

**CALIFORNIA COASTAL COMMISSION**

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Hearing Date: August 7, 2003  
Commission Action:

**STAFF REPORT: PERMIT AMENDMENT****APPLICATION NUMBER:** 5-94-010-A6**RECORD PACKET COPY****APPLICANT:** Shoreline Village Enterprises**AGENTS:** Michael Pashaie, Operator & Cecilia Charky, Manager**PROJECT LOCATION:** 401-435 Shoreline Village Drive, City of Long Beach.**DESCRIPTION OF CURRENT AMENDMENT REQUEST (5-94-010-A6):**

Modify special conditions of underlying permit relating to the management of the Shoreline Village public parking lot (parking rates and validation program). The applicant is proposing to maintain the current parking fee rate schedule and validation program that were previously approved as part of Amendment 5-94-010-A4, and is requesting authorization to charge a daily flat rate \$12 parking fee during special events and busy holidays.

**DESCRIPTION OF ORIGINAL APPROVAL AND PRIOR AMENDMENT REQUESTS:**

**ORIGINAL PERMIT APPROVAL (5/12/94):** Conversion of the Shoreline Village shopping center parking lot from free parking to controlled validated/fee parking, including the construction of three controlled access gates and two ticket booths.

**FIRST AMENDMENT REQUEST (5-94-010-A1):** Withdrawn by Applicant - No Change.

**SECOND AMENDMENT (5-94-010-A2) APPROVED 2/6/97:** Modify the Shoreline Village shopping center public parking lot configuration and operation to: 1) expand from 409 to 433 parking spaces, 2) remove fence, 3) modify parking rates, and 4) install new landscaping and informational signs.

**THIRD AMENDMENT REQUEST (5-94-010-A3):** Rejected - No Change.

**FOURTH AMENDMENT (5-94-010-A4) APPROVED 10/15/99 (for a 3-year period):** Modify special conditions of underlying permit relating to the management of the Shoreline Village public parking lot (parking rates and validation program).

**FIFTH AMENDMENT (5-94-010-A5) APPROVED 8/6/02:** Modify the Shoreline Village shopping center public parking lot to: a) increase parking spaces from 426 to 487, b) install filters in drains, c) enhance landscaped areas, and d) install new fountain/monument sign at entrance.

**SUMMARY OF STAFF RECOMMENDATION**

Staff is recommending that the Commission approve the permit amendment request in order to allow the applicant to continue the current parking fee rate schedule and validation program for another five years. (See *Executive Summary of Staff Report on Page Two.*) The applicant agrees with the staff recommendation. **See bottom of Page Four for the motion to carry out the staff recommendation.**

## **EXECUTIVE SUMMARY OF STAFF REPORT**

The primary Coastal Act issue addressed in this report is the relationship between public access opportunities and the management of the various public parking facilities that exist in the Downtown Shoreline area of Long Beach. The Downtown Shoreline area provides a wide range of uses that attract large numbers of visitors and employees, most of whom arrive by automobile. Many of the area's attractions are coastal related such as the beach, marinas, coastal parks, Rainbow Harbor, the Long Beach Aquarium of the Pacific, and Shoreline Village (Exhibit #2). When the visitors arrive in their vehicles, they have the following choices of parking facilities: Convention Center (\$8), Marina Green (\$2/hour during meter hours), Shoreline Village (\$0-8), Rainbow Harbor parking structure (\$2-7), and Shoreline Park (currently free, but permitted to be \$2/hour when metered). The cumulative effects of people's decisions on where to park can have a direct effect on the general public's ability to access the coast by private automobile.

The subject of this amendment request is the management of the public parking lot that serves the Shoreline Village shopping center, a pedestrian friendly commercial facility on the Long Beach waterfront. From its opening in 1981 until 1994, the general public could park in the Shoreline Village public parking lot for free. In 1994, the Commission approved a controlled parking plan for the Shoreline Village parking lot in order to discourage Convention Center visitors and boaters from leaving their cars in the lot all day without patronizing the shops and restaurants (See Permit 5-94-010). The 1994 approval, however, required the applicant to provide two hours of free parking for all persons who requested a validation so that the adjacent free parking facility, the Marina Green recreational parking supply, would not be overused by patrons of Shoreline Village trying to avoid parking fees. In 1997, the Commission approved the applicant's request to require patrons to make a minimum three-dollar purchase in order to receive a parking validation for two hours of free parking.

In 1999, the Commission again modified the previously approved parking rates and validation program for Shoreline Village to reflect the changes to the Downtown Shoreline parking supply that were occurring as a result of the area being redeveloped under the Queensway Bay Plan (See Amendment 5-94-010-A4). With the Commission's approval, the City implemented metered parking in the previously free Marina Green public parking lots that adjoin Shoreline Village (See Coastal Development Permit 5-98-042). The Marina Green parking lots, which are the primary parking supply for general recreationists and beach goers, are located directly adjacent to Shoreline Village (Exhibit #2). With the City's installation of the Commission-approved parking meters, no free parking opportunities remain in the area, except for validated parking at Shoreline Village (Exhibit #5). Metered parking in the Marina Green and Shoreline Park public parking lots was authorized at a rate of two dollars per hour (\$2/hour).

The Commission's approval of Amendment 5-94-010-A4 in 1999 authorized the operators of the Shoreline Village shopping center to limit free parking in the Shoreline Village lot to customers who spend at least twelve dollars during their visit. Up to two hours of free parking would still be available to patrons with validations, but only to those who make a minimum purchase (three dollars up to twelve dollars). The cost of parking in the Shoreline Village parking lot was increased from a maximum of six dollars to a maximum of eight dollars (Exhibit #3). The intent of the changes approved pursuant to Amendment 5-94-010-A4 was to encourage Shoreline Village customers to use the Shoreline Village parking lot, while also encouraging non-customers to use the metered parking in the adjacent Marina Green parking lots (Exhibit #2).

The special conditions of Amendment 5-94-010-A4 required the applicant to continue to participate in the Parking and Traffic Management Organization (PTMO) that has been established by the City of Long Beach pursuant to its certified LCP, and to continue the implementation of the employee parking program that had been reviewed and approved by the Executive Director. Special Condition Eight of Amendment 5-94-010-A4 limited the Commission's approval of the parking lot management plan to an

initial term of three years in order to determine whether the general public's coastal access opportunities were being adequately protected. The applicant is required, pursuant to Special Condition Eight of Amendment 5-04-010-A4, to obtain another Commission approval in order to implement the parking management plan beyond the initial three year term. The initial three-year term ended on October 15, 2002. The Executive Director has authorized the applicant to continue to implement the previously approved parking management program until the Commission acts on Amendment 5-94-010-A6.

This permit amendment request, Amendment Request 5-04-010-A6, is the applicant's request to maintain the current parking fee rate schedule and validation program that were previously approved as part of Amendment 5-94-010-A4. Amendment Request 5-04-010-A6 also includes the applicant's request to charge a daily flat rate parking fee of \$12 during special events and busy holidays (e.g. Grand Prix weekend, July 4<sup>th</sup>, Beachfest, Shorefest, Gay Pride weekend, St. Valentine's Day, Mothers' Day, Fathers' Day, and during boat shows).

Special Condition Eight of Amendment 5-04-010-A4 states, in part, that:

*The Commission, in approving any subsequent amendment, shall review evidence that: (a) the use and enjoyment of the shoreline in the development area by the general public has not been reduced, (b) that such methods have been effective in protecting the Shoreline Village parking lot from being used for long-term parking by Long Beach Convention Center and Arena visitors, and (c) that increased fees have not resulted in employees and customers of Shoreline Village occupying the Marina Green parking lots to the exclusion of the general public.*

Staff has determined, absent any evidence to the contrary, that the current parking fee rate schedule and validation program that were previously approved as part of Amendment 5-94-010-A4 have been successful in encouraging non-customers to use the metered parking in the adjacent Marina Green parking lots while also ensuring that: (a) the use and enjoyment of the shoreline in the development area by the general public has not been reduced, (b) that such methods have been effective in protecting the Shoreline Village parking lot from being used for long-term parking by Long Beach Convention Center and Arena visitors, and (c) that increased fees have not resulted in employees and customers of Shoreline Village occupying the Marina Green parking lots to the exclusion of the general public. Commission staff has observed that, even when the Shoreline Village parking lot is full on busy weekends, one can usually find a vacant parking space in the Marina Green parking lot.

Therefore, the staff is recommending that a permit amendment be approved to continue the current parking fee rate schedule and validation program for another five years before coming back for another Commission review. Also, staff recommends that the Commission not approve the daily \$12 flat rate parking fee for special events and holidays as proposed because the proposed higher parking rate would redirect Shoreline Village patrons into the adjacent Marina Green parking lot that the Commission has protected for general recreation uses. Rather, the staff recommends a new special condition (Special Condition Nine) that would authorize the Executive Director to approve, on a case-by case basis, a special flat rate parking fee only when it is necessary to prevent a disparity in the parking rates between the Shoreline Village public parking lot and the adjacent Marina Green public parking lot. Such a disparity would occur only when a daily flat rate parking fee has been authorized by the Commission or Executive Director in the adjacent Marina Green public parking lot. In the past, the Commission has authorized a daily flat rate parking fee for the Marina Green public parking lot only for the annual Long Beach Grand Prix and Beachfest weekends.

A modification to Special Condition One would clarify that valet parking can be provided in part of the Shoreline Village public parking lot, only if the fees for valet or assisted parking are the same as for self-parking. **See Section II of this report (Page Five) for all of the recommended special conditions of approval.**

**SUBSTANTIVE FILE DOCUMENTS:**

1. Coastal Development Permit P-79-5152 (City of Long Beach/Shoreline Village).
2. Coastal Development Permit P-80-7497 (City of Long Beach/Shoreline Village).
3. Coastal Development Permit 5-94-010 & Amendments (Shoreline Village).
4. Coastal Development Permit 5-96-010 (Shoreline Village).
5. Coastal Development Permit Amendment 5-96-274-A (Shoreline Village).
6. Coastal Development Permit 5-98-042 (City of Long Beach/Marina Green Meters).
7. Coastal Development Permit 5-98-156 & Amendments (City of Long Beach).

**STAFF NOTE:**

The project site is situated on State Tidelands and is 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. Therefore, only the Commission can approve the current permit amendment request. The Commission's standard of review for this permit amendment request is the Chapter 3 policies of the Coastal Act. The City's certified 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 5-94-010-A6 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

The following special conditions of Coastal Development Permit 5-94-010 are amended as follows. Deletions are identified with ~~strike-outs~~, and additions are underlined. Special Condition Nine is added by this amendment.

### 1. Parking Lot Plans

The applicant shall maintain and operate the ~~433-space~~ Shoreline Village parking lot consistent with the plans approved by the Executive Director pursuant to the Commission's approval of Coastal Development Permit 5-94-010 as amended this amendment. In order to increase the parking capacity of the Shoreline 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 Shoreline Village public parking lot shall be reserved at any time for valet or assisted parking. No parking spaces in the public parking areas located in Marina Green, Shoreline Park or along the shoulders of Shoreline Drive shall be used to store or park vehicles by valets.

### 2. Validations

Free parking ticket validations which allow for two hours of free parking shall be available with a minimum \$12.00 purchase from any tenant of the Shoreline Village shopping center.

### 3. Traffic Circulation

All vehicles shall be permitted a fifteen (15) minute grace period to pass through the Shoreline Village shopping center parking lot for free.

### 4. 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 each entrance of the parking lot and within the parking lot which clearly announce:

- a) The availability of free parking ticket validations from any tenant of the Shoreline Village shopping center with a minimum purchase which allows for two hours of free parking (consistent with special condition two above).
- b) The ability of all vehicles to pass through the Shoreline Village shopping center parking lot for free during a fifteen (15) minute grace period.
- c) The approved parking fee rates.
- d) Unless provided by other notification approved by the Executive Director, the availability of employee parking provided by the approved employee-parking program.

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

5. Parking Fees and Validation 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 Shoreline Village public parking lot shall be submitted to the Executive Director to determine whether an amendment to this permit is necessary.

6. Parking & Traffic Association

The applicant shall continue to participate in the Parking and Traffic Management Organization (PTMO) that has been established by the City of Long Beach pursuant to its certified Local Coastal Program [see certified LCP Downtown Shoreline Planned Development Plan (PD-6): General Development and Use Standard (b)6].

7. Employee Parking

Prior to issuance of the coastal development permit amendment, the applicant shall submit an updated employee-parking program, subject to the review and approval of the Executive Director, which meets the following criteria:

- a) The plan identifies at least 100 parking spaces that will be available to all employees, owners and tenants of the establishments of Shoreline Village while they are working; and,
- b) None of the 100 parking spaces shall be in the public parking areas located in Marina Green, Shoreline Park or along the shoulders of Shoreline Drive; and,
- c) None of the 100 spaces is more than 1,500 feet from Shoreline Village unless: (i) they are located within 200 feet of an existing free public transit (Long Beach

Transit Passport) stop, and (ii) the schedules and frequency of the shuttles and choice of routes will not significantly increase commute times such that employees will have an incentive to park in public lots to avoid being late for work; and,

- d) The plan insures that the employee parking is provided to employees at a cost that does not exceed the cost of parking in nearby public parking lots (such as the Marina Green lots); and,
- e) The plan identifies the signs, notices and other measures that will inform all Shoreline Village employees, owners and tenants of the employee-parking program.

The applicant shall implement the employee-parking program as approved by the Executive Director.

8. Time Limit on Requiring Purchases for Parking Validation/Monitoring

The Commission's approval for the fee structure and the requirement of a purchase for a parking validation shall expire five ~~three~~ years after the date of the Commission's approval of Coastal Development Permit amendment 5-94-010-A6 A4 unless the Commission approves an amendment to extend the time limit. If the applicant submits an 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 amendment until the Commission can act on the future amendment request. The Commission, in approving any subsequent amendment, shall review evidence that: (a) the use and enjoyment of the shoreline in the development area by the general public has not been reduced, (b) that such methods have been effective in protecting the Shoreline Village parking lot from being used for long-term parking by Long Beach Convention Center and Arena visitors, and (c) that increased fees have not resulted in employees and customers of Shoreline Village occupying the Marina Green parking lots to the exclusion of the general public. If the Commission does not approve an amendment granting an extension of this time limit, the rates and policies approved pursuant to Permit Amendment 5-94-010-A2 ~~in operation before the Commission approval of this amendment~~ shall apply.

9. Flat Rate Parking Fee during Special Events

The Executive Director shall have the discretion to authorize the applicant to charge a daily flat rate parking fee for parking in the Shoreline Village public parking lot consistent with all of the following terms and limitations:

- a) For the same date(s), a daily flat rate parking fee has been authorized by the Commission or Executive Director in the adjacent Marina Green public parking lot; and,
- b) The daily flat rate parking fee (i.e. cost for parking) shall not exceed the rate that has been authorized in the adjacent Marina Green public parking lot; and,



- c) The daily flat rate parking fee shall be authorized for a limited duration not to exceed three consecutive days; and,
- d) The daily flat rate parking fee shall not exceed \$12; and,
- e) The daily flat rate parking fee is necessary to prevent a disparity in the parking rates between the Shoreline Village public parking lot and the adjacent Marina Green public parking lot.

Any request for implementation of the daily flat rate parking fee as described in this condition shall be submitted in writing to the Executive Director.

### **III. Findings and Declarations**

The Commission hereby finds and declares:

#### **A. Amendment Description and Background**

The applicant, who leases the commercial site from the City of Long Beach, is proposing to modify the special conditions of Coastal Development Permit 5-94-010 that relate to the management of the existing Shoreline Village shopping center parking lot.

Specifically, the applicant currently proposes to:

1. Maintain the current parking fee rate schedule and validation program that the Commission previously approved in 1999 for three years pursuant to Amendment 5-94-010-A4 (Amend Special Condition Eight); and,
2. Charge a flat \$12 rate for parking during special events and busy holidays like the Grand Prix weekend, July 4<sup>th</sup>, Beachfest, Shorefest, Gay Pride weekend, St. Valentine's Day, Mothers' Day, Fathers' Day, and during in-the-water boat shows.

This amendment request is driven by the three-year limit established by Special Condition Eight of Amendment 5-04-010-A4, which the Commission imposed on October 15, 1999 when it approved the current parking fee rate schedule and validation program for the Shoreline Village shopping center parking lot.

Special Condition Eight of Permit Amendment 5-04-010-A4 states that:

#### **Time Limit on Requiring Purchases for Parking Validation/Monitoring**

The Commission's approval for the fee structure and the requirement of a purchase for a parking validation shall expire three years after the date of the Commission's approval of Coastal Development Permit amendment 5-94-010-A4 (October 15, 1999) unless the Commission approves an amendment to extend the time limit. If the applicant submits an 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 amendment until the Commission can act on the future amendment request. The Commission, in approving any subsequent amendment, shall review evidence that: (a) the use and enjoyment of the shoreline in the development area by the general public has not been reduced, (b) that such methods have been effective in protecting the Shoreline Village parking lot from being used for long-term parking by Long Beach Convention Center and Arena visitors, and (c) that increased fees have not resulted in employees and customers of Shoreline Village occupying the Marina Green parking lots to the exclusion of the general public. If the Commission does not approve an amendment granting an extension of this time limit, the rates and policies in operation before the Commission approval of this amendment shall apply.

Commission approval of the current permit amendment request (5-94-010-A6) would permit the applicant to continue the parking lot management provisions that the Commission approved as part of Permit Amendment 5-94-010-A4. It would also address and clarify the parking management issues in regards to valet parking (Special Condition One), employee parking (Special Condition Seven), and the applicant's request to charge a higher parking rate during holidays and special events (Special Condition Nine).

As approved by the Commission on October 15, 1999, the current parking rates for the 487-stall public parking lot, are:

First Two hours	Free with validation (\$12 or less minimum purchase)
First Two hours	\$1.00 each thirty minutes without validation
After Two hours	\$2.00 each thirty minutes without validation
Daily Maximum	\$8.00
Maximum with validation	\$8.00

Shoreline Village is a shopping center with a maritime theme located on the waterfront in the Downtown Shoreline area of the City of Long Beach (Exhibit #1). The shopping center, which is built on former tidelands, shares the downtown Long Beach waterfront area with the Downtown Long Beach Marina, Rainbow Harbor, Long Beach Aquarium of the Pacific, and Shoreline Park (Exhibit #2). The nearest public beach is located one-half mile east of Shoreline Village.

The Commission originally permitted the applicant to charge for parking in this public parking lot in 1994 in order to discourage long-term parking by visitors of other uses, such as the Long Beach Convention Center, who try to avoid paying for parking. The permitted parking validation program and parking rates for the Shoreline Village parking lot have been reviewed and approved by the Commission in 1997 and 1999 as part of Amendments 5-94-010-A2 and 5-94-010-A4. The Commission, however, has required that the applicant implement a parking validation program that allows two hours of free parking with a validation. The parking validation program is required in order to discourage the shopping center's customers from using the free parking provided by the adjacent Marina Green public parking lots (Exhibit #2). The Marina Green public parking lots are a primary parking supply for beach goers and other coastal recreation activities.

The Commission, through a series of coastal development permit actions, has been regulating the management of the various parking reservoirs in the Downtown Shoreline area in order to

protect the parking supplies that support the many coastal recreation activities in the area. The intent of the Commission approved parking rates and validation programs has been to direct Downtown Shoreline area visitors to the appropriate parking reservoirs that support each use in order to protect the public parking that is dedicated to support coastal recreation.

All the parking in the Downtown Shoreline area is located on public tidelands, and is therefore open to the general public. Each distinct use in the Downtown Shoreline area, however, has its own primary parking reservoir:

<b><u>Downtown Shoreline Use</u></b>	<b><u>Primary Parking Reservoir (EXHIBIT #5)</u></b>
Beach & General Recreation	Marina Green Parking Lots (388 spaces)
Shoreline Village Commercial	Shoreline Village Lot (487 spaces)
Downtown Marina (Boaters)	Marina Permit Parking (1,669 spaces)
Convention Center	Convention Center Lots (4,830 spaces)
Rainbow Harbor & Aquarium	Parking Structure (1,471 spaces)
Shoreline Park	Shoreline Park Lot (150 spaces)
Catalina Landing	Parking Structure (1,472 spaces)
Pierpoint Landing Fishers	Future Parking Lot (95 spaces)
California State University	Chancellors' Office Lots (435 spaces)
Queensway Bay Commercial	Future Parking Supplies (2,655 spaces)

The Commission has approved consistent parking rate structures and validation programs for many of the above-stated parking reservoirs in order to encourage the various user groups to park in the appropriate parking areas (Exhibit #5). The Commission approved parking management techniques protect public access and recreation opportunities by preserving a portion of the waterfront parking supplies for beach visitors and recreationists. Visitors to the many commercial uses in the area are encouraged by validation programs to use the appropriate commercial parking reservoirs. In addition, the consistent parking rates approved and endorsed by the Commission help to reduce traffic congestion by discouraging people from driving around while looking for a lower-cost parking space.

## **B. Shoreline Village History**

The Shoreline Village shopping center, and the Downtown Shoreline area of Long Beach, has a long history of Commission actions dating back to the late 1970's. Most of the Long Beach Downtown Shoreline area was developed in the late 1970's and early 1980's under coastal development permits approved by the Commission in 1979. The more recent revitalization of the shoreline area, including the construction of the Long Beach Aquarium of the Pacific and

Rainbow Harbor, was permitted by the Commission in the late 1990's. Most recently, the Commission approved Coastal Development Permit 5-98-156 (City of Long Beach Queensway Bay) for the construction of a 508,550 square foot commercial retail and entertainment complex on the north side of Rainbow Harbor and along the west side of South Pine Avenue. The construction of the approved Queensway Bay commercial retail and entertainment complex commenced in 2002 and is expected to open in late 2003.

The Downtown Shoreline area of Long Beach is comprised primarily of state-owned public tidelands which are administered by the City of Long Beach under a Tidelands Trust Agreement with the State of California. The Chapter 138 line, the boundary between the privately owned upland properties and the public tideland areas in the Downtown Shoreline area, is the former mean high tide line. The public tideland areas subject to the Long Beach Tidelands Trust Agreement are the filled areas which lie seaward of the Chapter 138 line. The Chapter 138 line roughly corresponds to the alignment of Seaside Way (Exhibit #2). Shoreline Village and its public parking lot are located on state-owned public tidelands that the City has leased to the applicant, Shoreline Village Enterprises.

Originally, the Shoreline Village shopping center was approved by the Commission on June 11, 1979 by **Coastal Development Permit P-79-5251**. The stated purpose of the commercial development was to encourage day use activities on the waterfront. Three restaurants and 18,000 square feet of other commercial uses were approved, with the provision of 252 parking places. In 1980, the Shoreline Village project was revised by **Coastal Development Permit P-80-7497**. The amount of permitted commercial area was increased from 35,500 square feet to 51,000 square feet, and the public parking lot was enlarged to 409 spaces.

On May 12, 1994, the Commission approved **Coastal Development Permit 5-94-010** allowing the conversion of the Shoreline Village public parking lot from free uncontrolled parking to controlled validated/fee parking. The approved project included a validation/fee program which allowed two hours of free public parking with a validation. At that time, no purchase was required in order to receive a parking validation.

On February 6, 1997, Coastal Development Permit 5-94-010 was amended. **Permit Amendment 5-94-010-A2** approved an enlargement of the Shoreline Village parking lot from 409 to 433 spaces, revised the parking rates, and established a minimum purchase amount of three dollars for obtaining a parking validation for two hours of free parking. The applicant was required to implement an employee-parking program approved by the Executive Director. Specifically, Permit Amendment 5-94-010-A2 authorized the following parking rates for a three-year term:

First two hours	Free with validation (\$3 minimum purchase)
Each 30 minutes	\$1.00
Two hours	\$4.00
Daily Maximum	\$6.00
Maximum with validation	\$3.00

On April 8, 1997, the Commission approved an amendment to **Coastal Development Permit P-80-7497 (5-96-274-A)**, increasing the permitted amount of commercial floor area in the Shoreline Village shopping center from 51,000 square feet to a total of 82,368 square feet. The approval of the amendment did not include the construction of any new floor area, but

merely legalized the amount of floor area that had actually existed since the original construction of the project in the early 1980's.

Coastal Development Permit 5-94-010 was again amended on October 15, 1999. **Permit Amendment 5-94-010-A4** revised the parking rates and the validation program that the Commission had originally approved on February 6, 1997 pursuant to Permit Amendment 5-94-010-A2.

Specifically, Permit Amendment 5-94-010-A4 authorized the following parking lot management provisions for a three-year term<sup>1</sup>:

1. Raise the minimum purchase requirement for validated parking from \$3.00 to \$12.00 (or less as determined by the applicant). The parking validation program allows for two hours of free parking with a minimum purchase.
2. Grant a fifteen-minute grace period for passing through the parking lot.
3. Increase the maximum daily parking rate from \$6.00 to \$8.00, and revise the parking rates as follows:

First Two hours	Free with validation (\$12 or less minimum purchase)
First Two hours	\$1.00 each thirty minutes without validation
After Two hours	\$2.00 each thirty minutes without validation
Daily Maximum	\$8.00

In 2002, Coastal Development Permit 5-94-010 was amended again. **Permit Amendment 5-94-010-A5**, granted by the Commission on August 6, 2003, approved the recent modifications to the landscaping and physical layout of the Shoreline Village parking lot. The parking lot has been enlarged to 487 spaces. No changes to the parking rates or parking validation program were proposed or approved as part of Coastal Development Permit Amendment 5-94-010-A5.

### **C. Public Access and Recreation**

The primary Coastal Act issue is the proposed amendment's impact on the public's ability to access the coast. 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.

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.

<sup>1</sup> The three-year term expired on October 15, 2002. The Executive Director has authorized the applicant to continue to implement the previously approved parking management program until the Commission acts on Amendment 5-94-010-A6.

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...

One of the methods commonly used to maximize public access to the coast is to ensure that there is enough parking available for visitors of the coast. The Commission has consistently found that a direct relationship exists between the provision of adequate parking and availability of public access to the coast. Section 30252 requires that new development should maintain and enhance public access to the coast by providing adequate parking facilities.

Section 30252 of the Coastal Act states, in part:

The location and amount of new development should maintain and enhance public access to the coast by... (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation....

The Shoreline Village parking lot is located on public property seaward of the first public road in the Commission's area of original jurisdiction. The Shoreline Village shopping center and parking lot are located in a popular coastal recreation area where visitors can take advantage of sailing and boating opportunities, the coastal bicycle path, fishing opportunities, the parks and beach, or shopping and sightseeing at Shoreline Village and its boardwalk.

In its approval of Coastal Development Permit 5-94-010 and subsequent amendments, the Commission found that it is important that the operation of the Shoreline Village parking lot does not preclude the general public from parking and accessing the various coastal recreation opportunities in the area. A parking lot management program was approved with parking rates and a parking validation program that encourages Shoreline Village customers to use the Shoreline Village parking lot instead of the adjacent Marina Green parking lot that supports coastal recreation and beach goers.

The previously approved parking lot management program, with the two hours of free parking allowed with a validation, has been successful in encouraging the Shoreline Village customers to use the Shoreline Village parking lot instead of the adjacent Marina Green parking lots. Imminent changes to the Downtown Shoreline area (e.g. opening of the Pike at Rainbow harbor commercial and entertainment complex), as well as Special Condition Eight of amendment 5-94-010-A4, require that the Shoreline Village parking lot management program be reviewed by the Commission in order to ensure that:

- a) the use and enjoyment of the Downtown Shoreline area by the general public has, and will not be, reduced by the management of the Shoreline Village parking lot; and,
- b) the parking lot management program is effectively protecting the Shoreline Village parking lot from being used for long-term parking by Long Beach Convention Center and Arena visitors; and,

- c) the parking rates have not resulted in employees and customers of Shoreline Village occupying the Marina Green parking lots to the exclusion of the general public.

Absent any evidence to the contrary, Commission staff and the applicant agree that the currently approved parking lot management program has been successful in discouraging long-term parking by Long Beach Convention Center and Arena visitors, and in encouraging Shoreline Village customers to use the Shoreline Village parking lot instead of the adjacent Marina Green parking lots. With similar parking rates being charged in all the area's parking facilities, the Convention Center and Arena visitors no longer have any economic incentive to park in the Shoreline Village and Marina Green parking lots. The free parking at the Shoreline Village parking lot that one obtains with a purchase (i.e. the parking validation program) encourages Shoreline Village's customers, especially restaurant patrons, to use the Shoreline Village parking lot instead of the metered parking in the Marina Green parking lot (Exhibit #2). As a result, one can usually find a vacant parking space in the Marina Green parking lot, even when the Shoreline Village parking lot is full. Staff has received no complaints from the public regarding to availability of parking in the Marina Green parking lot. Therefore, staff is recommending that the Commission determine that the currently approved parking lot management program has been successful in protecting public access opportunities in the Downtown Shoreline area.

Therefore, the staff is recommending that the permit amendment be approved to continue the current parking fee rate schedule and validation program for another five years before coming back for Commission review.

Discouraging the Shoreline Village employees from using the Marina Green Parking lot, however, is a different matter.

### **Shoreline Village Employee Parking Program**

The Shoreline Village parking lot is often filled to capacity, especially during busy weekends and holidays. The patrons and employees of the shopping center's five restaurants create the most of the parking demand. The adjacent Marina Green parking lot is the de facto overflow lot for the Shoreline Village shopping center (Exhibit #2). To date, this has not resulted in any significant negative impacts on public access because the Marina Green parking lot rarely fills to capacity. Most of the time, even on summer weekends, there is still parking available for anyone who needs it in the Marina Green parking lot (except during special events like the Grand Prix, Gay Pride Festival and Beachfest).

The Marina Green parking lot is the primary parking supply that supports coastal recreation and beach goers, and is a type of lower cost recreational facility protected by Section 30213 of the Coastal Act. Therefore, the Marina Green parking lot must be protected from being usurped by customers and employees of the Shoreline Village shopping center.

As previously stated, the currently approved parking lot management program has been successful in encouraging Shoreline Village customers to use the Shoreline Village parking lot instead of the adjacent Marina Green parking lots. The Shoreline Village employees, however, have been observed parking in the adjacent Marina Green parking lot. In order to reserve parking spaces for its patrons, the Shoreline Village operators have been actively

preventing its employees from parking their own vehicles in the Shoreline Village parking lot. Each evening and on weekends, when the Shoreline Village restaurants do the most business, there are more than one hundred employees on the premises. These employees represent a large portion of the parking demand generated by the Shoreline Village shopping center.

In 1997, the Commission required the applicant, as part of Permit Amendment 5-94-010-A2, to submit an Employee Parking Program that would discourage the employees from using the adjacent Marina Green parking lot (See Special Condition Seven). The required Employee Parking Program does not prevent or discourage the Shoreline Village employees from using the Shoreline Village parking lot. It simply requires the applicant to provide parking for its employees somewhere other than in the nearby public parking facilities that support public recreation opportunities (i.e. Marina Green and Shoreline Park). Long-term use (8 hours) of the Marina Green lots by Shoreline Village employees would reduce the number of spaces available for persons coming to the waterfront for coastal recreation. Therefore, the applicant should be requiring the employees of Shoreline Village to use the parking supply specifically designated for the Shoreline Village employees. The primary parking supply for Shoreline Village is the Shoreline Village parking lot, but Special Condition Seven would allow the applicant to provide the employee parking elsewhere (off-site) under certain conditions.

For the past four or five years, the applicant was able to lease and use excess marina parking for its employees under a month-to-month agreement with the City of Long Beach. The City, however, no longer has the excess marina parking to rent to the applicant for its employee parking. The applicant has located and rented another off-site parking facility (211 E. Ocean Blvd.) where its employees are currently being directed to park on Saturdays and Sundays (Exhibit #4). The off-site parking arrangement described in Exhibit #4 is an important component of the Employee Parking Program required by Special Condition Seven, but it does not satisfy the Commission's permit requirement. It does not provide for employee parking on weekdays, and does not adequately demonstrate compliance with subsections c, d and e of Special Condition Seven of Coastal Development Permit 5-94-010 as amended.

Therefore, prior to issuance of the coastal development permit amendment, the applicant is required to submit an updated Employee Parking Program, subject to the review and approval of the Executive Director, which meets all of the criteria listed in Special Condition Seven. If it proves too difficult for the applicant to provide off-site employee parking consistent with the terms of Special Condition Seven, then the applicant shall provide all employee parking within the Shoreline Village parking lot at a cost less than the cost of parking in the adjacent Marina Green parking lot. As conditioned, the Shoreline Village parking program will have no adverse effect on the public's use of the free Marina Green parking lot and will be consistent with the public access policies of the Coastal Act.

#### **Flat Rate Parking Fee during Special Events**

The applicant has requested Commission authorization to charge a daily flat rate parking fee of \$12 during special events and busy holidays (e.g. Grand Prix weekend, July 4<sup>th</sup>, Beachfest, Shorefest, Gay Pride weekend, St. Valentine's Day, Mothers' Day, Fathers' Day, and during boat shows). These special events and busy holidays are the days when the parking facilities in the Downtown Shoreline area are usually filled near capacity. As a result, the value of each parking space is increased.



The higher parking demands on St. Valentine's Day, Mothers' Day, Fathers' Day are primarily the result of increased business at the Shoreline Village restaurants, as opposed to the increased recreational activity that occurs during the annual special events like the Grand Prix, Gay Pride festival, Beachfest, July 4<sup>th</sup> and boat shows. An increase in the Shoreline Village shopping center's parking demand alone is not an adequate nexus to increase the cost for parking in the Shoreline Village parking lot. On the other hand, a special flat rate parking fee is appropriate if it is necessary to prevent a wide disparity in the parking rates between the Shoreline Village public parking lot and the adjacent Marina Green public parking lot. During past Grand Prix and Beachfest events, the Commission has authorized or acknowledged special flat rate parking fees (\$10-12) in the City-controlled Marina Green parking lot (See Coastal Development Permits 5-02-084 & 5-02-374).

When the higher parking fee is being charged in the Marina Green parking lot, people naturally try to park in the Shoreline Village parking lot where the maximum eight-dollar parking fee is less. And conversely, if a higher fee (\$12) is charged in the Shoreline Village parking lot than for parking in the Marina Green parking lot, the Shoreline Village patrons would use much more of the public parking in the Marina Green, and reducing the amount of parking available for general recreationists.

Therefore, staff recommends that the Commission not approve the daily \$12 flat rate parking fee for special events and holidays as proposed because the higher parking rate would redirect Shoreline Village patrons into the adjacent Marina Green parking lot that the Commission has protected for general recreation uses. Rather, the staff recommends a new special condition (Special Condition Nine) that would authorize the Executive Director to approve, on a case-by case basis, a special flat rate parking fee only when it is necessary to prevent a disparity in the parking rates between the Shoreline Village public parking lot and the adjacent Marina Green public parking lot. Such a disparity would occur only when a daily flat rate parking fee has been authorized by the Commission or Executive Director in the adjacent Marina Green public parking lot. As conditioned, the Shoreline Village parking program will have no adverse effect on the public's use of the free Marina Green parking lot and will be consistent with the public access policies of the Coastal Act.

### **Valet Parking at Shoreline Village Parking Lot**

The applicant has been providing optional valet parking to Shoreline Village patrons as a way to increase the number of vehicles that can be parked in the Shoreline Village parking lot. Coastal Development Permit 5-94-010, as amended, neither permits nor prohibits valet or assisted parking in the Shoreline Village parking lot. A modification to Special Condition One would clarify that valet parking can be provided in part of the Shoreline Village public parking lot, only if the fees for valet or assisted parking are the same as for self-parking. The Commission approved Valet parking in the nearby Queensway Bay commercial development (Pike at Rainbow Harbor) with equal fees for valet and self-parking (See Coastal Development Permit 5-98-156).

The provision of valet parking services by themselves would not negatively affect public access if the services were available to the general public. However, if the operation of the valet parking services includes the reservation of large blocks of public parking, and if the cost for valet parking is more expensive than self-parking, then valet parking would impede the

public's ability to use the public parking supplies in the Downtown Shoreline area. Higher fees for valet parking and the tradition of tipping valets will discourage self-parking in the public parking lots, especially by people who visit the area for lower-cost recreational uses. The presence of valets themselves could discourage the use of the public parking lots by many visitors. Many people prefer to self-park in order to avoid the cost, waiting and entrusting their vehicle to strangers. Valet parking services and self-parking in the public parking lots may be able to co-exist, but only if adequate limits are in place to protect the public's ability to self-park in the public parking areas.

Special Condition One of this permit amendment imposes limits on valet parking services in order to protect the public's ability to self-park in the public parking areas. Valet parking may be permitted in the Shoreline Village parking lot if the cost of valet parking is the same as the cost of self-parking, and if no more than 25% of the parking lot is reserved for valet parking. Also, valets are not permitted to store any vehicles in the Marina Green parking lot or other recreational parking facilities. The surface level parking on the public streets and public parking lots is the primary parking supply for the visitors to the lower cost and free recreational activities provided at the shoreline, and it must be protected. As conditioned, the Shoreline Village parking program will have no adverse effect on the public's use of the free Marina Green parking lot and will be consistent with the public access policies of the Coastal Act.

### **Other Parking Issues**

Special Condition Six requires the applicant to continue to participate in the Parking and Traffic Management Organization (PTMO) that has been established by the City of Long Beach pursuant to its certified LCP. This condition was established by the Commission's approval of Coastal Development Permit amendment 5-94-010-A2 on February 6, 1997.

Special Condition Eight, also established as part of amendment 5-94-010-A2, requires the applicant to submit the approved parking lot management program for Commission review in the future in order to determine whether the general public's coastal access opportunities are being adequately protected. In this case, a five-year review, rather than a three-year review, is sufficient to ensure that any future changes in the parking landscape are adequately analyzed for their impacts on public recreational opportunities. The five-year review will give the Commission and the applicant an opportunity to make any changes to the parking management program that are deemed necessary to protect the public's ability to access the coast.

As amended, the special conditions of this amendment will protect public access to coastal facilities and will also continue to provide a viable parking supply for customers of Shoreline Village. Only as conditioned, the proposed amendment will not negatively affect the public's ability to access the Downtown Shoreline area and the coast, and is consistent with the public access and recreation policies of the Coastal Act.

### **D. Local Coastal Program**

The City of Long Beach Local Coastal Program was certified by the Commission on July 22, 1980. Because the project is located seaward of the former mean high tide line, the LCP is advisory in nature and may provide guidance. The standard of review for this amendment is

the Chapter 3 policies of the Coastal Act. The proposed amendment is consistent with the Chapter 3 policies of the Coastal Act and the certified LCP.

The certified LCP requires the provision of adequate parking supplies to meet the parking demands of the development in the Downtown Shoreline area. Because all of the Downtown Shoreline area is located on public tidelands, the certified LCP parking policies encourage the use of shared parking and joint use parking arrangements to meet the total parking demands of the public and private visitor-serving and recreational facilities in the area. The LCP also encourages the shared use of the parking supply in downtown Long Beach north of the Downtown Shoreline area and outside the coastal zone. The LCP states that the public transportation system, including the Blue Line light-rail, Long Beach Transit, and free trams, are expected to reduce the demand for parking in the Downtown Shoreline area.

The LCP requires the City to form a traffic and parking management association to plan and carryout the joint use of public and private parking facilities to serve the Downtown Shoreline area. The Long Beach Parking and Traffic management Organization (PTMO) has been established as required by the LCP. The applicant is required to continue its participation in the PTMO.

The LCP also requires that the parking supplies on public tidelands in LCP subareas 5 and 6 shall be available for use by the general public on a first-come, first-served basis. Shoreline Village is located in LCP subarea 6. No parking may be reserved for the exclusive use of any tenant or development. These parking policies enhance the public's ability to access both the lower cost recreational facilities and the visitor-serving commercial uses in the Downtown Shoreline area.

#### **E. 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 permit amendment has been conditioned in order to be found consistent with the Chapter 3 policies of the Coastal Act. As conditioned, there are no feasible alternatives or additional feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the permit amendment request, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and complies with the applicable requirements of the Coastal Act to conform to CEQA.

## **Special Conditions of 5-94-010-A4, Approved 10/15/1999**

### **1. Parking Lot Plans**

The applicant shall maintain and operate the 433-space Shoreline Village parking lot consistent with the plans approved by the Executive Director pursuant to the Commission's approval of this amendment.

### **2. Validations**

Free parking ticket validations which allow for two hours of free parking shall be available with a minimum \$3.00 purchase from any tenant of the Shoreline Village shopping center. Subsequent to the City of Long Beach implementation of the metered parking system in the Marina Green public parking lots, as permitted by Coastal Development Permit 5-98-042, the minimum purchase requirement for two hours of free parking may be increased up to a maximum of \$12.00.

### **3. Traffic Circulation**

All vehicles shall be permitted a fifteen (15) minute grace period to pass through the Shoreline Village shopping center parking lot for free.

### **4. 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 each entrance of the parking lot and within the parking lot which clearly announce:

- a) The availability of free parking ticket validations from any tenant of the Shoreline Village shopping center with a minimum purchase which allows for two hours of free parking (consistent with special condition two above).
- b) The ability of all vehicles to pass through the Shoreline Village shopping center parking lot for free during a fifteen (15) minute grace period.
- c) The approved parking fee rates.
- d) Unless provided by other notification approved by the Executive Director, the availability of employee parking provided by the approved employee-parking program.

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

### **5. Parking Fees and Validation 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 Shoreline Village public parking lot shall be submitted to the Executive Director to determine whether an amendment to this permit is necessary.

**6. Parking & Traffic Association**

The applicant shall continue to participate in the Parking and Traffic Management Organization (PTMO) that has been established by the City of Long Beach pursuant to its certified Local Coastal Program [see certified LCP Downtown Shoreline Planned Development Plan (PD-6): General Development and Use Standard (b)6].

**7. Employee Parking**

Prior to issuance of the coastal development permit amendment, the applicant shall submit an updated employee-parking program, subject to the review and approval of the Executive Director, which meets the following criteria:

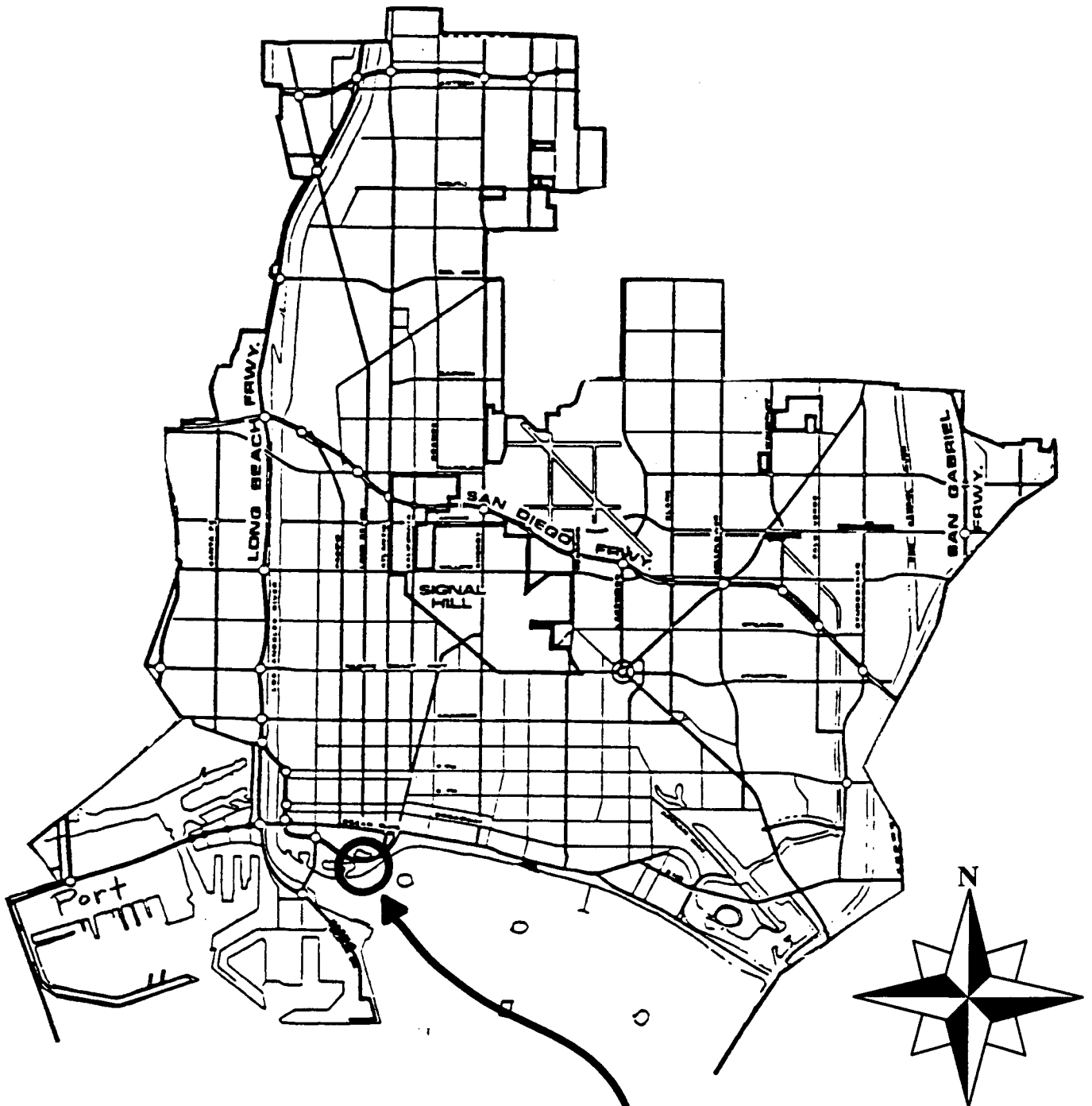
- a) The plan identifies at least 100 parking spaces that will be available to all employees, owners and tenants of the establishments of Shoreline Village while they are working, and,
- b) None of the 100 parking spaces shall be in the public parking areas located in Marina Green, Shoreline Park or along the shoulders of Shoreline Drive, and,
- c) None of the 100 spaces is more than 1,500 feet from Shoreline Village unless: (i) they are located within 200 feet of an existing free public transit (Long Beach Transit Passport) stop, and (ii) the schedules and frequency of the shuttles and choice of routes will not significantly increase commute times such that employees will have an incentive to park in public lots to avoid being late for work, and,
- d) The plan insures that the employee parking is provided to employees at a cost that does not exceed the cost of parking in nearby public parking lots (such as the Marina Green lots), and,
- e) The plan identifies the signs, notices and other measures that will inform all Shoreline Village employees, owners and tenants of the employee-parking program.

The applicant shall implement the employee-parking program as approved by the Executive Director.

**8. Time Limit on Requiring Purchases for Parking Validation/Monitoring**

The Commission's approval for the fee structure and the requirement of a purchase for a parking validation shall expire three years after the date of the Commission's approval of Coastal Development Permit amendment 5-94-010-A4 (October 15, 1999) unless the Commission approves an amendment to extend the time limit. If the applicant submits an 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 amendment until the Commission can act on the future amendment request. The Commission, in approving any subsequent amendment, shall review evidence that: (a) the use and enjoyment of the shoreline in the development by the general public has not been reduced, (b) that such methods have been effective in protecting the Shoreline Village parking lot from being used for long-term parking by Long Beach Convention Center and Arena visitors, and (c) that increased fees have not resulted in employees and customers of Shoreline Village occupying the Marina Green parking lots to the exclusion of the general public. If the Commission does not approve an amendment granting an extension of this time limit, the rates and policies in operation before the Commission approval of this amendment shall apply.

# City of Long Beach



Site

COASTAL COMMISSION  
5-94-010-A6

EXHIBIT # 1  
PAGE 1 OF 1







★ **SHORELINE VILLAGE** ★

**Parking Rates**

---

**2 Hours Free**  
**With Validation**  
(\$3.00 Minimum Purchase)

**\$ 1.00** First 30 Minutes  
From Time of Entry

**\$ 2.00** Every 20 Minutes  
Thereafter Up To Daily Max.

**\$ 8.00** Daily Maximum

---

15 Minutes Grace Period Applies To The  
First Increment Only

Lost Ticket Pays Maximum

Valet Charge in Addition to Basic Parking Rates

**NO EMPLOYEE PARKING**

COASTAL COMMISSION  
5-94-010-A6

EXHIBIT # 3

PAGE 1 OF 1

MODERN PARKING, INC.  
NATIONWIDE

April 2, 2002

Mr. Chuck Posner  
California Coastal Commission  
South Coast Area  
200 Oceangate, Suite 1000  
Long Beach, Ca 90802-4416

**RECEIVED**  
South Coast Region

APR 2 2003

CALIFORNIA  
COASTAL COMMISSION

RE: Off-Site Parking Plan For Shoreline Village Employees

Dear Mr. Posner:

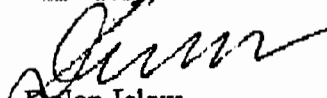
We have made arrangements for the employees of Shoreline Village to park off-site at 211 Ocean Boulevard on Fridays, Saturdays and Sundays.

We have entered into an agreement between the Property Owner of 211 Ocean and Modern Parking, Inc. for the rental of sufficient spaces to accommodate the Shoreline Village employees on those days. We have enclosed a copy of the executed agreement for your records.

The employees will park at the off-site facility and take the Long Beach Transit to Shoreline Village.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

  
Dolan Islam  
General Manager

COASTAL COMMISSION  
5-94-010-A6

EXHIBIT # 4

PAGE 1 OF 2

TOTAL QUALITY MANAGEMENT

1200 Wilshire Blvd. Suite 300, Los Angeles, Ca. 90017 • Phone 213 482-8400 Fax 213 482-7600

PARKING USE AGREEMENT

AGREEMENT made this 1st day of March, 2003 by and between MODERN PARKING, INC., a California Corporation, ("MPI") and Shoreline Village Management ("RENTER").

WHEREAS, Modern Parking, Inc., is the Agent for the Owner of the property located at 211 E. Ocean Blvd., City of Long Beach, State of California, ("PREMISES");

WHEREAS the following are the related parties in this transaction:

Property Owner:	Pacifica Real Estate Management
Property Manager:	Pacifica Real Estate Management
Operator:	Modern Parking, Inc. 1200 Wilshire Blvd., Suite 300 Los Angeles, CA 90017
Renter:	Shoreline Village Management 419 Shoreline Village Dr., Suite: R Long Beach, CA 90802

**RECEIVED**  
South Coast Region

APR 2 2003

CALIFORNIA  
COASTAL COMMISSION

WHEREAS, RENTER wishes to use certain parking spaces at the PREMISES, more particularly as described herein;

MPI and Renter hereto agree as follows:

This Agreement is effective April, 2003 and may be canceled by either party with 30 (thirty) days prior written notice. The initial term of this Agreement shall be for 6 months. This agreement will automatically continue on a month to month basis, if not renewed in writing at the end of the initial 6 month period.

MPI agrees to provide RENTER the use of 200 parking spaces in the parking facility located at the PREMISES, solely for the purposes of parking passenger vehicles 2 days per week, Saturday, 10:00a-2:30a, Sunday 10:00a - 12:00am. RENTER shall conform to all rules and regulations of the PREMISES, which include, but are not limited to those relating to entrances, exits, and stalls.

RENTER agrees to pay MPI the sum of \$40.00 per space with a minimum of one hundred (100) vehicles. Should additional spaces be required and approved, supplemental fees will be charged accordingly, however, MPI reserves the right to deny additional spaces beyond the initial space count if new commitments to monthly/daily parkers or other clients materialize.

MPI, the Property Owner(s), Agents, and Property Management are not responsible for the acts or omissions of RENTER, or its agents, employees or third parties in or about the PREMISES, and MPI, Property Owner(s), Agents, and Property Management shall have no liability therefore. RENTER, its agents, successors and assigns, shall indemnify and hold harmless MPI, the Property Owner(s), Agents, and Property Management from any and all loss or liability whatsoever, (including reasonable attorney's fees and costs of defense), on account of any damage or injury and from all losses, claims and demands whatsoever which may result from RENTER's use of the PREMISES, or from the acts or omissions of RENTER, its customers, agents, employees or third parties during the TERM hereof and during any extensions granted thereto. It is expressly agreed by RENTER that RENTER shall fully bear the risk, liability and all related costs and expenses whatsoever of any claims resulting from the acts, omissions or presence of RENTER's customers on or about the PREMISES.

RENTER shall provide a Certificate of Insurance in an amount of not less than \$1,000,000 (one million dollars) insuring RENTER's use of the facility, including any use by RENTER's customers of the facility. RENTER shall name MPI, Property Owner(s), Agents and Property Management as additional insureds. RENTER shall provide a Certificate of Insurance to MPI evidencing such coverage.

ACCEPTED and agreed as of the date above written:

RENTER:

By: Tom Paulsen

Its: 4-1-03

Date: Managing Member

MPI

Modern Parking, Inc.

By: Mike Rahn

Lori Pinson

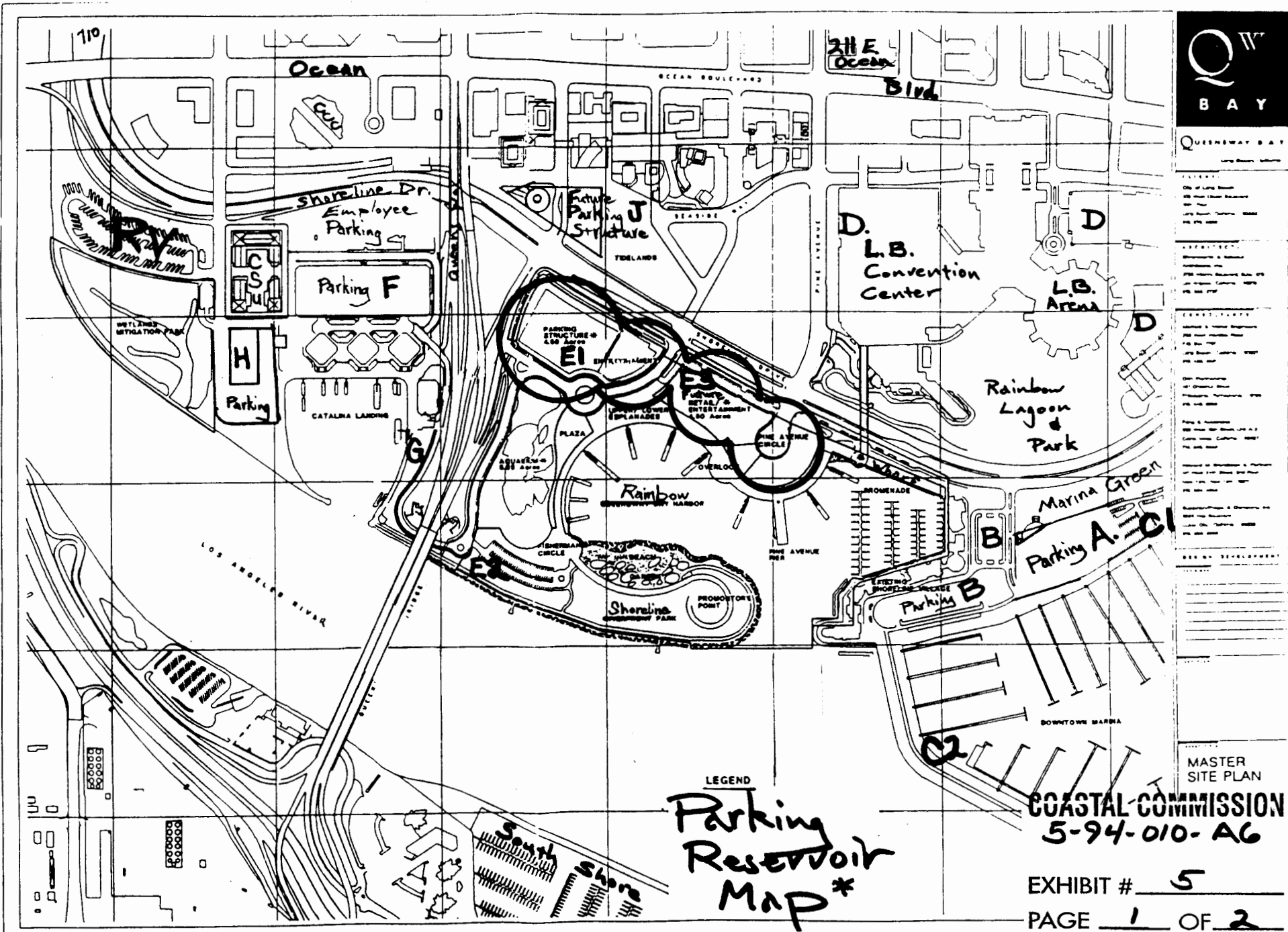
Its: Vice President

Date: 4/1/03

COASTAL COMMISSION  
5-94-010-AG

EXHIBIT # 4

PAGE 2 OF 2



\*Letters A-K correspond with the attached list entitled "DOWNTOWN SHORELINE PARKING RESERVOIRS"

## **DOWNTOWN SHORELINE PARKING RESERVOIRS**

All of the parking in the Long Beach Downtown Shoreline area is located on public tidelands and is open to the general public on a shared-use basis. Each distinct use in the Downtown Shoreline area, however, has its own primary parking reservoir. Visitors to the Downtown Shoreline area have the following choices of parking facilities (See attached map) and the following Commission approved parking rates:

<u><b>Downtown Shoreline Use</b></u>	<u><b>Parking Reservoir (No. of spaces)</b></u>	<u><b>Rate</b></u>
<b>A.</b> Beach & General Recreation	Marina Green Park Lots (388)	\$2/hour (meter hours) No maximum
<b>B.</b> Shoreline Village Commercial	Shoreline Village Lot (487)	\$0 w/validation (2 hrs), or \$2-4/hour \$8 maximum
<b>C.</b> Downtown Marina (Boaters)	Marina Permit Parking (1,669)	Permit only
<b>D.</b> Convention Center	Convention Center Lots (4,830)	\$8 Flat rate
<b>E1.</b> Rainbow Harbor, Shoreline Park, Aquarium & LCP Subarea 6 Commercial	City-owned Structure (1,471)	\$0 w/validation (1.5 hrs), or \$3/hour \$12 maximum
<b>E2.</b> Shoreline Park	Shoreline Park Lot (150)	\$2/hour (meter hours) No maximum
<b>E3.</b> Shoreline Park	Public Lot south of Shoreline Dr. (100-150 spaces)	\$2/hour \$12 maximum
<b>F.</b> Catalina Landing	Parking Structure (1,472)	\$3/hour \$9 maximum
<b>G.</b> Pierpoint Landing Fishers	Future Parking Lot (95)	Permit only
<b>H.</b> California State University	Chancellors' Lots (435)	Permit only
<b>J.</b> Queensway Bay Commercial (LCP Subarea 5)	Future Parking Structure (2,195)	\$0 w/validation (1.5 hrs), or \$3/hour \$24 maximum
<b>K.</b> All Uses	Future On-street Parking (330)	\$2/hour (meter hours) No maximum

## The price of service

**Disneyland**, 1313 S. Harbor Blvd., Anaheim, from 5 p.m.-2 a.m. only, \$6.

**Fairplex Exposition Complex**, 1101 W. McKinley Ave., Pomona, \$15 during county fair.

**Queen Mary**, 1126 Queens Highway, Long Beach, Friday-Sunday, \$12 for parking less than three hours; \$14 for more than three hours.

**Universal Studios**, Universal City, \$7.50 first half-hour, \$2.50 each half-hour after, to a maximum of \$17.50; with restaurant validation, \$5 for first two hours, \$2.50 for each additional half-hour, max \$17.50. Lunch special: free for first two hours, \$7.50 for next half-hour, \$2.50 for each half-hour after, max \$17.50.

**Cedars-Sinai Medical Center**, 8700 Beverly Blvd., L.A., valet same as standard parking, \$1.25 for each 20 minutes, with a maximum of \$10, only from 9 a.m.-6 p.m.

**UCLA Media Center**, 10833 Le Conte Ave., L.A., valet same as \$8 standard parking fee, but limited to those needing assistance.

**South Coast Plaza**, 3333 Bristol St., Costa Mesa, \$6, and the valets will deliver packages to your car at any point during your shopping trip.

**Beverly Center**, 8500 Beverly Blvd., L.A., use the parking entrance on Beverly Boulevard for the carwash. For \$12, your car will be washed while you shop.

**Westfield Shopping Town Century City**, 10250 Santa Monica Blvd., L.A., purchase \$25 in groceries at Gelson's and valet is free.

**Bastide**, 8475 Melrose Place, West Hollywood, the service is free, but it might come with a side dish of attitude.

**El Cholo Restaurant**, 958 S. Fair Oaks Ave., Pasadena, \$4.50.

**El Cholo Restaurant**, 1221 S. Western Ave., L.A., free until 3 p.m., \$3.50 after.

**Taix French Restaurant**, 1911 Sunset Blvd., L.A., \$1.50.

**House of Blues**, 8430 W. Sunset Blvd., West Hollywood, \$15.

**The Sunset Room**, 1405 N. Cahuenga Blvd., Hollywood, \$20 if you want to park "close"; \$10 if you don't mind waiting.

**Four Seasons Hotel**, 300 S. Doheny Drive, L.A., \$8 day; \$23 overnight.

**Mondrian Hotel**, 8440 W. Sunset Blvd, West Hollywood, \$15 flat rate.

**Raffles L'Ermitage**, 9291 Burton Way, Beverly Hills, free valet parking to anyone stopping into the hotel.

**Shutters Hotel on the Beach**, 1 Pico Blvd., Santa Monica, \$6 with restaurant validation; \$7 without, for first three hours, \$1 every half-hour after, \$24 max; \$5 with lobby lunch validation for first hour, \$1 for each hour after, \$24 max.

**Standard hotel**, 8300 Sunset Blvd., L.A., three hours of parking can set you back \$40 without validation, \$21 with.

**Standard Downtown**, 550 S. Flower St., L.A., \$15 valet.

CALENDAR WEEKEND LOS ANGELES TIMES THURSDAY, JULY 10, 2003

L.A. Times 2003  
Parking Rates in  
So. California  
COASTAL COMMISSION  
5-94-010-AC

EXHIBIT # 6  
PAGE 1 OF 1

**MODERN PARKING, INC.**  
**NATIONWIDE**

July 16, 2003

Mr. Chuck Posner  
California Coastal Commission  
South Coast Area  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4416

South Coast Region

JUL 17 2003

RE: CC Permit 5-94-010-A4  
Shoreline Village, Long Beach

Dear Mr. Posner:

Thank you for your continued support of the Shoreline Village merchants, patrons and visitors.

As the parking management provider for Shoreline Village, we have noticed a trend that is affecting parking for the patrons of Shoreline Village. The primary purpose of the parking facility at Shoreline is to provide convenient parking for the customers of Shoreline Village. Customers deserve to have parking in their own facility.

We have found, however, that in the surrounding area, no other parking facilities provide a period of free parking as does Shoreline. The Aquarium, RV Park, Pike Development, Long Beach Convention Center and Marina Green do not provide any free parking. Some of these parkers are abusing and taking advantage of the free parking at Shoreline. We want to provide a solution that will provide a fair opportunity for Shoreline Village patrons to park in the facility.

Studies have indicated that the usual length of stay for Shoreline customers is 1½ hours. We are sincerely requesting that the hours of free parking be changed from 2 hours to 1½ hours in order to discourage abuse of the free parking by parkers attending other venues and to meet the needs of Shoreline patrons. We need to provide corresponding parking in order to have fair share for Shoreline customers.

Thank you for your kind consideration of our proposal. Together we can work towards meeting the changing needs of Shoreline Village patrons.

Sincerely,

Dolan Islam  
General Manager

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