

CALIFORNIA COASTAL COMMISSION

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

Filed: November 22, 2003
49th Day: January 13, 2004
180th Day: May 23, 2004
Staff: FSY-LB FSY
Staff Report: January 29, 2004
Hearing Date: February 18-20, 2004
Commission Action:

**W 4c****STAFF REPORT: CONSENT CALENDAR****APPLICATION NUMBER:** 5-03-400

RECORD PACKET COPY

APPLICANT: Autism Partnership, Inc.**PROJECT LOCATION:** 200 Marina Drive, City of Seal Beach, County of Orange**PROJECT DESCRIPTION:** Interior remodel and addition of 204 square feet to the 2nd floor of an existing two-story 5,496 square foot office building. A total of eighteen (18) parking spaces for the commercial office use are located on site.**LOCAL APPROVALS RECEIVED:** City of Seal Beach Approval-In-Concept dated September 10, 2003.**SUBSTANTIVE FILE DOCUMENTS:** Letter to Autism Partnership, Inc. from Commission staff dated October 23, 2003; Letter to Commission staff from Autism Partnership, Inc. dated October 29, 2003; Letter to Commission staff from Autism Partnership, Inc. received November 25, 2003 and Coastal Development Permits No. 5-01-437-[Furman] and No. 5-01-176-[Felling].**SUMMARY OF STAFF RECOMMENDATION:**

The primary issue before the Commission is parking. The proposed project is deficient by one (1) parking space. However due to the minimum nature of the improvement, the parking deficiency does not need to be resolved at this time. Staff is recommending **APPROVAL** of the proposed project subject to **One (1) Special Condition** requiring a coastal development permit or amendment when future development occurs on the site.

LIST OF EXHIBITS

1. Location Map
 2. Assessor's Parcel Map
 3. Project Plans
-

STAFF RECOMMENDATION:

MOTION: I move that the Commission approve the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.

STAFF RECOMMENDATION TO ADOPT CONSENT CALENDAR:

Staff recommends a **YES** vote. Passage of this motion will result in approval of all the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION:

I. APPROVAL WITH CONDITIONS

The Commission hereby **APPROVES** a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned 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. Approval of the permit 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 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 development on the environment.

II. STANDARD CONDITIONS

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

3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

1. FUTURE DEVELOPMENT

This coastal development permit 5-03-400 approves only the development, as expressly described and conditioned herein, to the office building located at 200 Marina Drive in the City of Seal Beach. Any future development, such as but not limited to a change in the intensity of use (including a change in the physical number of office units or a change in the number of parking spaces) shall require an amendment to this permit from the Coastal Commission or a new coastal development permit.

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. PROJECT LOCATION AND DESCRIPTION

The proposed project is located on an inland lot at 200 Marina Drive in the City of Seal Beach, County of Orange (Exhibits #1-2). The project site is located in an existing urban residential area, which also includes commercial development and is consistent with development in the vicinity.

Public access to the beach is available at the 1st Street, street end, approximately ¼ of a mile south of the project site (Exhibit #1).

The project consists of an interior remodel and addition of 204 square feet to the 2nd floor of an existing two-story 5,496 square foot (1st floor: 3,270 square feet and 2nd floor: 2,226 square feet) office building (Exhibit #3). Currently, the 2nd floor is a loft and consists of 2,226 square feet. The 2nd floor open loft area consisting of 204 square feet will be converted to floor area and an existing stairway from the loft to the 1st floor will be removed. Additional interior remodel will take place on the 1st and 2nd floor. Post project, there will be a total of 5,700 square feet of office space. A total of eighteen (18) parking spaces for the office use are located on site and no changes are proposed with the parking.

When private development does not provide adequate on-site parking, users of that development are forced to occupy public parking that could be used by visitors to the coast. A lack of public parking discourages visitors from coming to the beach and other visitor serving activities in the coastal zone. The lack of parking would therefore have an adverse impact on public access. In this case, the project site is located in the Old Town Area of Seal Beach and is approximately ¼ of a mile inland from the beach. The street-ends in this area provide the public with vertical access

to the water at the beach. All private development must, as a consequence provide adequate on-site parking to minimize adverse impacts on public access.

The Commission typically imposes a parking standard of 1 space per each 250 square feet of gross floor area for office uses. The proposed addition consists of 204 square feet of office space. Based on the standard of 1 space per 250 square feet of gross floor area for office uses, the additional parking demand totals one (1) space. However, the proposal does not include any additional parking beyond the existing eighteen (18) spaces. Thus, the proposed development is deficient by one (1) parking space.

While the proposed development is deficient by one (1) parking space, there are factors why this parking deficiency does not need to be remedied at this time. The project site is built out and there is no space available on site to provide any additional surface parking. In addition, no change is proposed to the existing footprint resulting in a significant redevelopment of the site, thus there is no opportunity to reconfigure the building to provide additional parking. Also, since the proposed project is not a major redevelopment, the proposed development would not result in a significant intensification of use of the site. Consequently, parking demand would not significantly increase beyond the existing demand. Lastly, the site is located outside of the Main Street commercial area where parking is more of a significant concern. Thus, the parking deficiency does not need to be remedied at this time.

Nevertheless, future development at the project site could result in an increase in the number of office units beyond the one (1) existing unit resulting in an intensification of use. This would result in a significant increase in parking demand and an increase in the parking deficiency, leading to adverse impacts on public access. Likewise, future development could propose a reduction in the number of parking spaces, which would also lead to adverse impacts on public access. Therefore, the Commission staff finds that it is necessary to place a condition on the permit informing the permittee that a new coastal development permit, or an amendment to this permit would be required for any future development on the existing lot which would result in a change in the intensity of use. This would allow for the review of future improvements for any potential adverse impacts to public access resulting from inadequate parking.

This type of special condition has been previously imposed by the Commission and the Executive Director for similar projects. As conditioned, the proposed development will not have any new significant adverse impact on public access to the coast or to nearby recreational facilities.

B. PUBLIC ACCESS

As conditioned, the proposed development will not have any new adverse impact on public access to the coast or to nearby recreational facilities. Thus, as conditioned, the proposed development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

C. LOCAL COASTAL PROGRAM

Section 30600(c) of the Coastal Act provides for the issuance of coastal development permits directly by the Commission in regions where the local government having jurisdiction does not have a certified local coastal program. The permit may only be issued if the Commission finds that the proposed development will not prejudice the ability of the local government to prepare a Local Coastal Program, which conforms with Section 30604 of the Coastal Act.

On July 28, 1983, the Commission denied the City of Seal Beach Land Use Plan (LUP) as submitted and certified it with suggested modifications. The City did not act on the suggested modifications within six months from the date of Commission action. Therefore, pursuant to Section 13537(b) of the California Code of Regulations, the Commission's certification of the land use plan with suggested modifications expired. The LUP has not been resubmitted for certification since that time.

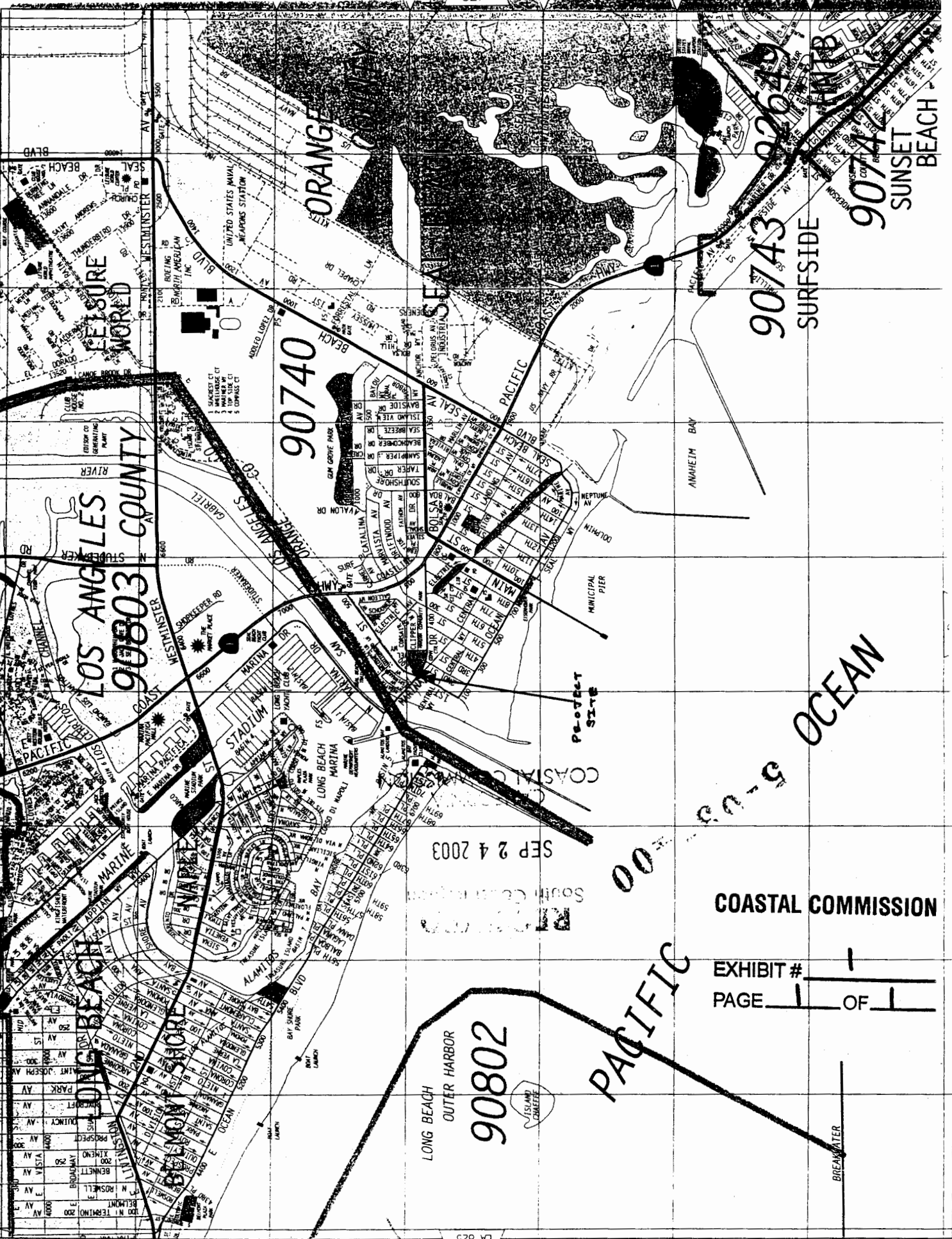
The proposed development, as conditioned, is consistent with the Chapter Three policies of the Coastal Act. Therefore, the Executive Director finds that approval of the proposed development, as conditioned, would not prejudice the ability of the City to prepare a certified coastal program consistent with the Chapter 3 policies of the Coastal Act.

D. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

As conditioned, there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

SEE 796 MAP 826

© 2002 Thomas Barst Maps LA 825 MAP



COASTAL COMMISSION

EXHIBIT # 1
PAGE 1 OF 1

BREAKWATER

LONG BEACH
OUTER HARBOR
90802

PACIFIC

5-03-00
OCEAN

PLANNING
SOUTH COUNTY
SEP 24 2003

LOS ANGELES COUNTY
90803

90740

90743

90744

SUNSET BEACH

LEISURE WORLD

ORANGE

SEA

PACIFIC

SURFSIDE

ANNHEIM BAY

Protect Site

00

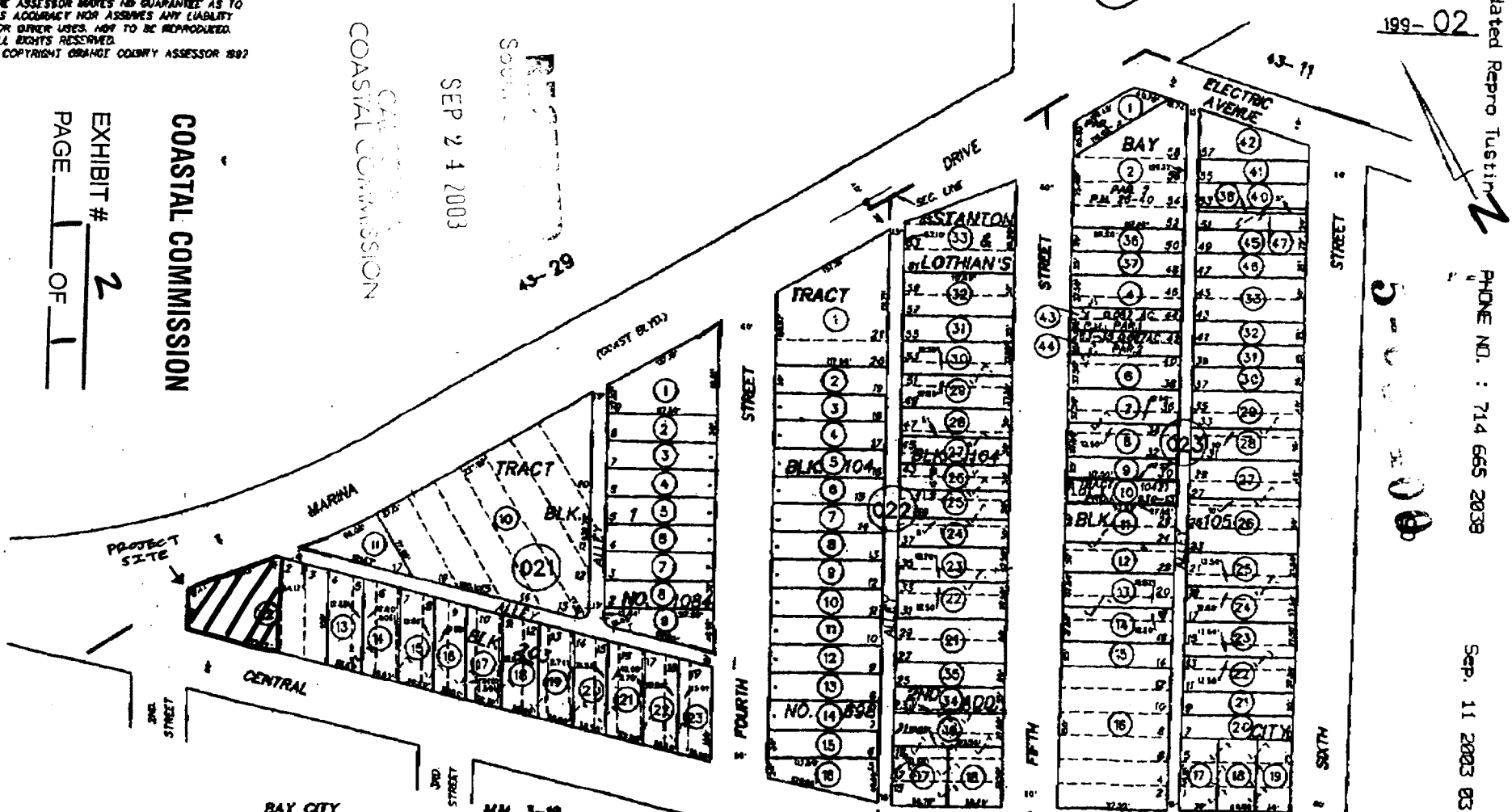
BREAKWATER

Attn: Lacey
 @ 909) 627-3418
 re: 200 Marina Drive Suite C
 Seal Beach, CA 90740

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COASTAL COMMISSION
 EXHIBIT # 2
 PAGE 1 OF 1

SEP 24 2003
 COASTAL COMMISSION



BAY CITY	MM 3-19	14
STANTON & LOTMAN'S	MM 4-19	
2ND. ADD.	MM 31-27	
TRACT NO. 898	MM 35-11	
TRACT NO. 1004	MM 457-29,30	
TRACT NO. 10421		

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

ASSESSOR'S MAP BOOK 199 PAGE 02 COUNTY OF ORANGE 03

199-02

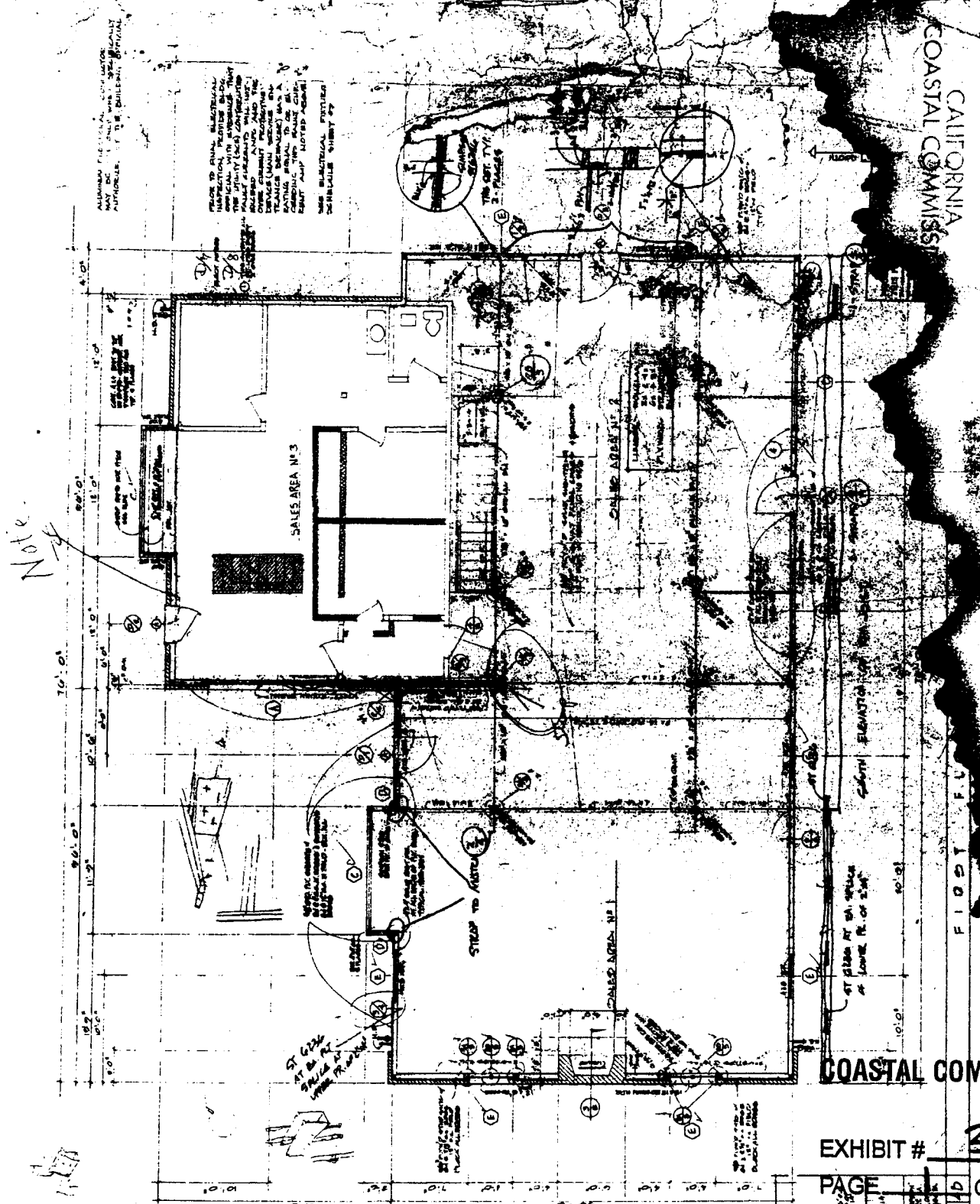
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RECEIVED
South Coast Region

JAN 26 2004

CALIFORNIA
COASTAL COMMISSION



NEW CONCRETE
REBAR
EXISTING CONCR.

NEW CONSTRUCTION ON SALES AREA N#3
EXISTING CONCR. ON 1ST FLOOR - 3270' + PLUS 2' (AS SHOWN ON PLAN) - 3270'

COASTAL COMMISSION

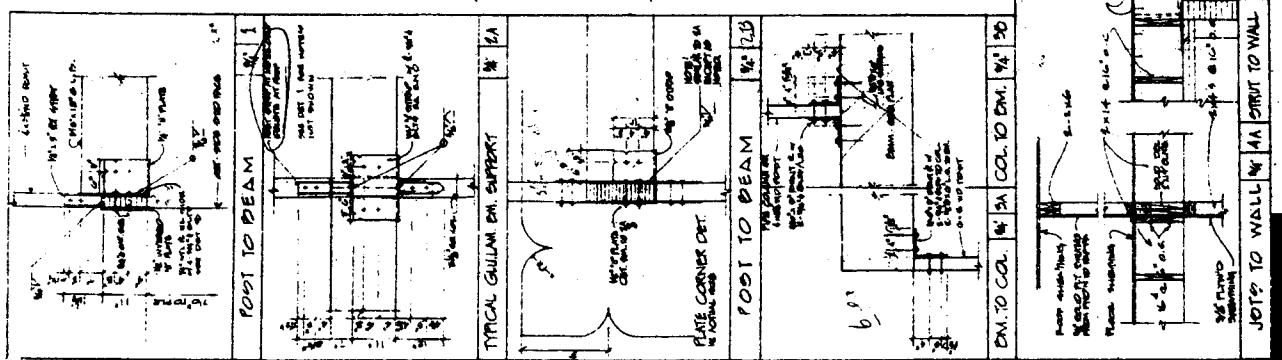
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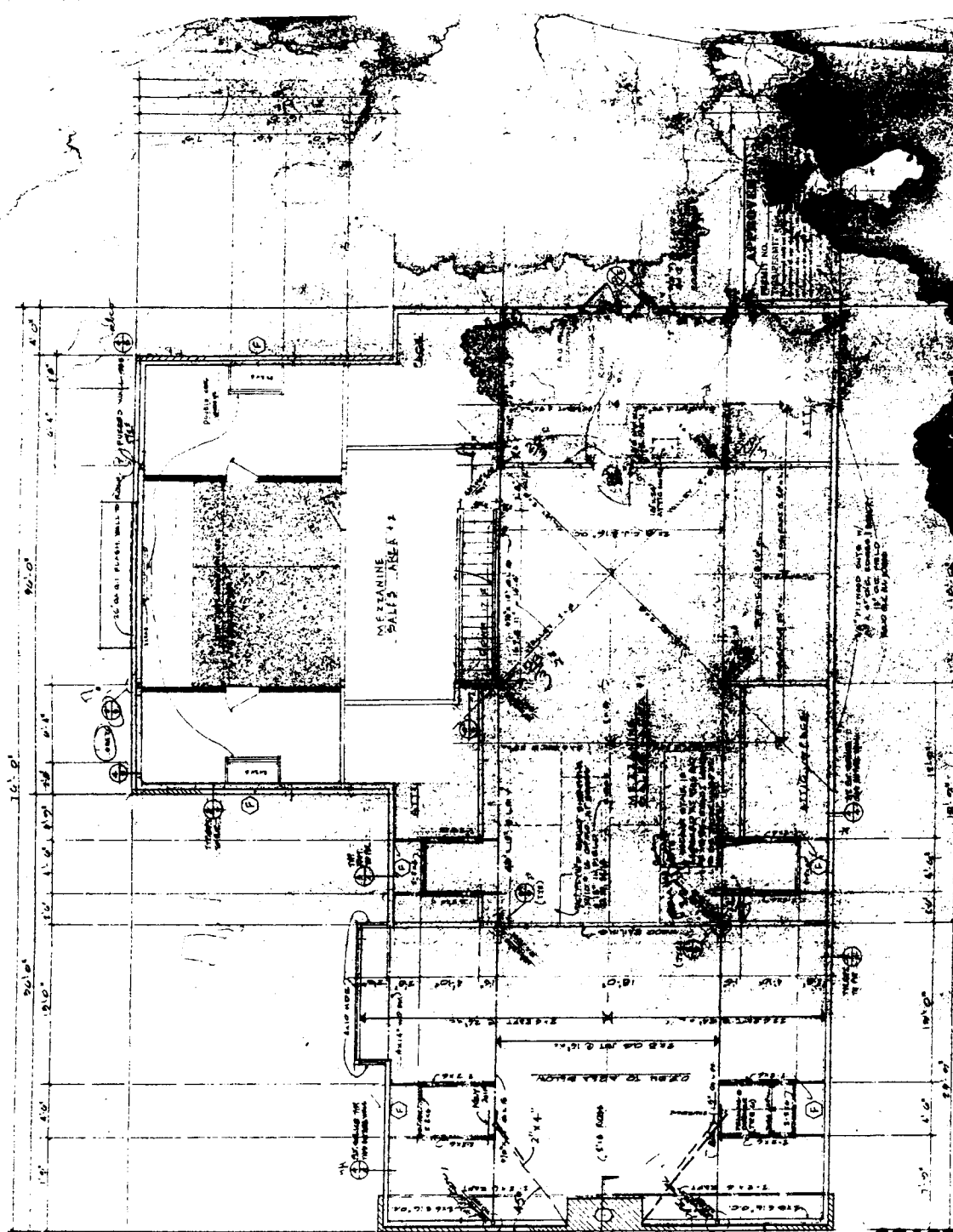
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JOHNS



RECEIVED
 South Coast Region
 JAN 26 2004

CALIFORNIA
 COASTAL COMMISSION



NEW CONSTRUCT
 DEMOLISH
 EXISTING CONSTRUCT

NEW CONSTRUCT ON MEZZANINE SALES AREA #2 ONLY
 EXISTING 30 FT x 20 FT + PLUS 20 FT (NEW CHAS) = 2400 sq TOTAL (2ND FLOOR)

M E Z Z A N I N E # 2

COASTAL COMMISSION

EXHIBIT #

PAGE 2

3 BUILDINGS
 SHEET 2

