

Go to original staff report

Th 17b



Prudential

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July 3, 2013

California Coastal Commission
Mr Alex Llerandi
7575 Metropolitan Dr.
San Diego, CA 92106

Re: APPLICATION NO 6-12-061 GRAND & STRAND, LLC
AGENDA ITEM NO 17(b)- JULY 11, 2013

Dear Mr. Llerandi,

I have been a Pacific Beach resident and business owner located a few blocks from The Shore Club for over twenty(20)years. I STRONGLY support The Shore Club application for a Coastal Development Permit to expand its establishment. PB Shore Club is located in the heart of the Pacific Beach commercial and beach community, and the expansion is a welcome enhancement to the economic success and promotion of our neighborhood and business district.

I served as President/Board Member (2005-2011) of Discover Pacific Beach (Pacific Beach Business Improvement District) which represents over 1500 businesses in Pacific Beach. The Shore Club owners and employees have consistently donated time and resources that have had an incredibly positive impact on Pacific Beach. They are responsible for the initial funding of our now vibrant local Farmer's Market, fundraisers to support our local firefighters, and countless organized beach cleanup days...

The Shore Club exemplifies what Pacific Beach needs as responsible business owners, neighbors, and volunteer participants who consistently donate precious time and resources back into the community that we call home. I strongly urge an APPROVAL of the pending Coastal Development Permit for expansion of the PB Shore Club Deck.

Mike McNeill, CLU ChFC
Financial Professional

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Letters of Support

11

July 3, 2013

Via Electronic Mail

California Coastal Commission
c/o Mr. Alex Llerandi
7575 Metropolitan Dr.
San Diego, CA 92106

Re: **Application No. 6-12-061, Grand & Strand, LLC**
Agenda Item No. 17(b) - July 11, 2013

Dear Mr. Llerandi,

As a resident located near PB Shore Club in the Pacific Beach community of San Diego, I strongly support its application for a Coastal Development Permit to expand its establishment. PB Shore Club is located in the heart of Pacific Beach's commercial and beach community. As a resident, I appreciate PB Shore Club's contribution to the vibrancy and economic success of the area. PB Shore Club has always been a considerate neighbor and an active charitable participant in the local community.

For these reasons, I urge you to approve the Coastal Development Permit to allow PB Shore Club to expand its deck.

Respectfully,

Samantha Elbers
4038 Promontory St
San Diego, CA 92109

12

July 08, 2013

Via Electronic Mail

California Coastal Commission
c/o Mr. Alex Llerandi
7575 Metropolitan Dr.
San Diego, CA 92106

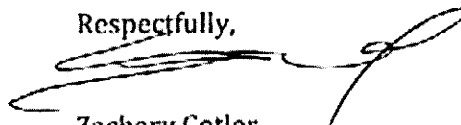
Re: Application No. 6-12-061, Grand & Strand, LLC
Agenda Item No. 17(b) - July 11, 2013

Dear Mr. Llerandi,

As a resident of the Pacific Beach community of San Diego and a business owner near PB Shore Club, I thoroughly support its application for a Coastal Development Permit to expand its establishment. PB Shore Club is located in the heart of Pacific Beach's commercial and beach community. Not only do I personally appreciate PB Shore Club's contribution to the vibrancy and economic success of the area, but my staff (Effin's Pub and Grill) and community do as well. PB Shore Club has always been a considerate neighbor and an active charitable participant in the local community.

For these reasons, we urge you to approve the Coastal Development Permit to allow PB Shore Club to expand its deck.

Respectfully,



Zachary Cotler
1670 Los Altos Rd
San Diego, CA 92109

RECEIVED

JUL 08 2013

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

13

**Intentionally
Blank**

12

Th 17b

June 26, 2013

California Coastal Commission
San Diego Coast District
7575 Metropolitan Drive, Suite 103
San Diego, CA 92108
FAX (619) 767-2384

RECEIVED
JUN 26 2013
CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

Attn: Alex Llerandi

Re: Permit Number 6-12-061, Applicant: Grand & Strand, LLC
Hearing dated 7/11/13 @ 8:30am

Dear Mr/Ms Llerandi:

Please accept this letter as a formal request regarding the above mentioned Permit and Hearing Date set forth by the Commission.

The public hearing set for 7/11/13 is located several hours away from the San Diego area, and is a hardship for many of the interested parties to be present. I am one of many who believe that a local public hearing would be in the best interest of the Pacific Beach area residents.

As this applicant has been working through this permitting process for several years and there has been much public interest in this project. There are many factors regarding this particular project that the surrounding business owners and residents take exception to, for example: lack of parking available for this area, environmental impact of local businesses and beaches, and increased traffic congestion in an already crowded and popularly travelled tourist area.

The very fact that this public hearing notice only provides notifications within 100 feet of this establishment denies a sizable amount of public input to this project. This project has no residents within 100 feet, and very few establishments, as it sits on the water front. I would suspect that there are virtually less than a dozen hearing notices that were sent to that designation, and the balance of these notices were to interested parties requesting to be kept informed (such as myself).

I respectfully request that this hearing be postponed until at least next San Diego scheduling - October 9-11, 2013. By granting this request, the citizens will have the ability to attend and this matter can be fairly discussed by those that are severely impacted by this decision.

Thank you,

Blane Faulds

1380 Garnet Ave., Suite E280
San Diego, CA 92109

Letters of Opposition
B

The San Diego
Union-Tribune

<http://www.signonsandiego.com/news/2010/aug/05/u-t-letters-we-need-continue-attracting-heroes/>

LETTERS TO THE EDITOR

Thursday, August 5, 2010

Counting the right things

My family has lived for the past 60 years in Pacific Beach, where we run a non-alcohol-related business. When I saw the story about the plans to expand the Shore Club by adding an outdoor deck ("Shore Club's outdoor-deck proposal set for mail vote," July 29), I laughed at the idea that it would "spur business amid a sluggish economy."

Should we assume that adding 126 more bar stools in PB would come with no costs? Does anyone believe there's no correlation between the number of bars and the arrest of more than 500 drunken drivers in PB last year?

Don't ask the citizens of Pacific Beach to stick their heads in the sand while the bars lead us out of the recession. When DUIs are down by 50 percent and there are no DUI-related deaths in Pacific Beach, then let's talk about allowing the responsible bar owners to expand. This isn't about the Shore Club, it's about public safety.

Since 2005, six lives have been snuffed out by drunk drivers in PB. I urge town council members to honor the memory of those victims, and not to support the expansion of any bars in this community.

TERRY DROTOS

Pacific Beach

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JUN 26 2013
CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

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FAX TO: 619-767-2384

JUL 01 2013

Agenda # TH 17 B

Permit # 6-12-061

Opposed

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

Dear Coastal Commissioners,

I am writing to urge you to vote no on this issue regarding the expansion of P.B. Shore Club.

My husband & I live a block away from this establishment, at 4465 Ocean Blvd. The noise, public drunkenness, urination on the sides of our condo building, bar fights, & the sight of people sleeping in doorways, on the beach & in alleys at 7 A.M. each morning have caused us to say ENOUGH! Our beach community cannot withstand the expansion of another drinking establishment.

Most of the bar patrons in Pacific Beach do not live in our community. This means that many of them are driving home drunk. The parking situation is unbearable, especially from Memorial Day to Labor Day. We cannot invite guests to our home at the beach because there is no place to park. P.B. Shore Club's proposed expansion does not address the need for many more parking spaces.

Please consider the impact this will have on our alcohol-saturated community & vote no, allowing more families to enjoy our beautiful beach & boardwalk. Thank you.

Sincerely,

Joan Lieberman

17

7/3/2013

4464 Ocean Boulevard #62
San Diego, CA 92109
July 3, 2013

DOCKET# TH 17B
OPPOSED

California Coastal Commission
C/O San Diego Coast District
7575 Metropolitan Drive #103
San Diego, CA 92108-4421

RE: Permit Number 6-12-061, Grand & Strand Llc
Hearing July 11, 2013

My wife and I have reviewed the subject Coastal staff report, which your local staff cooperatively provided. The report is supportive of the applicant, "Grand & Strand Llc," and recommends **"approval** of coastal development permit amendment 6-12-061, as conditioned." I submit that this staff report reads like a brief in support of the applicant while ignoring the "other side of the story."

We, tax-payers living two blocks from the Shore Club, are the "other side of the story" and are offended by staff distortions in favor of the applicant. If you approve this permit, at least do it based on an accurate staff report. With all the verbal garbage, the **bottom line** is that, in this **parking starved area**, the applicant wants to again increase his **serving capacity** while reducing his **parking capacity**.

We know you, as the Coastal Commission, have a lot of demands on your time. Although the essentials of our comments are above, following are some other items supporting the "bottom line."

The referenced report appropriately recognizes that parking is a major issue around the Shore Club, but appears a bit lax with the facts. On page 8, of the staff report, is a discourse concerning "transit-oriented areas" where the Pacific Beach Community Plan allegedly allows leniency of parking requirements. Maybe this is a subsequent amendment to the PB Community Plan as we cannot find it in our copy. Our copy of the PB Community Plan (Appendix I, page 121) is not wishy-washy about parking ratios, and the Shore Club, in present configuration, does not meet those requirements. The Coastal Commission should require the applicant to meet current requirements before allowing further degradation of parking ratios. By defining the Shore Club as being in a "transit-oriented area," the alteration can meet parking ratio requirements. Evanescent definitions are commonplace in Pacific Beach where bureaucrats have changed definitions (or interpretations of definitions), resulting in the drip-drip-drip deterioration of life for residents of Pacific Beach.

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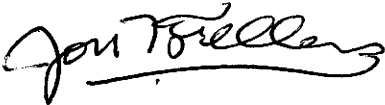
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CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

18

When I completed my medical residency in 1978, I was broke, but had a lot of earning power. Garnet Avenue with Crystal Pier in Pacific Beach and lower State Street with Stearns Wharf in Santa Barbara were quite comparable. With nerves of steel, I took out an 11+% mortgage and bought the condo where my wife and I now live in Pacific Beach. Today, for reasons I hope the Coastal Commission understands better than I, State Street is a jewel. Garnet Avenue is a menagerie of cheap alcohol outlets, tattoo parlors, body piercers, marijuana dispensaries, fortune tellers, massage parlors, smoke shops, tanning salons, novelty sellers and fast food outlets populated by panhandling derelicts assaulting residents and visitors.

Regards,



Jon I. Fellers



F. Eleanor Fellers



Photo taken 3 PM, 6/23/2013. Shore Club at Grand Avenue & Ocean Boulevard. Photo doesn't adequately capture congestion. Cluster of bicycles obstructing sidewalk is common. Cyclists, pedestrians, skate boarders, autos, including those backing out of parking spaces, share narrow Ocean Boulevard without regard to traffic rules. Only slow speed prevents serious accidents.

Photo taken 2 PM, 6/29/2013. Sign at top of stairs indicates Shore Club open.





Photos taken 8:30 AM, 7/2/2013. These photos were taken early in the morning to illustrate that Ocean Boulevard is narrow, one way north bound. Large legally parked vehicles impinge on the traffic lane. The stairs is a major entrance to the second story Shore Club.





Photo taken 3 PM, 6/23/2013.

Page 10 of the staff report states the ABC license, Condition No. 8 prohibits any internal sound system used by the restaurant from being audible 50 feet outside the premises. Modifications in design suggested by staff(required?) for compliance. Moot, as windows of Shore Club are open to the world (see photos). Shore Club also ignores Police Regulated Business Permit 20007005954, condition 9, which requires north facing windows to be closed. Music from within was distinctly audible when this photo taken. San Diego Police have no stomach for enforcement of noise regulations.

Photo taken 3 PM, 6/29/2013,

Pedestrians blocking Ocean Boulevard on west side of Shore Club. Belatedly, they move out of the way for auto traffic.



Bureaucratic planning groups put stress on conditions placed with their permits. Noise abatement conditions on bars are uniformly ineffectual. The following remarks of Administrative Judge John W. Lewis, a former police officer, come from the transcript of Blind Melons v Department of Alcoholic Beverage Control heard August 21, 2012.

1 THE WITNESS: Yes.

2 THE COURT: When they complain to you about
3 it, what happens?

4 THE WITNESS: The most recent instance of a
5 resident across the street complaining to us was Doc and
6 Ellie Fellers, they live in Unit 62 across the street,
7 fourth floor. I met with them on several occasions to try
8 to see what we could do. So in some cases we deal with
9 the individual directly. In some cases there's an
10 education process that takes place with the police
11 department and/or myself and we see what we can do.

12 THE COURT: That all sounds great. I got to
13 tell you, I can't walk into this room and leave my
14 experience outside the room. I was a cop for twenty
15 years. I know what noise complaints are. Police
16 departments don't have time to mess with noise complaints.
17 They don't like them. People call in, they demand
18 something in response to the noise complaints. They got
19 to be out there catching murderers and burglars and
20 robbers and everything else. They don't have time to mess
21 with this kind of stuff.

22 It may be acceptable for the City of San
23 Diego to say, okay, as long as that decibel reading is
24 sixty, no more than seventy, if you are standing in the
25 middle of the street within fifty feet of the premises, it

July 1, 2013

Dear California Coastal Commission,

Concerning expansion of consumerism and its accompanying pollution along the coast...

Agenda# Th17b Permit# 6-12-061 (Grand and Strand deck, Pacific Beach, San Diego)

We, the undersigned, are **OPPOSED TO THIS PROJECT** :

Micaela and Bryan Porte 1727 Monmouth Dr. 92109

Philip and Barbara Shafer 1356 La Palma St. 92109

Richard and Chris Slayter 723 Wilbur Ave. 92109

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CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

We, and many other neighbors, friends and families in Pacific Beach, are opposed to the deck development of this bar/restaurant in such an environmentally sensitive and already very humanly impacted zone as the Boardwalk/Grand Ave. in Pacific Beach.

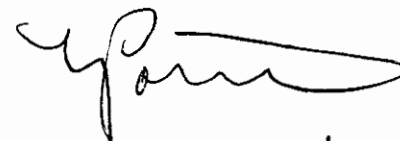
Beyond the increased problems in traffic, parking, noise, and "un-cool" drunks that this expansion will most assuredly cause, we regret very much that **this open deck will be consuming thousands of canisters of propane gas per year** in personal heater standing lanterns to keep their clients warm on our cool coastal nights.

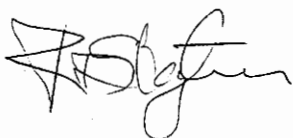
An employee in a trendy bar/restaurant nearby told us that an average of 6 canisters of propane per night/per lantern are used from happy hour to 2pm closing. **Propane (C3H8): petroleum/natural gas product, highly flammable, toxic hazard, expensive, unsustainable, and contributes to global warming...**

Laws controlling even beach bonfires for reasons of **reducing carbon based pollution** are being suggested, and all communities are trying to reduce their carbon footprints, and yet in Pacific Beach, and San Diego, we "heat up the night" with the burning of fossils fuels to keep people warm while they sit outside at night pretending that it is a "hot summer night"?

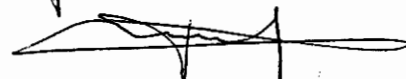
If there is one thing you can say about our California coast, it is that it is "cool"... the Alaska current brings cool rough waters, cool coastal breezes and cool damp coastal fog, even way down south here in sunny San Diego, even in the summer...(Solution: wear hoodies or ponchos)

For many reasons, **please deny this open deck expansion**, and help reduce the amount of invisible smoke pollution of propane, and visible human pollution that it will bring. Please consider a future ban, or high carbon tax, on the use of these "home" propane products for leisure purposes. **Thank you.**

Thank you, 









Th17b, permit number 6-12-061
Jimmie Roderick: "Opposed to project"

California Coastal Commission
San Diego Coast District

Please do not allow the Shore Club to expand.

While the Shore Club purports to be a restaurant/bar the reality is that its patrons are bar-goers. We are a community with more violent crime, public urination, DUI, and general crime than any other area of the city. This is the result of too much alcohol served by too many bars. I challenge the ABC to prove that the Shore Club's sale of food is more than alcohol. Until this is verified, allowing 126 more drinking patrons can only add to Pacific Beach's distinction for high violent crime. High crime deters visitors and thus reduces public access to this coastal area.

The second story bar (masquerading as a restaurant) gives patrons direct views through large open windows to the boardwalk, beach and ocean. On most weekends, as more alcohol is consumed, the noise level increases as the day progresses into evening. Today the windows may be closed when the patrons become too noisy. With an open deck, noisy patrons will always be heard by beachgoers and residents as far as 6 block away (which I am). This noise degrades the community character and the environment at the beach. Access to a degraded environment should be considered as serious as diminished physical access.

The provisions cited in the CCC staff report to reduce the impact on parking and traffic do not mitigate the parking and traffic impacts from an additional 126 more patrons. This corner and adjacent blocks are jam-packed with parked cars and circulating traffic. The Pacific Beach Community Plan's allowance for alternative parking ratios won't help to mitigate the parking and traffic problems,

"...minimizing building setbacks, bringing buildings close to sidewalks; articulate building facades to provide variety and interest through arcades, porches, bays, and particularly balconies, which minimize a walled effect and promote activity on the street; promote activity on balconies through such means as outdoor seating for restaurants, orient primary commercial building entrances to the pedestrian-oriented street, as opposed to parking lots, provide bicycle racks, etc.

The west entrance is on the street has virtually no side-walk. On many occasions, I have witnessed waiting patrons encroaching into the street. Substantiating mitigation by citing the provisions from our Community Plan result in inconsequential easing to parking and traffic problems.

Please to do not approve the expansion of the Shore Club.

Sincerely,
Jimmie Roderick
1068 Oliver Avenue
San Diego, CA 92109

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CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

25

Th17b
Permit number 6-12-061
Mary Majernik
Opposed to project

California Coastal Commission
San Diego Coast District
7575 Metropolitan Drive, Suite 103
San Diego, CA 92108-4421
619 767 2370
July 3, 2013

Dear Coastal Commission,

I am opposed to permit number 6-12-061, PB Shore Club deck expansion. This section of the Pacific Beach coast offers many services to the community such as the new Main Life Guard Tower, new bathroom facilities and Fire Station #21. There is direct access to the beach, ocean and pier from a mix of public and paid parking spaces.

I have been told that this expansion will serve an additional 126 patrons and decrease the number of parking spots in the area by 3. Since this is a prime location, I fear that the increase in patrons with a decrease number of parking spaces will create more people circling the area looking for parking, and/or double parking in an already congested popular section of Pacific Beach. This could interfere with the Emergency Services that are being provided by Fire Station # 21, who has an average response time 5:04 - 5:57 minutes with 3,216 emergency calls in 2012.
(<http://www.sandiego.gov/fire/about/firestations/sta21.shtml>)

As someone who lives, works and shops in Pacific Beach, I feel that we have a major parking problem in this area. I also feel that this expansion will not enhance the environmental and human-based resources of the California coast & ocean that we need to protect for our current & future generations.

Thank you in advance for your consideration in this matter.

Kind regards,

Mary Majernik
Mary Majernik

Home address: 2033 Wilbur Ave., San Diego, CA 92109
Office address: 2168 Balboa Ave, Suite 4, San Diego, CA 92109
Cell #: (858) 829-3619

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JUL 05 2013

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

26

Th17b, permit number 6-12-061
Suzanne Landa: "Opposed to project"

California Coastal Commission
San Diego Coast District

Please do not allow the Shore Club to expand.

Today, on any sunny weekend, patrons are loud, games are loud and music is loud. And as the day turns to evening and more alcohol is consumed the noise increases and obnoxious behavior of departing patrons increases.

Foul language and loud music originating from their open windows can be clearly heard by anyone walking on the boardwalk. As a result, I avoid this section of the boardwalk and beach particularly when I am with children.

Allowing the Shore Club to serve 126 more patrons from a deck will exacerbate the noise and drunken behavior and degrade the environment on the boardwalk and beach area.

Lack of parking is another reason to deny the request for expansion. The demand for parking in this area nearly always exceeds the availability. 29 spaces does not provide enough parking today so how is it logical that the expansion design calls for fewer spaces? This will certainly increase traffic as patrons circulate to find parking in the nearby areas.

126 more patrons will create additional traffic as people look for parking and circle the area. The increased traffic will decrease public access to the beach and ocean.

Please deny the Shore Club's request for expansion.

Suzanne Landa
1068 Oliver Avenue
San Diego, CA 92109

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JUL 05 2013

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

27

**Agenda number Th17b
Permit number 6-12-061
Penny Campbell
Opposed to Project**

California Coastal Commission
San Diego Coast District
7575 Metropolitan Drive, Suite 103
San Diego, CA 92108-4421

1011 Oliver Avenue
San Diego, CA 92109
July 5, 2013

RE: Shore Club Deck Expansion

Dear Coastal Commission,

I am a long time Pacific Beach resident, who owns a home within blocks of the Shore Club and has two small children.

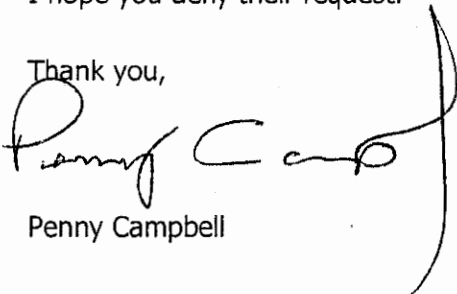
I am in COMPLETE opposition to their requested expansion. The Shore Club is currently an extremely loud bar; walking by their establishment you are hit with a wall of sound and foul language. The noise can be heard several yards away and even on the beach which they abut. A deck would cause even more noise filtering out into the neighborhood and onto a family beach. They are located very near the main lifeguard station where families often congregate.

I am also not aware of them adding any parking to their establishment. Living so close, I am aware that their employees, as well as those of other establishments are not given parking and park by my house. I am also not clear where the patrons would park as parking is such a premium in the area.

Pacific Beach already has a high concentration of bars and I do not see the need for one to expand.

I hope you deny their request.

Thank you,


Penny Campbell

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CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

28

July 4th, 2013

Agenda # Th 17b
Permit # 6-12-061
OPPOSED TO PROJECT

Dear Coastal Commission,

We are asking you to **NOT APPROVE** the expansion of the PB Shore Club, in Pacific Beach, 92109.

These are the reasons;

This bar is one of the loudest bars in our community already. Their loud bar which is suppose to be a "restaurant," and it's loud Patrons are already intimidating to all who walk by this establishment . This occurs not only at night, but during the day when they are having football or other sports to view, along with their cheap drink specials.

- 1) Increasing their total floor by 42% and increasing its occupancy From 186 to 312 will bring more problems to the surrounding areas.
- 2) The surrounding neighborhoods are already experiencing loud vulgar behavior from the type of Patrons it attracts.
- 3) It hosts drinking games such as beer pong, Goldfish racing, and inappropriate events such as the "Daisy Dukes Contest." More of this would negatively impact the community.
- 4) Their present limited parking of 29 spaces for 182 capacity, going down to 26 for 312 people, will cause most of these people to spill into our neighborhoods. This is not a responsible business who cares about the community of Pacific Beach.

Once again, We urge you **NOT TO APPROVE** this expansion!

Marcella Teran

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CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

29

Agenda number Th17b
Permit number 6-12-061
Patricia Kuczkowski
"Opposed to Project"

California Coastal Commission
2013
San Diego Coast District
7575 Metropolitan Drive, Suite 103
San Diego, CA 92108-4421

July 5,

Dear Members,

I have been a resident of Pacific Beach for 48 years, attended the local schools, owned and operated a business on Garnet Street for over 10 years, home owner and raising a family. I am currently a member of The Pacific Beach Town Council, The Pacific Beach Women's Club and the Neighborhood Watch Program. I have donated numerous hours within the community including our local schools.

Therefore, I feel invested in our valuable community. It is the utmost importance that we take great consideration in deciding what the local business needs of Pacific Beach are!

As you are aware, Pacific Beach has an alcohol consumption problem! Gratefully, our local organizations Save PB and our City Council Member, Kevin Faulkner have been able to restore some of our pride by issuing a ban on alcohol at our local beaches and parks. Prior to this, most families' stopped attending because of the excessive trash and drunk in public issues.

We still need your help in continuing to change Pacific Beach's negative legacy and encourage local restaurant/bar business owners to stop the greed.

If the PB Shore Club is allowed to expand with a roof top deck allowing 128 more patrons, the community will be further plagued and degraded with:

Increased DUI's
Drunk in Public
Crime

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CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

Traffic

Noise

Parking issues; hindering surrounding retail stores, local patrons and tourists with families.

Please note the comments made by "Yelp" reviewers.

7/1/2013 4 stars for lunch, but it goes down to 3 stars as the afternoon goes on. Only because it gets extremely busy, no place to sit and very loud.

6/27/2013 It's a typical PB bar and very loud. 5/22/2013 2 check-ins here

5/22/2013 Came here on a Wednesday not knowing what was going down.. Cold fish races were going down. its pretty popular there was a ton of people there for being a Wednesday night. it gets pretty intense.

the place is pretty big lots of space. but as i found out after going on the weekend that place gets packed to the max. kinda makes you want to avoid the place on the weekends takes a half hour to get anywhere there is so many people. the music is great though lol

what i thought was awesome is these huge bowl type things they serve their special drinks in one of those being their popular red bull vodka slushy. those things are delicious probably not to good for you. but very tasty. someones heart is going to explode from those things for sure.

Please give our families and local organizations a chance to further restore our community. Vote "No" to the PB Shore Club expansion.

With my sincerest gratitude,



Patricia Kuczkowski

1111 Law Street

Pacific Beach, CA. 92109

Agenda # Th17B
Permit # 6-12-061
Eve Anderson
OPPOSED TO PROJECT

California Coastal Commission
San Diego Coast District
7575 Metropolitan Drive, Suite 103
San Diego, CA 92108-4421

RECEIVED

JUL 08 2013

Re: SHORE CLUB DECK EXPANSION

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

Why should a brand new, 126-person deck be added to the Shore Club, when that area of Pacific Beach already has extraordinarily high violent crime, DUIs and public urination?

Answer: It shouldn't! Here's the history:

Once the site of TD Hays, a fine-dining restaurant with a spectacular view, the owners of the Shore Club have completely changed the most visible part of PB's oceanfront by turning it into a noisy, rowdy bar.

Shore Club's corner at Grand and Oceanfront, across from the lifeguard tower, is PB's main drop-off point for families headed for the beach. Now you have Grandma, the kids and the cooler, absorbing the din above them while waiting for the others to find a parking place.

I know, Shore Club is a "restaurant". But if you have lots of giant TVs, a bouncer at the door (day and night), the kitchen closes at 10 p.m., but the place serves booze until 2 a.m.—that's NOT a real restaurant. Would you take your mother there at 10 p.m.?

Here's what you would find—

- WALL-TO-WALL DRINKERS, crammed into a second-floor bar.
- NOISE—It's the noisiest place on the oceanfront, with open windows allowing that noise to extend far beyond its block, day and night.
- DRINK SPECIALS—It's noisy and crowded because drink specials attract those who intend to down them quickly. Fights occur when drinkers leave; ask San Diego police officers who cover the 12-3 a.m. shift. "Bar Break" on that corner is infamous.

Now Shore Club wants to expand from 186 capacity to instead serve drinks to 312 people! Just imagine the results—

- Even more noise, more fights, more DUIs.
- Where would those 126 additional drinkers park? In the adjacent neighborhoods, already burdened with beach parking by day and drunk bar patrons from PB's other nearby bars at night.
- You will limit access to families visiting the beach from throughout San Diego County and beyond.

32

In short, this is a game-changer for Pacific Beach. By adding a 1,895 square-foot deck to an already rowdy bar, our Oceanfront would now feature a highly-visible, incredibly noise throng of drinkers, smack along the beachfront for all to see, day and night.

Pacific Beach is changing. Outside of the "Bar Zone", residents are fixing up their houses, our schools have improved with special programs drawing students from other areas and plans have come forward for healthy growth and walkability.

THIS DECK WOULD BE A STEP BACKWARD. We need to limit the negative effects of PB's bars, not expand them. We need to encourage tourists, not repel them. We must help families who want to enjoy the beach—not take away the parking that this expansion would cause.

Please, consider the future of Pacific Beach. The character of our community will be forever altered if the expansion is allowed.

For the sake of our neighborhood, please vote "NO" on Shore Club's deck.

Thank you for your consideration,



Eve Anderson
1430 Vue du Bay Court
Pacific Beach, CA 92109

Agenda number: Th17b
Permit number: 6-12-061
Bill Allen – Crystal Pier Hotel
Opposed to project

Bill Allen
Owner, Crystal Pier Motel
4500 Ocean Blvd
San Diego, CA 92109

July 7, 2013

California Coastal Commission San Diego Coast District
7575 Metropolitan Drive, Suite 103
San Diego, CA 92108-4421 I

RECEIVED

JUL 08 2013

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

Dear Coastal Commission:

My family has owned the Crystal Pier Motel for over 50 years and I have seen every issue on the planet in PB, including closing the boardwalk in the 1970s to banning alcohol on the boardwalk.

However, the negative impacts of bars and bar-like restaurants and the illegal and inappropriate behavior of their patrons has become completely out of control. And no one from ABC or the city seems to be able to do anything about it. What they don't understand is how we, the small business people and the community members, have to deal with the aftermath of that type of behavior from the bars.

If my guests want to go out at night, go out to eat on Garnet or go to the store, they have to deal with people yelling at them [or] people passed out. It has become a free-for-all drunkfest and is absolutely despicable. It is hard to sustain a family-owned environment. When tourists see out of control bar patrons they don't want to come back to the area and often ask for a discount rate or shorten their stays at the local hotels and motels.

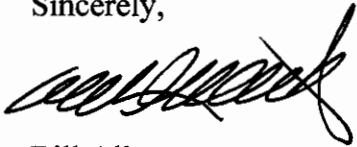
I have heard the same concerns from Elvin Lai, owner of the Ocean Park Inn (710 Grand) across the street from the PB Shore Club. He too has indicated that he has lost business because of the noise from the Shore Club and other nearby bars.

And during the day the hotel and motel guests want to enjoy the beach directly adjacent to where they are renting their rooms. With bar crowd noise and unruly and drunk patrons in the area it diminishes what we are trying to sell – an overnight stay near the ocean.

34

In addition, it makes no sense to allow this establishment to nearly double their capacity without requiring additional parking. The parking and traffic in the area are already beyond capacity. Adding 126 more patrons and at the same time reducing the available parking would further burden and diminish the experience and access to this area of the boardwalk and beach.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bill Allen', with a stylized, cursive script.

Bill Allen
Owner, Crystal Pier Motel

Agenda number: Th17b
Permit number: 6-12-061
Susan & Joe Wilding
Opposed to project

July 7, 2013

California Coastal Commission San Diego Coast District
7575 Metropolitan Drive, Suite 103
San Diego, CA 92108-4421 |

RECEIVED

JUL 08 2013

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

Dear Coastal Commissioners:

As resident of Pacific Beach and a mother of an 8 year old daughter, I wish to try to convey to you why I am opposed to the PB Shore Club's deck expansion. Currently, the PB Shore Club is located at the foot of Grand Avenue, next to the main lifeguard station in Pacific Beach. There could be some parking available to beachgoers, and it is an ideal location to bring families to the beach. I reside about 6 blocks away from this location, but I refuse to take my daughter to that area for the following reasons, I have witnessed,

- Drunken fights
- Loud verbal assaults from patrons
- Extremely loud music pouring through the open windows
- Drunken patrons over compensating for the loud music
- Drunken hooting from the open windows at passers by
- Foul odors and trash, cigarette butts, beer cans, and hot sauce containers scoured around the premises, including the adjacent parking areas.

In other words, it is not the aquatic beach experience I enjoy, or want my daughter a witness to at her young age.

I love the sound of the waves and the laughter of children playing in the ocean. I wish I could enjoy the comfort of the area where lifeguards are available throughout the year. Be that as it may, the PB Shore Club outdoor deck expansion would only increase the above.

I ask for your help today to stop the insanity.

Sincerely,

Susan Wilding
Susan Wilding

36

Agenda number: Th17b
Permit number: 6-12-061
Joe Wilding
Opposed to project

July 7, 2013

California Coastal Commission San Diego Coast District
7575 Metropolitan Drive, Suite 103
San Diego, CA 92108-4421

RECEIVED

JUL 08 2013

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

Dear Coastal Commissioners:

As a long time member, board member and previous past president, of the Pacific Beach Town Council (PBTC) and as a life-long resident of Pacific Beach, I am intimately aware of the Pacific Beach Shore Club and the issues surrounding the deck expansion.

When this item was brought to the attention of the PBTC general membership in 2010, the members voted to poll the general membership and have a mail in ballot to ask the question: Shall the PBTC provide a letter of support for a premise expansion of the PB Shore Club...? The vote was announced at the September 2010 meeting 222 ballots were received, 133 against the expansion and 89 in favor. Of the ballots received, this represents a vote of 60% opposed.

The above general membership vote supersedes all previous correspondence, from the PBTC, on the PB Shore Club deck expansion.

It is my observation that Pacific Beach Town Council general membership was opposed to the deck expansion for several reasons:

1. This bar-like restaurant impacts quality of life and crime in the area contributing to the degradation of this section of beach, boardwalk and business district. The noise, crime, and public drunkenness in and around the PB Shore Club make this area of the community less desirable and so many people choose to stay away from what should be a very desirable community and regional asset.
2. Parking and traffic – it makes no common sense to add 126 more patrons to an establishment that is not going to provide any additional parking. The nearby neighborhoods are continuously inundated with overflow parking for bars and bar-like restaurants in the area. Drunk patrons from establishments such as the PB Shore Club returning to their cars at 1 to 3 am disturb the peace, vandalize personal

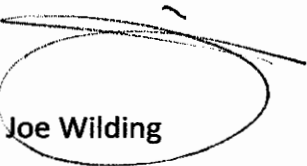
37

property, drive drunk and commonly cause traffic collisions and hit and run collisions with parked cars.

3. Community Character – Because of the increase in bar-like restaurants the community reputation of Pacific Beach has become that it is a place to come to get drunk. This is hurting tourism and use of the business district by local residents and visitors.
4. Noise – The music and crowd noise at the PB Shore Club regularly blasts out over the boardwalk and beach. The entertainment permit allows them to keep the windows and doors open toward the beach as if those at the beach should have no right to hear the ocean waves and their children playing without bar noise. This noise pollution diminishes the desirability for many to come to this part of the beach. And because the lifeguard tower is also at this location this section of beach should be the most desirable for families and children. It is not and it will be even less desirable if this deck expansion is approved.

Please help us reverse the downward trend in this area of the beach and deny the deck expansion.

Regards,


Joe Wilding

Agenda Number Th17b

Permit number 6-12-061

Wesling, Judith

OPPOSED To Project

California Coastal Commission
San Diego Coast District
7575 Metropolitan Drive, Ste 103
San Diego, CA 92108

JUL 03 2013

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

I live in Pacific Beach and I am opposed to the project of adding a deck to the PB Shore Club.

INCREASED TRAFFIC decreases public access to the beach and ocean, contrary to the intent of Section 30213 of the Coastal Act.

a) The increase in capacity of the PB Shore Club by adding this deck would amount to an additional 126 more patrons. And they are sure to come. I believe the ratio establishing the parking spaces to be misleading, based as it is on mixed commercial use and the Shore Club being in a transit zone. Patrons will arrive by car. Even at 4 people per car (a very generous estimate) that's more than 30 additional parking slots needed, not FOUR. Thirty spaces additional, is more than the permit-established number of 26, once the deck supports and disabled parking requirements are installed.

b) Patrons will circle nearby streets, looking for street parking. Street parking in Pacific Beach is already virtually always full. Double parking for drop-offs will happen. Public safety will be compromised.

HIGH CRIME deters visitors and thus reduces public access to this coastal area, contrary to the intent of Section 30213 of the Coastal Act.

a) The PB Shore Club is a bar first and foremost. Food service is secondary, as evidence by the Club's advertised specials of goldfish racing contests, drinks specials and pong contests. They have been continually cited for noise abuses disturbing nearby beachgoers, hotels and retail shops. This degrades the community character and the environment at the beach. Patrons have until 2 am closing time to drink, and then descend to our streets to look for their cars. An additional deck will only increase these public disturbances

b) Pacific Beach has more violent crime, public urination, DUI's and general crime than ANY OTHER AREA of San Diego. The residents of our community are put at risk by the high number of incidences of drunk driving. We do not need more bar patrons and more cars.

The Coastal Commission is enjoined to act to provide recreational opportunities provided for all the people "...consistent with public safety needs and the need to protect public rights...."

Please deny the permit. Also, The unpermitted automated payment machine and related signage should be removed immediately irregardless of the permit process. It is unpermitted and illegal.

Judith Wesling, resident, Pacific Beach.

Judith Wesling

39

Dr. Ann Davis
1345 Law Street
San Diego, CA 92109

TH17b
Permit number #6-12-061
"I am opposed!"

California Coastal Commission
San Diego Coast District
7575 Metropolitan Drive, Suite 103
San Diego, CA 92108-4421

RECEIVED
JUL 08 2013

Greetings California Coastal Commissioners,

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

As a homeowner, resident, and business owner in Pacific Beach, I wish to go on record as being in opposition to the PB Shore Club Deck Expansion that is up for approval from you. I oppose it for the following reasons:

1. Parking – The new deck will serve 126 more patrons, but the parking provided by the Shore Club will actually be reduced from the current 29 spaces to only 26 spaces after the deck is built. The demand for parking in this area nearly always exceeds the availability. Reducing the available parking spaces is contrary to the Community Plan, will make our parking shortages worse and will encourage more drinking patrons to park in our residential neighborhoods. For years, Shore Club has charged for parking with an unpermitted automated payment machine. Approval of the deck expansion may include converting the parking for use by Shore Club patrons only. But, why should Shore Club's years of irresponsible parking practices be rewarded with reduced parking requirements even as they increase patron capacity by 126 persons?

2. Traffic – 126 more patrons will create additional traffic as people look for parking and circle the area. When parking cannot be found there will be double parking as people are dropped off. The increased traffic will decrease public access to the beach and ocean.

3. Mixed use – there are retail stores in the building and the staff report indicates that because of mixed use they are allowing the reduced "shared parking" requirements. However, the business operations overlap much of their hours and so this is not a good criterion for allowing less parking as all the businesses should have and need parking nearly all day and well into the evening. Also, the PB Community Plan prohibits reduced parking requirements in the Beach Impact Area, in which Shore Club is located.

4. Community Character and Public Access:

a) Noise – The Shore Club is a serial community noise abuser. Beachgoers, nearby retail stores and hotels should not be inundated with bar noise, which has regularly been the case since the Shore Club "restaurant" opened in 2007. This noise degrades the community character and the environment at the beach. Access to a degraded environment should be considered as serious as diminished physical access.

b) Crime - This expansion, serving 126 more drinking patrons, will lead to increased crime and degradation of community character and quality of life. The expansion of bar-like restaurants is the greatest cause of increased crime in PB. This area of the Pacific Beach business district has more violent crime, public urination, DUI, and general crime

40

Dr. Ann Davis
1345 Law Street
San Diego, CA 92109

TH17b
Permit number #6-12-061
"I am opposed!"

then any other area of the city. High crime deters visitors and thus reduces public access to this coastal area.

Please deny this request for the betterment of the community as a whole for all concerned.

Regards,

A handwritten signature in black ink, appearing to be 'Ann Davis', followed by the letters 'PhD' in a similar cursive style.

Dr. Ann Davis
1345 Law Street
San Diego, CA 92109

41

Mr. Gary Simpson
1345 Law Street
San Diego, CA 92109

TH17b
Permit number #6-12-061
"I am opposed!"

California Coastal Commission
San Diego Coast District
7575 Metropolitan Drive, Suite 103
San Diego, CA 92108-4421

RECEIVED

JUL 08 2013

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

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2. Traffic – 126 more patrons will create additional traffic as people look for parking and circle the area. When parking cannot be found there will be double parking as people are dropped off. The increased traffic will decrease public access to the beach and ocean.

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b) Crime - This expansion, serving 126 more drinking patrons, will lead to increased crime and degradation of community character and quality of life. The expansion of bar-like restaurants is the greatest cause of increased crime in PB. This area of the Pacific Beach business district has more violent crime, public urination, DUI, and general crime

42

Mr. Gary Simpson
1345 Law Street
San Diego, CA 92109

TH17b
Permit number #6-12-061
"I am opposed!"

than any other area of the city. High crime deters visitors and thus reduces public access to this coastal area.

Please deny this request for the betterment of the community as a whole for all concerned.

Regards,

A handwritten signature in black ink, appearing to read "Gary Simpson", with a long horizontal flourish extending to the right.

Mr. Gary Simpson
1345 Law Street
San Diego, CA 92109

Agenda # Th17b
Permit # 6-12-061
Marcie Beckett
Opposed

RECEIVED

July 7, 2013

JUL 08 2013

Dear California Coastal Commissioners,

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

Please vote NO on PB Shore Club 1895 sq ft deck expansion

I am a life-long resident of Pacific Beach, parent of two teenagers and very involved in my community and in a multitude of efforts to improve Pacific Beach. I live approximately 6 blocks from the PB Shore Club. I am opposed to the proposed expansion of the PB Shore Club with an 1895 sq ft deck because it will have many serious negative impacts on my community. My main concerns regarding negative impacts on parking, public safety, community character and public access are summarized below, with supporting materials attached.

Parking is Inadequate

Adding this deck will allow this establishment to serve an additional 126 patrons and increase their capacity from 186 to 312 persons – that represents a 68% increase in patron capacity. However, they are being allowed to reduce their parking spaces from 29 to 26. This establishment is located in an area with well documented parking shortages. This project is being allowed to use reduced parking requirements (mixed use shared parking). This is contrary to the Pacific Beach Community Plan, which indicates reductions in parking requirements will not be pursued within the Beach Impact Area (in which this establishment is located) (Attachment 1). In addition, both the PB Shore Club and the downstairs retail are open from early morning until late at night, so the complementary use (non-overlapping) rationale for having reduced mixed use parking requirements does not apply in this case. The restaurant is the “primary use” and as such, it should be held to the parking requirements for “eating and drinking establishments” which is 4.3 spaces per 1000 sq ft, which would require 27 spaces for the existing restaurant and 35 spaces after adding the new deck.

Reducing the existing parking is in violation of San Diego Municipal Code (142.0510(c)) which states “Existing Parking Not to be Reduced” and “...existing off-street parking facilities that are provided and maintained on the same premises before parking was required and which serve a use now requiring off-street parking spaces shall not be reduced in number, dimensions...” (Attachment 2).

PB Shore Club has been illegally charging for parking for years and they should not be rewarded for this behavior by allowing them to expand and create more parking demand while providing fewer parking spaces.

The net result of adding more patrons and providing inadequate parking is that more patrons will park in the surrounding residential neighborhoods. Since the PB Shore Club is a restaurant that

operates like a bar (more on that later), this means that more inebriated patrons will be roaming our neighborhoods in the middle of the night looking for their cars, disturbing our peace, urinating in our alleys and yards, vandalizing, littering and driving drunk on our streets, putting all of us at risk. All of these impacts severely damage our community character as a residential community with good quality of life.

PB Shore Club Operates Like a Bar - Expanding It Will Increase Crime, Decrease Public Safety and Decrease Public Access

The Coastal Act, in section 30210, includes a provision that Commission decisions shall be "consistent with public safety needs." PB Shore Club is located in census tract 79.01 which has alcohol crime that is 22 times the city average and general crime that is 6 times the city average (Attachment 3). Alcohol crime includes DUI, drunk in public, open container and other crimes involving alcohol. General crime includes assault, rape, robbery, murder and car theft. This establishment has a restaurant alcohol license, but operates like a bar (which is permissible under ABC regulations) and already contributes to the high crime in the area by engaging in business practices that encourage excessive consumption of alcohol. Their website (Attachment 4) divides the premises into "Bar North" and "Bar South", they used to have beer pong on Monday nights, now they have goldfish racing on Wednesday nights, daily drink specials, and the kitchen closes at 10 pm, so from 10 pm to 2 am this typically packed joint is serving primarily alcohol to its 186 patrons (or 312 if they get the deck). PB Shore Club participates in pub crawls and other events, such as the "Daisy Duke Contest", that usually involve excessive drinking (Video DVD attached). At closing time these highly inebriated patrons are released into the community in quantities that the police cannot handle now, so adding 126 more patrons will only make the crime worse. Many residents and visitors avoid the area around PB Shore Club, especially at night, because they do not feel safe there, and this, in effect, limits public access to this coastal area. In the interests of public safety, public access and maintaining the community character as a nice place to live and visit, the PB Shore Club expansion should not be allowed.

Community Groups Voted Against PB Shore Club Expansion

In April of 2009, the board of directors of the Pacific Beach Town Council voted unanimously (10-0) to NOT support the expansion of the PB Shore Club license to serve alcohol on the proposed outside deck (Attachment 5). In summer of 2010, the general membership of the Pacific Beach Town Council held a forum on the issue and voted by mail to OPPOSE (133-89) the proposed deck expansion of the PB Shore Club (Attachment 6). From these votes it is evident that a majority of the members of this group, which is focused on community improvement, view the PB Shore Club deck expansion as a degradation to the community.

In June of 2009, the Pacific Beach Planning Group (with at least 5 members absent) narrowly approved (5-4) the PB Shore Club deck expansion with the condition that it **provide 29 parking spaces** (Attachment 7). Board and audience members in opposition were concerned about inadequate parking, the use of paid parking, noise nuisances, and adding more drunks in the community. The PB Shore Club's current proposal provides only 26 parking spaces, which is in violation of the condition imposed by the Pacific Beach Planning Group and thereby nullifies their support.

PB Shore Club is a Noise Nuisance and the Deck Expansion Will Make it Worse

Since it opened in 2007, the PB Shore Club has created noise nuisances for beach-goers, for patrons of Ocean Park Inn (to the north) and for residents of See the Sea Condominiums (to the north.) The owner of Ocean Park Inn and several condominium owners filed formal protests against the ABC license for the deck expansion. The Ocean Park Inn owner testified at the ABC hearing that the noise and disorderly drunks from PB Shore Club and other nearby establishments cost him tens of thousands of dollars annually in "comped" and cancelled rooms, customer complaints, lost business, and security measures. A hotel losing customers because of PB Shore Club noise and drunks is clearly a case of diminished beach access for these customers. When residents are disturbed by PB Shore Club noise, they not only lose sleep, but there is damage to their property values and the community character.

Video clips of the noise emanating from PB Shore Club during the day (at night it is worse) are provided on the Video DVD attached. I can personally attest that music and patron noise from this establishment is often audible (day and night) for 100 feet and more beyond the premises to people on the boardwalk and even to people lying on the sandy beach west of the establishment. Part of the enjoyment of being at the beach is hearing the waves and other beach sounds. Having to listen to bar patrons and their music is a degradation of the beach environment that discourages beach-goers in that area and is thereby equivalent to diminished access to that area. Adding a large, open, 2nd-story deck for 126 patrons, even without speakers on the deck, will generate additional noise that will travel even further and in more directions (as the wind blows), and this will increase the noise nuisance and further diminish beach access.

Conclusion

For the reasons stated above, it is clear that the PB Shore Club deck expansion will cause far more harm than benefit to coastal access, public safety and community character.

I urge you to deny the PB Shore Club deck expansion.

Thank you for your time and consideration,

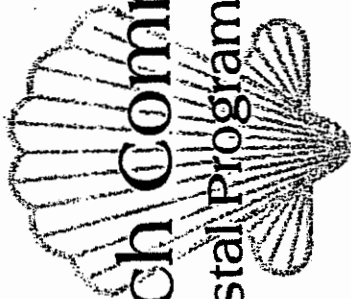


Marcie Beckett
4110 Bayard St.
San Diego CA 92109



THE CITY OF SAN DIEGO

Pacific Beach Community Plan and Local Coastal Program Land Use Plan



Approved by The City Planning Commission
on December 2, 1993

Adopted by the City Council on February 28, 1995
by Resolution Number R-28517

Certified by the California Coastal Commission on
May 11, 1995 by Certification Number 2-95C

This information, or this document (or portions thereof), will be made available in alternative formats upon request.



Printed on recycled paper

- Where feasible, provide large parking facilities on or near East Mission Bay Drive, particularly as a shared facility with the proposed light rail line stop at Morena Boulevard and Balboa Avenue, coordinated with proposed lots in Old Town and at the intersection of Pacific Highway and Sea World Drive.

POLICIES

1. Bus routes and the Sunrunner shall be maintained and supplemented as necessary (i.e., with an intra-community shuttle, minibus or jitney); the City and the Metropolitan Transit Development Board (MTDB) shall pursue linkage with the future Light Rail Transit station at Balboa Avenue and Morena Boulevard and its parking facility.

2. The City shall consider changes to the Municipal Code that will permit a reduction in parking requirements for mixed use projects which utilize transit-oriented development standards (identified in the commercial element of this plan) and incorporate transportation demand management programs. These changes to the Code will not be pursued where there would be an adverse effect on surrounding neighborhoods or within the Beach Impact Area.

3. The City shall identify additional transit corridors in the Pacific Beach community as appropriate to support transit oriented development policies. Transit corridors shall be limited to routes served by light rail, frequent City bus service or other forms of mass transit.
4. The City shall improve the road network to facilitate traffic circulation without widening streets, and without disrupting the neighborhood development pattern, streetscape or pedestrian environment, all of which contribute to the community's character. All road improvements will, where possible, maintain sidewalks and landscaping.
5. New development shall be designed to promote transit, bicycle and pedestrian use.
6. New development projects shall limit the number of curb cuts to the absolute minimum necessary (preferably one per property), unless precluded for safety reason. Where possible, vehicular access shall be solely from alleys.
7. The City shall promote the establishment of Park and Ride facilities on or near East Mission Bay Drive, particularly in proximity to the proposed trolley station at Morena Boulevard and Balboa Avenue.

*

B

(Amended 11-16-2012 by O-20216 N.S.; effective 12-16-2012.)

[Editors Note: Amendments as adopted by O-20216 N. S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

Click the link to view the Strikeout Ordinance highlighting changes to prior language
http://docs.sandiego.gov/municode_strikeout_ord/O-20216-SO.pdf]

§142.0510 General Parking Regulations

- (a) Use of Required Parking Spaces. Required *off-street parking spaces*, parking areas, and transportation facilities shall be used only for parking operable vehicles of residents, employers, employees, customers, and visitors as appropriate to the allowed uses of the applicable zone.
- (b) Parking Spaces to be Kept Clear. All *off-street parking spaces* and aisles shall be kept clear of any temporary or permanent obstructions.
- * (c) Existing Parking Not to be Reduced. Notwithstanding any other provisions of the Land Development Code, existing off-street parking facilities that were provided and maintained on the same *premises* before parking was required and which serve a use now requiring *off-street parking spaces* shall not be reduced in number, dimension, or any other manner below the requirements of this division.
- (d) *Previously Conforming Premises*. Enlargement or change in use, or resumption of a discontinued use, for a *premises* that is *previously conforming* for the reason that it does not provide the number of *off-street parking spaces* required by this Division shall provide parking as follows:
 - (1) When the use is proposed to be enlarged, the additional *off-street parking spaces* required are the number required by this division for the enlargement. Within the beach impact area of the Parking Impact Overlay Zone, additional parking shall be provided at two times the number required for the enlargement but not exceeding the amount required for the entire development.
 - (2) When a change in use is proposed to a use that requires the same or fewer *off-street parking spaces* than the previous use, or for resumption of a discontinued use, no change in parking spaces is required, except as provided in Section 142.0510(d)(4).
 - (3) When a change in use is proposed to a use that requires more *off-street parking spaces* than the previous use, parking shall be required as provided in this division for the new use.

ATTACHMENT 3 - page 1

San Diego Police Department Alcohol Arrests & Cites - By Census Tract (Excluding Unknown Tracts) January to December 2012

2000 Census Tract	Alcohol Violations	Tract Total as % of Average Tract
007600	879	1965.2%
007700	143	319.7%
007800	165	368.9%
→ 007901	993	2220.1% ←
007903	179	400.2%
007904	222	496.3%
008001	50	111.8%
008002	13	29.1%
008101	44	98.4%
008102	19	42.5%
008200	51	114.0%
008301	8	17.9%
008303	11	24.6%
008305	19	42.5%
008306	1	2.2%
008307	7	15.7%
008310	26	58.1%
008311	3	6.7%
008312	29	64.8%
008313	3	6.7%
008315	12	26.8%
008324	21	47.0%
008327	28	62.6%
008328	5	11.2%
008329	29	64.8%
008330	12	26.8%
008331	3	6.7%
008332	7	15.7%
008333	14	31.3%
008334	9	20.1%
008335	14	31.3%
008336	3	6.7%
008337	8	17.9%
008338	10	22.4%
008339	13	29.1%
008340	1	2.2%
008341	16	35.8%
008342	3	6.7%
008343	7	15.7%
008344	5	11.2%
008345	3	6.7%



ABC Report

Required Parameters

Reporting Period: 01/2012 to 12/2012

Agency: SAN DIEGO

Optional Parameters

Geographical Area:

Group by: Census Tract 007901

Prior Report Number: B98S328R

CRIME TYPES	CRIME TOTALS
CRIMINAL HOMICIDE	0
FORCIBLE RAPE	3
ROBBERY	28
AGGRAVATED ASSAULT	101
BURGLARY	69
LARCENY	347
MOTOR VEHICLE THEFT	62
Total Part I Crime:	610

ARREST TYPES	ARREST TOTALS
SIMPLE ASSAULT	43
OTHER PART II CRIMES	527
CHILD AND FAMILY	5
DEADLY WEAPONS	6
EMBEZZLEMENT	0
FRAUD	3
GAMBLING	0
MALICIOUS MISCHIEF	9
NARCOTICS	81
SEX CRIMES	10
FORGERY	1
OTHER NON-CRIMINAL	44
Total Part II Arrest:	729

Census Tract Total = Part I Crime + Part II Arrest: 1,339
 Census Tract Ave. (Agency / Census Tract): 225.8
 Agency Wide Total = Part I Crime + Part II Arrest: 67,054
 Census Tract Total as % of Census Tract Average : 593.1%
 (120% is considered high crime area)

51

52

KITCHEN TIL 10PM

Beautiful Sunsets
Where Sunsets are served Daily

ATTACHMENT 5

Pacific Beach Town Council Board Meeting April 1, 2009

Present: Rick Oldham, Diane Faulds, Ruby Houck, Nini Balistreri,
Marcie Beckett, Nici Boyle, Jim Menders, Glenn Olson, Joe Wilding,
Mel Zeddies, Jason Nienberg

Staff: Mary Lee Poparad

Absent: Rose Galliher, Jerry Hall, June Sandford

Commenced: 6:35 pm

Presentations

Scott Chipman from the PB Planning Committee discussed the creation of an Advisory Subcommittee that would have representatives from PBTC and DPB that would allow the business owners to present their requests for support to one entity rather than each one separately.

Request for Support

MB Town Council presented a request for support and financial assistance for the equipment to be donated to the SDPD in order to help enforce the Motorcycle Noise Ordinance. **Motion:** Letter of recommendation to support MBTC. Original letter to be modified by Marcie. Beckett(1) Zeddies(2) Passed 9-2-0

PB Ale House request for support: **Motion:** Letter in support to their request to extend their outside patio service hours from Midnight to 1:30am. Menders(1) Houck(2) Failed 3-7-1 **Motion:** Letter not to support request because the area has very high crime and this extension would increase alcohol serving, aggravate crime and is not in the best interests of the community. Beckett(1) Wilding (2) Passed 6-4-1 Beckett to write letter.

* [Shore Club presented a request for support. **Motion:** Letter not in support to an extension of their alcohol license to serve alcohol on the proposed new outside deck. Menders (1) Nienberg (2) Passed 10-0-1

Tabled Business

Graffiti Day – Gregg Barnes reported that all invoices have been presented and paid. All supplies have been inventoried.

Honorary Mayor Selection Procedures – **Motion:** Subcommittee to be formed to research the Honorary Mayor selection process and come back with options and recommendations to vote on. Beckett (1) Nienberg(2) Passed 9-0-2 Committee: Beckett, Houck, Wilding and Boyle

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ATTACHMENT 6 - page 1

Pacific Beach Town Council
General Meeting
September 15, 2010
Location: The Pacific Beach Women's Club

(see page 2
and page 4)

Present: Rose Galliher, Ruby Houck, Jennifer Dreyfus, Glenn Olson,
Nini Balistrieri, Nanci Datzell, Chris Decker, Alan Harris,
Susan Lowary, Jeffrey Montez, Todd Sarouhan, Joe Wilding
Absent: Rick Armstrong, Chip Bonghi, Chris French, Edward Reay
Parliamentarian: Mel Zeddies
Office Staff: Mary Lee Poparad
Commenced: 6:38 pm

Ruby Houck Approval of agenda:

Motion to approve agenda (1) Sarouhan (2) Decker Passed 22,0,0

Board Report

Website committee: Todd Sarouhan – pbtowncouncil.org has been up for about 9 months now. If you have any suggestions please send to Mary Lee at the Pacific Beach Town Council Office

Nominating Committee – Ruby Houck – There are 2 directors seats open, and the officer positions. Nomination slate will be presented in October.

Representative Reports
Thyme Curtis

Kevin Faulconer's Office: Prop D will be on ballot. Kate sessions District 5 Council Woman Emerald is supposed to put it on the October agenda, please voice your request for this issue to be docketed.

Nooria Faizi

Deputy City Attorney: Community Court Session Thursday Evening – 24 participants

Karolyn Estrada

Park Ranger: Lease Terns Sites to be taken down

John Weil

Pam Slater-Price: County board of Supervisors – Defacto Fire Department. The chair will be the chief Winsor of Cal Fire.

Jim Filley

San Diego police foundation events, October 20th at sports arena. There should not be any more "topias" an emergency ordinance was enacted to close the loopholes.

ATTACHMENT 6 - page 2

Sarah Bern

Discover Pacific Beach: Beachfest October 9th still merchant booths available. Tuesday hospitality task force will be cleaning up from 3-6 pm check in at PB Shore Club. Holiday Parade is Dec 11th, Tree lighting is Dec 5th, PB Community advisory committee meets on the 3rd Tues of the month at 6pm.

New Business:

None

Non Debatable Public Comments

Barbara -- Signs "Beach Bar" with an arrow. They are for a movie that is shooting in PB.

Announcements:

Ruby thanked all men and women in uniform

→ Results of Ballot

Rose Galliher announced results: 222 total votes out of 652 members. No's 133; Yes 89 ← *

Meeting Adjourned

8:11 pm (1) Wilding (2) Dalzell

Secretary:

Jennifer Dreyfus

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ATTACHMENT 6 - page 3

Pacific Beach Town Council

General Meeting

June 16, 2010

The Pacific Beach Women's club

Present: Rose Galliher, Ruby Houck, Nini Balistrieri, Chip Bonghi, Nanci Dalzell, Chris Decker, Chris French, Susan Lowary, Jeffrey Montez, Rick Oldham, Ed Reay, Joe Wilding
Absent: Rick Armstrong, Jennifer Dreyfus, Alan Harris, Glenn Olson, Todd Sarouhan
Parliamentarian: Mel Zeddies
Office Staff: Mary Lee Poparad
Commenced: 6:42

Introductions

Approval of Agenda

Presentation

Karl Jaedtke

Board Report

Rose Galliher

Representative reports:

John Weil

Pam Slater-Price

Thyme Curtis

Kevin Faulconer

Deanneka Goodwin

Susan Davis

Motion: Rick Oldham (1) Nanci Dalzell (2) passed

Dan Froelich Award of \$500 to Marlee Glasgow of MBHS

Wine tickets on sale

Appt. bylaws committee – Jeff Montez (chair), Glenn Olson, Todd Sarouhan, Chris Decker and Mel Zeddies

As of today there are 26,000 ballots still to be counted to complete election count. Total registered voters in SD are 1.4 million but just over 340,000 actually voted.

New fire fighting helicopter just came on.

Free PB.org has applied for a \$7500 grant for disposable dumpsters for the 4th of July & Labor Day weekends at the beaches.

Council passed a balanced budget with no major cuts this year but a 75 million deficit is anticipated for next year.

Kevin Faulconer used \$17,000 of his budget to help fund fire pits for one more year.

Brought monthly newsletter. Congresswoman is working diligently.

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ATTACHMENT 6 - page 4

Nest town hall meeting is Friday, July 9 at UTC mall at 5 p.m.

Capt. Chris Ball
SDPD

Beach team is ready to go for summer. Additional resources will be added at Kate Sessions Park this summer as well.

Working on Floatopia loopholes for easier enforcement. Next Floatopia is heard to be scheduled July 11th at Sail Bay.

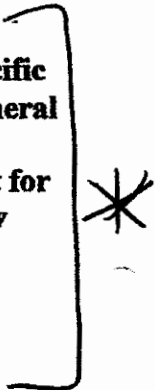
Angela Geisler
Deputy City Attorney

announced she is transferring and introduced her replacement, Nooria Faizi.

Next Community Court is scheduled for June 24th.

Scott Chipman
PB Planning Group

**Motion: As a general member I move that the Pacific Beach Town Council take a mail-in vote of the general membership and ask the following question:
Shall the Town Council provide a letter of support for a premise expansion of the PB Shore Club to allow alcohol consumption to 2 am on a proposed 1895 square foot deck and which would increase the maximum occupancy from 186 to 312 persons?
Yea (35) Nay (34)**



Leigh Gibson
Olde City Grill

Have the Shore Club give a formal presentation at the next general meeting prior to a mail-in ballot.

Discussion

Motion Withdrawn

It was decided that a public forum would be held



Motion to Adjourn: Wilding (1) Dalzell (2)

Meeting Adjourned 8:28

Secretary Pro Tem

Ruby Houck

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PACIFIC BEACH PLANNING GROUP
MINUTES JUNE 24, 2009
PACIFIC BEACH EARL AND BIRDIE TAYLOR LIBRARY

Call to order: 6:35 p Attendees: John Shannon, Marcie Beckett, Scott Chipman, Bob Citrano, Gregory Daunoras, Jim Krokee, Jim Morrison (6:55p), Chris Olson, Barry Schneider, Kevin Szepe, Paul Thackrey. Quorum established.

Agenda: Chris Olson made a motion to approve agenda. Jim Krokee seconded the motion. Motion carried 9-0-0

Minutes: Chris Olson made a motion to approve May minutes with one change: Add to paragraph regarding 4726 Ingraham Street project: "Board members recommended that wall materials complement main structure and be durable for long term." Scott Chipman seconded the motion. Motion carried 7-0-2

Chair's Report: John reported that a proposal to allow tandem parking throughout the city will be coming before the CPC soon. SD Bicycle Master Plan is being developed and input is welcome at sandiego.gov and at upcoming workshops.

Government Office reports:

Mayor's Sander's Office: (Ron Lacey) Not present

Council District 2: (Thyme Curtis) Kevin Faulconer now has a twitter account called kevin_faulconer. Councilmember Faulconer and Mayor Sanders are trying to persuade the state government not to borrow from San Diego.

Long Range Planner: (Lesley Henegar) Not present

Non-Agenda Public Comment: Don Gross reported that the project on Crown Point Drive is still having trouble getting past a very hard subsurface layer and progress is slow.

Informational Items:

Crown Point Construction Project – Don Gross handed out a map of sidewalk project proposed for south-bound Crown Point Drive near Pacific Beach Drive. Design should be completed in time for July PBPG meeting.

Action Items:

Alcohol Advisory Board - Scott Chipman handed out notes from the June 12 meeting with Kevin Faulconer. Everyone at meeting was in general agreement on the mission statement. Contention remains about whether the Alcohol Advisory Committee would be a subcommittee of the PBPG, or become a duty of the PB Special Events Committee. Scott proposed several ideas for composition of a PBPG subcommittee. Chris Olson said he liked mission statement and asked if group could be advisory to PBPG, instead of subcommittee. Marcie Beckett said the subcommittee would be indemnified by city. Kevin Szepe said he liked the first paragraph of the mission statement. Marcie Beckett said subcommittee should bring mission statement to full board for ratification. Al Strohehn (PB resident) said ABC has allowed PB to become oversaturated with alcohol licenses; ABC grants all license applications; ABC will not protect community; and community needs to take local control.

UCSD Urban Planning Department – PBPG Leverage Possibilities – Scott Chipman has talked to faculty at UCSD and to the Discover PB Design & Improvement committee about possibility of enlisting UCSD Urban Planning Department students to help develop and implement the master plan and vision for Pacific Beach. Discussion ensued. Scott Chipman made a motion to explore with UCSD Urban Planning Department and other local universities the possibility of upper level and graduate students providing pro bono service and advice to PBPG. Jim Krokee seconded the motion. Motion carried 10-0-0

San Diego Bicycle Master Plan – John Shannon intends to invite presenter for July meeting. All PBPG board members should review the Bicycle Master Plan information sent via email and formulate feedback and suggestions for July PBPG meeting.

Subcommittee Reports:

Residential/Commercial/Mixed Use Subcommittee Action Items (Chris Olson)

Next subcommittee is July 10, 2009 at the PB Library at 3:00p

* 4315 Ocean Blvd. PB Shore Club outdoor deck addition / covered parking; CA Coastal Permit submittal; 1,895 sf 2nd floor outdoor deck addition to an existing 3,946 sf 2nd floor restaurant. Subsequent submittals will be to City of San

Diego and to ABC (license modifications). Architect Mark Lyons and owner Barrett Rinzler were present. Barry Schneider recused himself (he rents to an owner of PB Shore Club).

Subcommittee report by Chris Olson: CA Coastal wants PBPG recommendation before they review the proposed project. Deck addition does not include any expanded kitchen or bathroom facilities. Current alcohol license has no conditions on food/alcohol sales ratio. Live music allowed until midnight, no dancing allowed. Noise - One member commented that currently noise travels out to the beach and is sometimes loud and disturbing. Tom Frost (of The Beach Cottages nearby) said he likes the activity and noise, but wanted to make sure that noise from deck after 11 pm would not disturb his guests. Mr. Frost seemed satisfied by sound mitigation provided by solid, 6-foot east wall of proposed deck. Parking requirements were an issue. Currently, there are 29 onsite paid parking spaces, open to the public. City code requires "eating & drinking establishments (that) are the primary use of the premises" to provide 4.3 parking spaces per 1000 sf, which would mean 34 spaces for this project. The city has said the combination of the retail on the ground floor and the restaurant on the 2nd floor entitles this project to use the "mixed-use" parking ratio of 2.1 spaces per 1000 sf for the total building floor area, for a total parking requirement of 21 spaces. Applicant stated that they will provide 27 parking spaces.

Applicant Mark Lyons presented handout to board and gave an overview of project.

Public comment:

Melanie Menders (PB resident) opposed the project based on concerns that providing paid parking and increasing customer capacity with no additional parking will aggravate PB's lack of parking near the beach and in nearby residential neighborhoods.

Suzanne Landa (PB resident) submitted a letter in opposition citing the severe parking shortage in PB and requesting that the project be held to the strictest parking requirements.

Kathy Mateer (PB resident) opposed the project and said applying mixed-use parking requirements to this project was poor interpretation of city code and that restaurant parking requirements should be applied. Project violates city code 142.0510 (c) that states existing parking cannot be reduced in the coastal zone. Project is a nuisance for nearby residential neighborhoods - more noise from roof top deck until 2 a.m., paid parking means loud drunks walking to cars in the residential neighborhoods.

Joe Wilding (PB resident) is opposed and said PB doesn't need another 126 drunks begin let out into the community at 2 a.m.

Kathy Kelly (PB resident) wants the project to provide 34 parking spaces and make them for patrons, not paid parking.

Board Comment:

Jim Morrison - Raise west wall of deck to 6 feet to prevent noise and throwing of objects. (Owner Barrett Rinzler responds that they will use plastic cups on deck, could raise wall a foot, but don't want cage effect.)

Jim Krokee - Eliminate paid parking, use it for patrons, do not reduce existing parking (29 spaces).

Marcie Beckett - Parking is inadequate. PB Community Plan (p. 34) does not allow reduced parking requirements, such as mixed-use parking, in the Beach Impact Area. The restaurant and retail uses are overlapping and do not warrant mixed-use parking. PB Shore Club is open for breakfast, lunch, dinner and until 2 a.m.; retail is open 10 a.m. to 10 p.m. Occupant capacity is being increased by 68% (current is 186, new deck adds 126) yet parking is being reduced from 29 to 27 spaces; this doesn't make sense in an area with well-documented severe parking shortages and it sets a bad precedent. The building's primary use is a restaurant (5,993 sf PB Shore Club versus 3,674 sf retail), therefore, restaurant parking requirements should apply to PB Shore Club floor area.

Robert Citrano - Good mitigation of noise. Paid parking is a problem, make it free parking so it will be used. There is a lot of pedestrian and bicycle use in that area.

Kevin Szepe - Provide bike racks

Gregory Daunoras - doesn't want amplified music on deck (Owner Barrett Rinzler says there will be none)

Chris Olson asked each board member about their concerns and desired mitigation.

Marcie Beckett made a motion to deny project based on inadequate parking; use is primarily a restaurant and should be required to provide 4.3 parking spaces per 1000 sf as per municipal code. Jim Krokee seconded the motion.

Motion failed 4-5-0

Jim Krokee made a motion to approve the project with the conditions that it keep its 29 existing parking spaces and that the parking be dedicated for use by the restaurant and retail only. Paul Thackrey seconded the motion.

Motion carried 5-4-0

Dissenting votes and reasons:

Marcie Beckett – Parking is inadequate; should meet restaurant parking requirements; reduced parking is unwarranted and will aggravate already severe street parking shortages near beach.

Chris Olson – 27 parking spaces are ok, but should provide validated parking for patrons

Scott Chipman – Project should be required to meet restaurant parking requirements

Gregory Daunoras – Opposed to the increased capacity of 126 patrons provided by the deck

876 Chalcedony: #179229 CDP to demolish existing residence and construct 2 residential for rent units on a 6,253 sf lot in the RM-1-1 zone. This includes 4,621 sf on three levels with 1,015 sf patios and decks. Sustainable building expedite program. Architect Tim Golba was present. Chris Olson reported that subcommittee was in general approval of project. A total of 5 parking spaces are required for the 3- and 4-bedroom units and 5 parking spaces are being provided. One issue raised was that the parking for the larger unit is in a carport, not a garage, thereby allowing a larger square footage in the unit. The concern was that the carport should not be turned into an enclosed garage.

Chris Olson made a motion: Approval with the condition that the carport for unit #A must be maintained as a carport as per LDC 113.0234-A (6) and that at least 2 elevations of the carport remain at least 75% open. Marcie Beckett seconded the motion. Motion carried 10-0-0

Subcommittee Reports

Traffic and Parking, PB Parking district (Jim Morrison) - Jim will try to set up a subcommittee meeting soon. He wants to meet with the La Jolla Traffic Committee in August or September. City Council will be voting on financial disclosure requirements for Parking District Committee members.

Mission Bay Parks Committee – Scott Chipman submitted an application to be on new Mission Bay Parks Committee and he welcomes letters of support from PBPG members.

Neighborhood Code Compliance (Scott Chipman) - No report.

Special Events (Marcie Beckett) – Polish Festival (October 9, 10, 11) and Brazilian Day (September 13) received votes of support at June 16 PBSEC meeting. No problems with Polish Festival last year and police actually lowered their requirement for police coverage. Brazilian Day promoter has been working with affected businesses to mitigate negative impacts on customer parking and obstruction of storefronts that some businesses reported during last year's event.

Board Comments:

Jim Krokee – In early August, Jim will be sending board members a packet of the comments received regarding Vacation Rentals in RS zones. He expects Vacation Rentals to be on our September agenda. Jim would like to see mixed-use parking for restaurants as a discussion item on a future agenda.

Scott Chipman – Tandem parking is a big issue and Scott would like to discuss it at a future PBPG meeting.

Adjourned 8:52p

Marcie Beckett

Agenda number: Th17b
Permit number: 6-12-061
Scott Chipman
Opposed to project

July 7, 2013

California Coastal Commission San Diego Coast District
7575 Metropolitan Drive, Suite 103
San Diego, CA 92108-4421 I

This project is opposed by many individuals in Pacific Beach for these reasons:

- Parking & Traffic
- Noise, Public Access and Public safety
- Community character

RECEIVED

JUL 08 2013

Parking

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

The Parking Calculations: There is something very peculiar about the parking analysis in the staff report. Characterizing the Shore Club's retail, restaurant/bar and rental shack as "Mixed-Use" is inaccurate. Use of the parking ratio table for Mixed Use is incorrect, because section 142.0530 (b) trumps (a) when it comes to Eating and Drinking Establishments. (See Exhibit-Pages 11-17 muni code)

The key phrase in (b) is, "eating and drinking establishments that are the primary use on a premise." The retail is 3674sf, the restaurant/bar is 4456, and they want to add 1895sf – clearly the primary use.

Two things are important about that phrase : Section (b) trumps section (a) when it comes to eateries; and the words, "primary use" describes a combination of uses –as in "mixed use." But where an eatery/bar is the primary use – you have to use the next table, which requires 4.3 spaces/1000sf – not 2.1.

The food and drink primary use is substantially greater than the retail. Currently it is about 36% greater. With a new deck addition the food and drink proportion becomes 93% greater than the retail.

So the existing Shore Club should have a parking requirement of 27 (they have 29). The new deck would push that requirement up to 35 spaces.

The sanity-check on this interpretation of the Code is simple – if any restaurant/bar could put in a little retail, like a gift shop – and that allowed them to use the "Mixed Use" parking

requirement of 2.1 rather than 4.3 – why in the world hasn't every bar and restaurant put in a gift shop? And if the current calculation were to be approved it would set a precedent that any amount of retail would qualify as "Mixed Use."

There are a lot of different Commercial Services, that could add up to "mixed use," including residential over the commercial. But Eating and Drinking Establishments are a different animal when it comes to parking requirements – there is food & drink, and then there is everything else. This current parking calculation is just plain incorrect. Although a request for reconsideration is being sent to San Diego Development Services, time is short and in this case it is critical that The Coastal Commission reevaluate these calculations and correct the error rather than institutionalize the error.

The Pacific Beach Planning Group: The original proposal provided to the Pacific Beach Planning Group was a hotly contested item occurring on a night when several members were absent on holiday. As approved, the motion required the project to maintain 29 parking spaces. It is inaccurate to represent that this project has been approved by the local planning group. (see exhibit Pacific Beach Planning Group

It is also curious that the project was reviewed and substantially altered with regards to parking and evidently there were discussions between coastal and San Diego Development Services Department about these changes. However, the project was not brought back to the local planning group for a review of the changes. I think this could and should be considered a violation of the process and in reality no local planning group review has occurred.

General Size and Capacity Increase: Staff report indicates *"Public space and public parking are at a premium, with demand usually outstripping supply."* As a long term resident of the area I would characterize this as an understatement and begs the question why the staff would approve a premise expansion of 43%. The patron capacity increase is even greater from 186 to 312 (a 68% increase) with no provision for additional parking and even allowing a reduction in parking.

Noise, Public Access, Public Safety

There is strong audio and video evidence and community member statements that this establishment diminishes the quality of the environment including the area of the boardwalk and nearby beach. Access to a degraded environment is as serious as diminished access. When community members, families and tourists don't want to be at the beach near a noisy bar scene where their experience is diminished by amplified unwanted music and crowd noise then it is the similar to reduced access.

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Police reports provided indicate serious noise violations and violent crime at the PB Shore Club. (see exhibit Crime Reports for the Pacific Beach Shore Club and Declaration)

Community Character

There is considerable concern over the current direction of community character. Because of decisions to expand bar-like restaurants such as the PB Shore Club Pacific Beach has gotten the reputation of being a community where drinking is out of control. On June 27th, 2013 the Encinitas City Council held a meeting where one of the key topics for the evening was addressing the concerns of residents that the Encinitas business area was becoming a "new Pacific Beach." At the meeting Encinitas residents said "their downtown is turning into a Pacific Beach-like atmosphere with partying and drinking spiraling out of control. On Wednesday night, they asked the Encinitas City Council to do something to fix it."

The Channel 10 news headline was: Encinitas residents complain to city council that downtown area is becoming new Pacific Beach. (See exhibit with the same title)

<http://www.10news.com/news/encinitas-residents-complain-to-city-council-that-downtown-area-is-becoming-new-pacific-beach-06262013>

This story and regional attitude about Pacific Beach is not new. However, the current and worsening reputation of Pacific Beach should cause the Coastal Commission to pause and consider if their decision is adding to or diminishing the current and future reputation of this area of Pacific Beach as a place with "partying and drinking spiraling out of control." Expanding this premise with a deck would certainly add to this reputation.

According to police reports this area of Pacific Beach generates the highest violent crime making Pacific Beach the most violent community in the region, approximately 5 times the city community average (See Exhibit, **Top Ten SD Communities, Most Violent Crimes, 2008-2012**). Assaults from and between bar patrons is the number one cause of this statistic.

According to Police reports Pacific Beach generates about 4 times more DUIs than the next highest community in the region.

DUI

From Voice of San Diego:

Fact Check: Where Do People Get Arrested for DUI?

<http://voiceofsandiego.org/2010/07/21/fact-check-where-do-people-get-arrested-for-dui/>

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Statement: "Pacific Beach has typically around 600 DUI's a year," Scott Chipman, a member of the Pacific Beach Planning Group, said on the KPBS program These Days on July 1.

Determination: True

Analysis: Appearing on KPBS, Chipman advocated for greater regulation of alcohol licensing in Pacific Beach. He blamed the neighborhood's high bar density for continuing a rowdy reputation and large presence of certain crimes like DUI.

To check out Chipman's estimate, we asked the Police Department for DUI arrest statistics from the previous two years. To compare communities, the department uses police beats that generally follow neighborhood boundaries. It's a more narrow view than zip codes or City Council districts.

Last year, police made 514 DUI arrests in the police beat that roughly covers the Pacific Beach neighborhood. The previous year, they made 594 arrests for DUI.

For some comparison, the average police beat across the city had just 33 DUI arrests last year. The East Village had the second most DUI arrests behind Pacific Beach with 152. Other high ranking police beats covered central neighborhoods like North Park and Hillcrest.

The Pacific Beach Shore Club regularly shows up on the county's Place of Last Drink (POLD) survey of drunk drivers.

Public Urination: According to the San Diego Union Tribune after reviewing police department citation data Pacific Beach generates approximately one third of all San Diego's public urination citations with only about 3% of the city's population. (See Exhibits Violent Crime By Community, Urination tickets Saturate Pacific Beach).

These and other quality of life, community character issues are directly related to decisions to allow bar-like restaurants such as PB Shore Club to operate and expand. Allowing this deck will certainly add to these problems and certainly will not diminish them. We need the Coastal Commission to protect public safety and the public environment at the beach and deny this deck expansion.

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And, The Character and Credibility of the Applicant

The staff report indicates that an unpermitted automated parking machine has been in place for years. Parking that possibly should have been provided by the establishment for the patrons has only been available for a fee further exacerbating local parking problems. There seems to be no good reason to reward this behavior with a lowered parking requirement.

There is strong evidence this business has other integrity issues. On February 23, 2012 the Voice of San Diego published a report exposing one aspect of the character of this business.

The Bars That Can't Count in PB (see exhibit with the same name)

BY: SANDY CORONILLA | FEBRUARY 23, 2012

<http://voiceofsandiego.org/2012/02/23/the-bars-that-cant-count-in-pb/>

When the Pacific Beach Shore Club registered for its business license, it told the city of San Diego it had three employees.

The booming bar and restaurant, just steps from the beach, actually has 70.

With two full bars, 21 televisions, and wild midweek goldfish races, the Shore Club may employ just three janitors to clean up afterward. There is no mistaking that this is a large beach ensemble, with plans to expand.

The Pacific Beach Shore Club is a "restaurant" that operates much like a bar for much of the time. This is evidenced by the advertizing indicating the kitchen closes at 10 pm but drink specials continue to 2am closing. (see exhibit PB Shore Club Ads).

Conclusion

Much more could be said about all the reasons this expansion should not be allowed. But this should be enough. This type of establishment operation is not good for the parking, community character, public safety, or public access to this area and nearby beach.

Sincerely,
Scott Chipman
2247 Emerald St.
San Diego, CA 92109

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- (B) The parking spaces are within a local street that is improved to City standards to accommodate on-street parking.
 - (C) If the parking spaces are existing, most of them are not usually occupied.
 - (D) On-street parking spaces shall be counted according to on-street parking demarcation or parking meters or, if none exists, as one space per 20 feet of full-height curb.
- (d) Minimum Required Parking Without a 20-foot Driveway. Any *multiple dwelling unit* with a garage that does not provide a driveway that is at least 20 feet long, measured from the back of the sidewalk to that portion of the driveway most distant from the sidewalk, as illustrated in Diagram 142-05A (Section 142.0520), shall provide one additional parking space. This additional parking space may be on-street, abutting the subject property.

(Added 12-9-1997 by O-18451 N.S.)

(Amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

(Amended 7-5-2006 by O-19506 N.S.; effective 8-4-2006.)

(Amended 4-8-2008 by O-19734 N.S.; effective 5-8-2008.)

§142.0530 Nonresidential Uses — Parking Ratios

- (a) Retail Sales, Commercial Services, and Mixed-Use Development. Table 142-05D establishes the ratio of required parking spaces to building *floor* area in the commercial zones, industrial zones, and planned districts shown, for retail sales uses and for those commercial service uses that are not covered by Table 142-05E or 142-05F. Table 142-05D also establishes the required parking ratios for mixed-use developments in a single *structure* that include an allowed use from at least two of the following use categories: (1) retail sales, (2) commercial services, and (3) offices.

Table 142-05D
Parking Ratios for Retail Sales, Commercial Services, and Mixed-Use Development

Zone	Parking Spaces Required per 1,000 Square Feet of Floor Area Unless Otherwise Noted (Floor Area Includes Gross Floor Area plus below Grade Floor Area and Excludes Floor Area Devoted to Parking)			
	Required Automobile Parking Spaces			Required Bicycle Parking Spaces ⁽²⁾
	Minimum Required Outside a Transit Area	Minimum Required Within a Transit Area ⁽¹⁾	Maximum Permitted	Minimum Required
Commercial Zones				
CC-1-1 CC-2-1 CC-4-1 CC-5-1	2.5	2.1	6.5	0.1
CC-1-2 CC-2-2 CC-4-2 CC-5-2	2.5	2.1	6.5	0.1
CC-1-3 CC-2-3 CC-4-3 CC-5-3	5.0 ⁽³⁾	4.3	6.5	0.1
CC-3-4 CC-4-4 CC-5-4	2.5	2.1	6.5	0.1
CC-3-5	1.0 ⁽⁵⁾	1.0 ⁽⁵⁾	5.5	0.1
CC-3-5/Beach impact area ⁽⁵⁾	2.5	2.1	6.5	
CC-4-5	1.0 ⁽⁵⁾	1.0 ⁽⁵⁾	5.5	
CC-5-5	1.25	1.25	5.5	0.1
CN-1-1	1.0 ⁽⁵⁾	1.0 ⁽⁵⁾	5.5	0.1
CN-1-2	5.0	4.3	6.5	0.1
CN-1-3	2.5	2.1	6.5	0.1
CR-1-1 CR-2-1	5.0 ⁽³⁾	4.3	6.5	0.1
CO-1-1 CO-1-2	5.0	4.3	6.5	0.1
CV-1-1	5.0	4.3	6.5	0.1
CV-1-2	2.5	2.1	6.5	0.1
Industrial Zones				
IH-1-1 IH-2-1	5.0	4.3	6.5	0.1
IL-1-1 IL-2-1 IL-3-1	5.0	4.3	6.5	0.1
IP-1-1 IP-2-1	5.0	4.3	6.5	0.1

Ch. Art. Div.

14 2 5 12

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Zone	Parking Spaces Required per 1,000 Square Feet of Floor Area Unless Otherwise Noted (Floor Area Includes Gross Floor Area plus below Grade Floor Area and Excludes Floor Area Devoted to Parking)			
	Required Automobile Parking Spaces			Required Bicycle Parking Spaces ⁽²⁾
	Minimum Required Outside a Transit Area	Minimum Required Within a Transit Area ⁽¹⁾	Maximum Permitted	Minimum Required
IS-1-1	1.0 ⁽⁵⁾	1.0 ⁽⁵⁾	5.5	0.1
Planned Districts				
Barrio Logan: Subdistrict B	1.0 ⁽⁵⁾	1.0 ⁽⁵⁾	5.5	0.1
Barrio Logan: Except Subdistrict B	2.5	2.1	6.5	0.1
Carmel Valley	5.0	4.3	6.5	0.1
Cass Street	2.0	2.0	6.5	0.1
Central Urbanized	2.5	2.1	6.5	0.1
Golden Hill	1.25	1.25	5.5	0.1
La Jolla	1.7	1.7	5.5	0.1
La Jolla Shores	1.0	1.0 ⁽⁵⁾	5.5	0.1
Mid-City: CN-3 and CV-3	1.25	1.25	5.5	0.1
Mid-City: Except CN-3, CV-3	2.5	2.1	6.5	0.1
Mount Hope	3.3	2.8	6.5	0.1
Mission Valley: CV	2.5	2.1	6.5	0.1
Mission Valley: Except CV	5.0	4.3	6.5	0.1
Otay Mesa	5.0	4.3	6.5	0.1
Old Town	4.0	3.4	6.5	0.1
Southeast San Diego	2.5	2.1	6.5	0.1
San Ysidro	2.5	2.1	6.5	0.1
West Lewis Street	1.0 ⁽⁵⁾	1.0 ⁽⁵⁾	5.5	0.1

Footnotes For Table 142-05D

- ¹ *Transit Area.* The *transit area* minimum parking ratios apply in the *Transit Area* Overlay Zone (Chapter 13, Article 2, Division 10) and in the Urban Village Overlay Zone (Chapter 13, Article 2, Division 11).
 - ² *Bicycle Parking.* See Section 142.0530(e).
 - ³ *Uses Located above Ground Floor.* The minimum parking ratio for retail sales and commercial services uses above the ground *floor* is 4.0 spaces per 1,000 square feet of *gross floor* area.
 - ⁴ *Beach impact area.* For area of applicability, see Chapter 13, Article 2, Division 8 (Parking Impact Overlay Zone).
 - ⁵ *Alley Access.* For properties with *alley* access, one parking space per 10 linear feet of *alley* frontage may be provided instead of the parking ratio shown in Table 142-05D. Within the beach impact area of the Parking Impact Overlay Zone, application of this policy shall not result in a reduction of required on-site parking.
- (b) Eating and Drinking Establishments. Table 142-05E establishes the required ratio of parking spaces to building *floor* area in the commercial zones, industrial zones, and planned districts shown, for eating and drinking establishments that are the primary use on a *premises*.

Table 142-05E

Parking Ratios for Eating and Drinking Establishments

Zone	Parking Spaces Required per 1,000 Square Feet of Eating and Drinking Establishment ⁽³⁾ Floor Area Unless Otherwise Noted (Floor Area Includes Gross Floor Area plus below Grade Floor Area and Excludes Floor Area Devoted to Parking)			
	Required Automobile Parking Spaces			Required Bicycle Parking Spaces ⁽²⁾
	Minimum Required Outside a Transit Area	Minimum Required Within a Transit Area ⁽¹⁾	Maximum Permitted	Minimum Required
Commercial Zones				
CC-1-1 CC-2-1 CC-4-1 CC-5-1	2.5	2.1	25.0	0.1
CC-1-2 CC-2-2 CC-4-2	2.5	2.1	25.0	0.1
CC-5-2	2.5	2.1	25.0	0.1
CC-4-2/Coastal Overlay Zone ⁽⁴⁾	5.0	4.3	25.0	0.1
CC-1-3 CC-2-3 CC-4-3 CC-5-3	15.0	12.8	25.0	0.1
CC-3-4 CC-4-4	2.5	2.1	25.0	0.1
CC-4-4/Coastal Overlay Zone ⁽⁴⁾	5.0	4.3	25.0	0.1
CC-5-4	2.5	2.1	25.0	0.1
CC-3-5	1.0 ⁽⁵⁾	1.0 ⁽⁵⁾	20.0	0.1
CC-3-5/Coastal Overlay Zone ⁽⁴⁾	5.0	4.3	25.0	0.1
CC-4-5	1.0 ⁽⁵⁾	1.0 ⁽⁵⁾	20.0	
CC-5-5	1.25	1.25	20.0	0.1
CN-1-1	1.0 ⁽⁵⁾	1.0 ⁽⁵⁾	20.0	0.1
CN-1-2	15.0	12.8	25.0	0.1
CN-1-3	2.5	2.1	25.0	0.1

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CR-1-1 CR-2-1	15.0	12.8	25.0	0.1
CO-1-1 CO-1-2	15.0	12.8	25.0	0.1
CV-1-1	15.0	2.1	25.0	0.1
CV-1-2	5.0	4.3	25.0	0.1
Industrial Zones				
IH-1-1 IH-2-1	15.0	12.8	25.0	0.1
IL-1-1 IL-2-1 IL-3-1	15.0	12.8	25.0	0.1
IP-1-1 IP-2-1	15.0	12.8	25.0	0.1
IS-1-1	1.0 ⁽⁵⁾	1.0 ⁽⁵⁾	20.0	0.1
Planned Districts				
Barrio Logan: Subdistrict B	1.0 ⁽⁵⁾	1.0 ⁽⁵⁾	20.0	0.1
Barrio Logan: Except Subdistrict B	2.5	2.1	20.0	0.1
Carmel Valley	15.0	12.8	25.0	0.1
Cass Street	5.0	4.3	25.0	0.1
Central Urbanized	2.5	2.1	6.5	0.1
Golden Hill	1.25	1.25	20.0	0.1
La Jolla	5.0	4.3	20.0	0.1
La Jolla Shores	1.0	1.0 ⁽⁵⁾	20.0	0.1
Mid-City: CN-3 and CV-3	1.25	1.25	20.0	0.1
Mid-City: Except CN-3, CV-3	2.5	2.1	25.0	0.1
Mount Hope	3.3	2.8	25.0	0.1
Mission Valley: CV	5.0	4.3	25.0	0.1
Mission Valley: Except CV	15.0	12.8	25.0	0.1
Otay Mesa	15.0	12.8	25.0	0.1
Old Town	4.0	3.4	25.0	0.1
Southeast San Diego	5.0	4.3	25.0	0.1
San Ysidro	5.0	4.3	25.0	0.1
West Lewis Street	1.0 ⁽⁵⁾	1.0 ⁽⁵⁾	20.0	0.1

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Footnotes For Table 142-05E

- 1 *Transit Area.* The *transit area* minimum parking ratios apply in the *Transit Area* Overlay Zone (Chapter 13, Article 2, Division 10) and in the *Urban Village* Overlay Zone (Chapter 13, Article 2, Division 11).
- 2 *Bicycle Parking.* See Section 142.0530(e)
- 3 *Eating and Drinking Establishments.* The minimum parking ratios apply to eating and drinking establishments that do not have a common parking area with any other uses. There is no minimum parking requirement or maximum permitted parking for outdoor dining. Within the *Coastal Overlay Zone*, outdoor dining areas such as decks, patios, terraces, etc., are considered part of the establishment's *gross floor area* and included in calculating parking requirements.
- 4 *Coastal Overlay Zone.* For area of applicability, see Chapter 13, Article 2, Division 4.
- 5 *Alley Access.* For properties with *alley* access, one parking space per 10 linear feet of *alley* frontage may be provided instead of the parking ratio shown in Table 142-05E. Within the beach impact area of the *Parking Impact Overlay Zone*, application of this policy shall not result in a reduction of required on-site parking.

- (c) **Nonresidential Uses.** Table 142-05F establishes the required ratio of parking spaces to building *floor* area for the nonresidential uses shown that are not covered by the parking requirements in Section 142.0530(a) and (b).

Table 142-05F
Parking Ratios for Specified Non-Residential Uses

Use	Parking Spaces Required per 1,000 Square Feet of Floor Area Unless Otherwise Noted (Floor Area Includes Gross Floor Area plus below Grade Floor Area, and Excludes Floor Area Devoted to Parking)				
	Required Automobile Parking Spaces				Required Bicycle Parking Spaces ⁽³⁾
	Minimum Required Outside a Transit Area	Minimum Required Within a Transit Area ⁽¹⁾	Maximum Permitted	Carpool Minimum ⁽²⁾	Minimum
Institutional					
Separately regulated uses					
Botanical Gardens and Arboretums	3.3	2.8	N/A	N/A	2% of Auto Minimum
Churches and places of religious assembly	1 per 3 seats; or 1 per 60 inches of pew space; or 30 per 1,000 square feet assembly area if seating is not fixed	85% of Minimum	N/A	N/A	2% of Auto Minimum
Educational facilities:					
Kindergarten through grade 9	2.0 per classroom if no assembly area or 30 per 1,000 square feet assembly area	85% of Minimum	N/A	N/A	2% of Auto Minimum
Grade 10 through grade 12	1 per 5 students at maximum occupancy	85% of Minimum	N/A	N/A	2% of Auto Minimum

**PACIFIC BEACH PLANNING GROUP
MINUTES JUNE 24, 2009
PACIFIC BEACH EARL AND BIRDIE TAYLOR LIBRARY**

Call to order: 6:35 p Attendees: John Shannon, Marcie Beckett, Scott Chipman, Bob Citrano, Gregory Daunoras, Jim Krokee, Jim Morrison (6:55p), Chris Olson, Barry Schneider, Kevin Szepe, Paul Thackrey. **Quorum** established.

Agenda: Chris Olson made a **motion** to approve agenda. Jim Krokee seconded the motion. **Motion carried 9-0-0**

Minutes: Chris Olson made a **motion** to approve May minutes with one change: Add to paragraph regarding 4726 Ingraham Street project: "Board members recommended that wall materials complement main structure and be durable for long term." Scott Chipman seconded the motion. **Motion carried 7-0-2**

Chair's Report: John reported that a proposal to allow tandem parking throughout the city will be coming before the CPC soon. SD Bicycle Master Plan is being developed and input is welcome at sandiego.gov and at upcoming workshops.

Government Office reports:

Mayor's Sander's Office: (Ron Lacey) Not present

Council District 2: (Thyme Curtis) Kevin Faulconer now has a twitter account called kevin_faulconer. Councilmember Faulconer and Mayor Sanders are trying to persuade the state government not to borrow from San Diego.

Long Range Planner: (Lesley Henegar) Not present

Non-Agenda Public Comment: Don Gross reported that the project on Crown Point Drive is still having trouble getting past a very hard subsurface layer and progress is slow.

Informational Items:

Crown Point Construction Project – Don Gross handed out a map of sidewalk project proposed for south-bound Crown Point Drive near Pacific Beach Drive. Design should be completed in time for July PBPG meeting.

Action Items:

Alcohol Advisory Board - Scott Chipman handed out notes from the June 12 meeting with Kevin Faulconer. Everyone at meeting was in general agreement on the mission statement. Contention remains about whether the Alcohol Advisory Committee would be a subcommittee of the PBPG, or become a duty of the PB Special Events Committee. Scott proposed several ideas for composition of a PBPG subcommittee. Chris Olson said he liked mission statement and asked if group could be advisory to PBPG, instead of subcommittee. Marcie Beckett said the subcommittee would be indemnified by city. Kevin Szepe said he liked the first paragraph of the mission statement. Marcie Beckett said subcommittee should bring mission statement to full board for ratification. Al Strohle (PB resident) said ABC has allowed PB to become oversaturated with alcohol licenses; ABC grants all license applications; ABC will not protect community; and community needs to take local control.

UCSD Urban Planning Department – PBPG Leverage Possibilities – Scott Chipman has talked to faculty at UCSD and to the Discover PB Design & Improvement committee about possibility of enlisting UCSD Urban Planning Department students to help develop and implement the master plan and vision for Pacific Beach. Discussion ensued. Scott Chipman made a **motion** to explore with UCSD Urban Planning Department and other local universities the possibility of upper level and graduate students providing pro bono service and advice to PBPG. Jim Krokee seconded the motion. **Motion carried 10-0-0**

San Diego Bicycle Master Plan – John Shannon intends to invite presenter for July meeting. All PBPG board members should review the Bicycle Master Plan information sent via email and formulate feedback and suggestions for July PBPG meeting.

Subcommittee Reports:

Residential/Commercial/Mixed Use Subcommittee Action Items (Chris Olson)

Next subcommittee is July 10, 2009 at the PB Library at 3:00p

4315 Ocean Blvd. PB Shore Club outdoor deck addition / covered parking; CA Coastal Permit submittal; 1,895 sf 2nd floor outdoor deck addition to an existing 3,946 sf 2nd floor restaurant. Subsequent submittals will be to City of San

Diego and to ABC (license modifications). Architect Mark Lyons and owner Barrett Rinzler were present. Barry Schneider recused himself (he rents to an owner of PB Shore Club).

Subcommittee report by Chris Olson: CA Coastal wants PBPG recommendation before they review the proposed project. Deck addition does not include any expanded kitchen or bathroom facilities. Current alcohol license has no conditions on food/alcohol sales ratio. Live music allowed until midnight, no dancing allowed. Noise - One member commented that currently noise travels out to the beach and is sometimes loud and disturbing. Tom Frost (of The Beach Cottages nearby) said he likes the activity and noise, but wanted to make sure that noise from deck after 11 pm would not disturb his guests. Mr. Frost seemed satisfied by sound mitigation provided by solid, 6-foot east wall of proposed deck. Parking requirements were an issue. Currently, there are 29 onsite paid parking spaces, open to the public. City code requires "eating & drinking establishments (that) are the primary use of the premises" to provide 4.3 parking spaces per 1000 sf, which would mean 34 spaces for this project. The city has said the combination of the retail on the ground floor and the restaurant on the 2nd floor entitles this project to use the "mixed-use" parking ratio of 2.1 spaces per 1000 sf for the total building floor area, for a total parking requirement of 21 spaces. Applicant stated that they will provide 27 parking spaces.

Applicant **Mark Lyons** presented handout to board and gave an overview of project.

Public comment:

Melanie Menders (PB resident) opposed the project based on concerns that providing paid parking and increasing customer capacity with no additional parking will aggravate PB's lack of parking near the beach and in nearby residential neighborhoods.

Suzanne Landa (PB resident) submitted a letter in opposition citing the severe parking shortage in PB and requesting that the project be held to the strictest parking requirements.

Kathy Mateer (PB resident) opposed the project and said applying mixed-use parking requirements to this project was poor interpretation of city code and that restaurant parking requirements should be applied. Project violates city code 142.0510 (c) that states existing parking cannot be reduced in the coastal zone. Project is a nuisance for nearby residential neighborhoods – more noise from roof top deck until 2 a.m., paid parking means loud drunks walking to cars in the residential neighborhoods.

Joe Wilding (PB resident) is opposed and said PB doesn't need another 126 drunks begin let out into the community at 2 a.m.

Kathy Kelly (PB resident) wants the project to provide 34 parking spaces and make them for patrons, not paid parking.

Board Comment:

Jim Morrison – Raise west wall of deck to 6 feet to prevent noise and throwing of objects. (Owner Barrett Rinzler responds that they will use plastic cups on deck, could raise wall a foot, but don't want cage effect.)

Jim Krokee – Eliminate paid parking, use it for patrons, do not reduce existing parking (29 spaces).

Marcie Beckett – Parking is inadequate. PB Community Plan (p. 34) does not allow reduced parking requirements, such as mixed-use parking, in the Beach Impact Area. The restaurant and retail uses are overlapping and do not warrant mixed-use parking. PB Shore Club is open for breakfast, lunch, dinner and until 2 a.m.; retail is open 10 a.m. to 10 p.m. Occupant capacity is being increased by 68% (current is 186, new deck adds 126) yet parking is being reduced from 29 to 27 spaces; this doesn't make sense in an area with well-documented severe parking shortages and it sets a bad precedent. The building's primary use is a restaurant (5,993 sf PB Shore Club versus 3,674 sf retail), therefore, restaurant parking requirements should apply to PB Shore Club floor area.

Robert Citrano – Good mitigation of noise. Paid parking is a problem, make it free parking so it will be used. There is a lot of pedestrian and bicycle use in that area.

Kevin Szepe – Provide bike racks

Gregory Daunoras – doesn't want amplified music on deck (Owner Barrett Rinzler says there will be none)

Chris Olson asked each board member about their concerns and desired mitigation.

Marcie Beckett made a **motion** to deny project based on inadequate parking; use is primarily a restaurant and should be required to provide 4.3 parking spaces per 1000 sf as per municipal code. Jim Krokee seconded the motion.

Motion failed 4-5-0

Jim Krokee made a **motion** to approve the project with the conditions that it keep its 29 existing parking spaces and that the parking be dedicated for use by the restaurant and retail only. Paul Thackrey seconded the motion.

Motion carried 5-4-0

Dissenting votes and reasons:

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Marcie Beckett – Parking is inadequate; should meet restaurant parking requirements; reduced parking is unwarranted and will aggravate already severe street parking shortages near beach.

Chris Olson – 27 parking spaces are ok, but should provide validated parking for patrons

Scott Chipman – Project should be required to meet restaurant parking requirements

Gregory Daunoras – Opposed to the increased capacity of 126 patrons provided by the deck

876 Chalcedony: #179229 CDP to demolish existing residence and construct 2 residential for rent units on a 6,253 sf lot in the RM-1-1 zone. This includes 4,621 sf on three levels with 1,015 sf patios and decks. Sustainable building expedite program. Architect Tim Golba was present. Chris Olson reported that subcommittee was in general approval of project. A total of 5 parking spaces are required for the 3- and 4-bedroom units and 5 parking spaces are being provided. One issue raised was that the parking for the larger unit is in a carport, not a garage, thereby allowing a larger square footage in the unit. The concern was that the carport should not be turned into an enclosed garage.

Chris Olson made a **motion**: Approval with the condition that the carport for unit #A must be maintained as a carport as per LDC 113.0234-A (6) and that at least 2 elevations of the carport remain at least 75% open. Marcie Beckett seconded the motion. **Motion carried 10-0-0**

Subcommittee Reports

Traffic and Parking, PB Parking district (Jim Morrison) - Jim will try to set up a subcommittee meeting soon. He wants to meet with the La Jolla Traffic Committee in August or September. City Council will be voting on financial disclosure requirements for Parking District Committee members.

Mission Bay Parks Committee – Scott Chipman submitted an application to be on new Mission Bay Parks Committee and he welcomes letters of support from PBPG members.

Neighborhood Code Compliance (Scott Chipman) - No report.

Special Events (Marcie Beckett) – Polish Festival (October 9, 10, 11) and Brazilian Day (September 13) received votes of support at June 16 PBSEC meeting. No problems with Polish Festival last year and police actually lowered their requirement for police coverage. Brazilian Day promoter has been working with affected businesses to mitigate negative impacts on customer parking and obstruction of storefronts that some businesses reported during last year's event.

Board Comments:

Jim Krokee – In early August, Jim will be sending board members a packet of the comments received regarding Vacation Rentals in RS zones. He expects Vacation Rentals to be on our September agenda. Jim would like to see mixed-use parking for restaurants as a discussion item on a future agenda.

Scott Chipman – Tandem parking is a big issue and Scott would like to discuss it at a future PBPG meeting.

Adjourned 8:52p

Marcie Beckett

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Crime Reports PB Shore Club Declaration

DECLARATION OF Scott Chipman

I, Scott Chipman, being present in the City and County of San Diego, do hereby make the following declaration under the penalty of perjury.

I am a resident of San Diego County and have resided in the County since 1975. I have lived at the following address: 2247 Emerald St. San Diego, CA, 92109 since 1979.

I have personal knowledge of the following facts and am competent to testify as to these matters if called as a witness.

I am a husband and father, businessman, and I have been a regular community volunteer including serving on many committees related to youth. I served for 4 years as PTA president at Pacific Beach Middle School and Mission Bay High School. Over the last 6 years I have served on the Pacific Beach Planning Group and other local committees.

During phone calls with San Diego Police Captain Northern Division Brian Ahearn I became aware of a series of crime incidents at or around the Pacific Beach Shore Club at 4343 Ocean Blvd.

Captain Ahearn indicated that there were several arrests for drunk in public and a felony assault arrest on the day and evening of December 10, 2011. On Monday, December 12, 2011, I called Assistant Police Chief Boyd Long and made a request for public records in accordance with the California Public Records Act (CPRA) for incidents at or near the Pacific Beach Shore Club on December 10, 2011. He indicated he would pass my request on to the CPRA liaison officer and that officer would contact me.

On Tuesday, December 13, 2011 at 10:57 am, I received an email which included 5 pages of incidents pertaining to my request. Copies of these 5 pages and the transmittal email are attached. I have numbered the pages and each line to help refer and identify components of the incidents. All incidents occurred on December 10, 2011. Officer Catherine Blake provided the following explanations during a lengthy phone call with her on the afternoon of December 13, 2011.

INCIDENT #PR11120017627) (pages 1,2) refers to a 245 (line 10) Assault with a

1 deadly weapon at 700 Grand Avenue (line 13) with officers Rivers and Hesselgesser
2 responding (lines 19 & 21) and a female suspect (line 30 & 34) at the PB Shore Club (lines 30 &
3 34). An 1141 – ambulance- was called for a female with a cut hand and a male who was hit with a
4 glass bottle (line 1519). Paramedics (PM ENRTE) were in route (line 42). There was a transport
5 to Scripps Hospital La Jolla (line 53). The incident disposition was an ARREST (lines 74,75). The
6 incident started at 1510 (3:10 pm) and was cleared at 2326 (11:26 pm).

7 INCIDENT #PR11120017915 (Page 3) occurred at 4343 Ocean Blvd (line 12) (Shore
8 Club address) and was responded to by officers Underwood and Voss (lines 16, 17). The officers
9 detained 5 individuals and took them to detox (lines 24, 25). Two of the individuals were taken to
10 HQ (headquarters/jail) (lines 27-31). The incident disposition was an ARREST (lines 74,75). This
11 incident started at 1822 (6:22 pm) and was cleared at 2159 (9:59 pm).

12 INCIDENT # P11120017994 (Page 4) – Disturbing the Peace with Violence (line 9)
13 occurred at the Southwest Corner of the intersection of Grand Ave. and Mission Blvd (lines 12,
14 15). Officers Vinson Bulette and Douglas responded (lines 16, 19, 20). Another 1016 (prisoner)
15 from the Shore Club was arrested (line 29).. The incident disposition was an ARREST (line 32).
16 This incident started at 1910 (7:10 pm) and was cleared at 2047 (8:47 pm).

17 INCIDENT #P11120018053 (Page 5) was a call for service for “OUTRAGEOUSLY”
18 LOUD MUSIC at 1957 (7:57 pm) (line 16). No units were available (NUA) (line 17). At 2055
19 (8:55 pm) officers were on scene (lines 23,24). Approximately 1 hour transpired between the call
20 for service and the arrival of officers. Loud drums and music from the Shore Club could be heard
21 by officers all the way up to 700 block of Garnet (lines 26-29). Music could be heard to 700 block
22 of Reed St at the boardwalk (lines 30,31). Music could be heard from the PB Shore Club East to
23 mid block of 800 Grand Ave (lines 32,33). Officer Vinson on foot contacted the owners and
24 explained the citizen complaint about the loud music (line 39-42). After 15 minutes the music had
25 not been turned down and the distances music could be heard were checked (lines 43-45). A few
26 minutes later officer Vinson rechecked the music and it could not be heard until the 700 block of
27 Grand. He again spoke with the owners and the owners indicated they will end the event.

1 The incident disposition was OTHER (line 53). This incident started at 1957 (7:57 pm and
2 was cleared at 2228 (10:28 pm).

3
4 I have read the foregoing declaration consisting of 3 pages and I declare under penalty of
5 perjury that the foregoing is true and correct.

6
7
8 Executed at San Diego, California on _____, 2011.

9 Signature _____

10 Address _____

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12/13/11 09:47:37 Message received from CAD
Incident History for: #P11120017627
Case Numbers: \$PR110048582
Entered 12/10/11 15:10:34 BY RC01 8159
Dispatched 12/10/11 15:10:34 BY RC01 8159
Enroute 12/10/11 15:10:34
Onscene 12/10/11 15:10:34
Closed 12/10/11 23:26:41

Initial Type: FD
Final Type: 245 (ADW) Pri: 1 Dispo: A
Police BLK: 0790100063940 FMap: 2419E8 TMap: 1247H6 Group: P1
Beat: 122 Src: R Inc Cmdr:
Loc: 700 GRAND AV btwn OCEAN BL & MISSION BL

Loc Info:

Name: Addr: Phone:

/1510 (8159)\$OUTSRV ,NO MORE INFORMATION
/1510 DISPOS 121Y2 #5791 SLATER, CHARLES C
 ,NO MORE INFORMATION
/1510 MISC 121Y2 , REF A 242
/1510 ASST 123Y2 [700 GRAND AV]
 #3867 RIVERS, GARY V
/1510 \$PREMPT 123Y2
/1510 \$ASST 123V2 #5204 HESSELGESSER, LARRY R
/1510 PREDSP 123Y2 123V2 #P11120017623 T/FU [LIFEGUARD BSU]
/1511 (5204)*ONSCNE 123V2
/1512 (8159) CHANGE TYP: FD
 ---> 245
 RSP: P
 ---> PP
 PRI: 2
 ---> 1
/1512 MISC 121Y2 , TRYING TO CONTACT FEM INSIDE PB SHORE CLUB...24
 5 W/GLASS
/1513 ASST 123Y2 [700 GRAND AV]
 #3867 RIVERS, GARY V
/1518 MISC 123V2 , GOING INTO THE SHORE CLUB TO TALK TO THE SUSP O
 N THIS 245..IS A FEM
/1519 ASST 124S2 [700 GRAND AV]
 #3842 TAYLOR, LETICIA M
/1519 (3842)*ENROUT 124S2
/1519 (3867)*ENROUT 123Y2
/1519 (8159) OK 123V2 , 1141 CK FEM W/CUT HAND AND A MALE THAT WAS HIT
 WITH GLASS BOTTLE
/1520 MISC
/1521 ASST 122Z2 , PM ENRTE
 [700 GRAND AV]
 #5531 AGUILAR, JASON D
 #6082 KAISER, GEOFFREY
/1522 (5531)*ENROUT 122Z2
/1524 (3867)*ONSCNE 123Y2
/1527 (5531)*ONSCNE 122Z2
/1529 (3842)*ONSCNE 124S2
/1551 (5791)*ASNCAS 121Y2 \$PR110048582
/1554 (5204)*CHGLOC 123V2 [LIFEGUARD BSU]
 , PAPER
/1601 (5791)*CHGLOC 121Y2 [SCRIPPS LA JOLLA]
 , FU
/1602 (8967)\$PREMPT 123Y2
/1603 (5531)*CHGLOC 122Z2 [SCRIPPS LA JOLLA]
/1603 (8967)\$PREMPT 123V2
/1609 (3842)*CLEAR 124S2
/1620 (5531)*ONSCNE 122Z2
/1620 (5791)*ONSCNE 121V2

79

/1816	(8967)	CHGLOC	121Y2	[1401 BROADWAY]
/1836		ONSCNE	121Y2	
/1924		CHGLOC	121Y2	[9000 COTTONWOOD AV ,ST]
/1925		NEWLOC	121Y2	[1401 BROADWAY]
				, EQ
/1928		CHGLOC	121Y2	[9000 COTTONWOOD AV ,ST]
/1949		ONSCNE	121Y2	
/2015	(5791)	*CHGLOC	121Y2	[SF]
				, PPR
/2033		*ONSCNE	121Y2	
/2256		*CHGLOC	121Y2	[SF]
				, FU
/2306		*ONSCNE	121Y2	
/2326		*CLEAR	121Y2	D/A
/2326		CLOSE	121Y2	D/A

3/

12/13/11 09:45:29 Message received from CAD
Incident History for: #P11120017915

Entered 12/10/11 18:22:05 BY RC01 8967
Dispatched 12/10/11 18:22:05 BY RC01 8967
Enroute 12/10/11 18:22:05
Onscene 12/10/11 18:22:05
Closed 12/10/11 21:59:47

Initial Type: SELENF
Final Type: SELENF (SELECTIVE ENFORCEMENT) Pri: 3 Dispo: A
Police BLK: 0790100063950 FMap: 2419E8 TMap: 1247H6 Group: P1
Beat: 122 Src: R Inc Cmdr:
Loc: 4343 OCEAN BL btwn THOMAS AV & GRAND AV

Loc Info:

Name: Addr: Phone:

/1822 (8967)\$OUTSRV ,SELENF
/1822 DISPOS 176K #6620 UNDERWOOD, JOSEPH
#5198 VOSS, GARY R
,SELENF
/1845 (****) REMINQ 176K PLATE/6PWL113
/1846 (8967) MISC 176K , 18:45:52 TO RC01 FROM RC01:.IVDATE: 12/10/11 TI
ME: 18:45INSURANCE INFORMATION ON FILE REG VALID
FROM: 09/16/11 TO 09/16/12LIC#:6PWL113 ;

REDACTED

/1953 (6620)*CHGLOC 176K [DETOX]
, W/5
/2008 (8587) ONSCNE 176K
/2035 (6620)*CHGLOC 176K [HQ]
, W2
/2039 *ONSCNE 176K
/2048 *CHGLOC 176K [JAIL]
, W/2
/2057 *ONSCNE 176K
/2159 *CLEAR 176K D/A
/2159 CLOSE 176K D/A

81

4

12/13/11 09:45:43 Message received from CAD
Incident History for: #P11120017994

Entered 12/10/11 19:10:06 BY RC01 8967
Dispatched 12/10/11 19:10:06 BY RC01 8967
Enroute 12/10/11 19:10:06
Onscene 12/10/11 19:10:06
Closed 12/10/11 20:47:14

Initial Type: 415
Final Type: 415V (DISTURBING PEACE W/VIOLENCE) Pri: 1 Dispo: A
Police BLK: 0790100063940 FMap: 2419E8 TMap: 1247H6 Group: P1
Beat: 122 Src: R Inc Cmdr:
Loc: GRAND AV/MISSION BL

Loc Info:

Name:	Addr:	Phone:
/1910 (8967) \$OUTSRV	, S/W CORNER	
/1910 DISPOS 173S	#3430 VINSON, PATRICK T	
	, S/W CORNER	
/1910 ASST 179K	[GRAND AV/MISSION BL]	
	#5152 BULETTE, RICHARD J	
	#6167 DOUGLAS, BENJAMIN D	
/1910 OK 179K	, FOR UNITS ONLY	
/1910 ONSCNE 179K		
/1910 CHANGE	TYP: 415	
	--> 415V	
	PRI: 2	
	--> 1	
/1911 OK 179K		
/1933 CHGLOC 179K	[700 GRAND AV]	
	, W/ANOTHER 1016 FRM THE SHORE CLUB	
/2046 \$PREMPT 173S		
/2047 \$PREMPT 179K		
/2047 CLOSE 179K	D/A	

82

12/11/11 03:47:11 Message received from CAD
Incident History for: #P11120018053

Entered 12/10/11 19:57:39 BY CT05 8212
Dispatched 12/10/11 20:46:40 BY RC01 8967
Enroute 12/10/11 20:47:16
Onscene 12/10/11 20:47:40
Closed 12/10/11 22:28:13

Initial Type: 415N
Final Type: 415N (DISTURBING PEACE NOISE ONLY) Pri: 3 Dispo: O
Police BLK: 0790100063940 FMap: 2419E8 TMap: 1247H6 Group: P1
Beat: 122 Src: T Inc Cmdr:
Loc: GRAND AV/OCEAN BL

Loc Info: SHORE CLUB

Name: REDACTED Addr: Phone: REDACTED

1957	(8212)	NBRHD		Pacific Beach
1957		ENTRY		"OUTRAGEOUSLY" LOUD MUSIC
1959	(8967)	HOLD		, NUA
2046		DISP	173S	#3430 VINSON, PATRICK T
2047		ASST	179K	[GRAND AV/OCEAN BL]
				#5152 BULETTE, RICHARD J
				#6167 DOUGLAS, BENJAMIN D
2047	(5152)	*ENROUT	179K	
2047	(8967)	ONSCNE	173S	
2055		ONSCNE	179K	
2055		OK	179K	
2116	(5152)	*MISC	179K	, MUSIC (LIVE BAND) COMING FROM THE PB SHORE CLUB COULD BE HEARD ALL THE WAY UP TO THE 700 BLOCK O F GARNET AVE. VERY LOUD DRUMS/MUSIC COMING FROM T HE PB SHORE CLUB..
2121		*MISC	179K	, MUSIC COMING FROM PB SHORE CLUB COULD BE HEARD SOUTHBOUND TO 700 REED ST AT THE BOARDWALK
2125		*MISC	179K	, MUIC COULD BE HEARD COMING FROM PB SHORE CLUB E AST TO MID BLOCK OF 800 GRAND
2129	(8967)	\$PREMPT	179K	
2132		MISC	173S	, ONE BLK NORTH
2133		OK	173S	, **SIC**
2137		\$PREMPT	173S	
2137		DISPOS	173S	#3430 VINSON, PATRICK T
2217	(3430)	*MISC	173S	, I WAS ON FOOT AND DID NOT SEE CALL WAS HOLDING. ...UPON 97 TIME CONTACTED DOOR STAFF...OWNERS DOU G & BILLIE CAME OUT. EXPLAINED THAT WE HAD CITIZE N COMPLAINT ABOUT LOUD MUSIC
2220		*MISC	173S	, AFTER 15 MINUTES OF MUSIC NOT BEING TURNED DOWN I HAD 179K GO CHAEC DISTANCE MUSIC COULD BE HEA RD FROM...SEE THE COMMENTS NOTED BY 179K
2221		*MISC	173S	, SIC COMMENT REFERS TO A COVER CALL I DROPPED TH IS CALL TO ASSIST WITH
2227		*MISC	173S	,AFTER CVR CALL I RETURNED AND CHECK NOISE LEVEL. ..NOW NO MUSIC HEARD UNTIL 700 BLOCK GRAND ...AGA IN SPOKE WITH OWNERS BILLY RAMIREZ & DOUG SANDOMO WICZ..SAID THEY WILL END EVENT...
2228		*CLEAR	173S	D/O
2228		CLOSE	173S	D/O

83

Encinitas residents complain to city council that downtown area is becoming new Pacific Beach

Residents say partying, drinking out of control

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Posted: 06/27/2013

Last Updated: 11 days ago



• Preston Phillips | [Email Me](#)

ENCINITAS, Calif. - Encinitas residents say their downtown is turning into a Pacific Beach-like atmosphere with partying and drinking spiraling out of control. On Wednesday night, they asked the Encinitas City Council to do something to fix it.

"It's dirty, it smells, people are foul-mouthed," one Encinitas resident told the council.

"Public urination, noise levels from people screaming and yelling in the parking areas. Drug use, activity, sales," said another.

Residents say public drunkenness has also become a major problem in the downtown area, leading to wild behavior that they want to see stopped.

"These people are now using my planter boxes as their bathrooms," said a resident. "It's not very nice when I go outside and say, 'Can you please not do that,' then they offer to fight me."

Another added, "I don't like walking around with a bunch of drunk people. This is toxic to our kids."

Residents say a moderate number of bars are fine so long as they conduct business in a way that does not harm residents or individuals.

However, they say not enough is being done to fix the problem they say is spiraling out of control. They asked the city council to come up with a plan of action to help put this problem to rest.

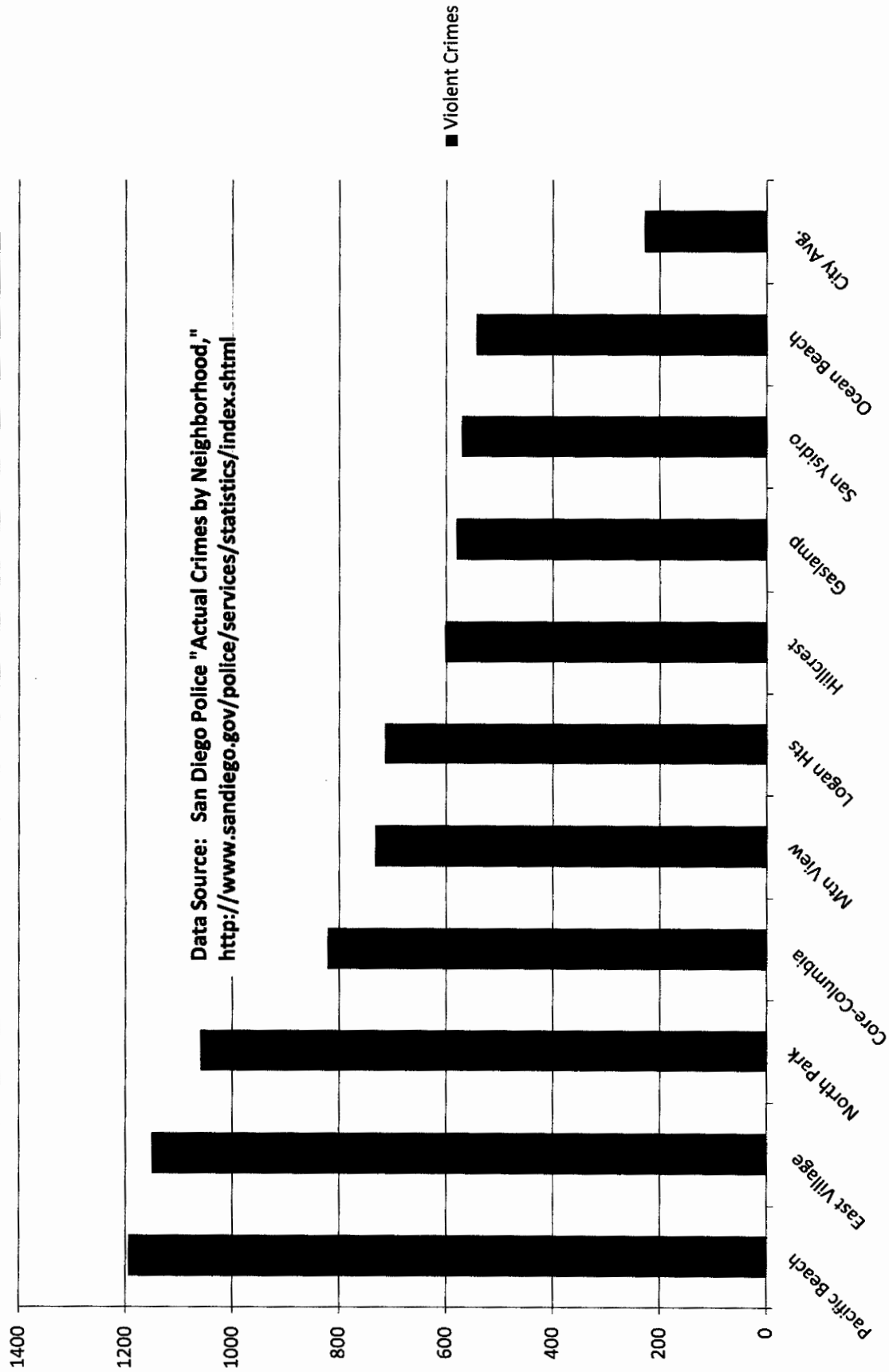
"We have waited a year and we would really like the action to come as soon as possible," a resident said.

The city council voted unanimously Wednesday night to bring back a moratorium and something they could vote on at a July meeting.

In the meantime, the sheriff's department says they are giving the Encinitas bar scene as much attention as possible and will be conducting one-on-one meetings with all 34 drinking establishments to keep them on their toes.

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Top Ten SD Communities, Most Violent Crimes, 2008-2012



2008-20012 Violent Crime by Neighborhood, City of San Diego

Source: "UCR Crimes by GeoArea, Jan-Dec. 2021," ARJIS, Jan. 24, 2013
<http://www.sandiego.gov/police/pdf/2012/201212cumneighbor.pdf>

The table below lists the San Diego Neighborhoods with the most violent crimes in 2012

2012 RANK	COMMUNITY	2012 # VC	2011 #VC	2010	2009	2008	5 yr total	5 yr rank	3 yr total	3 yr rank	NOTES
1	East Village	260	200	253	237	201	1151	2	713	1	
2	Pacific Beach	250	215	226	278	226	1195	1	691	2	
3	North Park	202	192	256	209	201	1060	3	650	3	
4	Core-Columbia	149	177	180	146	170	822	4	506	4	
5	Gaslamp	144	115	122	91	109	581	9	381	6	
6	Logan Heights	136	117	149	155	158	715	6	402	5	
7	Mira Mesa	131	101	138	139	173	682	7	370	8t	
8	San Ysidro	125	90	94	125	137	571	9	309	13	
9	Hillcrest	124	140	115	121	102	602	8	379	7	
10	Ocean Beach	114	114	114	107	95	544	10	342	10	
11	Mtn. View	111	127	132	181	182	733	5	370	8t	
12	Colina del Sol	106	75	129	109	107	526	11	310	12	
13 T	Midway	102	90	91	59	68	410	14	283	14	
13 T	Lincoln Park	102	117	95	89	106	509	12	314	11	
15	Otay Mesa West	95	64	106	113	104	482	13	265	15	
	Citywide Average or avg.	45	41	46	48	50					
	Citywide total VC per year	5529	5104	5616	5931	6047					

Key Points:

- Each of the five neighborhoods with the most violent crimes in 2012 had three to five times the neighborhood average citywide.
- Violent crime was up 8.32 % citywide between 2011 and 2012.
- 425 more violent crimes in 2012 compared to 2011, 162 of which occurred in the top five neighborhoods.
- Aggravated assaults, which include bar fights, made up roughly 2/3 of violent crime in 2011 and 2012.

urination tickets saturate Pacific Beach

[Matt Clark \(/staff/matt-clark/\)](#) 12:01 p.m. June 21, 2012

Police officers caught people relieving themselves on Pacific Beach's roads, sidewalks, properties or beaches 259 times between January 2011 and March 2012, the highest total of any San Diego neighborhood.

Watchdog reviewed police department citation data and found almost four citations written every week in Pacific Beach for urinating or defecating in public — about a third of the 760 such offenses citywide.

Public urination has long been a concern for Pacific Beach residents, who link its presence to the number of bars in their area and its impact on quality of life issues.

The data shows 84 percent of the Pacific Beach tickets were written between the hours of 10 p.m. Thursday and 4 a.m. Sunday. Nearly all of the tickets were written near bars in the zone between Garnet and Grand avenues, from the beach to Ingraham Street.

Former Pacific Beach Town Council Vice President Jerry Hall said the number didn't surprise him. He has seen men urinating in public and women passing on the street and once saw a man relieving himself around tables outside a coffee house.

"I thought, somebody's going to be sitting there five hours later wondering why it smells," Hall said.

Nevertheless, Hall believes the police should focus their efforts instead on other offenses, such as drunken driving.

"I think this is one of those little trivial things that will make people roll their eyes," Hall said. "I see it as inconvenient, but it's not killing anybody."

The department's data is limited in that it only shows where someone got caught — not the times when the act escaped the notice of police.

Offenses carry a fine of more than \$200 and can be filed by the City Attorney's Office as either infractions or misdemeanors that require a court appearance.

Other neighborhoods with larger numbers of the citations include East Village, with 93 tickets, North Park, with 71, Core-Columbia, with 38, and Ocean Beach, with 27.

Related: [Top 10 locations where city catches speeders \(http://www.utsandiego.com/news/2011/dec/18/11-city-speeding-tickets-written-one-spot/\)](http://www.utsandiego.com/news/2011/dec/18/11-city-speeding-tickets-written-one-spot/)

Councilman Kevin Faulconer, whose district includes many of the neighborhoods near the top of the list, is committed to protecting the quality of life for residents of the neighborhoods, spokesman Matt Awbrey said.

"These quality of life crimes are important to address immediately and head on in both the Pacific Beach and downtown communities," Awbrey said. "We are sending the message that people have to respect the neighborhood."

Faulconer's office recently matched donations from the community for the purchase of 10 sets of police-grade lights, sirens and other equipment for the department's northern division beach team bicycle unit, which operates in Pacific Beach.

The batteries on the lights last longer so bicycle officers can be on the street more often without having to recharge the lights," Awbrey said, adding the bikes did not have working sirens before the \$6,900 expenditure.

Faulconer issued praise for another program aimed at curbing the quality of life crimes, the city's Beach Area Community Court. The program allows first-time, low-level misdemeanor offenders to avoid fines by listening to community members for two hours and staying up the beach for four hours.

"That's what they usually say is they didn't realize people were living there," Hall said of the offenders, noting that the program has a low recidivism rate.

Pacific Beach Town Council President Joe Wilding said public drunkenness is often listed as a top issue by his neighbors during community forums. He said he was more concerned, though, with other types of alcohol-related crime, adding that urinating in public is something many people do.

The Bars That Can't Count in PB

BY: SANDY CORONILLA
([HTTP://VOICEOFSANDIEGO.ORG/AUTHOR/SANDYCORONILLA/](http://voiceofsandiego.org/author/sandycoronilla/))
| FEBRUARY 23, 2012 | COMMENTS (10)

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discovered-in-pb-

business-district/)

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([http://voiceofsandiego.org/2012/02/01/how-](http://voiceofsandiego.org/2012/02/01/how-the-city-counts-small-business-employees/)

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When the Pacific Beach Shore Club registered for its business license, it told the city of San Diego it had three employees.

The booming bar and restaurant, just steps from the beach, actually has 70.

With two full bars, 21 televisions, and wild midweek goldfish races, the Shore Club may employ just three janitors to clean up afterward. There is no mistaking that this is a large beach ensemble, with plans to expand.

By underreporting the number of employees on its business tax certificate, the Shore Club saved \$441 a year.



The beach area's business improvement district, Discover Pacific Beach, also assesses local businesses based partly on employee counts. The improvement district is currently more than \$20,000 in the red, making the annual \$90 the Shore Club shortchanged it a sweet, if small, stash of cash.

The figure might be pocket change for most businesses but it puts owner Doug Sandomowicz in a tough spot.

He sits on the board of Discover Pacific Beach, and is specifically tasked with bringing about an increase in the economic well-being of residents, employees and businesses.

Last month we wrote about problems (http://www.voiceofsandiego.org/this_just_in/article_51823398-4c77-11e1-8dd8-0019bb2963f4.html) in the Discover Pacific Beach organization uncovered by a city audit, including the underreporting of employees in a number of local businesses.

Now, we've received the list of 23 businesses. Current and former board members' businesses accounted for more than half of the six-fold increase in employees discovered by the audit.

Sandomowicz isn't alone. The board's president, Eric Lingenfelder, oversees Tavern by the Beach and Brewley's Pint, which reported a total of 20 employees but

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actually have 69. Todd Brown's Bub's Dive Bar reported four but actually has 50; he's the board's former vice president.

In essence, by understating their employee counts, the three board members shorted the city out of business tax fees (a total of \$1,133), and their own business improvement district out of assessments designed to help improve conditions in the district (a total of \$450).

The total sums aren't large, but they show how, up until last year, employee counts were entirely dependent on the honor system

(http://www.voiceofsandiego.org/this_just_in/article_feboe586-4d1d-11e1-aff1-0019bb2963f4.html).

There are two ways in which underreporting of employees are detrimental to the city's finances and to the improvement districts themselves.

Businesses pay fees to the city based on their employee counts. Small businesses with 12 employees or fewer pay a small flat rate of \$34, while those with 13 or more pay a \$125 flat fee plus an additional \$5 per employee. Any employee working less than 10 hours weekly is not counted.

Businesses in improvement districts also assess themselves based partly on employee counts. The city auditor's investigation, which was sparked by a whistleblower

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complaint, only looked into 23 of the more than 1,200 businesses included within Pacific Beach's improvement district.

Bars by the beach are big business.

It's no small feat getting small business owners to talk on the record in Pacific Beach.

Lingenfelder, Sodomowicz and Brown all didn't respond to numerous attempts for comment.

Within the district, there's a rift between alcohol and entertainment-related businesses and small businesses and residents who claim the community is struggling with high crime rates due to drunken fights and residential burglaries. Some business owners complain that bars and restaurants run the business district.

Discover Pacific Beach Executive Director Sara Berns says small businesses like retail don't have the time, or the people resources to get involved in the improvement district. They're in the thick of running their businesses daily and don't have many employees to designate as representatives for community involvement.

This results in an abundance of representation in Discover Pacific Beach by bars, restaurants and resorts.

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Crystal Pier Hotel owner Bill Allen says he's simply too old now to deal with the absurdity going on in the improvement district, but he was willing to go on the record.

Allen, whose family has owned the hotel for half a century, says Pacific Beach has been going downhill for the past 10 years. He blames neighborhood bars, especially Shore Club, which is a block away from his hotel. Allen says bars in the area make enormous amounts of money by over-serving alcohol to patrons. Rowdy and inebriated, beachgoers have even caused Allen to have to comp rooms in his hotel because of guest complaints.

"They have no respect for the citizens in this community," Allen said. "They're the kind of people you just want to hit 'delete' and have them out of your life."

Sandy Coronilla reports on local government and education for voiceofsandiego.org. She is on the Armen E. Keteyian Scholarship for Investigative Reporting. You can contact her directly at sandy.coronilla@voiceofsandiego.org (mailto:sandy.coronilla@voiceofsandiego.org) or 619.325.0528.

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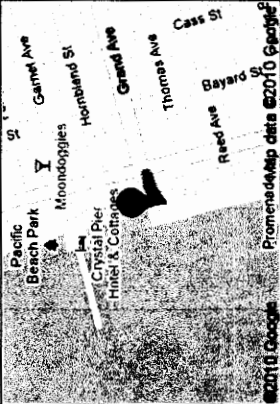
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11
Posts

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PB Shore Club Ads (from Internet and Pacific Magazine (May/June 2010))



Pacific Beach Shore Club
www.pbshoreclub.com
 4343 Ocean Boulevard
 San Diego, CA 92109-3923
 (858) 272-7873
 Get directions - Feedback
 63 reviews
 Open Weekdays 11am-2am; Weekends 8am-2am
 More information »

MONDAY

ALL YOU CAN EAT
5PM-CLOSE

NACHOS

BEERPONG!
5PM-CLOSE

TUESDAY

\$3.50 DOS EQUIS
1/2 PRICE APPS
5PM-CLOSE

WEDNESDAY

RIBNIGHT!
5PM-CLOSE

GOLDFISH RACES
FIRST RACE AT 9PM

THURSDAY

\$3 U-CALL-ITS
BURGERS 5PM-CLOSE
8PM-CLOSE

FRIDAY

2 for 1 FISH 'N' CHIPS
5PM-CLOSE

SATURDAY & SUNDAY

\$3 TACOS ALLDAY
BREAKFAST 8am-3pm
DJs
Never a cover
DJs
Never a cover



\$3.50

180Z BEER SPECIAL
SCHLOSSERS
DURING ALL
PADRES
GAMES

SHORE CLUB

Where Grand meets the Sand.

North Bar

Our delectable North Bar, facing the Pacific Ocean, offers spectacular ocean view seating at a butcher-block bar.

Breakfast
7am-11am

South Bar
11am-11pm

Outside
11am-11pm

North Bar
11pm-1am

Beautiful Sunsets
11pm-1am

KITCHEN TIL 10PM

Th17b

Application Number: 6-12-061

Submitted by: Jerry Hall

Position: Opposed

July 7, 2013

TO: California Coastal Commission

FR: Jerry Hall, Resident

RE: Applicant: Grand & Strand LLC, Thursday July 11, 2013

RECEIVED

JUL 08 2013

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

I am opposed to this proposed expansion for several reasons. They include in summary:

1. The chronic noise volumes emanating from the existing business – day and night – for the last several years with no regard to the public's enjoyment of their beach.
2. The blatant disregard of conditions placed upon the establishment by the Alcoholic Beverage Control and the San Diego Police.
3. The disregard for the safety of their patrons – especially in light of their applying for an expansion.

Introduction

I have tried very hard to being a good steward of this amazing beach community for our residents, all business owners - including those that don't sell alcohol –and especially our guests from the area, region, nation and from around the world.

I have served as a director or officer on our Business Improvement District board, Town Council, Rotary club and several non-profit organizations. I have lived in the area for over twenty-three years and have spent at least the last seven years actively working to stem our growing array of community issues – many directly attributable to several of our bar and restaurant proprietors that have seemed to ignore the needs of the greater community.

My belief is that as community leaders we have a responsibility to provide a tranquil environment so that everyone can have the amazing experience of visiting their oceans and beaches with their loved ones – and playing or relaxing as they see fit. The beach offers amazing opportunities for so many people but, there's a price we have to pay – and that is that we cannot tolerate businesses that have little regard for others.

Some business owners seem to believe that a year-round spring-break atmosphere is where we should be headed. Rather than actively engage the community these businesses, including this establishment have taken many steps to block community efforts to address the chronic alcohol-related crime issues we live with every day. Rather than use their influence over their patrons, many who cause a lot of

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negative issues in our community and city, they seem to have put their profits far ahead of any interest in our millions of visitors annually.

Along with the items cited below I am submitting a video presentation that includes several clips I personally shot. I also included a section that includes clips found online that are being used to illustrate my points in this letter. All of these items can also be viewed online at pbspirits.com/2013/07/08/pbsc/.

Chronic Noise Issues

The high sound-levels of music coming from this establishment, typically hosting a disk jockey mid-day through the evenings, affects every single person walking along our boardwalk. This establishment is sitting in the nexus of our beach and boardwalk. To avoid this negative experience, one would have to walk inland a blocks distance to avoid the noise and at times negative issues from this establishment. It is simply impossible for our guests and resident's to walk by this establishment and not notice the offensive experience as compared to the rest of their walk through the remaining part of the beach area. Anyone unknowingly placing their beach blankets and umbrellas within several hundred feet of the establishment soon find out they will have to tolerate the noise or move.

Although I used a sound meter for over a year to measure the chronic noise issues and tried to present that evidence at the ABC hearing for this proposed expansion it was denied as suitable evidence by the ABC-employed judge. This evidence is included with this presentation and I hope you will consider it strongly. The enclosed map illustrates the distances I personally witnessed and recorded the music coming directly from this establishment.

http://www.pbspirits.com/wp-content/uploads/2013/07/SoundRangeMap_measurements.pdf

I am not a scientist but, I am a concerned citizen and am trying to make it clear that I believe it is not fair for a business to literally pollute the entire several hundred-foot north and west-facing radius with noise. This noise is not only from their disk-jockey's speaker's music but, the occasional banter exchanged by patrons with people walking by and sadly from two other bars (technically also restaurants) within a hundred feet of this establishment who have also added to the problem .

Add to this the very clear impression made upon the young kids that walk by this place which is concerning. The last thing we need is for these young people to be fascinated with this kind of atmosphere. I'm not against drinking or having fun – actually I encourage it - but, I am very concerned with dangling this kind of environment in our kid's faces, expecting no negative influence.

Public Relations vs. Actual Practices

The establishment's proprietor's concern for the community, evidenced by their list of donations and constant reminders as to the amounts given to various groups, is in conflict with their actual behind-the-scenes business practices.

They have made great fanfare about donating a thousand tacos here, and \$5k there, as well as other donations for various events. But, these donations are used for various public relations efforts and my concern is that they should not influence your decision as to the viability of this application.

At one meeting in 2010 an owner claimed their establishment paid \$356k in sales tax revenues to the state which implies their effective gross sales equal nearly \$4.6m.

http://www.pbspirits.com/wp-content/uploads/2013/07/2010-07-21_shore-club-presentation.pdf

So, it was fascinating to learn that, behind the scenes, after a story by an investigative journalist went to print, this establishment was shortchanging our Business Improvement District for years – paying the minimum annual fee, reiterated annually through a declaration form, all based on their claim of employing three employees, when in fact they employed seventy. Why would they go through all this

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effort to not pay a few hundred dollars in additional assessments? Maybe because no one was looking. More frustrating, one of the owners sat on the board of the Business District at the time, hearing regular reports as to how financially challenged it has been.

<http://voiceofsandiego.org/2012/02/23/the-bars-that-cant-count-in-pb/>

Not Providing a Safe Atmosphere

It was also strange that, just days before their ABC hearing to approve this project, seven people were arrested coming out of this establishment for violent assaults, one a felony - over-intoxication and other crimes. Since reporting systems between agencies are sluggish at best this establishment has been operating with impunity.

http://www.pbspirits.com/wp-content/uploads/2013/07/12-2011_cpra_response.pdf

<http://www.pbspirits.com/wp-content/uploads/2013/07/Declaration-Incident-Reports121011.pdf>

Not Following ABC and State Laws

Only two months later, after the ABC hearing where the establishment's owners were confronted with this information, which they waved off as inconsequential, this establishment became one of the few alcohol licensees in the entire state (sixty-six of eighty-five thousand licensees) cited by the ABC for over-serving an obviously intoxicated patron. After paying a \$3k fine they're back in business without losing a beat. Lack of citations from the ABC or police doesn't imply good business practices but, reflects an overall incapability of either agency to keep up with the enforcement demands statewide.

http://www.abc.ca.gov/reports/Actions2013/ActionsFinal_2-27-13.pdf (Page 2 Accusation and POIC)

<http://www.abc.ca.gov/Annualreports/Annual%20Workload%20Summary%202011-12.pdf> (CA Metrics)

Conclusion and Request for Denial

My well-researched belief is that this establishment, like many of their peers taking advantage of a broken system, will do as little as possible to follow the laws of our city and the State of California. They make enormous amounts of money by selling as much alcohol as possible then throw some crumbs to the community to try and mitigate their poor business practices. We've pleaded for their participation in helping establish good local policy and enforcement mechanisms but, they've resisted any such dialog.

This establishment's drunk patrons are difficult to control as seen in the middle of the day with a just kicked-out patron laying on a person's moving vehicle. Noise levels will not go away – and will only increase. They claim they will not have music outside the existing structure but, they've thumbed their noses at the requirement to live within our noise ordinance limitations for years. Noise emanating from a bar attracts customers, even if it insults ten-thousand visitors walking by.

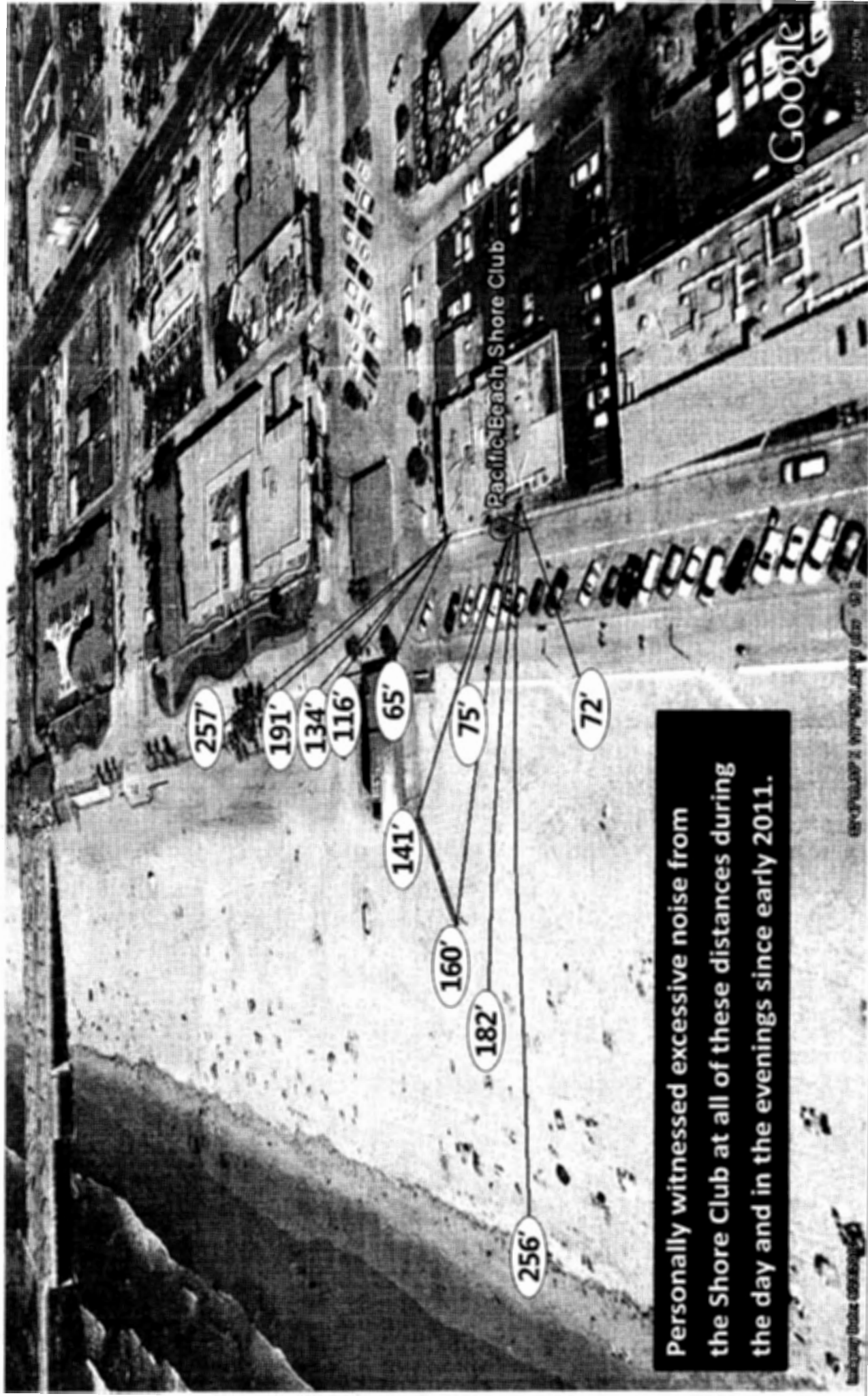
I truly wish I could paint a different picture but, the evidence has been overwhelmingly consistent that this will become a lasting issue with this current configuration.

When our city exercises its authority to take local control over our licensees, and when we are able to install customized controls and backed with an enforcement mechanism that will not continue the excessive burden on our police – to ensure that our licensees follow the laws – then, I will gladly reconsider this application. However, until then I cannot see why this establishment – as well as many others in our community and city – will not continue to push the limits as far as they can – with little or no regard to the long-lasting negative impression it will make on our current and future guests as well as our community's reputation.

Please feel free to contact me with any questions or concerns at enjoypb@gmail.com or 858-344-1104.

Thank you very much!

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Personally witnessed excessive noise from the Shore Club at all of these distances during the day and in the evenings since early 2011.

P.B. Shore Club Proposed Open Air Deck

PBSC is planning to construct an open air deck on the south side of our building that will cover the area between our building and Joe's Crab Shack. The deck will be on the second level above the parking lot and have ingress/egress from our existing building only. There will be an exit staircase on the north east corner of the deck that connects to our existing stairs. The total size of the deck will be approximately 1850 square feet. The initial estimated occupancy of the deck will be 126 people. In order to give a complete picture of why we want to do this and how we feel that it will put us on a level playing field with other restaurants in the area please consider the following:

Virtually every other restaurant and bar in our proximity has an outdoor area of some kind. These include PB Ale House, Firehouse, Joe's Crab Shack, Green Flash, Open Bar, Tower 23, Nick's, Hooter's (Beachwood), Gringo's, Miller's Field, Moondoggies, PB Bar and Grill, etc, etc. Unlike many of these establishments, we are NOT planning on having any amplified music or live entertainment on our deck and will NOT seek permission to do so. Additionally, the deck will be design so that any noise that does emanate from it is directed to the west.

We have already received approval from the PB Planning Commission and have initial approval from the Coastal Commission. Our neighbors, including the Ocean Park Inn Hotel to the north and the Beach Cottages to the south are in support of our expansion and welcome the additional traffic to this area of the beach which they feel is the entertainment hub of PB. Further, the City of San Diego has agreed that the property is a mixed use parcel and has approved the expansion and the parking thereto based on that criteria.

In terms of economic benefit to the community, PBSC paid in excess of \$356,000.00 in sales tax revenues to the City and State in 2009. Obviously, we hope to generate additional revenue from the use of the deck and therefore we would be contributing even more revenue to the City and State and given the overall economic distress that they are both experiencing currently, we feel that this would be a good thing for everyone.

In terms of community involvement, PBSC has been very active in helping out wherever we can and I would put our level of community involvement up against any other restaurant in PB and

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feel confident that we meet or exceed their efforts. Last year and this year, we have contributed or are contributing the following:

- Donated \$5000.00 in 2008 to the PB Christmas Parade ensuring that it could go on as scheduled.
- In 2009 we held our 2nd Annual charity golf event that raised in excess of \$7000.00 for the Susan G. Komen Breast Cancer Fund for the second straight year. In June of 2010 we raise over \$10,000.00
- In 2009 we donated \$2500.00 to Parks & Recreation to buy trash cans for the beach over the 4th of July weekend and another \$2,500.00 this year in 2010
- Donated \$250 PB Town Council for graffiti removal and will supply 15 volunteers to help out with this year's effort.
- Volunteered at and participated in Beachfest 2009 and were awarded "Best Fish Tacos in PB" and will do so again this year.
- Sponsor of and volunteers to work the Bocce Ball Tourney
- Volunteered at PBTC Beach clean ups-over 30 of our employees were there this January
- PBSC gave away over 1000 tacos at both UCSD and SDSU for their RADD Designated Driver Program events at a cost to us of over \$3000.00
- We sponsor the Enforcers football team which is made up of SDPD and SDFD members.
- We donate regularly to the Hospitality Task Force which goes directly to Pacific Beach.
- We donated \$1,000.00 to San Diego Veterans to buy turkeys for Thanksgiving 2009.
- We have hosted numerous socials for various PB committees and civic groups including the PB Town Council Sun Downer events.

We currently employ over 60 people at PBSC. We pay good wages and offer benefits to our full time staff. The completion of the deck will require us to hire approximately 20 additional employees further helping the community by putting good people to work. Additionally, the deck will accommodate our smoking patrons that currently have to go down the ground level in order to smoke. This will eliminate some congestion and make trash pick easier and more concise.

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Overall, we feel that the deck is a natural extension of our concept and in line with the uses of all of the other restaurants and bars in the adjacent area. In fact, PB Ale House has received permission to expand their service hours on their patio within the last few months. We are very cognizant of the concerns of the community surrounding any new liquor licenses but this is an expansion of an existing licensed premises and we are very responsible operators, have had little or no incidents attributed to us in nearly 3 years of being in business, take an extremely active role in the community and generate a significant amount of tax revenues for the City and State. Given the fact that nearly every other operation in every direction from us has outdoor patio space, we feel that we should be able to compete with them on an equal footing. That said, we appreciate your time in considering our request and hope that you will agree with us and grant us your approval for the deck.

Thank you,

PB Shore Club Owners

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Dear Pacific Beach Town Council,

I am the Project Manager of the RADD California Coalition. RADD is funded by the Office of Traffic Safety and was formed in 2004 to engage business, hospitality, media and state government leaders in a forum to utilize marketing techniques, science-based programs and lifestyle solutions to reduce deaths and injuries among ages 21-34 on California's roads.

I am writing on behalf of the Shore Club Restaurant, to express our deepest thanks for all the generosity, time, and energy they have shown our college campuses and communities. They have exemplary mandatory alcohol policies in all areas of running their business. All staff and security must be trained in a certified alcohol prevention program, as well as sexual assault prevention training. They have institutionalized a designated driver program as well as extra taxis being available for their customers. We would never partner with a business unless it followed strict guidelines to protect the community.

In the past month, the Shore Club has donated their time and resources to three of our San Diego area colleges: San Diego State University, University of San Diego and University of California San Diego. They prepared over 3000 free tacos in addition to gift certificates in an effort to promote the Safe Spring break activities at each campus. Each student had to sign a pledge that they would not drink and drive before they could have their free taco. It was a great incentive and it caught the attention of our students. The Shore Club has been a wonderful team player in every aspect of our alcohol prevention work and has shown to be a responsible and caring community member.

If you would like a more information, please feel free to contact me at marian@radd.org.

Sincerely,

Marian Novak
RADD California Coalition

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June 15th, 2010 1:00 p.m. -- 3:00 p.m.

RADD California Coalition, Quarterly Meeting
US Bank Building
Business, Transportation and Housing Agency, 8th Floor
Sacramento, CA 95814-2719

Attendees:

Erin Meluso, RADD President

Dave Manning, National Director- NSTSA (National Highway Traffic Safety Administration)

Marian Novak, RADD CA Coalition Manager

Janine Watts, RADD CA Coalition

Richard Kohr, DMV Senior Advisor-Traffic Safety

Alma Yamada, ABC License investigator

John Carr, ABC -Public Information officer

Jim Lange, SDSU -Director of Health Services

Dave Radford, CA District Attorney's Ass.

Daniel Conway, CA Restaurant Assoc.

Leslie Huggman, CA Restaurant Assoc.

Jerry Jolly, (Retired Director of the ABC)

Dave Doucette, Office of Traffic Safety- Assistant Director

Laurie Bisset-Health Director- Sacramento State

Marian Novak, California Coalition Manager of RADD, presented the hospitality and college programs with RADD. At this time, we have three hospitality zones and eight colleges actively implementing the RADD Program. The hospitality zones include Downtown Los Angeles, Pacific Beach/Mission Beach and Sacramento. Pacific Beach/Mission Beach has been the most enthusiastic area with more than 30 bars signed-on to reward the designated driver with incentives. Over 5000 RADD Designated Driver cards have been distributed to students at SDSU, CSUSM, UCSD and USD so they can use them at any of the establishments who are participating in the program. The Shore Club has been an incredible team player for the colleges. They have given RADD tremendous support in getting our message to the students; "Do not drink and drive! Make a plan before you go out." They handed out 1000 free tacos at each of four campuses on RADD Day. They brought their own staff and spent the day with us getting the word out! We want to give a huge "THANK YOU" to the Shore Club for being a responsible business in serving our college students!

Sincerely,

Marian Novak
RADD

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The Bars That Can't Count in PB

BY: SANDY CORONILLA
(<http://voiceofsandiego.org/author/sandycoronilla/>) |
FEBRUARY 23, 2012 | COMMENTS (10)

Related Stories

Problems Discovered in PB Business District
(<http://voiceofsandiego.org/2012/01/31/problems-discovered-in-pb-business-district/>)

When the Pacific Beach Shore Club registered for its business license, it told the city of San Diego it had three employees.

How the City Counts Small Business Employees
(<http://voiceofsandiego.org/2012/02/01/how-the-city-counts-small-business-employees/>)

The booming bar and restaurant, just steps from the beach, actually has 70.

With two full bars, 21 televisions, and wild midweek goldfish races, the Shore Club may employ just three janitors to clean up afterward. There is no mistaking that this is a large beach ensemble, with plans to expand.

Related PDF

Download PDF (<http://voiceofsandiego.org/wp-content/uploads/2013/05/4f46cd094c328.pdf.pdf>)

By underreporting the number of employees on its business tax certificate, the Shore Club saved \$441 a year.



The beach area's business improvement district, Discover Pacific Beach, also assesses local businesses based partly on employee counts. The improvement district is currently more than \$20,000 in the red, making the annual \$90 the Shore Club shortchanged it a sweet, if small, stash of cash.

The figure might be pocket change for most businesses but it puts owner Doug Sandomowicz in a tough spot.

He sits on the board of Discover Pacific Beach, and is specifically tasked with bringing about an increase in the economic well-being of residents, employees and businesses.

Last month we wrote about problems (http://www.voiceofsandiego.org/this_just_in/article_51823398-4c77-11e1-8dd8-0019bb2963f4.html) in the Discover Pacific Beach organization uncovered by a city audit, including the underreporting of employees in a number of local businesses.

Now, we've received the list of 23 businesses. Current and former board members' businesses accounted for more than half of the six-fold increase in employees discovered by the audit.

Sandomowicz isn't alone. The board's president, Eric Lingenfelder, oversees Tavern by the Beach and Brewley's Pint, which reported a total of 20 employees but actually have 69. Todd Brown's Bub's Dive Bar reported four but actually has 50; he's the board's former vice president.

In essence, by understating their employee counts, the three board members shorted the city out of business tax fees (a total of \$1,133), and their own business improvement district out of assessments designed to help improve conditions in the district (a total of \$450).

The total sums aren't large, but they show how, up until last year, employee counts were entirely dependent on the honor system (http://www.voiceofsandiego.org/this_just_in/article_feboe586-4d1d-11e1-aff1-0019bb2963f4.html).

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There are two ways in which underreporting of employees are detrimental to the city's finances and to the improvement districts themselves.

Businesses pay fees to the city based on their employee counts. Small businesses with 12 employees or fewer pay a small flat rate of \$34, while those with 13 or more pay a \$125 flat fee plus an additional \$5 per employee. Any employee working less than 10 hours weekly is not counted.

Businesses in improvement districts also assess themselves based partly on employee counts. The city auditor's investigation, which was sparked by a whistleblower complaint, only looked into 23 of the more than 1,200 businesses included within Pacific Beach's improvement district.

Bars by the beach are big business.

It's no small feat getting small business owners to talk on the record in Pacific Beach.

Lingenfelder, Sodomowicz and Brown all didn't respond to numerous attempts for comment.

Within the district, there's a rift between alcohol and entertainment-related businesses and small businesses and residents who claim the community is struggling with high crime rates due to drunken fights and residential burglaries. Some business owners complain that bars and restaurants run the business district.

Discover Pacific Beach Executive Director Sara Berns says small businesses like retail don't have the time, or the people resources to get involved in the improvement district. They're in the thick of running their businesses daily and don't have many employees to designate as representatives for community involvement.

This results in an abundance of representation in Discover Pacific Beach by bars, restaurants and resorts.

Crystal Pier Hotel owner Bill Allen says he's simply too old now to deal with the absurdity going on in the improvement district, but he was willing to go on the record.

Allen, whose family has owned the hotel for half a century, says Pacific Beach has been going downhill for the past 10 years. He blames neighborhood bars, especially Shore Club, which is a block away from his hotel. Allen says bars in the area make enormous amounts of money by over-serving alcohol to patrons. Rowdy and inebriated, beachgoers have even caused Allen to have to comp rooms in his hotel because of guest complaints.

"They have no respect for the citizens in this community," Allen said. "They're the kind of people you just want to hit 'delete' and have them out of your life."

Sandy Coronilla reports on local government and education for voiceofsandiego.org. She is on the Armen E. Keteyian Scholarship for Investigative Reporting. You can contact her directly at sandy.coronilla@voiceofsandiego.org (mailto:sandy.coronilla@voiceofsandiego.org) or 619.325.0528.

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Business Name	Reported Employee count	Actual Employee Count
PACIFICALLY RESTAURANTS INC	N/A	N/A
HAIKU	1	10
HOBOKEN PIZZA	1	7
NARRAYA	0	N/A
QWIK CORNER	2	2
WASABI SUSHI	1	5
ZEN 5	1	11
FIN DEL MUNDO INC	1	13
MAMMA MIA	1	Pending
TAVERN AT THE BEACH THE	17	55
BUB'S DIVE BAR	4	50
AND GRILL GREAT PLAZA	4	20
BUFFET		
PACIFIC BEACH SHORE CLUB	3	70
RUM JUNGLE	1	3
4654 MISSION (NO NAME AVAILABLE)	3	17
AUSTRALIAN PUB	N/A	N/A
1261 GARNET AVE LLC (BREWLEY'S PINT)	3	14
DAVE'S TAVERN	1	3
FOOD CITY MARKET	2	2
LA COSAS PIZZA	1	1
ENOTECA ADRIANO	1	10
HEIDI'S LIQUOR & DELI	2	2
JUG LIQUOR	2	2
Totals	52	297

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12/13/11 09:47:37 Message received from CAD

Incident History for: #P11120017627

Case Numbers: \$PR110048582

Entered 12/10/11 15:10:34 BY RC01 8159
Dispatched 12/10/11 15:10:34 BY RC01 8159
Enroute 12/10/11 15:10:34
Onscene 12/10/11 15:10:34
Closed 12/10/11 23:26:41

Initial Type: FD

Final Type: 245 (ADW) Pri: 1 Dispo: A

Police BLK: 0790100063940 FMap: 2419E8 TMap: 1247H6 Group: P1

Beat: 122 Src: R Inc Cmdr:

Loc: 700 GRAND AV btwn OCEAN BL & MISSION BL

Loc Info:

Name:	Addr:	Phone:
/1510 (8159) \$OUTSRV	, NO MORE INFORMATION	
/1510 DISPOS 121Y2	#5791 SLATER, CHARLES C	
	, NO MORE INFORMATION	
/1510 MISC 121Y2	, REF A 242	
/1510 ASST 123Y2	[700 GRAND AV]	
	#3867 RIVERS, GARY V	
/1510 \$PREMPT 123Y2		
/1510 \$ASST 123V2	#5204 HESSELGESSER, LARRY R	
/1510 PREDSP 123Y2	123V2 #P11120017623 T/FU	[LIFEGUARD BSU]
/1511 (5204) *ONSCNE 123V2		
/1512 (8159) CHANGE	TYP: FD	
	---> 245	
	RSP: P	
	---> PP	
	PRI: 2	
	---> 1	
/1512 MISC 121Y2	, TRYING TO CONTACT FEM INSIDE PB SHORE CLUB...24	
	5 W/GLASS	
/1513 ASST 123Y2	[700 GRAND AV]	
	#3867 RIVERS, GARY V	
/1518 MISC 123V2	, GOING INTO THE SHORE CLUB TO TALK TO THE SUSP O	
	N THIS 245..IS A FEM	
/1519 ASST 124S2	[700 GRAND AV]	
	#3842 TAYLOR, LETICIA M	
/1519 (3842) *ENROUT 124S2		
/1519 (3867) *ENROUT 123Y2		
/1519 (8159) OK 123V2	, 1141 CK FEM W/CUT HAND AND A MALE THAT WAS HIT	
	WITH GLASS BOTTLE	
/1520 MISC	, PM ENRTE	
/1521 ASST 122Z2	[700 GRAND AV]	
	#5531 AGUILAR, JASON D	
	#6082 KAISER, GEOFFREY	
/1522 (5531) *ENROUT 122Z2		
/1524 (3867) *ONSCNE 123Y2		
/1527 (5531) *ONSCNE 122Z2		
/1529 (3842) *ONSCNE 124S2		
/1551 (5791) *ASNCAS 121Y2	\$PR110048582	
/1554 (5204) *CHGLOC 123V2	[LIFEGUARD BSU]	
	, PAPER	
/1601 (5791) *CHGLOC 121Y2	[SCRIPPS LA JOLLA]	
	, FU	
/1602 (8967) \$PREMPT 123Y2		
/1603 (5531) *CHGLOC 122Z2	[SCRIPPS LA JOLLA]	
/1603 (8967) \$PREMPT 123V2		
/1609 (3842) *CLEAR 124S2		
/1620 (5531) *ONSCNE 122Z2		
/1620 (5791) *ONSCNE 121Y2		

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/1816	(8967)	CHGLOC	121Y2	[1401 BROADWAY]
/1836		ONSCNE	121Y2	
/1924		CHGLOC	121Y2	[9000 COTTONWOOD AV ,ST]
/1925		NEWLOC	121Y2	[1401 BROADWAY]
				, EQ
/1928		CHGLOC	121Y2	[9000 COTTONWOOD AV ,ST]
/1949		ONSCNE	121Y2	
/2015	(5791)	*CHGLOC	121Y2	[SF]
				, PPR
/2033		*ONSCNE	121Y2	
/2256		*CHGLOC	121Y2	[SF]
				, FU
/2306		*ONSCNE	121Y2	
/2326		*CLEAR	121Y2	D/A
/2326		CLOSE	121Y2	D/A

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12/13/11 09:45:29 Message received from CAD
Incident History for: #P11120017915

Entered 12/10/11 18:22:05 BY RC01 8967
Dispatched 12/10/11 18:22:05 BY RC01 8967
Enroute 12/10/11 18:22:05
Onscene 12/10/11 18:22:05
Closed 12/10/11 21:59:47

Initial Type: SELENF

Final Type: SELENF (SELECTIVE ENFORCEMENT) Pri: 3 Dispo: A

Police BLK: 0790100063950 FMap: 2419E8 TMap: 1247H6 Group: P1

Beat: 122 Src: R Inc Cmdr:

Loc: 4343 OCEAN BL btwn THOMAS AV & GRAND AV

Loc Info:

Name: Addr: Phone:

/1822 (8967) \$OUTSRV ,SELENF
/1822 DISPOS 176K #6620 UNDERWOOD, JOSEPH
#5198 VOSS, GARY R
,SELENF
/1845 (*****) REMINQ 176K PLATE/6PWL113
/1846 (8967) MISC 176K , 18:45:52 TO RC01 FROM RC01:.IVDATE: 12/10/11 TI
ME: 18:45INSURANCE INFORMATION ON FILE REG VALID
FROM: 09/16/11 TO 09/16/12LIC#:6PWL113

REDACTED

/1953 (6620) *CHGLOC 176K [DETOX]
, W/5
/2008 (8587) ONSCNE 176K
/2035 (6620) *CHGLOC 176K [HQ]
, W2
/2039 *ONSCNE 176K
/2048 *CHGLOC 176K [JAIL]
, W/2
/2057 *ONSCNE 176K
/2159 *CLEAR 176K D/A
/2159 CLOSE 176K D/A

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12/13/11 09:45:43 Message received from CAD
Incident History for: #P11120017994

Entered	12/10/11	19:10:06	BY RC01	8967
Dispatched	12/10/11	19:10:06	BY RC01	8967
Enroute	12/10/11	19:10:06		
Onscene	12/10/11	19:10:06		
Closed	12/10/11	20:47:14		

Initial Type: 415
Final Type: 415V (DISTURBING PEACE W/VIOLENCE) Pri: 1 Dispo: A
Police BLK: 0790100063940 FMap: 2419E8 TMap: 1247H6 Group: P1
Beat: 122 Src: R Inc Cmdr:
Loc: GRAND AV/MISSION BL

Loc Info:

Name:	Addr:	Phone:
-------	-------	--------

/1910	(8967)\$OUTSRV	,S/W CORNER
/1910	DISPOS 173S	#3430 VINSON, PATRICK T
		,S/W CORNER
/1910	ASST 179K	[GRAND AV/MISSION BL]
		#5152 BULETTE, RICHARD J
		#6167 DOUGLAS, BENJAMIN D
/1910	OK 179K	, FOR UNITS ONLY
/1910	ONSCNE 179K	
/1910	CHANGE	TYP: 415
		--> 415V
		PRI: 2
		--> 1
/1911	OK 179K	
/1933	CHGLOC 179K	[700 GRAND AV]
		, W/ANOTHER 1016 FRM THE SHORE CLUB
/2046	\$PREMPT 173S	
/2047	\$PREMPT 179K	
/2047	CLOSE 179K	D/A

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4/8

12/11/11 03:47:11 Message received from CAD
Incident History for: #P11120018053

Entered	12/10/11	19:57:39	BY CT05	8212
Dispatched	12/10/11	20:46:40	BY RC01	8967
Enroute	12/10/11	20:47:16		
Onscene	12/10/11	20:47:40		
Closed	12/10/11	22:28:13		

Initial Type: 415N
Final Type: 415N (DISTURBING PEACE NOISE ONLY) Pri: 3 Dispo: O
Police BLK: 0790100063940 FMap: 2419E8 TMap: 1247H6 Group: P1
Beat: 122 Src: T Inc Cmdr:
Loc: GRAND AV/OCEAN BL

Loc Info: SHORE CLUB

Name: REDACTED

Addr:

Phone: REDACTED

/1957	(8212)	NBRHD		Pacific Beach
/1957		ENTRY		"OUTRAGEOUSLY" LOUD MUSIC
/1959	(8967)	HOLD		, NUA
/2046		DISP	173S	#3430 VINSON, PATRICK T
/2047		ASST	179K	[GRAND AV/OCEAN BL]
				#5152 BULETTE, RICHARD J
				#6167 DOUGLAS, BENJAMIN D
/2047	(5152)	*ENROUT	179K	
/2047	(8967)	ONSCNE	173S	
/2055		ONSCNE	179K	
/2055		OK	179K	
/2116	(5152)	*MISC	179K	, MUSIC (LIVE BAND) COMING FROM THE PB SHORE CLUB COULD BE HEARD ALL THE WAY UP TO THE 700 BLOCK O F GARNET AVE. VERY LOUD DRUMS/MUSIC COMING FROM T HE PB SHORE CLUB..
/2121		*MISC	179K	, MUSIC COMING FROM PB SHORE CLUB COULD BE HEARD SOUTHBOUND TO 700 REED ST AT THE BOARDWALK
/2125		*MISC	179K	, MUIC COULD BE HEARD COMING FROM PB SHORE CLUB E AST TO MID BLOCK OF 800 GRAND
/2129	(8967)	\$PREMPT	179K	
/2132		MISC	173S	, ONE BLK NORTH
/2133		OK	173S	, **SIC**
/2137		\$PREMPT	173S	
/2137		DISPOS	173S	#3430 VINSON, PATRICK T
/2217	(3430)	*MISC	173S	, I WAS ON FOOT AND DID NOT SEE CALL WAS HOLDING. ...UPON 97 TIME CONTACTED DOOR STAFF...OWNERS DOU G & BILLIE CAME OUT. EXPLAINED THAT WE HAD CITIZE N COMPLAINT ABOUT LOUD MUSIC
/2220		*MISC	173S	, AFTER 15 MINUTES OF MUSIC NOT BEING TURNED DOWN I HAD 179K GO CHAEC DISTANCE MUSIC COULD BE HEA RD FROM...SEE THE COMMENTS NOTED BY 179K
/2221		*MISC	173S	, SIC COMMENT REFERS TO A COVER CALL I DROPPED TH IS CALL TO ASSIST WITH
/2227		*MISC	173S	, AFTER CVR CALL I RETURNED AND CHECK NOISE LEVEL. ...NOW NO MUSIC HEARD UNTIL 700 BLOCK GRAND ...AGA IN SPOKE WITH OWNERS BILLY RAMIREZ & DOUG SANDOMO WICZ...SAID THEY WILL END EVENT...
2228		*CLEAR	173S	D/O
2228		CLOSE	173S	D/O

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5/8

1 DECLARATION OF Scott Chipman

2 I, Scott Chipman, being present in the City and County of San Diego, do hereby make the
3 following declaration under the penalty of perjury.

4 I am a resident of San Diego County and have resided in the County since 1975. I have
5 lived at the following address: 2247 Emerald St. San Diego, CA, 92109 since 1979.

6 I have personal knowledge of the following facts and am competent to testify as to these
7 matters if called as a witness.

8 I am a husband and father, businessman, and I have been a regular community volunteer
9 including serving on many committees related to youth. I served for 4 years as PTA president at
10 Pacific Beach Middle School and Mission Bay High School. Over the last 6 years I have served
11 on the Pacific Beach Planning Group and other local committees.

12 During phone calls with San Diego Police Captain Northern Division Brian Ahearn I
13 became aware of a series of crime incidents at or around the Pacific Beach Shore Club at 4343
14 Ocean Blvd.

15 Captain Ahearn indicated that there were several arrests for drunk in public and a felony
16 assault arrest on the day and evening of December 10, 2011. On Monday, December 12, 2011, I
17 called Assistant Police Chief Boyd Long and made a request for public records in accordance
18 with the California Public Records Act (CPRA) for incidents at or near the Pacific Beach Shore
19 Club on December 10, 2011. He indicated he would pass my request on to the CPRA liaison
20 officer and that officer would contact me.

21 On Tuesday, December 13, 2011 at 10:57 am, I received an email which included 5 pages
22 of incidents pertaining to my request. Copies of these 5 pages and the transmittal email are
23 attached. I have numbered the pages and each line to help refer and identify components of the
24 incidents. All incidents occurred on December 10, 2011. Officer Catherine Blake provided the
25 following explanations during a lengthy phone call with her on the afternoon of December 13,
26 2011.

27 INCIDENT #PR11120017627) (pages 1,2) refers to a 245 (line 10) Assault with a
28

1 deadly weapon at 700 Grand Avenue (line 13) with officers Rivers and Hesselgesser
2 responding (lines 19 & 21) and a female suspect (line 30 & 34) at the PB Shore Club (lines 30 &
3 34). An 1141 – ambulance- was called for a female with a cut hand and a male who was hit with a
4 glass bottle (line 1519). Paramedics (PM ENRTE) were in route (line 42). There was a transport
5 to Scripps Hospital La Jolla (line53). The incident disposition was an ARREST (lines 74,75). The
6 incident started at 1510 (3:10 pm) and was cleared at 2326 (11:26 pm).

7 INCIDENT #PR11120017915 (Page 3) occurred at 4343 Ocean Blvd (line 12) (Shore
8 Club address) and was responded to by officers Underwood and Voss (lines 16, 17). The officers
9 detained 5 individuals and took them to detox (lines 24, 25). Two of the individuals were taken to
10 HQ (headquarters/jail) (lines 27-31). The incident disposition was an ARREST (lines 74,75). This
11 incident started at 1822 (6:22 pm) and was cleared at 2159 (9:59 pm).

12 INCIDENT # P11120017994 (Page 4) – Disturbing the Peace with Violence (line 9)
13 occurred at the Southwest Corner of the intersection of Grand Ave. and Mission Blvd (lines 12,
14 15). Officers Vinson Bulette and Douglas responded (lines 16, 19, 20). Another 1016 (prisoner)
15 from the Shore Club was arrested (line 29).. The incident disposition was an ARREST (line 32).
16 This incident started at 1910 (7:10 pm) and was cleared at 2047 (8:47 pm).

17 INCIDENT #P11120018053 (Page 5) was a call for service for “OUTRAGEOUSLY”
18 LOUD MUSIC at 1957 (7:57 pm) (line 16). No units were available (NUA) (line 17). At 2055
19 (8:55 pm) officers were on scene (lines 23,24). Approximately 1 hour transpired between the call
20 for service and the arrival of officers. Loud drums and music from the Shore Club could be heard
21 by officers all the way up to 700 block of Garnet (lines 26-29). Music could be heard to 700 block
22 of Reed St at the boardwalk (lines 30,31). Music could be heard from the PB Shore Club East to
23 mid block of 800 Grand Ave (lines 32,33). Officer Vinson on foot contacted the owners and
24 explained the citizen complaint about the loud music (line 39-42). After 15 minutes the music had
25 not been turned down and the distances music could be heard were checked (lines 43-45). A few
26 minutes later officer Vinson rechecked the music and it could not be heard until the 700 block of
27 Grand. He again spoke with the owners and the owners indicated they will end the event.
28

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1 The incident disposition was OTHER (line 53). This incident started at 1957 (7:57 pm and
2 was cleared at 2228 (10:28 pm).

3
4 I have read the foregoing declaration consisting of 3 pages and I declare under penalty of
5 perjury that the foregoing is true and correct.

6
7
8 Executed at San Diego, California on _____, 2011.

9 Signature _____

10 Address _____

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Legal Actions Finalized from 18-FEB-13 to 22-FEB-13 by File Number

File#: 264153	Status: ACTIVE	Date: 21-MAY-09	Dist: 26	Action: ACCUSATION		
REG#: 11074402	Date: 17-MAR-11	Cleared: Y	Date: 19-FEB-13	Recvd: 07-JAN-11	Agency:	
Name/Prem Addr: VAZQUEZ, JAVIER	617 N SANBORN RD, SALINAS, CA 93905					GeoCode: 2708 C.T: 0005.02
DBA/Mail Addr: LA ESPERANZA MERCADO Y CARNICERIA 3						
License Types: 20 MI: N	Status: DEPREV	Date: 19-FEB-13	Expires: 31-MAR-13	Dups: 0	Term: 12	
Charges: CONVICTED OF A CRIME INVOLVING MORAL TURP.						
GROUNDS FOR ACTION						
Proceedings (None)		14-FEB-13	Status: CLOSED	14-FEB-13	Decision: REVOKED	POIC:
File#: 305689	Status: ACTIVE	Date: 04-JAN-11	Dist: 26	Action: ACCUSATION		
REG#: 11074399	Date: 17-MAR-11	Cleared: Y	Date: 19-FEB-13	Recvd: 07-JAN-11	Agency:	
Name/Prem Addr: VAZQUEZ, JAVIER	103 MONTEREY ST, SALINAS, CA 93901					GeoCode: 2708 C.T: 0013.00
DBA/Mail Addr: LA ESPERANZA MERCADO	1002 DEL MONTE AVE, STE E, SALINAS, CA 93905					
License Types: 20 MI: N	Status: DEPREV	Date: 19-FEB-13	Expires: 31-DEC-13	Dups: 0	Term: 12	
Charges: CONVICTED OF A CRIME INVOLVING MORAL TURP.						
GROUNDS FOR ACTION						
Proceedings (None)		14-FEB-13	Status: CLOSED	14-FEB-13	Decision: REVOKED	POIC:
File#: 325160	Status: ACTIVE	Date: 25-NOV-96	Dist: 13	Action: ACCUSATION		
REG#: 13077951	Date: 28-JAN-13	ABC	Cleared: Y	Date: 21-FEB-13	Recvd: 19-DEC-12	Agency:
Name/Prem Addr: SARKIN, MICHAEL	114 S H ST, LOMPOC, CA 93436					GeoCode: 4202 C.T: 0027.08
DBA/Mail Addr: JASPER						
License Types: 48 MI: N	Status: ACTIVE	Date: 25-NOV-96	Expires: 31-OCT-13	Dups: 0	Term: 12	
Charges: GROUNDS FOR ACTION						
SALE TO MINOR (DECOY)						
Proceedings (None)		28-JAN-13	Status: CLOSED	28-JAN-13	Decision: POIC	POIC: \$6000
File#: 334151	Status: ACTIVE	Date: 29-SEP-97	Dist: 26	Action: ACCUSATION		
REG#: 11074401	Date: 17-MAR-11	BACKTRACK	Cleared: Y	Date: 19-FEB-13	Recvd: 07-JAN-11	Agency:
Name/Prem Addr: VAZQUEZ, JAVIER	1204 MISSION ST, SANTA CRUZ, CA 95060					GeoCode: 4402 C.T: 1006.00
DBA/Mail Addr: LA ESPERANZA MARKET Y CARNICERIA						
License Types: 21 MI: N	Status: DEPREV	Date: 21-FEB-13	Expires: 31-OCT-11	Dups: 0	Term: 12	
Charges: CONVICTED OF A CRIME INVOLVING MORAL TURP.						
GROUNDS FOR ACTION						
Proceedings (None)		14-FEB-13	Status: CLOSED	14-FEB-13	Decision: REVOKED	POIC:

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Legal Actions Finalized from 18-FEB-13 to 22-FEB-13 by File Number

File#: 354451 Status: ACTIVE Date: 12-JUL-99 Dist: 4 Action: ACCUSATION
 REG#: 12077490 Date: 24-SEP-12 BACKTRACK Cleared: Y Date: 20-FEB-13 Recvd: 14-MAR-12 Agency: S0409- LAPD WILS
 Name/Prem Addr: APRO LLC 7900 BEVERLY BLVD, LOS ANGELES, CA 90048 GeoCode: 1933 C.T: 2146.00
 DBA/Mail Addr: APRO 2 17311 S MAIN ST, GARDENA, CA 90248-3131
 License Types: 20 MI: N Status: ACTIVE Date: 12-JUL-99 Expires: 30-JUN-13 Dups: 0 Term: 12
 Charges: GROUNDS FOR ACTION
 SALE TO MINOR (DECOY)
 Proceedings (None) 13-FEB-13 Status: CLOSED 13-FEB-13 Decision: ALL STAYED POIC:

File#: 354785 Status: ACTIVE Date: 25-AUG-99 Dist: 26 Action: ACCUSATION
 REG#: 11074400 Date: 17-MAR-11 BACKTRACK Cleared: Y Date: 19-FEB-13 Recvd: 07-JAN-11 Agency:
 Name/Prem Addr: VAZQUEZ, JAVIER 2-1400 E CLIFF DR, SANTA CRUZ, CA 95062 GeoCode: 4400 C.T: 1214.02
 DBA/Mail Addr: LA ESPERANZA MERCADO Y CARNICERIA 1
 License Types: 20 MI: N Status: DEPREV Date: 21-FEB-13 Expires: 31-JUL-12 Dups: 0 Term: 12
 Charges: CONVICTED OF A CRIME INVOLVING MORAL TURP.
 GROUNDS FOR ACTION
 Proceedings (None) 14-FEB-13 Status: CLOSED 14-FEB-13 Decision: REVOKED POIC:

File#: 395335 Status: ACTIVE Date: 22-JAN-03 Dist: 24 Action: ACCUSATION
 REG#: 13077898 Date: 11-JAN-13 BACKTRACK Cleared: Y Date: 21-FEB-13 Recvd: 09-NOV-12 Agency: PACIFICA PD
 Name/Prem Addr: ABUSHAER, FATEN JAMAL NEMEH 115 GRAND AVE, SOUTH SAN FRANCISCO, CA 94080 GeoCode: 4114 C.T: 6022.00
 DBA/Mail Addr: J & J MARKET
 License Types: 21 MI: N Status: ACTIVE Date: 22-JAN-03 Expires: 31-DEC-13 Dups: 0 Term: 12
 Charges: GROUNDS FOR ACTION
 SALE TO MINOR (DECOY)
 Proceedings (None) 29-JAN-13 Status: CLOSED 29-JAN-13 Decision: ALL STAYED POIC:

File#: 448491 Status: ACTIVE Date: 02-MAY-07 Dist: 10 Action: ACCUSATION
 REG#: 12077543 Date: 04-OCT-12 BACKTRACK Cleared: Y Date: 19-FEB-13 Recvd: 26-JUL-12 Agency:
 Name/Prem Addr: GRAND & STRAND LLC 4343 OCEAN BLVD, SAN DIEGO, CA 92109-3923 GeoCode: 3710 C.T: 0079.10
 DBA/Mail Addr: PACIFIC BEACH SHORE CLUB 7525 E CAMELBACK RD, # 106, SCOTTSDALE, AZ 85251-3327
 License Types: 47 MI: Y Status: ACTIVE Date: 02-MAY-07 Expires: 31-JAN-14 Dups: 1 Term: 12
 Charges: GROUNDS FOR ACTION
 SALE TO OBV. INTOX'D PERSON
 Proceedings (None) 04-OCT-12 Status: CLOSED 04-OCT-12 Decision: POIC POIC: \$3000

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Legal Actions Finalized from 18-FEB-13 to 22-FEB-13 by File Number

File#: 466594	Status: ACTIVE	Date: 17-NOV-08	Dist: 23	Action: ACCUSATION		
REG#: 11074092	Date: 10-JAN-11	ABC	Cleared: Y	Date: 20-FEB-13	Recvd: 19-JUN-10	Agency:
Name/Prem Addr: GRANITO RESTAURANT GROUP INC	1004 E BIDWELL ST, STE 600, FOLSOM, CA	95630-5564				GeoCode: 3401 C.T: 0084.02
DBA/Mail Addr: GRANITOS	PO BOX 2388, GRANITE BAY, CA	95746				
License Types: 41 MI: N	Status: AUTREV	Date: 11-FEB-11	Expires: 31-OCT-10	Dups: 0	Term: 12	
Charges: GROUNDS FOR ACTION						
PURCHASED A/B FOR RESALE FROM OTHER THAN WHOLESALER						
Proceedings (None)		24-AUG-11	Status: CLOSED	24-AUG-11	Decision: SUSPEND	POIC:
8-24-11, Decision Following Default, 15-day suspension with 10 days stayed, beginning on or after 9-8-11.						
File#: 472612	Status: ACTIVE	Date: 16-MAR-12	Dist: 9	Action: ACCUSATION		
REG#: 11074479	Date: 22-MAR-11	ABC	Cleared: Y	Date: 20-FEB-13	Recvd: 23-AUG-10	Agency: ABC
Name/Prem Addr: KIANI HOLDINGS INC	945 TAMARACK AVE, CARLSBAD, CA	92008-3414				GeoCode: 3701 C.T: 0178.10
DBA/Mail Addr: CARLSBAD 76	2201 E COAST HWY, CORONA DEL MAR, CA	92625-1923				
License Types: 20 MI: N	Status: ACTIVE	Date: 31-JAN-12	Expires: 28-FEB-13	Dups: 0	Term: 12	
Charges: GROUNDS FOR ACTION						
SALE TO MINOR (DECOY)						
Proceedings (None)		22-MAR-11	Status: CLOSED	22-MAR-11	Decision: SUSPEND	POIC:
File#: 483554	Status: ACTIVE	Date: 22-DEC-09	Dist: 24	Action: ACCUSATION		
REG#: 13077874	Date: 04-JAN-13	BACKTRACK	Cleared: Y	Date: 19-FEB-13	Recvd: 09-NOV-12	Agency: PACIFICA PD
Name/Prem Addr: SAN BRUNO WINGS L-PSHIP	1150 EL CAMINO REAL, STE 210, SAN BRUNO, CA	94066-2463				GeoCode: 4111 C.T: 6041.01
DBA/Mail Addr: HOOTERS SAN BRUNO	400 LYELL DR, STE 101, MODESTO, CA	95356-9264				
License Types: 47 MI: N	Status: ACTIVE	Date: 22-DEC-09	Expires: 30-NOV-13	Dups: 0	Term: 12	
Charges: GROUNDS FOR ACTION						
SALE TO MINOR (DECOY)						
Proceedings (None)		08-JAN-13	Status: CLOSED	08-JAN-13	Decision: POIC	POIC: \$3000
File#: 487489	Status: ACTIVE	Date: 12-APR-10	Dist: 25	Action: ACCUSATION		
REG#: 12077007	Date: 25-MAY-12	BACKTRACK	Cleared: Y	Date: 19-FEB-13	Recvd: 07-MAY-12	Agency: MOUNTAINVIEW POL
Name/Prem Addr: VACHANI, MONIKA PRAVINCHANDRA	400 MOFFETT BLVD, STE D, MOUNTAIN VIEW, CA	94043-4758				GeoCode: 4311 C.T: 5092.01
DBA/Mail Addr: ONE STOP GROCER						
License Types: 20 MI: N	Status: ACTIVE	Date: 12-APR-10	Expires: 31-MAR-13	Dups: 0	Term: 12	
Charges: GROUNDS FOR ACTION						
SALE TO MINOR (DECOY)						
Proceedings (None)		29-JAN-13	Status: CLOSED	29-JAN-13	Decision: POIC	POIC: \$975

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California Department of Alcoholic Beverage Control

Legal Actions Finalized from 18-FEB-13 to 22-FEB-13 by File Number

File#: 514164 Status: ACTIVE Date: 15-MAR-12 Dist: 21 Action: ACCUSATION
REG#: 12077706 Date: 19-NOV-12 ABC Cleared: Y Date: 21-FEB-13 Recvd: 31-OCT-12 Agency:
Name/Prem Addr: NORTHWEST DINING CORP 5689 E KINGS CANYON RD, 101 & 102, FRESNO, CA 93727-4650 GeoCode: 1005 C.T: 0014.11
DBA/Mail Addr: IRISH OSULLIVANS SUNNYSIDE LOUNGE 6833 N GOLDEN STATE BLVD, STE 104, FRESNO, CA 93722-9300
License Types: 47 MI: Y Status: ACTIVE Date: 15-MAR-12 Expires: 28-FEB-13 Dups: 1 Term: 12
Charges: GROUNDS FOR ACTION
 SALE TO MINOR (DECOY)
Proceedings (None) 30-NOV-12 Status: CLOSED 30-NOV-12 Decision: POIC POIC: \$2250

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REVENUE

License fees:

Renewals	\$40,467,441
Original Fees	\$5,022,774
Transfers	\$3,159,177
Daily Licenses	\$1,467,770
Catering Permits	\$604,127
Caterer's Authorization	\$452,650
Other	\$1,612,118

Total Licensing Revenue	\$52,786,057
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Offers in compromise accepted:

Amount	\$3,271,749
Number	1158

APPLICATIONS - MISCELLANEOUS

Number of protest letters received	2,759
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DISCIPLINARY - MISCELLANEOUS

Proposed Decisions Adopted	302
Proposed decisions rejected under	
Section 11517(c)	4
Suspensions	697
Revocations including those stayed	206

APPEALS FILED TO APPEALS BOARD	100
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COURT ACTIONS FILED/PENDING	5
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A. APPLICATION AND LICENSING INVESTIGATIONS

	ABC 211'S	ABC 220 REPORTS											
	REC'D	ORIGINALS						PER TO PERS					
	REC'D	REC'D	COMP'D	APPRV'D	DENIED	W'DRWN	PEND'G	REC'D	COMP'D	APPRV'D	DENIED	W'DRWN	PEND'G
HEADQUARTERS													
ADM HEARING OFFICE													
LEAD UNIT													
DECOY GRANT													
TEU NORTH													
GAP													
TRACE													
NO DIVISION SOU													
GAP-NO DIVISION													
FRESNO	423	174	174	153	0	21	534	245	248	229	0	19	556
OAKLAND	762	380	383	325	0	58	1468	362	351	329	0	22	674
REDDING	168	104	102	95	0	7	213	76	82	78	0	4	245
SACRAMENTO	766	424	473	437	1	36	1123	328	281	258	0	23	1185
SALINAS	233	116	127	118	0	9	395	116	138	124	0	14	266
SAN FRANCISCO	782	419	426	372	0	54	1646	360	381	346	0	35	676
SAN JOSE	508	255	260	236	1	24	979	246	228	213	0	15	511
SANTA ROSA	1126	846	858	814	1	43	1592	266	274	259	0	15	620
EUREKA	81	44	36	33	0	3	100	30	28	25	0	3	65
STOCKTON	442	247	267	236	0	31	589	203	203	187	0	16	507
YUBA CITY	40	15	11	10	0	1	0	5	4	4	0	0	0
NO DIVISION TOTAL	5331	3024	3117	2829	3	287	8639	2237	2218	2052	0	166	5305
SO DIVISION SOU													
GAP-SO DIVISION	18												
BAKERSFIELD	244	123	106	95	1	10	299	125	119	110	0	9	304
MONROVIA	437	188	181	173	0	8	560	265	235	219	0	16	515
LA/METRO	744	313	315	277	0	38	1279	411	400	363	0	37	1152
LB/LAKEWOOD	435	176	176	151	0	25	579	274	255	227	0	28	691
PALM DESERT	264	144	140	113	0	27	359	121	116	100	0	17	301
RIVERSIDE	657	364	351	319	0	32	1164	314	293	271	0	22	844
SAN DIEGO	569	311	299	250	3	47	1781	270	279	258	0	21	1170
SAN MARCOS	306	204	197	182	0	15	498	107	103	92	0	11	266
SANTA ANA	758	392	373	343	0	30	1420	418	364	346	0	18	1096
VENTURA	314	169	172	148	0	24	431	136	126	111	0	15	340
SAN LUIS OBISPO	349	251	254	229	0	25	578	105	97	87	0	10	206
VAN NUYS	464	195	189	158	0	31	794	253	231	219	0	12	594
SO DIVISION TOTAL	5559	2830	2753	2438	4	312	9742	2799	2618	2403	0	216	7479
STATEWIDE TOTAL	10890	5854	5870	5267	7	599	18381	5036	4836	4455	0	382	12784

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A. APPLICATION AND LICENSING INVESTIGATIONS (cont'd.)

	PRIORITY REC'D	PRO APPS	TOTAL APPS REG'D		
			PRO	PET	PET/PRO
HEADQUARTERS					
ADM HEARING OFFICE					
LEAD UNIT					
DECOY GRANT					
TEU NORTH					
GAP					
TRACE					
NO DIVISION SOU					
GAP-NO DIVISION					
FRESNO	0	22	1	2	0
OAKLAND	0	25	1	3	0
REDDING	0	5	1	1	0
SACRAMENTO	0	22	4	4	0
SALINAS	0	6	2	0	0
SAN FRANCISCO	0	42	9	6	1
SAN JOSE	0	22	3	2	0
SANTA ROSA	0	12	1	1	0
EUREKA	0	1	1	0	0
STOCKTON	0	19	5	0	0
YUBA CITY	0	0	0	0	0
NO DIVISION TOTAL	0	176	28	19	1

SO DIVISION SOU					
GAP-SO DIVISION					
BAKERSFIELD	0	3	1	1	0
MONROVIA	0	5	0	0	0
LA/METRO	0	34	2	1	0
LB/LAKEWOOD	0	22	1	0	0
PALM DESERT	0	3	1	0	0
RIVERSIDE	0	20	2	0	0
SAN DIEGO	0	76	6	1	0
SAN MARCOS	0	23	2	0	0
SANTA ANA	0	25	2	0	0
VENTURA	0	9	3	0	0
SAN LUIS OBISPO	0	2	0	3	0
VAN NUYS	0	16	0	0	0
SO DIVISION TOTAL	0	238	20	6	0

STATEWIDE TOTAL	0	414	48	25	1
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B. ASSIGNMENTS

	LICENSING ASSIGNMENTS (ABC-61)			COMPLAINT INVEST ASSIGNMENTS (ABC-61)			ADMINISTRATION ASSIGNMENTS (ABC-61)			POLICE REPORTS ASSN'D FOR INVEST (ABC-61)		
	REC'D	COMP'D	PEND'G	REC'D	COMP'D	PEND'G	REC'D	COMP'D	PEND'G	REC'D	COMP'D	PEND'G
HEADQUARTERS												
ADM HEARING OFFICE												
LEAD UNIT												
DECOY GRANT												
TEU NORTH				66	45	279	0	0	0	0	0	0
GAP				0	0	0	0	0	0	0	0	0
TRACE				0	0	0	0	0	0	0	0	0
NO DIVISION SOU				12	21	47	2	3	2	1	1	0
GAP-NO DIVISION												
FRESNO	107	94	258	144	153	439	80	86	142	118	105	153
OAKLAND	98	108	410	92	64	940	70	71	73	118	104	213
REDDING	27	21	88	29	29	288	28	23	106	22	23	14
SACRAMENTO	136	133	841	106	128	582	120	126	224	113	102	186
SALINAS	42	37	355	13	8	68	45	44	109	36	34	79
SAN FRANCISCO	65	122	610	136	122	1095	69	73	110	91	78	291
SAN JOSE	76	85	309	38	35	198	54	41	170	17	17	61
SANTA ROSA	144	136	295	21	20	164	52	49	101	35	34	25
EUREKA	36	35	19	13	7	99	19	19	2	21	21	20
STOCKTON	73	53	484	99	109	823	100	97	124	81	76	223
YUBA CITY	5	2	0	0	6	0	0	2	0	2	3	0
NO DIVISION TOTAL	809	826	3669	703	702	4743	639	634	1163	655	598	1265

SO DIVISION SOU				10	11	16	2	4	6	0	0	0
GAP-SO DIVISION												
BAKERSFIELD	40	38	150	73	61	313	51	49	54	16	13	47
MONROVIA	210	213	781	83	76	711	80	83	95	48	53	84
LA/METRO	215	245	884	188	225	896	146	148	124	129	137	164
LB/LAKEWOOD	128	141	574	56	70	434	98	92	172	77	78	73
PALM DESERT	81	70	163	53	60	553	11	9	6	22	31	58
RIVERSIDE	83	94	477	110	118	458	138	139	97	103	122	132
SAN DIEGO	147	119	1282	153	147	471	53	54	41	22	12	128
SAN MARCOS	58	63	148	33	20	308	34	28	83	20	20	22
SANTA ANA	217	206	904	151	127	1378	118	99	260	61	38	404
VENTURA	44	45	109	66	52	232	39	35	167	45	35	80
SAN LUIS OBISPO	109	104	210	44	56	220	41	35	65	27	27	36
VAN NUYS	79	80	240	141	118	500	169	161	316	103	136	183
SO DIVISION TOTAL	1411	1418	5922	1161	1141	6490	980	936	1486	673	702	1411

STATEWIDE TOTAL	2220	2244	9591	1930	1888	11512	1619	1571	2649	1328	1300	2676
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19 20 21 22 23 24 25 26 27 28 29 30

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B. ASSIGNMENTS
(cont'd.)

C. ARRESTS

	ENFORCEMENT STAFFING		PREMISES VISITED		MINORS		ARRESTS/CITATIONS OTHER		TOTAL		TOTAL WARNING LTRS SENT
	AUTHORIZED	VACANCY	LICENSING	ENFORCEMENT	ABC	JT	ABC	JT	ABC	JT	
HEADQUARTERS											
ADM HEARING OFFICE											
LEAD UNIT	n/a	n/a									
DECOY GRANT	n/a	n/a	0	0	0	0	0	0	0	0	0
TEU NORTH	n/a	n/a	0	0	0	0	0	0	0	0	2
GAP	n/a	n/a									
TRACE	n/a	n/a									
NO DIVISION SOU	n/a	n/a	0	2358	214	0	30	7	244	7	0
GAP-NO DIVISION	n/a	n/a	0	3764							
FRESNO	n/a	n/a	409	828	97	0	4	0	101	0	26
OAKLAND	n/a	n/a	673	631	200	0	76	0	276	0	23
REDDING	n/a	n/a	123	1150	39	0	24	4	63	4	6
SACRAMENTO	n/a	n/a	650	1493	94	3	75	7	169	10	27
SALINAS	n/a	n/a	142	396	24	1	6	0	30	1	5
SAN FRANCISCO	n/a	n/a	520	536	47	0	14	0	61	0	26
SAN JOSE	n/a	n/a	417	446	18	0	0	1	18	1	7
SANTA ROSA	n/a	n/a	1015	864	100	0	54	5	154	5	8
EUREKA	n/a	n/a	51	14	10	1	1	1	11	2	14
STOCKTON	n/a	n/a	693	631	82	0	29	0	111	0	3
YUBA CITY	n/a	n/a	16	49	1	0	0	0	1	0	0
NO DIVISION TOTAL	0	0	4709	13160	926	5	313	25	1239	30	145

SO DIVISION SOU	n/a	n/a	0	225	4	6	19	21	27	52	0
GAP-SO DIVISION	n/a	n/a	0	2551							
BAKERSFIELD	n/a	n/a	178	644	31	5	27	64	58	69	21
MONROVIA	n/a	n/a	501	670	41	13	12	20	53	33	30
LA/METRO	n/a	n/a	568	915	136	0	47	0	183	0	41
LB/LAKEWOOD	n/a	n/a	282	913	105	3	18	0	123	3	15
PALM DESERT	n/a	n/a	171	548	27	4	319	38	346	42	20
RIVERSIDE	n/a	n/a	535	1086	68	0	43	0	111	0	40
SAN DIEGO	n/a	n/a	488	664	150	36	40	16	190	52	69
SAN MARCOS	n/a	n/a	399	535	10	0	43	1	53	1	22
SANTA ANA	n/a	n/a	852	1003	72	25	11	4	83	29	12
VENTURA	n/a	n/a	224	896	106	2	54	0	160	2	18
SAN LUIS OBISPO	n/a	n/a	385	840	60	0	23	0	83	0	21
VAN NUYS	n/a	n	361	1594	72	0	24	16	96	16	18
SO DIVISION TOTAL	0	0	4944	13084	882	94	680	180	1566	299	327

STATEWIDE TOTAL	0	0	9653	26244	1808	99	993	205	2801	304	474
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D. ACCUSATIONS

ACCUSATIONS REGISTERED BY COUNT

	TOT'L REG	MINOR		DECOY		OBV INTOXICATED		DRUGS		DISORDERLY PREM		GAMBLING	
		ABC	BT	ABC	BT	ABC	BT	ABC	BT	ABC	BT	ABC	BT
HEADQUARTERS	1	0	0	0	0	0	0	0	0	0	0	0	0
ADM HEARING OFFICE													
LEAD UNIT													
DECOY GRANT	0	0	0	0	0	0	0	0	0	0	0	0	0
TEU NORTH	14	0	0	0	0	0	0	0	0	0	0	0	0
GAP													
TRACE													
NO DIVISION SOU	0	0	0	0	0	0	0	0	0	0	0	0	0
GAP-NO DIVISION													
FRESNO	107	1	3	58	15	0	2	2	0	0	1	6	2
OAKLAND	161	12	0	33	79	2	3	1	0	2	0	1	0
REDDING	57	5	1	14	24	2	2	3	0	0	0	0	0
SACRAMENTO	169	1	1	49	77	5	1	0	0	2	0	0	0
SALINAS	43	0	3	9	23	0	0	0	0	0	0	0	0
SAN FRANCISCO	88	16	6	5	30	6	4	1	1	1	1	0	0
SAN JOSE	45	2	1	17	9	2	0	1	0	0	0	0	0
SANTA ROSA	62	15	12	18	10	2	0	2	0	0	0	0	1
EUREKA	14	3	2	3	3	1	2	0	0	1	0	0	0
STOCKTON	82	17	20	4	26	2	3	3	0	0	0	0	3
YUBA CITY	1	0	0	0	2	0	0	0	0	0	0	0	0
NO DIVISION TOTAL	829	72	49	210	298	22	17	13	1	6	2	7	6
SO DIVISION SOU	0	0	0	0	0	0	0	0	0	0	0	0	0
GAP-SO DIVISION													
BAKERSFIELD	55	13	4	1	3	0	0	2	1	0	0	2	1
MONROVIA	65	7	1	21	19	1	1	3	0	1	1	2	0
LA/METRO	146	6	4	22	66	1	5	1	4	0	1	2	3
LB/LAKEWOOD	89	7	0	29	38	0	1	1	0	1	0	1	1
PALM DESERT	23	1	2	0	7	0	0	0	0	0	0	0	0
RIVERSIDE	104	4	9	28	46	0	0	5	2	0	0	2	1
SAN DIEGO	36	3	0	6	4	9	0	0	0	0	0	0	1
SAN MARCOS	39	5	1	12	18	3	0	1	1	0	0	0	2
SANTA ANA	52	7	1	18	9	0	0	6	0	0	0	0	1
VENTURA	52	5	3	16	24	0	1	0	0	1	1	4	0
SAN LUIS OBISPO	45	3	2	27	14	1	1	0	0	0	0	4	0
SAN NUYS	137	0	1	34	71	0	3	2	3	1	0	1	0
SO DIVISION TOTAL	843	61	28	214	319	15	12	21	11	4	3	18	10
STATEWIDE TOTAL	1672	133	77	424	617	37	29	34	12	10	5	25	16

42 43 44 45 46 47 48 49 50 51 52 53 54

D. ACCUSATIONS (CONT'D)

ACCUSATIONS REGISTERED BY COUNT

	SOLICITING DRINKS		AFTER HOURS		B/P	MORAL TURPITUDE		DISRUPTIVE PREM		OTHERS		TOTAL	
	ABC	BT	ABC	BT		ABC	BT	ABC	BT	ABC	BT	ABC	BT
HEADQUARTERS	0	0	0	0	0	0	0	0	0	0	0	0	0
ADM HEARING OFFICE													
LEAD UNIT													
DECOY GRANT	0	0	0	0	0	0	0	0	0	0	0	0	0
TEU NORTH	0	0	0	0	1	0	0	0	0	0	0	1	0
GAP													
TRACE													
NO DIVISION SOU	0	0	0	0	0	0	0	0	0	0	0	0	0
GAP-NO DIVISION													
FRESNO	0	0	0	2	4	0	3	2	1	18	2	91	31
OAKLAND	0	0	1	0	0	0	1	1	1	18	2	71	86
REDDING	0	0	1	1	0	0	1	1	0	10	0	36	29
SACRAMENTO	0	0	0	0	5	1	5	4	1	44	4	111	89
SALINAS	1	0	0	0	0	1	0	0	0	0	1	11	27
SAN FRANCISCO	0	0	4	1	1	0	2	2	1	26	4	62	50
SAN JOSE	3	0	0	0	1	4	0	2	0	4	3	36	13
SANTA ROSA	0	0	0	0	3	1	3	1	1	8	0	50	27
EUREKA	0	0	1	0	0	0	0	0	0	0	0	9	7
STOCKTON	2	0	1	0	1	1	0	3	0	11	2	45	54
YUBA CITY	0	0	0	0	0	0	0	0	0	1	0	1	2
NO DIVISION TOTAL	6	0	8	4	15	8	15	16	5	140	18	523	415

SO DIVISION SOU	0	0	0	0	0	0	0	0	0	0	0	0	0
GAP-SO DIVISION													
BAKERSFIELD	2	1	0	0	1	1	0	9	1	12	1	43	12
MONROVIA	1	0	2	0	0	2	0	1	0	12	1	53	23
LA/METRO	1	2	4	3	1	2	5	0	7	25	12	65	112
LB/LAKEWOOD	2	2	0	0	0	2	1	3	0	10	0	56	43
PALM DESERT	0	0	1	0	1	0	2	0	0	3	0	6	11
RIVERSIDE	0	0	0	0	1	3	0	3	0	16	4	62	62
SAN DIEGO	0	0	0	0	1	1	0	1	1	10	3	31	9
SAN MARCOS	0	0	0	0	0	0	1	0	1	3	1	24	25
SANTA ANA	0	0	0	1	1	0	0	0	0	9	0	41	12
VENTURA	0	0	0	0	2	0	2	0	0	15	0	43	31
SAN LUIS OBISPO	0	0	0	0	0	0	0	2	1	3	1	40	19
VAN NUYS	3	6	0	0	1	2	1	7	1	17	6	68	92
SO DIVISION TOTAL	9	11	7	4	9	13	12	26	12	135	29	532	451

STATEWIDE TOTAL	15	11	15	8	25	21	27	42	17	275	47	1056	866
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55 56 57 58 59 60 61 62 63 64 65 66 67

E. MISCELLANEOUS

	TEMP/INTR'M RET PERMIT	SPEC DAILY TEMP BEER/WINE	DAILY ON-SALE GENERAL	CATERING AUTH
HEADQUARTERS				
ADM HEARING OFFICE				
LEAD UNIT				
DECOY GRANT				
TEU NORTH				
GAP				
TRACE				
NO DIVISION SOU				
GAP-NO DIVISION				
FRESNO	108	617	870	857
OAKLAND	205	920	1,174	523
REDDING	49	327	831	599
SACRAMENTO	170	1,215	2,295	1,233
SALINAS	73	600	735	502
SAN FRANCISCO	209	565	894	1,142
SAN JOSE	136	569	156	684
SANTA ROSA	123	1,753	1,755	532
EUREKA	29	287	349	248
STOCKTON	113	486	1,238	439
YUBA CITY	3	105	66	36
NO DIVISION TOTAL	1,218	7,444	10,363	6,795

SO DIVISION SOU				
GAP-SO DIVISION				
BAKERSFIELD	55	88	473	275
MONROVIA	104	469	354	1,076
LA/METRO	140	241	539	632
LB/LAKEWOOD	101	234	329	354
PALM DESERT	61	186	248	259
RIVERSIDE	139	418	385	752
SAN DIEGO	223	336	435	943
SAN MARCOS	60	384	184	177
SANTA ANA	201	441	563	864
VENTURA	74	385	624	610
SAN LUIS OBISPO	42	625	436	268
VAN NUYS	143	143	332	342
SO DIVISION TOTAL	1,343	3,950	4,902	6,552

STATEWIDE TOTAL	2,561	11,394	15,265	13,347
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DEPARTMENTAL WORKLOAD SUMMARY

ANNUAL REPORT

2011/12

	ACTUAL FIGURES 2009/10 12 MONTH	ACTUAL FIGURES 2010/11 12 MONTH	ACTUAL FIGURES 2011/12 12 MONTH
I. LICENSING			
License Applications Received:			
Permanent Licenses	10,034	10,420	10,890
Priority License Applications Received	683	943	627
Applications Protested	723	675	414
Applications Registered (Pro/Denial)	42	78	73
Applications Recommended for Denial	11	6	7
Applications Recommended for Approved	8,876	9,100	9,277
Permanent Licenses Issued	10,865	9,327	10,336
Number of License Hearings Held	37	54	73
Special Daily and Catering Authorizations	33,082	39,215	40,006
Active Permanent Licenses as of June 30, 2012	82,681	83,431	84,912
II. ENFORCEMENT			
Total Number of Investigations (ABC-61) Completed	5,223	5,180	5,349
Complaint Investigation Assignments	2,077	2,050	2,478
Administrative Assignments	1,776	1,597	1,571
Police Reports			
Assigned for Investigation (ABC-61)	1,370	1,533	1,300
Accusations Filed	1,754	2,025	1,672
Violation Counts Filed by Source			
ABC	937	1,097	1,056
ABC Backtrack	1,058	1,147	866
Disposition of Accusations			
Stipulation and Waiver	1,418	1,534	1,486
Number of Enforcement Hearings Held	219	151	234
Dismissed	44	50	32
Penalties Imposed Following Hearing	234	69	102

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CAL. BPC. CODE § 24200 : California Code - Section 24200

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The following are the grounds that constitute a basis for the suspension or revocation of licenses:

- (a) When the continuance of a license would be contrary to public welfare or morals. However, proceedings under this subdivision are not a limitation upon the department's authority to proceed under Section 22 of Article XX of the California Constitution.
- (b) Except as limited by Chapter 12 (commencing with Section 25000), the violation or the causing or permitting of a violation by a licensee of this division, any rules of the board adopted pursuant to Part 14 (commencing with Section 32001) of Division 2 of the Revenue and Taxation Code, any rules of the department adopted pursuant to the provisions of this division, or any other penal provisions of law of this state prohibiting or regulating the sale, exposing for sale, use, possession, giving away, adulteration, dilution, misbranding, or mislabeling of alcoholic beverages or intoxicating liquors.
- (c) The misrepresentation of a material fact by an applicant in obtaining a license.
- (d) The plea, verdict, or judgment of guilty, or the plea of nolo contendere to any public offense involving moral turpitude or under any federal law prohibiting or regulating the sale, exposing for sale, use, possession, or giving away of alcoholic beverages or intoxicating liquors or prohibiting the refilling or reuse of distilled spirits containers charged against the licensee.
- (e) Failure to take reasonable steps to correct objectionable conditions on the licensed premises, including the immediately adjacent area that is owned, leased, or rented by the licensee, that constitute a nuisance, within a reasonable time after receipt of notice to make those corrections from the department, under Section 373a of the Penal Code. For the purpose of this subdivision only, "property or premises" as used in Section 373a of the Penal Code includes the area immediately adjacent to the licensed premises that is owned, leased, or rented by the licensee.

(f) Failure to take reasonable steps to correct objectionable conditions that occur during business hours on any public sidewalk abutting a licensed premises and constitute a nuisance, within a reasonable time after receipt of notice to correct those conditions from the department. This subdivision shall apply to a licensee only upon written notice to the licensee from the department. The department shall issue this written notice upon its own determination, or upon a request from the local law enforcement agency in whose jurisdiction the premises are located, that is supported by substantial evidence that persistent objectionable conditions are occurring on the public sidewalk abutting the licensed premises. For purposes of this subdivision:

(1) "Any public sidewalk abutting a licensed premises" means the publicly owned, pedestrian-traveled way, not more than 20 feet from the premises, that is located between a licensed premises, including any immediately adjacent area that is owned, leased, or rented by the licensee, and a public street.

(2) "Objectionable conditions that constitute a nuisance" means disturbance of the peace, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, loitering, public urination, lewd conduct, drug trafficking, or excessive loud noise.

(3) "Reasonable steps" means all of the following:

(A) Calling the local law enforcement agency. Timely calls to the local law enforcement agency that are placed by the licensee, or his or her agents or employees, shall not be construed by the department as evidence of objectionable conditions that constitute a nuisance.

(B) Requesting those persons engaging in activities causing objectionable conditions to cease those activities, unless the licensee, or his or her agents or employees, feel that their personal safety would be threatened in making that request.

(C) Making good faith efforts to remove items that facilitate loitering, such as furniture, except those structures approved or permitted by the local jurisdiction. The licensee shall not be liable for the removal of those items that facilitate loitering.

(4) When determining what constitutes "reasonable steps," the department shall consider site configuration constraints related to the unique circumstances of the nature of the business.

(g) Subdivision (f) does not apply to a bona fide public eating place, as defined in Section 23038, 23038.1, or 23038.2, that is so operated by a retail on-sale licensee or on-sale beer and wine licensee; a hotel, motel, or similar lodging establishment, as defined in subdivision (b) of Section 25503.16; a winegrowers license; a licensed beer manufacturer, as defined in Section 23357; those same or contiguous premises for which a retail licensee concurrently holds an off-sale retail beer and wine license and a beer manufacturer's license; or those same or contiguous premises at which a retail on-sale licensee or on-sale beer and wine licensee

who is licensed as a bona fide public eating place as defined in Section 23038, 23038.1, or 23038.2, a hotel, motel, or similar lodging establishment as defined in subdivision (b) of Section 25503.16, a licensed beer manufacturer, as defined in Section 23357, or a winegrowers license, sells off-sale beer and wine under the licensee's on-sale license.

Up

Next »

Suspension and
Revocation of
Licenses [24200.
- 24211.]

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CAL. BPC. CODE § 25602 : California Code - Section 25602

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(a) Every person who sells, furnishes, gives, or causes to be sold, furnished, or given away, any alcoholic beverage to any habitual or common drunkard or to any obviously intoxicated person is guilty of a misdemeanor.

(b) No person who sells, furnishes, gives, or causes to be sold, furnished, or given away, any alcoholic beverage pursuant to subdivision (a) of this section shall be civilly liable to any injured person or the estate of such person for injuries inflicted on that person as a result of intoxication by the consumer of such alcoholic beverage.

(c) The Legislature hereby declares that this section shall be interpreted so that the holdings in cases such as *Vesely v. Sager* (5 Cal. 3d 153), *Bernhard v. Harrah's Club* (16 Cal. 3d 313) and *Coulter v. Superior Court* (____ Cal. 3d ____) be abrogated in favor of prior judicial interpretation finding the consumption of alcoholic beverages rather than the serving of alcoholic beverages as the proximate cause of injuries inflicted upon another by an intoxicated person.

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In General [25600.
- 25621.]

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agenda number Th17b
permit number 6-12-061
Margaret Matthews
Opposed to project

July 5, 2013

Dear Sir/Madam:

I have been a resident/home owner of Pacific Beach for more than 15 years. I am vehemently opposed to the expansion of PB Shorebird. There are already too many drunks spilling into our streets on virtually a nightly basis. If this was a nice restaurant with a focus on cuisine and ambiance, I wouldn't be objecting. But PB Shorebird is a place to party and that's why people go there. Trust me, I've been there and it's not for the food.

We've already got plenty of noise, crime, public urination and traffic in Pacific Beach – expanding PB Shorebird will only exacerbate the downsides of PB living.

I strongly object.

Thanks,



Margaret Matthews
1219 Diamond St.
SD, CA 92109

RECEIVED
JUL 08 2013

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

132

RECEIVED
JUL 08 2013

AGENDA # TH17b
permit # 6-12-061
Carol Dean - OPPOSED TO PROJECT

July 3, 2013

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

Dear Coastal Commission Members:

The following outlines my concerns re. the expansion of the deck PB Shore Club by almost 1900 square feet.

1. This "restaurant" operates like a bar until 2am. Expanding the deck will allow them to serve an additional 126 patrons ... from 186 to 312. They encourage excessive drinking with their "goldfish racing", nightly drink specials and large noisy crowds. The police are already routinely called (8 calls in one day prior to 8pm) and nightly their patrons spill onto the street to get DUI's and drunk in public arrests.
2. This expansion will reduce already woefully lacking parking spaces while increasing the number of cars which will then find parking spaces in residential neighborhoods.
3. More traffic will be created in already jammed streets. This decreases access to the beaches even further for visitors.
4. This club is a serious noise abuser..Shouting, screaming, etc. degrades the community character and beach environment.
5. This expansion will lead to increased crime and degradation of community character and quality of life. This area of PB business district has more violent crime, public urination, DUI and general crime than any other area of the city. High crime deters visitors and thus reduces public access to this coastal area.

In summary ... I am totally opposed to further expansion of this bar/restaurant.. and ask the members of the Commission to deny this request.

Thanks for your attention,


carol dean

3955 Honeycutt St. 103
San Diego, CA 92109
(Pacific Beach)

133

Agenda # Th17b
Permit # 6-12-061
Terrie Vorono
Paton McClung
OPPOSED to Project

July 5, 2013

California Coastal Commission
San Diego Coast District
7575 Metropolitan Drive, Suite 103
San Diego CA 92108-4421

RECEIVED
JUL 08 2013

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

Dear California Coastal Commission,

We are OPPOSED to granting an expansion permit to the PB Shore Club for a multitude of reasons.

The Pacific Beach community is depressingly over run by bars and the associated crime, vandalism, disorderly conduct, drunk drivers, public urination, and illegal parking. I live across the street from Duck Dive that is owned by the same franchise and experienced all of the above just yesterday on the 4th of July in a one block area. Unfortunately, these issues are the rule, not an aberration brought by the holiday. I have written to the city about these issues and called the police on many occasions after witnessing illegal, unsafe activity.

The most glaring issue involving the expansion of PB Shore Club is parking to accommodate an additional 126 patrons. Any parking in the area is for retail businesses, other bars and restaurants, families from all over San Diego that would like to visit the beach, as well as beach going tourists, and residents of condos and single family homes.

I hope that the CCC will seriously consider this. Local businesses have many excuses to avoid responsibility regarding parking.

Two restaurants went in recently on my block that were designated "retail" space and a youth hostel with plans to sleep 48 avoids parking considerations by saying it's on public transportation lines. An estimated 128 additional people are looking for parking on Emerald, just a few blocks away, from PB Shore Club. Throw an additional 126 in at the PB Shore Club, and someone needs to take some responsibility. That would be the CCC. All of these businesses bring bodies to the community. Patrons are NOT all walking or using public transportation.

People need places to park in PB so they park illegally every day blocking driveways and public right of ways with impunity. Police have better things to do than follow up on parking complaints by local residents. The city could make a fortune ticketing parking infractions on my street alone.

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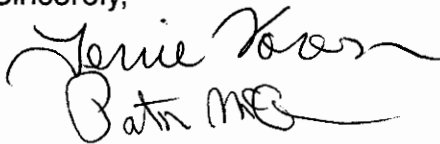
Drunk people need toilets to relieve themselves and for some reason, even with bars and restaurants nearby, they step outside to urinate between cars, on sides of buildings, and on fences and landscaping. Drunk people are loud, obnoxious, and frequently aggressive. The streets of PB are littered with cigarette butts and other trash outside of bars and restaurants. I encourage any of you to visit my house between 1:00 am and 2:00 am to witness what the streets are like as bars close.

The PB Shore Club, like Duck Dive, is a noise nuisance. I have passed it on the street and had to pause conversation while passing during the day! At night music is frequently blasting. Neighbors have phoned in noise complaints. People who live within several blocks can hear the music in their homes with closed windows. The bars are responsive to complaints when the police arrive, but the officers have better things to do with the associated high crime that too many bars bring.

I strongly urge the California Coastal Commission to accept some responsibility to preserve some quality of life in coastal communities by standing up to businesses that negatively impact our environment and the people who live, work, and enjoy the community for recreation.

Please do not allow permit #6-12-061 to go forward.

Sincerely,

Handwritten signatures of Terrie Vorono and Paton McClung. The signature for Terrie Vorono is written above the signature for Paton McClung.

Terrie Vorono
Paton McClung
737 Emerald Street
San Diego CA 92109

135

July 3, 2013

Agenda # Th17b
Permit 6-12-061
Marilyn Link
Opposed to Project

Dear Coastal Commission:

I urge you to deny the permit for the expanded patio area for the PB Shore Club in Pacific Beach. They have been a noise problem for the surrounding areas since they have been there, and if they serve more patrons than they do now it will mean more drunken people getting in there cars and driving, and going through the neighborhoods talking loudly and urinating in public. They are an embarrassment to the neighborhood. Enough already please.

Thank you for your attention.

Sincerely,
Marilyn Link
833 Emerald St.
San Diego, Ca 92109

Marilyn Link

RECEIVED
JUL 08 2013

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COASTAL COMMISSION

136

Agenda number: T-116/107
Permit number: 6-12-061
Aurelia Koby
Opposed to project

July 5, 2013

California Coastal Commission
San Diego Coast District
7575 Metropolitan Drive, Suite 103
San Diego, CA 92108-4421

RECEIVED
JUL 08 2013

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

I am a homeowner at See the Sea, a condominium complex of 76 units, located a block north of the PB Shore Club.

I am **STRONGLY OPPOSED** to an expansion of the PB Shore Club. This establishment may be serving food, but it is primarily a bar that has been a root cause of many added problems in the Pacific Beach area. A permit to add a 1,895 square foot deck would only increase these problems.

PARKING is already a huge problem in Pacific Beach, especially in the coastal area around where the Shore Club is located. Adding a deck to serve an additional 126 patrons will nearly double their occupancy to 312!! The Shore Club currently has only 29 parking spaces (to be reduced to 26 if the expansion were approved). This is hardly enough for 312 people. Therefore, approving this expansion will further increase the parking problem in the entire area, which is prohibited by to the Pacific Beach Community Plan.

TRAFFIC is another problem in the Pacific Beach coastal area. Adding 126 more patrons to the PB Shore Club can only increase traffic and congestion, with cars endlessly circling the neighboring streets to find a parking spot.

NOISE and NUISANCE – The Shore Club is a major source of noise and nuisance to the Pacific Beach community. Local residents, hotel guests, beachgoers and nearby retail stores are consistently inundated with bar noise from the loud crowds consuming mainly alcohol late into the night. Then, when the Shore Club closes at 2:00am, hundreds of drunk and rowdy patrons are flooding our neighborhoods. On their way home or to their cars, these drunken patrons are horribly noisy; public urination, rowdiness and fights all too common.

CRIME - expansion of bar-like restaurants is the greatest cause of increased crime in Pacific Beach. **The area in which the Shore Club is located has more violent crime, public urination, DUI's, and general crime than any other area of the city of San Diego!!** High crime ultimately deters visitors, especially families with children, and reduces public access to this beautiful coastal area.

Thank you for your consideration. Your vote against the PB Shore Club expansion will help improve the Pacific Beach community for years to come.

Aurelia Koby

137

James Temenak
Opposed to project

Th17b

July 5, 2013

California Coastal Commission
San Diego Coast District
7575 Metropolitan Drive, Suite 103
San Diego, CA 92108-4421

RECEIVED

JUL 08 2013

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

I own a condo about a block from the PB Shore Club at a complex that houses 76 units, called See the Sea.

I oppose approval to add a deck to the PB Shore Club. I oppose an expansion of this bar/restaurant because it contributes significantly to making life at my condo unpleasant.

1. **Noise and nuisance caused by patrons of the Pacific Beach bars, especially the Shore Club, is already a major issue for the Pacific Beach community.** We are all suffering from terrible bar noise coming from the Shore Club. This includes guests at nearby hotels, residents living in the area, beachgoers and retail businesses alike. The problems get even worse when the Shore Club closes at 2:00 in the morning when the drunk and often rowdy patrons stream into our neighborhoods. You can't imagine the noise they often create, waking everyone up with loud yelling, laughing, fighting, urinating in public places, and generally disturbing the peace.
2. **Traffic & Parking around the Shore Club location is already a huge issue, including for local residents, retail stores and tourists.** Adding a deck to serve an additional 126 patrons may increase the Shore Club's revenues, but makes absolutely no sense for the Pacific Beach community. Why allow nearly doubling this establishment's occupancy from 186 to 312? The Shore Club has only 29 parking spots for their current 186 occupancy – they would have only 26 spots for a 312 occupancy rate! Approving this expansion will further reduce available parking which is against to the Pacific Beach Community Plan.

Traffic and congestion will also be impacted by an expansion of the Shore Club. More cars will be circling through our neighborhoods looking for a parking spot.

3. **Crime:** we don't need to expand another alcohol-serving establishments in Pacific Beach. **The area in which the Shore Club is located already has more violent crime, public urination, DUI's, and general crime than any other area of the city of San Diego!!**

Please help us maintain some kind of sanity in Pacific Beach by voting against the PB Shore Club expansion. **THANK YOU!**

James Temenak

133

Agenda number Th17b, permit
number 6-12-061
Anita Guenin, opposed to project

California Coastal Commissions
San Diego Coast District
7575 Metropolitan Drive, Suite 103
San Diego, CA92108-4421

Dear Sir or Madam,

As a resident of Pacific Beach, I am writing to request that you do not allow the expansion of the Shore Club deck.

Among the many issues that impact the local residents are that while the new deck would serve 126 more patrons, the parking for the Club would actually be reduced from the current 29 spaces to 26 spaces. Non-existent parking at the club would drive patrons to park in already tight residential neighborhoods as there is no viable alternative.

For years Shore Club has charged for parking with an un-permitted automated payment machine. It would seem an approval of expansion would reward them for their years of irresponsible parking practices and under this approval, severely reduced parking. Not least of all, the PB Community Plan prohibits reduced parking requirements in the Beach Impact Area, in which Shore Club is located. There must be some value to what permanent citizens have decided they need for their community.

The Shore Club has proved to be indifferent to the impact of noise on the community as they have allowed it to continue since they opened in 2007. Every night when they close their doors at 2:00 a.m. hundreds of inebriated patrons are released into neighborhoods to find their cars or cabs.

According to statistics, the Pacific Beach business district has more violent crime, public urination, DUI and general crime than any other area of the city. More alcohol licenses have been issued than the city is supposed to allow per capita which has led to further degradation of the community. While we can't easily unring that bell, we can ask for a limit as to how much disorder a community has to absorb to serve one proprietor's desire to make a bigger profit.

While in CT recently, I read an article about the expansion of Indian gaming casinos that seems apropos: for every \$3.00 earned in gambling, \$2.00 of it needs to be spent to ameliorate the effects of addiction and social unraveling that go with it. Something to think about in regard to increased availability of alcohol in our community and the impact on young people encouraged to over imbibe in this bar environment that makes a game of excessive drinking.

Sincerely,

Anita Guenin
Anita Guenin
5013 San Joaquin Drive
San Diego, CA 92109

RECEIVED

JUL 08 2013

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

159

Agenda Number: Th17b
Permit Number: 6-12-061
Margot W Bradford
"Opposed to project"

July 5, 2013

California Coastal Commission
San Diego Coast District
7575 Metropolitan Drive, Suite 103
San Diego, CA 92108-4421

Please do not approve the expansion request of the PB Shore Club.

I have lived in Pacific Beach for more than 50 years. I love it here but I am greatly saddened by our reputation as a "party town." We have way more than our share of bars. The Shore Club's requested new deck will serve 126 more patrons but they are reducing their current 29 parking spaces to only 26 spaces. Parking is already a big problem in this area. Because the adjoining business operations overlap many of their hours, shared parking criteria should not apply in this situation.

The Shore Club is in an area that has more violent crime, public urination, DUIs, and general crime than any other area of the city. The requested new deck will only aggravate these problems.

Thank you for consideration.

Margot Bradford

Margot W Bradford
4813 Bella Pacific Row #206
San Diego CA 92109

RECEIVED
JUL 08 2013

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

140

Agenda Th 176
6-12-061
opposed to project
(Marcella Teran
and other parties)

July 4th, 2013

Dear Coastal Commission,

We are asking you to NOT APPROVE the expansion of the PB Shore Club, in Pacific Beach, 92109.

These are the reasons;

This bar is one of the loudest bars in our community already. Their loud bar which is suppose to be a "restaurant," and it's loud Patrons are already intimidating to all who walk by this establishment. This occurs not only at night, but during the day when they are having football or other sports to view, along with their cheap drink specials.

- 1) Increasing their total floor by 42% and increasing its occupancy From 186 to 312 will bring more problems to the surrounding areas.
- 2) The surrounding neighborhoods are already experiencing loud vulgar behavior from the type of Patrons it attracts.
- 3) It hosts drinking games such as beer pong, Goldfish racing, and inappropriate events such as the "Daisy Dukes Contest." More of this would negatively impact the community.
- 4) Their present limited parking of 29 spaces for 182 capacity, going down to 26 for 312 people, will cause most of these people to spill into our neighborhoods. This is not a responsible business who cares about the community of Pacific Beach.

Once again, We urge you NOT TO APPROVE this expansion!

James M. Larson
James M. Larson
1076 Oliver, SD, CA
92109

Marcella Teran
Marcella Teran
1076 Oliver Ave
San Diego, Ca. 92109

RECEIVED

JUL 08 2013

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

141

Agenda # Th 176
TT 176
Permit # 612-061
OPPOSED to project
Marcella Tesan
& other parties

July 4th, 2013

Dear Coastal Commission,

We are asking you to **NOT APPROVE** the expansion of the PB Shore Club, in Pacific Beach, 92109.

These are the reasons;

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Once again, We urge you **NOT TO APPROVE** this expansion!

Emily Goerss
1035 Oliver Ave.
San Diego, CA 92109

Harold Goerss
1035 Oliver Ave
San Diego, CA 92109

Patrick Lewis
4025 Bayard St
San Diego, CA 92109

Ryan Michaels
4225 Bayard St
San Diego, CA 92109
Ry M

142

July 4th, 2013

Dear Coastal Commission,

We are asking you to NOT APPROVE the expansion of the PB Shore Club, in Pacific Beach, 92109.

These are the reasons;

This bar is one of the loudest bars in our community already. Their loud bar which is suppose to be a "restaurant," and it's loud Patrons are already intimidating to all who walk by this establishment . This occurs not only at night, but during the day when they are having football or other sports to view, along with their cheap drink specials.

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Once again, We urge you NOT TO APPROVE this expansion!

Samuel J. Loneragan - Carmela AJ Loneragan
952 Pacific Beach Dr.
San Diego, CA 92109

Joseph E. Loneragan
952 Pacific Beach Dr
San Diego, CA 92109

Agenda #Th176
Permit# 6-12-061
(Opposed to project)
Marcella Teran
And other parties

July 4th, 2013

Dear Coastal Commission,

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Once again, We urge you NOT TO APPROVE this expansion!

Cathie Umemoto
3622 Promontory St
San Diego CA 92109

MARC UMEMOTO
3622 PROMONTORY ST.
SAN DIEGO, CA 92109

144

TH176
Agenda #TH176
permit #612-061
opposed to project
Marcella Teron
? other parties

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370



Th17b

Filed: 5/20/13
180th Day: 11/16/13
Staff: A. Llerandi-SD
Staff Report: 6/17/13
Hearing Date: 7/10-11/13

STAFF REPORT: REGULAR CALENDAR

Application No.: 6-12-061

Applicant: Grand & Strand, LLC

Agent: Architect Mark D. Lyon, Inc.

Location: 4315 Ocean Boulevard, Pacific Beach, San Diego,
San Diego County (APN No. 423-111-1600)

Project Description: Construct a 1,895 square foot second-floor outdoor dining patio with glass siding and removal of an unpermitted automated payment machine and signage at an existing mixed-use building.

Staff Recommendation: Approval with Conditions

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending approval of this project, with conditions. The proposed project is to construct a 1,895 square foot second-floor outdoor dining patio with glass siding and removal of an unpermitted automated payment machine and signage from the adjacent parking lot. The project site is the PB Shore Club bar and restaurant, an existing restaurant in a two-story mixed-use building (with first floor visitor commercial retail), located at the corner of Ocean Boulevard and Grand Avenue, adjacent to the Pacific Beach boardwalk and beach.

The proposed project raises issues of intensity of use and parking, visual impacts, biological resource impacts, and community character. Intensity of use and parking issues arise due to potential for increased dining space to affect traffic and parking in the

surrounding area. Visual resource issues arise due to project site's proximity to the beach and the fact that the proposed dining patio will obstruct some ocean views from a public alleyway. Biological resource issues arise due to the risk of bird-strike from the placement of glass paneling in a previously unobstructed visual area. Community character issues arise from the expansion of late-night dining in a popular and developed tourist area.

Recommended conditions include requiring the applicant to adhere to final construction plans so as limit impacts to views and birds, and timely adherence to permit conditions so as to remove the unpermitted development and mitigate impacts to public access.

Commission staff recommends **approval of** coastal development permit amendment 6-12-061, as conditioned.

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EXHIBITS

- Exhibit 1 – Location Map
- Exhibit 2 – Aerial View
- Exhibit 3 – Site Plan
- Exhibit 4 – Site Photo

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** Coastal Development Permit No. 6-12-061 pursuant to staff recommendation.*

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

Resolution:

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. 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

This permit is granted subject to the following 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 applicant or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director of 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 applicant to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

The permit is subject to the following conditions:

1. **Final Plans.** PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval final project and BMP plans. Said plans shall be in substantial conformance with the plans drafted by Architect Mark D. Lyon, Inc. and submitted by Justine Nielson on May 17, 2013.

The permittee shall undertake the development in accordance with the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the plans shall occur without a Coastal Commission-approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

2. **Condition Compliance.** WITHIN 60 DAYS OF COMMISSION ACTION ON THIS COASTAL DEVELOPMENT PERMIT, or within such additional time as the Executive Director may grant for good cause, the applicant shall satisfy all requirements specified in the conditions of the subject permit that the applicant is required to satisfy prior to issuance of this permit.
3. **Automated Payment Machine Condition Compliance.** WITHIN 30 DAYS OF COMMISSION ACTION ON THIS COASTAL DEVELOPMENT PERMIT, the applicant shall submit evidence that all unpermitted existing pay machine(s) and related signage have been removed. Failure to comply with this requirement may result in the institution of enforcement action under the provisions of Chapter 9 of the Coastal Act.

IV. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION/HISTORY.

The proposed project is to construct a 1,895 square foot second-floor outdoor dining patio with glass siding and removal of an unpermitted automated payment machine and signage from the on-site parking lot. The project site is the PB Shore Club bar and restaurant, an existing 4,456 square foot restaurant in a two-story, 23' 1" high mixed-use building, with the restaurant situated on the second floor and a 3,283 square foot visitor retail business on the first floor. Adjacent to the mixed-use building on the same lot is a small, one story, 391 square foot visitor commercial beach equipment rental business. The proposed second-floor dining patio would be located outside of and connected to the restaurant on the south while being supported by ground-floor columns. The subject lot is located at the southeast corner of Ocean Boulevard and Grand Avenue, adjacent to the Pacific Beach boardwalk and beach.

The PB Shore Club is located in Pacific Beach, a popular beach community within the City of San Diego, just a few blocks west of Mission Boulevard, the main north-south coastal access route through this area. Adjacent to the PB Shore Club is the Pacific Beach boardwalk and the sandy beach. These areas are popular destinations with both locals and tourists, and during the summer tourist season the volume of usage of the area is very high, with bikers and pedestrians passing through the area in addition to drivers parking nearby or unloading passengers. The San Diego Lifeguard Services have a regional station building located across the boardwalk from PB Shore Club from which they organize their patrols, monitor the beach, and provide medical services.

The project site is located in an area of original jurisdiction of the Coastal Commission, as such, the standard of review for the proposed development is Chapter 3 of the Coastal Act, with the City of San Diego's certified LCP used as guidance.

B. PUBLIC ACCESS/PARKING.

The following Coastal Act policies are most pertinent to this issue, and state in part:

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 30211 of the Coastal Act states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including,

but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30212 of the Coastal Act states, in part:

- (a) *Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or, (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.*

[...]

- (c) *Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.*

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 30604 of the Coastal Act states, in part:

[...]

- (c) *Every coastal development permit issued for any development between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone shall include a specific finding that the development is in conformity with the public access and public recreation policies of Chapter 3 (commencing with Section 30200).*

The PB Shore Club is located at the corner of Grand Avenue and Ocean Boulevard, where Grand Avenue ends at the Pacific Beach boardwalk and life guard station. The area is used heavily by the public, both local and tourist, for beach access and viewing. High volumes of pedestrians, bikers, skate boarders, and vehicles come to the area to

either pass through, visit the beach, or to drop off/pick up passengers. Public space and public parking are at a premium, with demand usually outstripping supply.

Additionally, the Pacific Beach area in general has long experienced issues related to providing sufficient parking to both public and private uses. Many businesses in the Pacific Beach area are previously conforming regarding parking ratios, and some rent spaces from nearby businesses that have excess parking, though the opportunities for that are rare. The surrounding residential streets experience high levels of visitor parking as people either cannot find parking by the beach or wish to avoid paid parking, and thus park in front of the homes and walk to the beach area.

The Pacific Beach Community Plan, the certified LUP for the area, general identifies the area within three blocks of the water, which includes the project site, as being within the “Beach Impact Area” (BIA) of the City of San Diego’s certified LCP. The City’s LCP in turn defines the BIA as being part of the Parking Impact Overlay Zone, which is designed to provide supplemental parking regulations for specified coastal, beach, and campus areas that have parking impacts. The project site is also located within the certified LCP’s Transit Overlay Zone, the purpose of which is to provide supplemental parking regulations for areas receiving high levels of transit service.

The Pacific Beach Community Plan has several provisions allowing alternative parking ratios for development located within transit oriented areas. The Community Plan states that for development in the coastal zone, development shall provide parking in accordance with Appendix I of this plan, unless developed as a transit-oriented development through a discretionary process. The Community Plan goes on to delineate some of the standards that signify a transit-oriented development, including, but not limited to: minimizing building setbacks, bringing buildings close to sidewalks; located parking to the rear of lots, off of the alleys; articulate building facades to provide variety and interest through arcades, porches, bays, and particularly balconies, which minimize a walled effect and promote activity on the street; promote activity on balconies through such means as outdoor seating for restaurants, orient primary commercial building entrances to the pedestrian-oriented street, as opposed to parking lots, provide bicycle racks, etc. The existing and proposed development contains a majority of these features and thus promotes a pedestrian and transit-oriented character.

Currently, the project site has 29 off-street parking spaces located in an on-site parking lot for use by the patrons of the mixed use building and neighboring commercial beach rental business located in the adjacent parking lot. These 29 parking spaces currently meet and exceed the certified LCP’s parking requirements and thus are not non-conforming. Due to the placement of support structures for the second floor outdoor patio and bringing the parking lot up to compliance with the Americans with Disabilities Act, the total number of parking spaces will drop from 29 to 26 upon completion of the project. These spaces serve the mixed-use building containing the PB Shore Club and first-floor retail as well as a separate beach equipment rental store also located on the lot.

Currently the mixed-use building has 4,456 square feet of restaurant use (the PB Shore Club) and 3,283 square feet of retail. The separate beach equipment rental store is 391

square feet. The City's Land Development Code, the certified IP for its LCP, lists the parking ratios required of non-residential uses in Section 142.0530. Table 142-05D of that section establishes the required ratios for retail sales, commercial service, and mixed-use developments in a single structure that include an allowed use from at least two of the following categories: retail sales, commercial services, and offices. The project site is zoned as CV-1-2 (Commercial Visitor), which, in the Transit Overlay Zone, has a required parking ratio of 2.1 parking spaces for every 1,000 square feet of floor area in a mixed-used building. Applying the regulatory ratio to the existing square footage, the existing development is required to provide 17 parking spaces, while the proposed square footage of the outdoor dining patio will require an additional 4 parking spaces, for a total of 21 parking spaces. This number is below the 26 spaces the applicant will offer once the proposed development is completed. Thus, adequate on-site parking will be provided for the proposed development.

In addition to meeting applicable parking ratios, the applicant is proposing removal of an unpermitted automated payment machine and related signage from the on-site parking lot. The automated payment machine and signage advertised public beach parking for an hourly rate, regardless of whether the person was patronizing the commercial establishments. In addition to being unpermitted, the applicant was told that such usage of the on-site parking lot was counter to the intent and requirements of applicable parking ratios. Parking ratios are provided for in land use regulations because various types of development can be anticipated to need various amounts of parking spaces in order to service employees, patrons, and deliveries. Municipalities encourage sufficient off-street parking so as to mitigate traffic and parking impacts to surrounding businesses and residences. When a development sells its parking for purposes other than those related to the permitted business, there is no longer an assurance that the parking needs of the business will be met by the supply of on-site parking. This in turn can lead patrons, employees, and deliveries to then park in public spaces, adding to traffic congestion and displacing members of the public who wish to access the coast and park in free public parking. By removing the unpermitted payment machine and signage, as proposed with this application, these adverse impacts to public access are avoided.

To ensure that the applicant conducts development in a manner consistent with these findings, **Special Condition No. 1** requires the applicant to adhere to final plans that are in substantial conformance with the plans approved by the Commission as part of this application submittal.

In summary, the Commission finds the proposed outdoor dining patio and removal of the unpermitted automated payment machine will not result in adverse impacts to coastal access. Parking will remain adequate for approved uses. Therefore, the Commission finds that all access and resource concerns associated solely with development approved herein are adequately addressed, and that the proposed development, as conditioned, is consistent with the cited policies of the Coastal Act.

C. VISUAL RESOURCES/COMMUNITY CHARACTER

Section 30251 of the Act addresses scenic and visual qualities, and states, in part:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect public views to and along the ocean and scenic coastal areas and, where feasible, to restore and enhance visual quality in visually degraded areas...

The PB Shore Club is a second-floor restaurant located in a two-story mixed-use building at the southeast corner of Grand Avenue and Ocean Boulevard. Adjacent to and west of the building is the Pacific Beach boardwalk and the beach beyond. The restaurant itself faces to the west and north, giving patrons inside close and direct views to and along the boardwalk and beach. The purpose of the proposed project is to create a second-floor outdoor dining patio to further expand ocean view dining capacity.

The outdoor patio is proposed to be built in the open space to the south of the mixed use building between the PB Shore Club and the neighboring two-story building (currently a Joe's Crab Shack restaurant), supported by columns over existing ground floor parking spaces. Currently, this area is part of the open air, at-grade parking lot for patrons of the mixed-use building, and provides a 36 foot, seven inch wide view corridor to the beach from the public alleyway to the east of the property. This alleyway is used by the public to walk, bike, or drive through the area while looking for parking or to access some of the restaurants and hotels in the area.

In order to gain local approval for the proposed dining patio, the applicant had to obtain an Alcohol Beverage Control (ABC) license, Condition No. 8 of which prohibits any internal sound system used by the restaurant from being audible 50 feet outside the premises in all directions. As such, the applicant originally proposed installing glass paneling only in the front of the dining patio, to give patrons ocean views, while installing a solid wall in the rear of the patio so as to help meet the ABC license's noise condition. Because of the impacts to public views of the ocean, Commission staff held discussions with the applicant to consider alternative designs. Thus, the applicant is now proposing installation of 6-foot high glass panels on a 2-foot high wooden base along the rear of the dining patio, in addition to the glass paneling being installed in the front of the patio. This will mitigate impacts to public visual views by preserving more of the "open sky" view presently available across the premises and lessen the walling off effect on the boardwalk area. Furthermore, the applicant also revised the structural design of the ground floor support columns to utilize stronger, denser (and thus thinner) material so as to allow more see-through across the ground floor parking lot.

In relation to the surrounding community character, this stretch of the Pacific Beach boardwalk, as is almost the entirety of the boardwalk, is fully developed with visitor serving retail, commercial, and lodging of comparative size and scope. In addition to neighboring bars and restaurants, the boardwalk is home to multiple beach cottage rentals, motels, beach equipment rental facilities, retail establishments. The expanded size and make-up of the PB Shore Club after construction of the outdoor dining patio will be similar to other nearby establishments that offer outdoor dining with ocean views.

Special Condition No. 1 ensures the implementation of these mitigating measures by requiring the applicant to submit final plans in substantial conformance with those approved by the Commission in the submitted application. In summary, the Commission finds that the construction of the second-floor outdoor dining patio as proposed will not result in substantial adverse impacts to public views across the site. The use of alternative materials such as glass paneling and denser, thinner support beams will maximize the amount of light and views through the site that can occur. Therefore, the Commission finds the proposed development, as conditioned, consisted with Chapter 3 of the Coastal Act.

D. BIOLOGICAL RESOURCES

Section 30240 of the Coastal Act states:

[...]

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

The PB Shore Club is a second-floor restaurant located in a two-story mixed-use building at the southeast corner of Grand Avenue and Ocean Boulevard. Adjacent to and west of the building is the Pacific Beach boardwalk and the beach beyond. The restaurant itself faces to the west and north, giving patrons close and direct views to and along the boardwalk and beach. The purpose of the proposed project is to create a second-floor outdoor dining patio to further expand ocean view dining capacity.

While the beach by the PB Shore Club is not designated as sensitive habitat for any particular bird species, the area does contain a significant number of birds of various types due to the presence of ocean, sand, and food – man-made or otherwise – in such close proximity. The proposed glass walls and railings at this oceanfront location raise concerns related to the risk of bird strikes to the walls and railings. Glass walls are known to have adverse impacts upon a variety of bird species; birds can strike glass walls, causing their death or stunning them, exposing them to further hazards. Birds strike the glass because they either do not see the glass or there is some type of reflection on the glass that attracts the birds (such as the reflections of trees, bushes, or water). Some type of treatment that reduces the potential for bird strikes is typically required when glass walls are allowed on oceanfront locations.

After discussion with Commission staff, the applicant is now proposing the installation of UV glass along the front and rear of the outdoor dining patio. Because birds are able to see light in the ultraviolet wavelength while humans cannot, the UV glass being proposed has a patterned, UV reflective coating which is visible to birds while invisible to the human eye. This is a superior alternative to other bird strike measures, such as stickers, because it has come to the Commission's attention that stickers have a tendency to fall

off from glass walls over time due to exposure to the elements. Furthermore, the use of stickers is difficult for Commission staff to enforce on a consistent basis.

To ensure that the applicant constructs the proposed development in conformance with approved methods, **Special Condition No. 1** requires the applicant to submit and adhere to revised final construction and site plans that are in substantial conformance with Commission-approved plans. Thus, as proposed and conditioned, impacts to water quality are avoided or mitigated and the proposed project can be found in conformance with the policies of Chapter 3 of the Coastal Act.

E. UNPERMITTED DEVELOPMENT

Development has occurred on the subject site without required coastal development permits, including, but not limited to, installation of an automated payment machine and related signage in the on-site parking lot. After discussion with Commission staff, the applicant is now proposing with this application to remove the unpermitted development. To ensure that the matter of unpermitted development is resolved in a timely manner, **Special Condition No. 2** requires that the applicant satisfy all conditions of its permit that are prerequisite to the issuance of this permit within 60 days of Commission action, or within such additional time as the Executive Director may grant for good cause. **Special Condition No. 3** requires that the applicant remove all unpermitted pay machines and related signage within 30 days of Commission action so as to ameliorate the unpermitted parking situation in a timely manner.

Although development occurred prior to the submission of the permit application, consideration of this application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act. Commission review and action on these permit applications does not constitute a waiver of any legal action with regard to the alleged violations nor does it constitute an admission as to the legality of any development undertaken on the subject sites without a coastal permit.

F. LOCAL COASTAL PLANNING

Section 30604(a) requires that a coastal development permit shall be issued only if the Commission finds that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program (LCP) in conformity with the provisions of Chapter 3 of the Coastal Act. In this case, such a finding can be made.

The City of San Diego has a certified LCP and issues permits for development in its area of jurisdiction. However, the subject site is located in an area of original jurisdiction, where the Commission retains permanent permit authority and Chapter 3 of the Coastal Act remains the legal standard of review. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act as well as with the certified LCP which the Commission uses as guidance in this area. Approval of the project, as conditioned, will not prejudice the ability of the City of San Diego to continue to implement its certified LCP for the Pacific Beach community.

G. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The City of San Diego is the lead agency for purposes of CEQA review for this project, and the Coastal Commission is a responsible agency. Section 13096 of the Commission's Code of Regulations requires Commission approval of coastal development permits to be supported by a finding showing the permit, as conditioned, 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 has been conditioned in order to be found consistent with the Chapter 3 policies of the Coastal Act. Mitigation measures, including conditions addressing public access and visual quality, will minimize all adverse environmental impacts. As conditioned, there are no feasible alternatives or 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 is the least environmentally-damaging feasible alternative and is consistent with the requirements of the Coastal Act to conform to CEQA.

G:\San Diego\Reports\2013\6-12-061 Grand & Strand outdoor patio Staff Report.doc)



SEE 1248 MAP

EXHIBIT NO. 1
APPLICATION NO.
6-12-061
Location Map

California Coastal Commission



Google earth

feet
meters



EXHIBIT NO. 2
APPLICATION NO.
6-12-061
Aerial View



EXHIBIT NO. 3
APPLICATION NO.
6-12-061
Current Site Photo

EXHIBIT NO. 4

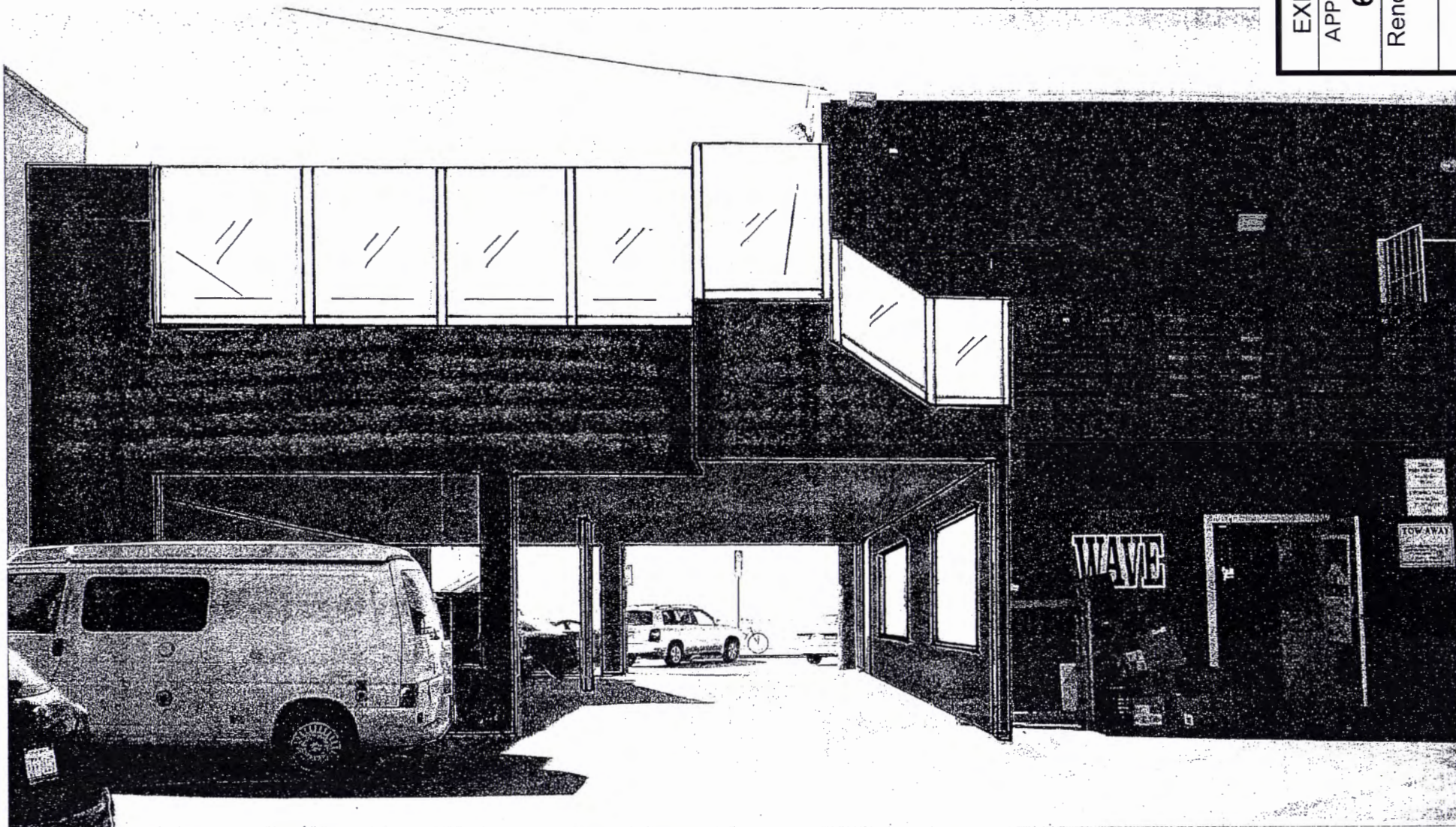
APPLICATION NO.

6-12-061

Rendering of Front
Patio



California Coastal Commission



PROPOSED ALLEY VIEW (REAR) REVISED 5/16/2013

N.T.S.

PACIFIC BEACH SHORE CLUB

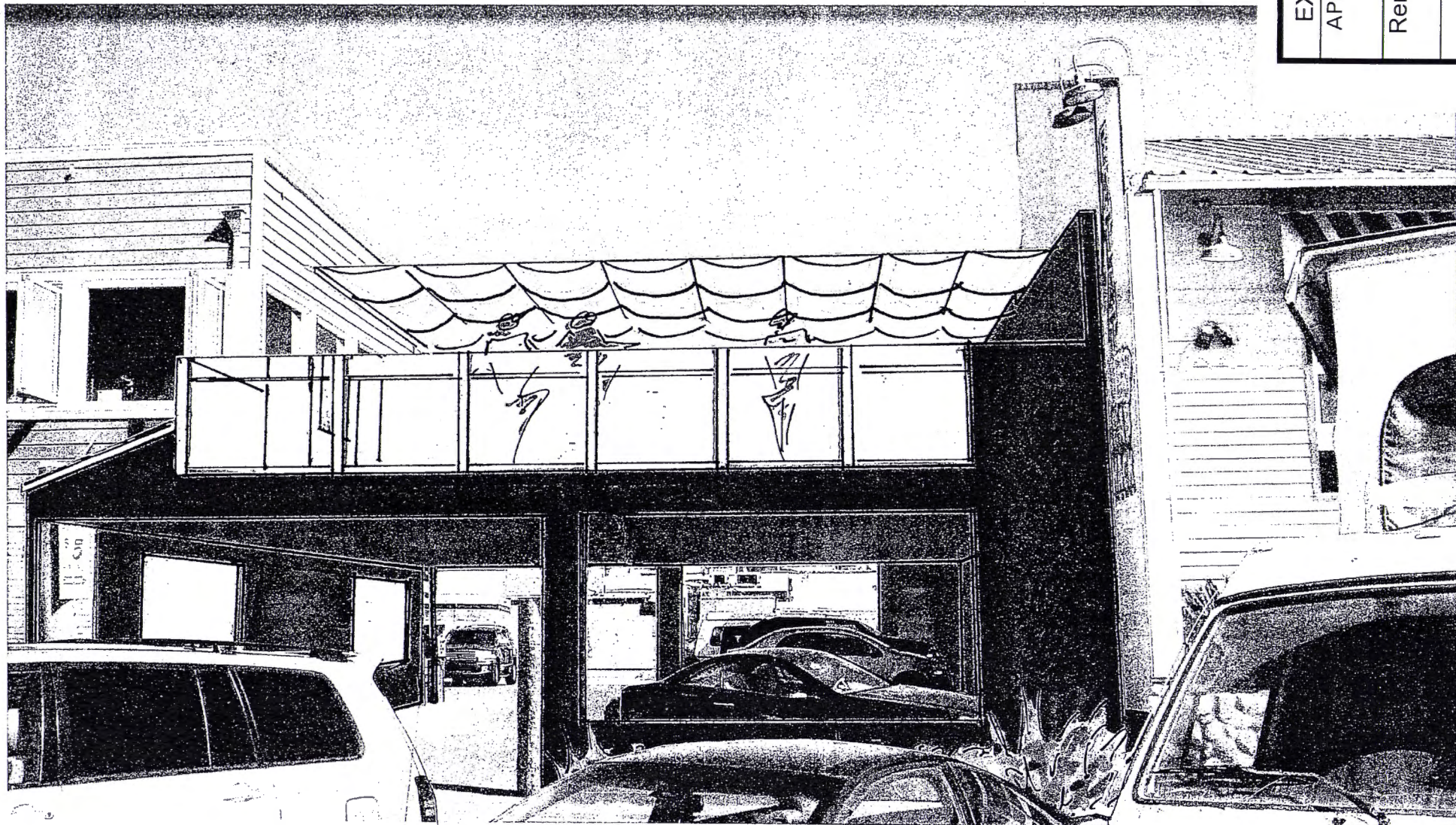
4315 Ocean Boulevard

ARCHITECT MARK D. LYON, INC

410 Bird Rock Avenue

Telephone: (858) 450-1171

EXHIBIT NO. 5	APPLICATION NO.	Rendering of Rear Patio	California Coastal Commission
6-12-061			



PROPOSED BOARDWALK VIEW (FRONT) REVISED 5/16/2013

N.T.S.

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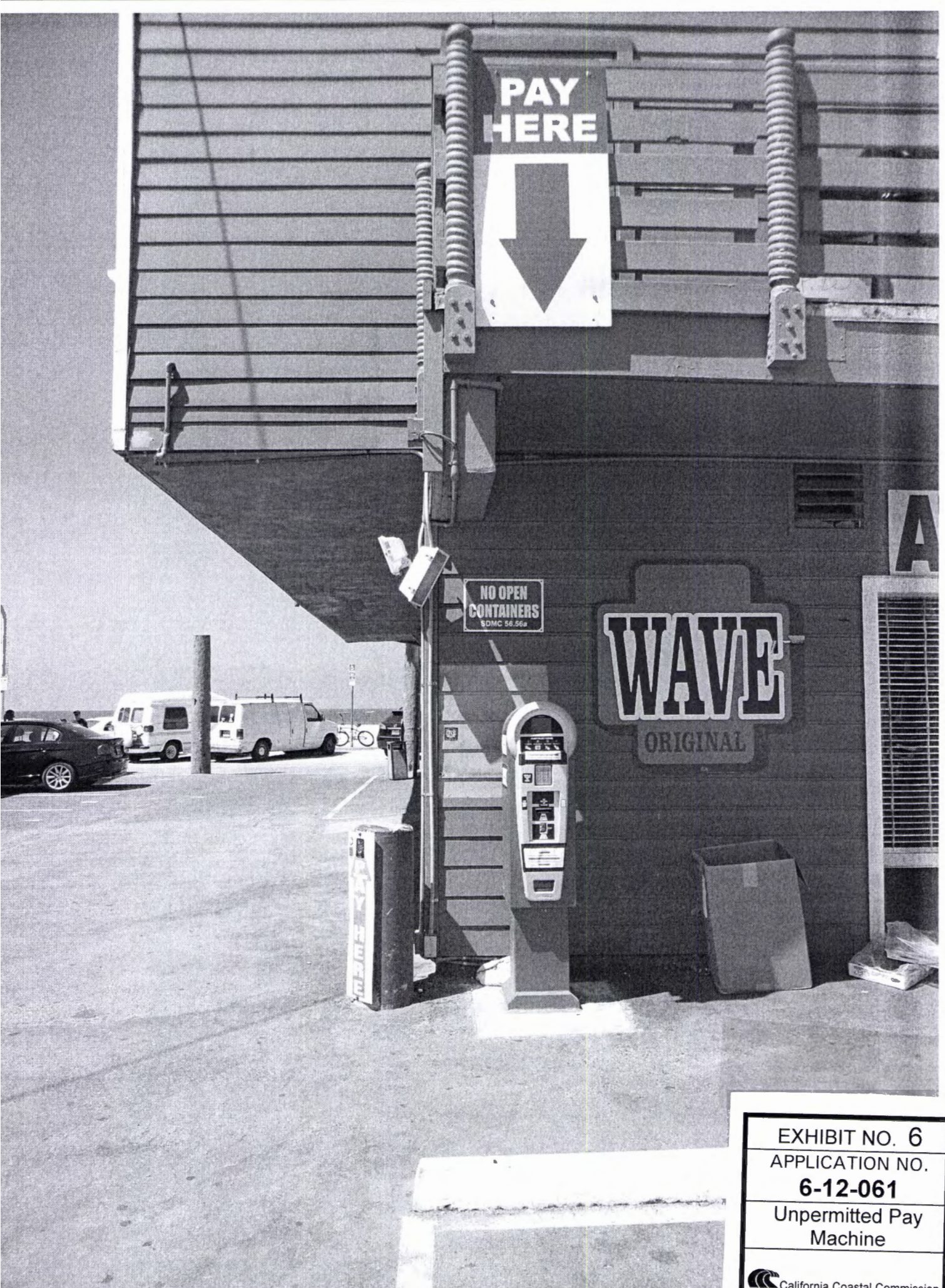


EXHIBIT NO. 6

APPLICATION NO.

6-12-061

Unpermitted Pay
Machine