90802-4302

Re: Coastal Development Permit Amendment Request 5-92-050-A2

Dear Mr. Posner:

We are the owners of McKenna's On The Bay, a fine dining restaurant newly constructed at Alamitos Bay Landing. The restaurant beautifully enhances the area waterfront and surrounding neighborhood replacing an antiquated restaurant structure previously at this site.

We and our investors have constructed a first class dining experience on the waterfront of Long Beach in which our rent and common area maintenance expenses are appropriately reflective of the area. Our success is predicated on the demographics of the population, the demand, and the ambience, of which all three are positive for this location.

The parking conditions at the Alamitos Bay Landing is very critical, and, to our understanding, for the benefit of the tenants who are located at the Landing and paying the common area maintenance charges which includes the parking lot maintenance and repair, trash containers, lighting, security etc.

Our observance, while under construction and opening May 10, 2003, is that the parking lot is being used as a parking depot for other venues not related to the Landing Tenants. Some of them are as follows:

1. Fisherman who go out either daily or overnight on the fishing party boats.
2. Fisherman and Sight Seers walking out on the Jetty for fishing and personal enjoyment.
3. Aqualink parking for individuals to do excursions to Shoreline Village and The Queen Mary which both have separate validated parking or paid parking for the restaurant and retail tenants and the public parking available to the non-tenant/tenant users.
4. The Passport Long Beach Bus Service which is based at this location as the first loading stop to Belmont Shore, Downtown Long Beach, Shoreline Village etc. is used as a depot by individuals avoiding the drive and parking costs of the downtown Long Beach events or entertainment. Example is the Long Beach Grand Prix. The users are parking in the landing Lot in lieu of the adjacent public parking area.
5. The Duffy's Boat rentals facilitates from 6 to 20 people per boat with an excess of 20-30 boats available for lease.

6. The Party Cruise Ship which entertains at the dock per our observation and has yet to leave its mooring and also uses the facilities of the Landings parking lot.

There is ample, parking similar to Shoreline Village, within probably 500' or less of above users. Unfortunately for convenience purposes the individuals are utilizing the parking areas necessary for the patrons of existing tenants for which our survival as a business depends.

Most all of these uses can simply unload their fishing wares, picnic items and park in the public area without impacting our livelihood. This would provide us with the needed spaces for our survival.

We anticipate sales in excess of \$3Million per year which could easily be devastated by the lack of parking during peak dining hours especially weekends, weekday nights and most all of the time during the summer.

Your acceptance of a parking policy by the Coastal Commission at its June meeting in Long Beach is most urgent to the success of our business to avoid a devastating hardship to ourselves and our investors.

Thank you for your time and assistance.

Cordially,



Nick Limer

NL:kl

COASTAL COMMISSION

EXHIBIT # 8
PAGE 2 OF 2

Khoury's

110 Marina Drive . Long Beach CA. 90803

Phone: (562) 598-6800

Fax: (562) 598-0079

RECEIVED
South Coast Region

April 16, 2003

APR 18 2003

CALIFORNIA
COASTAL COMMISSION

Charles Posner
Staff Analyst
California Coastal Commission
200 Oceangate, Suite 200
Long Beach, CA 90802-4302

Re: Coastal Development Permit Amendment Request 5-92-050-A2

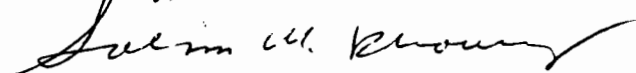
Dear Mr. Posner,

As the proprietor of Khoury's Restaurant located in Alamitos Bay Landing Coastal Development Permit Amendment Request 5-92-050 A2, submitted by Bancap, is of imperative importance to myself. Khoury's Restaurant is the largest tenant in Alamitos Bay Landing and is therefore most severely affected by the current parking problem. It is for this reason that I would appreciate every effort to be made in order to have the request reviewed by the Coastal Commission as soon as possible.

The issue of inadequate parking impacts Khoury's Restaurant most directly on the weekends when do a majority of our business. I have estimated a loss of 25 to 30 percent of revenue on the weekends based solely upon the lack of available parking to our patrons. This percent averages out to a total loss of \$2,500 to \$3,500 per night on the weekends and a loss of \$25,000 to \$35,000 per month. This is a very significant loss of income that can be avoided. The inadequate parking situation may result in an even greater loss of income during the summer months when we have the highest volume of sales.

I believe that solution of monitored validated parking proposed by Bancap would be the best way to rectify the parking problem in Alamitos Bay. A monitored parking lot would insure that my patrons have adequate parking especially during the summer months. This issue is of critical importance to my business and is even more significant to me in light of the fact that my lease pays for almost one third of the parking lot maintenance. If you have any questions regarding the content of this letter you may contact me at (562) 598-6800.

Sincerely,



Salim Khoury
Owner

COASTAL COMMISSION
5-92-050-A2

EXHIBIT # 9

PAGE 1 OF 1



Jim Glasgow
Chief Executive Officer

17320 Redhill Avenue, Suite 190
Irvine, CA 92614

Direct (949) 250-4687
Pager (714) 610-1078
Fax (949) 250-5735
E-mail: jglasgo@aol.com



RECEIVED
APR 17 2003
CALIFORNIA COASTAL COMMISSION

April 17, 2003

Charles Posner
Staff Analyst
California Coastal Commission
200 Oceangate, Suite 1000
Long Beach, Ca 90802-4302

RE: Coastal Development Permit Amendment Request 5-92-050-A2

Dear Charles Posner:

My name is Jim Glasgow, the Chief Executive Officer of Aloha Restaurants, Inc. We own and operate nine locations in California and one in Hawaii. Aloha Restaurants owns and operates Buster's Beach House in Alamitos Bay Landing.

We completed a substantial remodel in March of 2001, creating our newest concept Buster's Beach House and Long Board Bar from the previous concept, The Jolly Roger. Although we are a newer corporation established in 1997, this food facility has been a successful location since 1970.

Mr. Posner, it is critical to our restaurant which operates in Alamitos Bay Landing that the control of our parking lot be established before the summer traffic impacts all our parking needs and from the two long docks the city operates in front of Alamitos Bay Landing.

In the last six years, several businesses have joined us in Alamitos Bay Landing. The two docks in front of Alamitos Bay Landing is rented to multi use facilities creating additional parking loads such as sightseeing, sailing, fishing, and the most recent attraction, the Aqualink water taxi service operated by the City. These above mentioned businesses create a demand for long-term daytime parking. Presently, the two sport fishing boats use well over one hundred spaces each time they depart. We have counted more than one hundred twenty cars on a Saturday or Sunday during the fishing season.

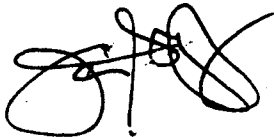
COASTAL COMMISSION
5-92-050-A2

EXHIBIT # 10
PAGE 1 OF 2

Alamitos Bay Landing has developed additional revenue and activity over the last few years. The completion of the new structure housing new tenants with the addition of another restaurant, McKenna's on the Bay, parking will become more of an issue in the evening and will affect sales for all involved. We will experience during our peak months (May through Labor Day) these businesses occupying more than half of our parking at Alamitos Bay Landing. When this occurs we will see sales suffer that could be additional income for the City and our Landlord.

The proposed validated term parking plan will alleviate much of the anticipated congestion in the center. This matter is of the utmost urgency as we are approaching our highest volume season this summer, Please arrange to have this request, which was submitted February 27, 2003, presented to the Coastal Commission at the June, 2003 meeting in Long Beach.

Sincerely yours,



James W. Glasgow
Chief Executive Officer
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COASTAL COMMISSION
5-92-050-A2

EXHIBIT # 10
PAGE 2 OF 2