

CALIFORNIA COASTAL COMMISSION

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**F12b**

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STAFF REPORT: PERMIT AMENDMENT

Application No.: 5-98-156-A18

Co-Permittees: City of Long Beach and DDR Urban, LP

Agents: Dongell Lawrence Finney, LLP (Tal Finney and Courtney Ross-Tait)

Location: 95 S. Pine Avenue (The Pike at Rainbow Harbor), Downtown Shoreline, City of Long Beach, Los Angeles County

Description of Amendment: Redevelopment of The Pike at Rainbow Harbor commercial retail and entertainment complex into a retail store outlet center, including exterior façade changes, addition of 1,785 sq. ft. to Building B2 and 2,500 sq. ft. to Building D, enlargement of the central plaza, placement of bollards for temporary closure of portions of Bay Street, The Paseo, and Aquarium Way to vehicular traffic, new bike repair station, and landscaping improvements. Includes the expansion of Building G1 outdoor dining patio expansion, and construction of a pedestrian bridge over Cedar Avenue to connect Pike Parking Structure level three and Building E level two.

Description of Project Originally Approved February 3, 1999: Construction of a 508,550 sq. ft. commercial retail and entertainment complex on the waterfront. See Appendix B for descriptions of previous permit amendments.

Staff Recommendation: Approve with conditions

SUMMARY OF STAFF RECOMMENDATION

The City of Long Beach and DDR Urban, LP (the co-permittees) request a permit amendment to redevelop the waterfront commercial and entertainment complex known as “The Pike at Rainbow Harbor”. The Commission, in 1999, approved Coastal Development Permit 5-98-156 for the

508,550 sq. ft. commercial retail and entertainment complex, and the permit has been amended sixteen times over the past fifteen years (See Appendix B). The proposed redevelopment includes façade changes to existing buildings, a new pedestrian bridge to access the retail portion of the site from the adjacent parking garage, and an expansion of the outdoor dining patio of an existing restaurant building. Partial closure of three minor streets to vehicular traffic, expansion of the central pedestrian plaza, installation of bicycle facilities, and landscaping and drainage improvements are proposed as part of the site redevelopment to establish an indoor/outdoor retail outlet center with a pedestrian focus consistent with the waterfront environment. No new buildings are proposed and the proposed new floor area is approximately 6,200 square feet. The total commercial floor area of the redeveloped retail center would be less than the 508,550 square feet authorized by the underlying coastal development permit.

Staff recommends **approval** of the permit amendment with changes to three special conditions and two new special conditions. The changed and new special conditions would require bird-safe building policies, would require final plans consistent with the special conditions imposed on the coastal development permit, as amended, and would ensure that the co-permittees provide adequate parking to satisfy demand at the site.

Procedural Note:

The Commission’s regulations provide for referral of permit amendment requests to the Commission if:

- 1) The Executive Director determines that the proposed amendment is a material change,
- 2) Objection is made to the Executive Director’s determination of immateriality, or
- 3) The proposed amendment affects conditions required for the purpose of protecting a coastal resource or coastal access.

If the applicant or objector so requests, the Commission shall make an independent determination as to whether the proposed amendment is material. 14 Cal. Admin. Code 13166.

The proposed project is a material change from that previously approved. Therefore, pursuant to Section 13166 of the Commission’s regulations, the Executive Director is referring this application to the Commission.

The project site falls entirely within the Commission’s original jurisdiction. A portion of the proposed project is located on filled State Tidelands administered by the City of Long Beach. The permit amendment must be obtained from the Commission because the Commission issued the underlying coastal development permit. The Commission's standard of review for the development within the Commission's area of original jurisdiction is the Chapter 3 policies of the Coastal Act. The City of Long Beach certified LCP is advisory in nature and may provide guidance.

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APPENDICES

- Appendix A – Substantive File Documents
- Appendix B – Previous Permit Amendments¹
- Appendix C – Previously Imposed Special Conditions

EXHIBITS

- Exhibit 1 – Vicinity Maps
- Exhibit 2 – Site Plans
- Exhibit 3 – View Corridors

¹ Full permit amendment files available at the South Coast Commission office in Long Beach

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** the proposed amendment to Coastal Development Permit No. 5-98-156 subject to the conditions set forth in the staff recommendation.*

Staff recommends a **YES** vote on the foregoing motion. Passage of this motion will result in conditional approval of the permit amendment 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 the coastal development permit amendment on the ground that the development as amended and subject to conditions, will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit amendment complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the amended development on the environment, or 2) there are no feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the amended development on the environment.

II. STANDARD CONDITIONS:

This permit amendment 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 permittees 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 of interpretation of any condition will be resolved by the Executive Director or the Commission.

4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittees to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

The following is adopted as part of the Commission's resolution:

This coastal development permit amendment would change Special Condition 10, Special Condition 17, and Special Condition 18; and impose Special Condition 45 and Special Condition 46, as detailed below. Proposed changes are presented with eliminated words ~~struck through~~ and new words underlined. Unless specifically changed by this amendment, all standard and special conditions attached to Coastal Development Permit No. 5-98-156 and/or amendments thereto shall remain in effect (see Appendix C).

A. **Change Special Condition 10. New Parking:**

In order to permit the phased construction and opening of the development approved in LCP Subarea 6 (between Rainbow Harbor and Shoreline Drive) prior to the construction of the parking facilities located in LCP Subarea 5 (inland of Shoreline Drive), the applicants shall construct and open for public use the following parking facilities in LCP Subarea 6 as follows:

- a) Up to 114,200 square feet of commercial development may be constructed and opened in LCP Subarea 6 utilizing the 571 unallocated parking spaces within the existing 1,471 space City-owned parking structure as the primary parking supply;
- b) Prior to the City's issuance of the first certificate of occupancy for development in LCP Subarea 6 exceeding the 114,200 square foot threshold, the applicants shall open for public use the on-street parking spaces on Shoreline Drive in LCP Subareas 6 and 11 (approximately 189-245 spaces) and the 100-150 space public parking lot located in Shoreline Park at the southwest intersection of Pine Avenue and Shoreline Drive.

Prior to the City's issuance of the first certificate of occupancy for development in LCP Subarea 5 authorized by amended Coastal Development Permit 5-98-156, the applicants shall open for public use the 2,195 space parking structure in LCP Subarea 5 and the approximately 333 on-street parking spaces on Pine Avenue, Seaside Way, and on the new street grid to be developed within LCP Subarea 5.

In addition, within ninety days of the establishment of any new parking spaces or removal of any of the proposed parking spaces listed in this condition, the City shall submit final plans, for the review and approval of the Executive Director, which show the exact number and location of all parking spaces (on-street, surface lot, and structure) provided pursuant to this condition. The final plans shall be in substantial conformance with the conceptual plans submitted with ~~this application~~

Amendment Nos. 16 and 18, and as specifically described in the staff reports dated 10/23/14. Any deviation from the conceptual plans shall be submitted to the Executive Director to determine whether an amendment to this permit is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations.

B. Change Special Condition 17. Height Limits – LCP Subarea 6:

All buildings, signs, structures, poles and/or building extensions in LCP Subarea 6 that exceed 40 feet in elevation are prohibited unless specifically permitted by this condition or another Commission approval. In LCP Subarea 6, no portion of the proposed development shall exceed 40 feet in height, except for the following:

- a) The south end of the faux roller coaster (100 feet maximum with a surface that is less than 15 percent solid or opaque);
- b) Sails, sail columns and flag poles on Building F (sails and sail columns 60 feet maximum, flag poles 75 feet maximum);
- e) ~~Ferris wheel (130 feet maximum);~~
- d) The letters of “RAINBOW HARBOR” sign (50 feet maximum);
- e) Flag poles on Buildings G,H & J (77 feet maximum), and,
- f) Three vertical blade architectural elements on Buildings G & J, provided they do not exceed 60 feet in height, 8 feet in width and 5 feet in thickness, provided that no signage occurs above 40 feet in height, and provided that they do not project into any protected view corridor shown on LCP Attachment A (Exhibit #9 of staff report dated 1/14/99).

All heights shall be measured from the average elevation at the front top of the curblin, or from the officially mapped flood hazard level of 13.8 feet above mean lower low water (MLLW), whichever is higher.

C. Change Special Condition 18. Height Limits – LCP Subarea 5:

All buildings, signs, structures, poles and/or building extensions in LCP Subarea 5 that exceed 40 feet in elevation are prohibited, unless specifically permitted by this condition or another Commission approval. In LCP Subarea 5, no portion of the proposed development shall exceed 40 feet in height, except for the following:

- a) The north end of the faux roller coaster (100 foot maximum with a surface that is less than 15 percent solid or opaque) and two lantern features abutting the north end of the faux roller coaster (63 & 78 feet maximum);
- b) On Building A (40 feet): one 500 square foot parapet extension (47 feet maximum), the letters of “LONG BEACH” sign (50 feet maximum), and clock tower (60 feet); The hotel at the northeast corner of Bay Street and Cedar Avenue (74 feet maximum to the rooftop pool deck, 83 feet maximum to the top of the stair towers and 90 feet maximum to the top of the elevator housing);
- c) On Building B (40 feet): one 500 square foot building extension (43 feet maximum);

- d) On Building C (40 feet): the roof of the multi-screen theater (60 feet maximum), one barrel element extension (43 feet maximum), one barrel element extension (60 feet maximum), and two 500 square foot towers (60 & 93 feet maximum);
- e) On Building D (40 feet): the roof of the multi-screen theater (60 feet maximum), one barrel element extension (78 feet maximum) with one blade (100 feet maximum) for theater identification sign, and 2,000 square foot tower (52 feet maximum);
- f) Ferris wheel (90 feet maximum) (Approved by Amendment 5-98-156-A9);
- g) Parking structure (Amendment 5-98-156-A1 approved a 100-foot architectural tower);
- h) In the town square: one vertical monument with a footprint not to exceed 500 square feet (152 feet maximum);
- i) Flag poles (77 feet maximum);
- j) Up to seven three-dimensional food icons (70 feet maximum) within the confines of the faux roller coaster, provided that such icons do not advertise a particular store, product or service, and provided that they do not extend south of the north curb of Shoreline Drive; and
- k) On Building E at the southeast corner of Bay Street and Cedar Avenue (46 feet maximum).

All heights shall be measured from the average elevation at the front top of the curblin, or from the officially mapped flood hazard level of 13.8 feet above mean lower low water (MLLW), whichever is higher.

D. Impose Special Condition 45. Bird-safe Building Requirements:

All new buildings and renovations of existing buildings shall be required to provide bird-safe building treatments for the facades, railings, landscaping, and lighting consistent with the guidelines provided below:

a) Glazing treatments:

- Fritting, permanent stencils, frosted, non-reflective or angled glass, exterior screens, decorative latticework or grills, physical grids placed on the exterior of glazing, or UV patterns visible to birds shall be used to reduce the amount of untreated glass or glazing to less than thirty-five percent (35%) of the building façade.
- Where applicable vertical elements within the treatment pattern should be at least one-quarter inch (1/4") wide at a maximum of spacing of four inches (4") and horizontal elements should be at least one-eighth inch (1/8") wide at a maximum spacing of two inches (2").
- No glazing shall have a "Reflectivity Out" coefficient exceeding thirty percent (30%). That is, the fraction of radiant energy that is reflected from glass or glazed surfaces shall not exceed thirty percent (30%).

- Equivalent treatments recommended by a qualified biologist may be used if approved by the City and/or the Coastal Commission.

b) Lighting Design:

- Nighttime lighting shall be minimized to levels necessary to provide pedestrian security.
- Buildings shall be designed to minimize light spillage and maximize light shielding to the maximum feasible extent.
- Building lighting shall be shielded and directed downward. Up-lighting shall be prohibited. Use of “event” searchlights or spotlights shall be prohibited.
- Landscape lighting shall be limited to low-intensity and low-wattage lights.
- Red lights shall be limited to only that necessary for security and safety warning purposes.

c) Landscaping:

- Trees and other vegetation shall be sited so that the plants are not reflected on building surfaces.
- In order to obscure reflections, trees and other vegetation planted adjacent to a reflective wall or window shall be planted close to (no further than three feet from) the reflective surface.
- For exterior courtyards and recessed areas, building edges shall be clearly defined by using opaque materials or non-reflective glass.
- Walkways constructed of clear glass shall be minimized. Where permitted, they shall utilize fritting, permanent stencils, frosted, non-reflective or angled glass, exterior screens, decorative latticework or grills, physical grids placed on the exterior of glazing, or UV patterns visible to birds.

d) Building Interiors

- Light pollution from interior lighting shall be minimized through the utilization of automated on/off systems and motion detectors.

e) Lights Out for Birds

- The City shall encourage building owners and operators to participate in “Lights Out for Birds” programs or similar initiatives by turning off lighting at night, particularly during bird migration periods.

E. **Impose Special Condition 46. Final Site Plan:**

PRIOR TO ISSUANCE OF COASTAL DEVELOPMENT PERMIT AMENDMENT 5-98-156-A18, the co-permittees shall submit for the review and approval of the Executive Director, a final site plan, showing the location, height, and material of all structures approved by this permit amendment and approved by Coastal Development Permit 5-98-156, as previously amended, including but not limited to:

- a) The landscaping and drainage for the entire site;

- b) All expanded exterior facades and stairways;
- c) The bicycle racks and bicycle repair station;
- d) The pedestrian bridge over Cedar Avenue connecting the Pike Parking Structure to Building E; and
- e) The exterior dining patio of Building G1.

The plans shall be in substantial conformance with the development approved pursuant to Coastal Development Permit 5-98-156, as amended and as specifically described in the staff report dated 10/23/14. The co-permittees shall undertake and maintain the development in conformance with the special conditions of the permit and the final plans approved by the Executive Director. Any proposed changes to the approved plans shall be reported to the Executive Director in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations. No changes to the approved plans shall occur without a Commission-approved permit amendment unless the Executive Director determines that no permit amendment is required.

IV. FINDINGS AND DECLARATIONS

A. PROJECT LOCATION AND DESCRIPTION

The City of Long Beach and DDR Urban, LP propose to amend a previously issued coastal development permit (CDP) that allowed the co-permittees to construct a 508,550 square foot commercial retail and entertainment complex in the Downtown Shoreline area of Long Beach (**Exhibit 1**). The approved “Queensway Bay” commercial project, as originally approved in 1999, included a multi-screen movie theater, a large-format (IMAX-style) theater, a 2,195-space parking structure, a Ferris wheel and carousel, and numerous restaurants, retail establishments, and public amenities. The complex, now known as the “The Pike at Rainbow Harbor,” opened in 2003. The permit has been amended 16 times since 1999 (See Appendix B).

The permit amendment would allow the conversion of The Pike at Rainbow Harbor (The Pike) into a retail store outlet center. The co-permittees propose to make façade improvements to existing commercial buildings throughout the site (including the addition of approximately 1,785 square feet to Building B2 and approximately 2,500 square feet to Building D) and add new commercial signage to the exterior of existing commercial buildings throughout the site (**Exhibit 2.1**). Additionally, the amendment would permit an approximately 2,915 square foot expansion of the outdoor dining patio of Building G, including new outdoor service area, a new outdoor bar, and fire-pit (**Exhibit 2.2**). The façade improvements and the patio expansion would be additions to existing structures within the approved parcels and existing footprint of The Pike facility and would not impact any existing view corridors.

As part of the amendment request, the co-permittees propose site changes to improve pedestrian and vehicular flow throughout the site. The central plaza is proposed to expand, with new landscaping, a

new stairway, pedestrian lighting, tables and chairs, and retail kiosks (**Exhibit 2.3**). To accommodate pedestrian activity, the co-permittees propose to operate three public streets within the retail portion of the site as pedestrian-only accessways, with manually operable pneumatic bollards restricting vehicles from passing through portions of Bay Street, The Paseo, and Aquarium Way (**Exhibit 2.4**). The co-permittees also propose a new pedestrian bridge over Cedar Avenue to provide access between Pike Parking Structure level three and Building E level two, connecting to the existing pedestrian bridge that crosses over Shoreline Drive (**Exhibit 2.5**).

The portion of the project site situated inland of Shoreline Drive is bordered on all sides by public streets: Shoreline Drive, Cedar Avenue, Seaside Way, and Pine Avenue. Building G, which is south of Shoreline Drive, is bordered by a pedestrian walkway along the waterfront (Rainbow Harbor Esplanade). Construction is expected to take place primarily during Spring 2015 and the staging area is a portion of the lower level of the Pike Parking Structure.

The Pike at Rainbow Harbor is situated on approximately 20 acres of fill (formerly the ocean) which was entirely designated as State Tidelands until 2011 when the City of Long Beach and the State Lands Commission completed a land swap to remove the State Tidelands designation and associated land use restrictions from approximately 10 acres of land in LCP Subarea 5 of the Downtown Shoreline Planned Development District (PD-6). The Commission approved changes to the land use regulations under LCP Amendment No. 11-1. The Pike Parking Structure and all property south of Shoreline Drive (within LCP Subarea 6) are still designated as State Tidelands.

B. PUBLIC ACCESS AND RECREATION

The Commission has consistently found that a direct relationship exists between the provision of adequate parking and availability of public access to the coast. In order to conform to the requirements of the Coastal Act, the proposed project is required to provide adequate parking facilities or provide substitute means of serving the development with public transportation.

Section 30252 of the Coastal Act states:

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

The proposed amendment would expand the retail portion of a visitor-serving development already contemplated and planned for the Downtown Shoreline area of Long Beach. The total addition of approximately 6,200 square feet of commercial space would not exceed the 508,550 square feet of commercial space originally authorized in 1999 pursuant to Coastal

Development Permit No. 5-98-156. The certified LCP specifies that up to 327,000 square feet of retail and restaurant uses are allowed in Subarea 5. Subarea 5 is currently developed with approximately 278,000 square feet of retail and restaurant uses; therefore, the proposed addition of approximately 4,285 square feet of retail area to Subarea 5 would not exceed the amount of development that has previously been planned for The Pike, and it would not overburden the parking supply that has been provided to meet the parking demands of The Pike. Likewise, the proposed addition of approximately 2,915 square feet of outdoor dining area in Subarea 6 would not exceed the amount of development approved in that area.

As part of the pedestrian oriented redevelopment of the retail portion of the previously approved development, portions of Bay Street, The Paseo, and Aquarium Way are proposed to be closed to vehicular traffic. These closures will have no effect on access to the coast because Cedar Avenue, Pine Avenue, and Shoreline Drive will continue to provide vehicular access to pedestrian drop-off areas along Rainbow Harbor and to public coastal-accessible parking lots, including the approximately 1,471 space Aquarium Parking Garage adjacent to the site. Approximately 25 parking spaces which are currently metered and available for public use along the three streets will become unavailable because of the proposed street closure, but the co-permittees have proposed to replace these lost spaces by re-striping the roof of the Pike Parking Structure to provide a minimum of 25 additional spaces (**Exhibit 2.6**). The replacement parking spaces will be less expensive than the lost on-street spaces on an hourly basis, with or without validation. Hundreds of metered public on-street parking spaces will be maintained on the public streets in the vicinity of the project site (e.g., Shoreline Drive, Seaside Way and Pine Avenue).

Because the underlying coastal development permit anticipated that the Pike Parking Structure (which currently provides approximately 2,211 parking spaces) would provide for the parking needs of The Pike commercial development, the proposed project is permitted to utilize the Pike Parking Structure to meet its parking needs in compliance with the existing conditions of Coastal Development Permit 5-98-156 (Appendix C). Revised **Special Condition 10** requires the City to submit final plans which show the exact number and location of all parking spaces (on-street, surface lot, and structure) provided consistent with the conceptual plans submitted with this application and with Amendment No. 16, which relates specifically to parking requirements.

Furthermore, visitors of the proposed development may use the public transportation system in downtown Long Beach (Blue Line light rail, Metro buses, and Long Beach Transit buses and water taxis) as a substitute to private vehicles, thus reducing the overall parking demand of the project. Additionally, bicycle parking and a bicycle repair station are proposed to be added to the site and pedestrian access is proposed to be improved. The addition of the pedestrian bridge between the Pike Parking Structure and Building E will connect to the pedestrian bridge over Shoreline Drive (**Exhibit 2.5**) and improve access to the pedestrian walkway along the water and to the rest of the coastal area adjacent to the proposed project site. **Special Condition 46** requires the co-permittees to submit a final site plan showing the location of all improved landscaping, pedestrian accessways, the bicycle parking and repair station, and the pedestrian bridge, consistent with the requirements of Coastal Development Permit No. 5-98-156, as amended.

The development proposed by this permit amendment will not interfere with access to or along the shoreline or access along the existing public sidewalks within The Pike development.

Special Condition 8 of amended Coastal Development Permit 5-98-156 protects public access along the streets and sidewalks within The Pike development (See Appendix C). As conditioned by the underlying permit, the proposed development and permit amendment will not have any new adverse impact on public access to the coast or to nearby recreational facilities. Therefore, the Commission finds that only as conditioned is the proposed project and amendment consistent with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

C. VISUAL RESOURCES

The certified City of Long Beach LCP and Section 30251 of the Coastal Act require that the scenic and visual qualities of the project area be considered and protected as a resource of public importance. Section 30253 of the Coastal Act protects popular visitor destinations like the Downtown Shoreline area where the proposed project is located.

Section 30251 of the Coastal Act 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 views to and along the ocean and scenic coastal areas...be visually compatible with the character of surrounding areas...

Section 30253(5) of the Coastal Act states:

New development shall: (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

In its prior actions on LCP amendments, Coastal Development Permit 5-98-156, and prior permit amendments for the Pike project, the Commission has considered and addressed the Pike development's effects on scenic resources in downtown Long Beach. In 1995, when the Commission first incorporated the City's Queensway Bay Development Plan (which includes The Pike development) into the certified LCP by approving LCP Amendment No. 1-95, it required that specific policies be included into the plan to protect the scenic resources of the Downtown Shoreline area (e.g., view corridors, building mass limits and height limits). In 1998, the Commission revisited the certified LCP policies that limit building heights and protect specific view corridors on the project site as part of the Commission's certification of LCP Amendment No. 2-98A, which included revisions to the City's previously certified Queensway Bay Development Plan.

The certified Long Beach LCP identifies the special view corridors in LCP Subareas 5 and 6 that must be protected in order to provide views from the land to the water, including: a 410-foot long view corridor/open space area on Shoreline Wharf, the air space above the Terraces at the terminus of Pine Avenue, the Pine Avenue Pier corridor, the sixty-foot wide Pine Avenue view corridor and its extension to the water, a sixty-foot wide view corridor extending southeast from the intersection

of Pine Avenue and Shoreline Drive, and a sixty-foot wide view corridor at the intersection of Aquarium Way and Shoreline Drive.

The co-permittees have provided **Exhibit 3** showing the view corridors in relation of the areas where development is proposed. As depicted in the exhibit submitted by the applicant, none of the proposed development, including the proposed building additions and the pedestrian bridge over Cedar Avenue, is located within any of the protected view corridors. **Special Condition 46** requires the applicants to submit a final site plan showing the location, height, and material of all structures approved by this permit amendment and approved by Coastal Development Permit 5-98-156, as amended, which will enable staff to confirm that the view corridors have been preserved throughout the life of the development. Special Condition 19 of the underlying permit prohibits most development from being placed within any of the protected view corridors.

In its approval of Amendment No. 9 on December 11, 2003, the Commission permitted the relocation of a previously approved Ferris wheel to an open-space area between Building D and Shoreline Drive (**Exhibit 2.3**) and made findings to support the relocation. However, the Commission did not revise the special conditions of the underlying permit to reflect the change. In order to identify the existing 90-foot high Ferris wheel as a permitted structure within LCP Subarea 5, **Special Condition 18** is revised to reflect the prior Commission approval for the Ferris wheel structure to exceed the 40-foot height limit. Accordingly, **Special Condition 17** is revised to remove a 130-foot high Ferris wheel as a structure which may exceed the 40-foot height limit in Subarea 6. The 90-foot high Ferris wheel currently stands where it was authorized pursuant to Amendment No. 9. Therefore, these changes to the special condition will have no effect on visual resources at the site of the proposed development, but will make the special conditions of the permit consistent with past Commission approvals. The special conditions, as amended, will ensure that any future structures proposed to exceed the height limits in Subareas 5 or 6 will require an amendment to the permit.

Special Condition 20 of the underlying permit prohibits signs which are not attached to the façade of an approved structure, with few specific exceptions. All new signs are proposed to be attached to the walls of existing structures, and will not exceed the height of the structures to which they are attached.

As conditioned, the proposed amendment and development will not obstruct views to or along the coast from publicly accessible places. Therefore, the Commission finds that, as conditioned, the proposed project is consistent with the certified LCP and the visual resource policies of the Coastal Act.

D. HABITAT

The development proposed by the amendment is within the existing parcels of land approved for commercial development by the Commission in the underlying coastal development permit. The development is surrounded by park land, open space, and coastal waters.

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30240 of the Coastal Act states in part:

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.

In its previous actions on the underlying permit, the Commission has required that all structures be designed to protect water quality by implementing site specific best management practices to capture and infiltrate water runoff and minimize pollution. As part of the permit amendment request, the co-permittees have proposed to increase the permeable area of the site by approximately 4,700 square feet. Additionally, all building which are being substantially remodeled will include upgrades to make their water and energy systems more efficient. Finally, the co-permittees have proposed a comprehensive list of construction best management practices which will ensure that the biological productivity of coastal waters is protected during construction.

In addition, to prevent negative impacts to birds, all lighting at the site is proposed to be fixed, energy efficient LED standard, consistent with dark sky/Cal Green requirements. **Special Condition 45** prohibits up-lighting and event spotlights and requires that landscape lighting be low-intensity. Additionally, Special Condition 45 requires that all building facades are designed to prevent bird-strikes. The co-permittees have proposed tempered glass on all glass railings, including the railings on the proposed pedestrian bridge over Cedar Avenue. Therefore, as conditioned the amendment and proposed development is consistent with Section 30231 and 30240 of the Coastal Act.

E. DEVELOPMENT

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

F. LOCAL COASTAL PROGRAM

A coastal development permit is required from the Commission for the proposed development because it is located within the Commission's area of original jurisdiction. The Commission's standard of review for the proposed development is the Chapter 3 policies of the Coastal Act. The City of Long Beach certified Local Coastal Program (LCP) is advisory in nature and may provide

guidance. The Commission certified the City of Long Beach LCP on July 22, 1980, and numerous LCP amendments have been processed since that date.

LCP Subareas 5 and 6, where the development is proposed, are partially located on State Tidelands. The certified LCP contains specific standards for LCP Subareas 5 and 6 that limit building heights and protect open space areas and view corridors in order to protect the scenic resources of the Downtown Shoreline area. Permitted uses include recreation, retail, restaurants, and parking.

As conditioned, the proposed development and permit amendment are consistent with the City of Long Beach certified LCP and Chapter 3 of the Coastal Act.

G. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 13096 Title 14 of the California Code of Regulations requires Commission approval of a coastal development permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The City of Long Beach is the lead agency for the purposes of California Environmental Quality Act review of the proposed development. On June 11, 2014, the City of Long Beach certified an Environmental Impact Report (EIR) Addendum (No. 03-94) for the proposed development. The certified EIR addendum concludes that the project would not create any new significant impacts or increase the severity of any impacts identified in previous CEQA documents.

The proposed project, as conditioned, has been found consistent with the Chapter 3 policies of the Coastal Act. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

Appendix A – Substantive File Documents

1. City of Long Beach Certified Local Coastal Program (LCP), 7/22/80.
2. Coastal Development Permit 5-98-156 and Amendment Nos. 1-19 (Pike/Queensway Bay).
3. Coastal Development Permit Nos. 5-04-291, 5-88-062, 5-84-866, 5-81-554, 5-94-172, 5-06-328, 5 A-253-80, and A-69-76, A-6-IMB-07-131, 3-07-002, 3-07-003 & A-6-PSD-8-04/101.

Appendix B – Previous Permit Amendments

FIRST AMENDMENT (5-98-156-A1), APPROVED NOV. 2, 1999:

Modify previously approved 70-foot high parking structure to expand the building footprint over Chestnut Place and increase number of parking stalls from 1,550 to 2,195 (approx).

SECOND AMENDMENT (5-98-156-A2), APPROVED DEC. 9, 1999:

Part A: Construct a 375-stall surface parking lot for employees in LCP Subarea 3.

Part B: Increase the previously approved parking structure rates from \$2/hour to \$3/hour, and modify the customer parking validation program.

THIRD AMENDMENT (5-98-156-A3), APPROVED FEBRUARY 15, 2000:

Part A: Subdivide approximately 20 acres of State Tidelands into eight parcels.

Part B: Change the “Paseo” from a pedestrian-only street to a vehicular street with sidewalks.

FOURTH AMENDMENT (5-98-156-A4), APPROVED MARCH 14, 2000:

Part A: Revised plans for Building F resulting in less commercial floor area, a smaller public viewing deck, and a wider Aquarium Way view corridor (90 feet).

Part B: Construct a public pedestrian accessway along the south side of Shoreline Drive to connect LCP Subarea 3 to LCP Subareas 5 and 6.

Part C: Identify appropriate locations for public picnic areas (no table service) on the upper Esplanade of Rainbow Harbor.

FIFTH AMENDMENT (5-98-156-A5), APPROVED JANUARY 11, 2001:

Revise the conditions of approval in order to allow the phased construction and opening of the development approved in LCP Subarea 6 (between Rainbow Harbor and Shoreline Drive) prior to the construction of the portion of the project located inland of Shoreline Drive (LCP Subarea 5) and in LCP Subarea 3.

SIXTH AMENDMENT (5-98-156-A6), APPROVED JANUARY 10, 2003:

Revise the building footprints, floor plans and elevations for the restaurant and retail development previously approved south of Shoreline Drive in LCP Subarea 6, between Aquarium Way and the Pine Avenue View Corridor (Rainbow Harbor).

SEVENTH AMENDMENT (5-98-156-A7), APPROVED JULY 16, 2003:

Revise building footprints, floor plans and elevations for the commercial development previously approved north of Shoreline Drive in LCP Subarea 5, and delete the escalator and pedestrian connection between the Aquarium parking structure and Building F, located south of Shoreline Drive in LCP Subarea 6.

EIGHTH AMENDMENT (5-98-156-A8), APPROVED OCTOBER 7, 2003:

Comprehensive sign program, including fifteen freestanding directory signs, three freestanding “The Pike” identification signs, one building mounted “The Pike” identification sign, and a flagpole at the base of Pine Avenue Pier on Building K parcel.

NINTH AMENDMENT (5-98-156-A9), APPROVED DEC. 11, 2003:

Relocate the previously approved Ferris wheel amusement ride to an open space area near the northwest corner of Shoreline Drive and Pine Avenue.

TENTH AMENDMENT (5-98-156-A10), APPROVED JANUARY 15, 2004:

Delete the previously approved nautical museum (Building M) at the foot of Pine Avenue Pier, and incorporate the site into the adjacent restaurant use (Building N).

ELEVENTH AMENDMENT (5-98-156-A11), APPROVED MARCH 16, 2005:

Install 24 Retail Merchandising Units (RMUs) in 24 specific sidewalk and plaza locations north of Shoreline Drive (LCP Subarea 5), within the previously approved Pike at Rainbow Harbor retail and entertainment complex.

TWELFTH AMENDMENT (5-98-156-A12), NOT APPROVED (RETURNED INCOMPLETE):

Amend the Employee Parking Program required by Special Condition Sixteen.

THIRTEENTH AMENDMENT (5-98-156-A13), APPROVED MAY 11, 2005:

South of Shoreline Drive, re-subdivide four acres designated for commercial land use (Parcel Nos. 1-4 of Map No. 25804) into Parcel Nos. 1-9 of Map No. 61999. The proposed subdivision slightly reconfigures, and further divides, four existing lots into nine lots totaling four acres.

FOURTEENTH AMENDMENT (5-98-156-A14), APPROVED NOV. 18, 2005:

Install three automatic teller machines (ATMs) within the previously approved Pike at Rainbow Harbor retail and entertainment complex.

FIFTEENTH AMENDMENT (5-98-156-A15), APPROVED MAY 10, 2006:

Construct a ninety-foot high, 140-room hotel on a vacant parcel where the underlying permit approved an eighty-foot high large-format movie theater.

SIXTEENTH AMENDMENT (5-98-156-A16), SCHEDULED FOR NOV. 14, 2014 HEARING:

Continuation and expansion of valet parking operations, installation of valet parking amenities and other parking-related physical improvements, and update to parking fees and validation program.

5-98-156-A18 (City of Long Beach and DDR Urban, LP)

SEVENTEENTH AMENDMENT (5-98-156-A17), APPROVED DEC. 9, 2009:

Construct a five-story, 125-room hotel with 14,725 square feet of ground-floor retail space.

EIGHTEENTH AMENDMENT (5-98-156-A18), SCHEDULED FOR NOV. 14, 2014 HEARING:

Redevelopment of The Pike at Rainbow Harbor commercial retail and entertainment complex into a retail store outlet center, including exterior façade changes, addition of 1,785 sq. ft. to Building B2 and 2,500 sq. ft. to Building D, enlargement of the central plaza, placement of bollards for temporary closure of portions of Bay Street, The Paseo, and Aquarium Way to vehicular traffic, new bike repair station, and landscaping improvements. Includes the expansion of Building G1 outdoor dining patio expansion, and construction of a pedestrian bridge over Cedar Avenue to connect Pike Parking Structure level three and Building E level two.

NINETEENTH AMENDMENT (5-98-156-A19), APPROVED OCTOBER 15, 2014:

Construction of approximately 40,310 square feet of new commercial space, connected to existing 9,950 square foot commercial space at Building E location, resulting in an approximately 50,260 square foot, 45-foot 8-inch high, two-story commercial building.

Appendix C – Previously Imposed Special Conditions

Appendix C includes all special conditions that apply to this development as approved by the Commission in its original action 5-98-156 and all subsequent amendments to the permit through Amendment No. 19, but does not include special conditions the Commission may impose in its pending actions on Amendment Nos. 16 and 18. Typographical errors have been corrected for consistency and references to specific amendments are noted in *[brackets]*.

1. **Replacement Parkland.** *[Condition Satisfied 11/5/99]*

Prior to issuance of the coastal development permit, the City shall submit for the review and approval of the Executive Director, a resolution adopted by the City Council designating the Queen Mary Events Park as a permanent public park of not less than four-acres in area, and served by a minimum of ten parking spaces on the adjacent public roadway (See Exhibit #6 of staff report dated 1/14/99). The resolution shall also state that any change in the designation of the four-acre Queen Mary Events Park as a permanent public park shall not be effective unless approved by the California Coastal Commission. The City shall be responsible for ensuring that the Queen Mary Events Park is maintained and operated as a public park available for use by the general public everyday from 5 a.m. to 10 p.m. (except during special events).

2. **Final Plans: LCP Subarea 6.** *[As Revised by Commission Approval of 5-98-156-A10]*

Prior to the commencement of construction of proposed Buildings G1, G2, H1 and H2, the applicants shall submit for the review and approval of the Executive Director, final site plans, floor plans and elevations. Buildings J, K and P are approved as shown on Exhibits #5-8 of the staff report dated 12/19/02. Building N is approved as shown on Exhibits #5&6 of the staff

report dated 12/17/03. The plans for Buildings G1, G2, H1 and H2, and all commercial development in LCP Subarea 6 (Buildings F, G1, G2, H1, H2, J, K, N and P), shall comply with all of the following conditions:

- a. No portion of the structures or patio areas shall encroach into the view corridors identified on Exhibit #5 (of staff report dated 12/19/02).
- b. No portion of the structures shall exceed 40 feet in height measured from the nearest curb, except as authorized by Special Condition 17 of Coastal Development Permit 5-98-156 as amended.
- c. All proposed commercial development (including all building area, indoor and outdoor service areas, patios and loading areas) shall be located entirely within the boundaries of Parcels 1-4 (Parcel Map No. 25804) as approved by the Commission pursuant to Permit Amendment 5-98-156-A3.
- d. The total amount of commercial floor area (including restaurant patios) in the portion of the project located south of Shoreline Drive shall not exceed 202,700 square feet.
- e. The plans shall conform to all terms and conditions of Coastal Development Permit 5-98-156 as amended.

The permittee shall undertake the development in accordance with the final plans approved by the Executive Director pursuant to this condition. Any proposed changes to the approved plans shall be reported to the Executive Director in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations. No changes to the approved plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

3. Future Uses and Improvements.

This approval is limited to the uses and development specifically described in the project description, approved plans and related findings contained in Coastal Development Permit 5-98-156. Any additional development, including, but not limited to: new construction; intensification of use; expansion of dining areas outside of the approved building and patio footprints; and the lease of dock, esplanade or park areas, will require an amendment to the permit or a new coastal development permit.

4. Public Viewing Deck.

The proposed 17,749 square foot public viewing deck on the second level of the building (Building F) proposed to be built between the City-owned parking structure and Aquarium Way shall be constructed and opened to the public concurrent with the development that occurs within the 150-foot wide view corridor/open space area at the intersection of Shoreline Drive and Aquarium Way (See Exhibit #9 of staff report dated 1/14/99). The public viewing deck shall be available for public use, including picnics, as public parks are. Park benches and tables for picnics shall be

provided for general public use on the viewing deck. Take-out and walk-up food services are encouraged behind the viewing deck, but restaurant table service is prohibited. Commercial uses and kiosks are prohibited within the proposed 17,749 square foot public viewing deck. Signs, at least two square feet in area, shall be posted in at least three conspicuous ground level locations near the Building F stairways and elevators that inform and direct the public to the public viewing deck.

5. Public Open Space and Water Feature.

The proposed landscaped public open space area with a water feature located at the northwest corner of Pine Avenue and Shoreline Drive shall be constructed and opened to the public concurrent with the permitted development that occurs in LCP Subarea 5 (See Exhibit #13 of staff report dated 1/14/99). The landscaped and water area shall occupy at least 23,000 square feet, not counting the paved area of the Regional Bicycle Route, and shall be available for public use as public parks are. Pedestrian access to the public open space area shall be provided from the sidewalks on Shoreline Drive and Pine Avenue. Public park benches shall be provided, and restaurant table service shall not be permitted in this area.

6. Public Access.

The City and its agents shall provide and maintain unobstructed public access to and along the waterfront at all times. Unrestricted means that the general public may pass and repass without having to pay an admission fee, present a ticket, accept conditions of passage, or request permission to pass. The waterfront, where unrestricted public access shall be protected, includes (but is not limited to): Shoreline Park, Rainbow Harbor Esplanade, the Terraces at the end of Pine Avenue, the entrance to Pine Avenue Pier, and Shoreline Wharf. Unrestricted pedestrian public access shall also be provided on the Promenade South which connects Ocean Boulevard to the Shoreline Wharf area. Public access along the waterfront shall remain open and unobstructed both during construction and subsequent to completion of the permitted development. In extreme circumstances, public access may be interrupted subject to those temporary safety limitations necessitated by unsafe conditions resulting from waves, extreme weather or required construction and maintenance activities.

Public seating and tables for designated public picnic areas (restaurant table service is prohibited) may be provided on the upper portion of the Rainbow Harbor Esplanade as shown on Exhibit #9 of the staff report dated February 24, 2000. All tables placed in the areas designated on Exhibit #9 of the staff report dated February 24, 2000 shall be clearly designated for use by the general public and shall be engraved or posted with signs stating: "No Purchase Required". Areas where restaurant table service is prohibited includes (but is not limited to): Shoreline Park, Rainbow Harbor Esplanade (upper and lower portions), the Terraces at the end of Pine Avenue, the entrance to Pine Avenue Pier, and Shoreline Wharf.

7. Pedestrian Bridge over Shoreline Drive.

The proposed pedestrian bridge over Shoreline Drive connecting Subareas 5 and 6 shall be constructed and opened to the general public concurrent with the development that occurs within LCP Subarea 5. The bridge shall be at least 25 feet wide and be at the same elevation as the

proposed 17,749 square foot public viewing deck to be provided between Aquarium Way and the City-owned parking structure in LCP Subarea 6 (See Exhibit #10 of staff report dated 1/14/99). The bridge shall be designed to provide open views to Rainbow Harbor and the Queen Mary which open up as one crosses the bridge from the north to the south. All railings, signs and decorations on the bridge shall be limited to a maximum height of four feet measured from the pedestrian deck, except that a 100-foot high gateway sculptural element may be placed on the bridge, providing that its surface is not more than 15 percent solid or opaque. Seven large food icons not to exceed 70 feet are permitted within the gateway sculptural element provided that they do not extend south of the north curb of Shoreline Drive. Commercial uses, including restaurant table service, are not permitted on the bridge. All heights shall be measured from the average elevation at the front top of the curbline, or from the officially mapped flood hazard level of 13.8 feet above mean lower low water (MLLW), whichever is higher.

8. Streets and Sidewalks.

The City and its agents shall provide and maintain unobstructed public pedestrian access to and along all streets, sidewalks, plazas and public open space areas constructed pursuant to the Commission's approval of Coastal Development Permit 5-98-156 for the life of the development approved herein. Unrestricted means that the general public may pass and repass without having to pay an admission fee, present a ticket, accept conditions of passage, or request permission to pass. Public access may only be interrupted for special events with a duration of 48 hours or less, or by special events permitted by a subsequent coastal development permit. Public access may also be interrupted subject to those temporary safety limitations necessitated by unsafe conditions resulting from waves, extreme weather or required maintenance activities.

9. Regional Bicycle Route.

The proposed project shall not interfere with the public's use of the regional bicycle path as it passes through the Downtown Shoreline area. In order to maintain the existing bicycle and pedestrian connection between the Los Angeles River bicycle path and the beach bicycle path east of the Downtown Marina, the City and its agents shall maintain unobstructed public pedestrian and bicycle access to and along the regional bicycle route where it passes through the project site. The regional bicycle path shall remain open and unobstructed both during construction and subsequent to completion of the permitted development. If construction of the permitted development necessitates a temporary detour of the bicycle route, the applicants shall submit a temporary detour plan, for the review and approval of the Executive Director. The temporary detour plan shall maintain a safe bicycle and pedestrian connection between the Los Angeles River bicycle path and the beach bicycle path east of the Downtown Marina. The City shall provide adequate signage to identify any temporary detour route approved by the Executive Director. A temporary detour route approved by the Executive Director shall be constructed and opened for public use prior to the closing of any portion of the existing regional bicycle route.

10. New Parking.

In order to permit the phased construction and opening of the development approved in LCP Subarea 6 (between Rainbow Harbor and Shoreline Drive) prior to the construction of the parking

facilities located in LCP Subarea 5 (inland of Shoreline Drive), the applicants shall construct and open for public use the following parking facilities in LCP Subarea 6 as follows:

- a) Up to 114,200 square feet of commercial development may be constructed and opened in LCP Subarea 6 utilizing the 571 unallocated parking spaces within the existing 1,471 space City-owned parking structure as the primary parking supply;
- b) Prior to the City's issuance of the first certificate of occupancy for development in LCP Subarea 6 exceeding the 114,200 square foot threshold, the applicants shall open for public use the on-street parking spaces on Shoreline Drive in LCP Subareas 6 and 11 (approximately 189-245 spaces) and the 100-150 space public parking lot located in Shoreline Park at the southwest intersection of Pine Avenue and Shoreline Drive.

Prior to the City's issuance of the first certificate of occupancy for development in LCP Subarea 5 authorized by amended Coastal Development Permit 5-98-156, the applicants shall open for public use the 2,195 space parking structure in LCP Subarea 5 and the approximately 333 on-street parking spaces on Pine Avenue, Seaside Way, and on the new street grid to be developed within LCP Subarea 5.

In addition, within ninety days of the establishment of the proposed parking spaces listed in this condition, the City shall submit final plans, for the review of the Executive Director, which show the exact number and location of all parking spaces (on-street, surface lot & structure) provided pursuant to this condition. The final plans shall be in substantial conformance with the conceptual plans submitted with this application. Any deviation from the conceptual plans shall be submitted to the Executive Director to determine whether an amendment to this permit is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations.

11. Traffic and Parking Management Association.

The applicants and all designated operators and managers of the parking facilities approved herein shall participate in the Traffic and Parking Management Association established pursuant to the City of Long Beach certified Local Coastal Program [see certified LCP Downtown Shoreline Planned Development Plan (PD-6): General Development and Use Standard (b)6]. The City shall include the parking resources approved by this permit in the total parking resources addressed by the Traffic and Parking Management Association.

12. Lease to Private Operators.

The lease of any development or land area subject to Coastal Development Permit 5-98-156 shall explicitly incorporate provisions for public use, public access, employee parking, parking fees and management practices consistent with all conditions contained herein. All findings and conditions of approval adopted by the Commission pursuant to its approval of Coastal Development Permit 5-98-156 shall be attached as an exhibit to all leases of property, development or land area within the project.

13. Public Parking.

All parking within LCP Subareas 5 and 6 shall be reserved for the use of the general public and shall be available for use on a first-come, first-served basis. There shall be no exclusive use of parking spaces or reserved parking spaces within the approved structure by any person or group other than the general public (handicapped spaces excluded). A portion of the public parking spaces in the parking structures and the surface parking lot located at the southwest corner of Shoreline Drive and Pine Avenue may set aside in order to provide the general public with valet or assisted parking on a first-come, first-served basis. Fees for any valet or assisted parking shall be the same as for self-parking.

14. Valet Parking.

In order to increase the capacity of parking facilities and provide service to the public, valet or assisted parking services may be provided within parking structures in LCP Subareas 5 and 6 and in the public parking lot located in Shoreline Park at the southwest corner of Shoreline Drive and Pine Avenue, provided that: (i) such valet or assisted parking is available to the general public on a first-come, first-served basis, (ii) the cost of valet or assisted parking shall be equal or less than the cost of self-parking in the facilities, (iii) valet or assisted parking services in the surface lot located at the southwest corner of Shoreline Drive and Pine Avenue may be provided only after 6 p.m. on weekdays and all day Saturdays and Sundays; and (iv) at any given day and time, no more parking spaces shall be set aside for valet or assisted parking than experience demonstrates will be required to meet public demand. The use of on-street parking spaces for valet parking is prohibited.

The use of valet or assisted parking services shall be subject to Commission review and endorsement. Three years subsequent to the date of issuance of the first certificate of occupancy within the permitted development, should valet or assisted parking services be utilized in either LCP Subarea 5 or 6, the applicants shall submit an amendment request to the Commission for the continued use of valet or assisted parking services. As part of the amendment request, the applicants shall provide the following information for both subareas: number of parking spaces used for self-parking as compared to number of parking spaces used for valet/assisted parking (including time and day of use); number of additional parking spaces “created” by the utilization of valet/assisted parking as compared to the base number of (striped) parking spaces established. All information shall be documented on a monthly basis. Failure to comply with this provision will result in the termination of the authorization to utilize valet or assisted parking services in LCP Subareas 5 and 6.

15. Parking Fees and Validations.

Any change in the approved parking rates or parking validation system described in the application and approval of Coastal Development Permit 5-98-156 may require a coastal development permit amendment. The applicants shall submit any proposed change in the parking fees or change in the parking validation system to the Executive Director to determine whether an amendment to this permit is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations.

16. Employee Parking Program. [Program Approved by Commission 3/14/00]

Prior to issuance of the coastal development permit, the applicants shall submit an employee parking program, subject to the review and approval of the Commission in a permit compliance or permit amendment hearing, which meets the following criteria:

- a) The plan identifies employee parking reservoir(s) of at least 375 spaces that will be available to all employees of the commercial development permitted by Coastal Development Permit 5-98-156 while they are working; and,
- b) None of the 375 employee parking spaces shall be located in the public parking areas located in LCP Subareas 5 and 6; except that LCP Subarea 5 may be used on an interim basis to provide employee parking for development approved in LCP Subarea 6 pursuant to amended Coastal Development Permit 5-98-156 until such time as it is displaced. The Employee Parking Program approved by the Commission on March 14, 2000 (or as amended by a subsequent Commission action) shall be implemented prior to the displacement of any required employee parking spaces in LCP Subarea 5; and,
- c) None of the 375 parking spaces are more than 2,000 feet from the project site unless: (i) they are located within 200 feet of an existing free public transit (Passport) stop, and (ii) the schedules and frequency of the shuttles and choice of routes will not significantly increase commute times such that employees will have an incentive to park in public lots to avoid being late for work; and,
- d) The plan insures that the employee parking is provided to employees at a cost that does not exceed the cost of parking in nearby public parking lots (such as the metered on-street spaces and parking within the Marina Green and Shoreline Park parking areas), and,
- e) The plan identifies the signs, notices and other measures that will inform all employees of the commercial developments approved herein of the employee parking program.

The applicants shall implement the employee parking program as approved by the Commission.

17. Height Limits - LCP Subarea 6. [As Revised by Commission Approval of 5-98-156-A15]

All buildings, signs, structures, poles and/or building extensions in LCP Subarea 6 that exceed 40 feet in elevation are prohibited unless specifically permitted by this condition or another Commission approval. In LCP Subarea 6, no portion of the proposed development shall exceed 40 feet in height, except for the following:

- a) The south end of the faux roller coaster (100 feet maximum with a surface that is less than 15 percent solid or opaque);
- b) Sails, sail columns and flag poles on Building F (sails and sail columns 60 feet maximum, flag poles 75 feet maximum);
- c) Ferris wheel (130 feet maximum);
- d) The letters of “RAINBOW HARBOR” sign (50 feet maximum);

- e) Flag poles on Buildings G,H & J (77 feet maximum), and,
- f) Three vertical blade architectural elements on Buildings G & J, provided they do not exceed 60 feet in height, 8 feet in width and 5 feet in thickness, provided that no signage occurs above 40 feet in height, and provided that they do not project into any protected view corridor shown on LCP Attachment A (Exhibit #9 of staff report dated 1/14/99).

All heights shall be measured from the average elevation at the front top of the curblin, or from the officially mapped flood hazard level of 13.8 feet above mean lower low water (MLLW), whichever is higher.

18. Height Limits - LCP Subarea 5. [As Revised by Commission Approval of A19]

All buildings, signs, structures, poles and/or building extensions in LCP Subarea 5 that exceed 40 feet in elevation are prohibited, unless specifically permitted by this condition or another Commission approval. In LCP Subarea 5, no portion of the proposed development shall exceed 40 feet in height, except for the following:

- a) The north end of the faux roller coaster (100 foot maximum with a surface that is less than 15 percent solid or opaque) and two lantern features abutting the north end of the faux roller coaster (63 & 78 feet maximum);
- b) On Building A (40 feet): one 500 square foot parapet extension (47 feet maximum), the letters of "LONG BEACH" sign (50 feet maximum), and clock tower (60 feet); The hotel at the northeast corner of Bay Street and Cedar Avenue (74 feet maximum to the rooftop pool deck, 83 feet maximum to the top of the stair towers and 90 feet maximum to the top of the elevator housing);
- c) On Building B (40 feet): one 500 square foot building extension (43 feet maximum);
- d) On Building C (40 feet): the roof of the multi-screen theater (60 feet maximum), one barrel element extension (43 feet maximum), one barrel element extension (60 feet maximum), and two 500 square foot towers (60 & 93 feet maximum);
- e) On Building D (40 feet): the roof of the multi-screen theater (60 feet maximum), one barrel element extension (78 feet maximum) with one blade (100 feet maximum) for theater identification sign, and 2,000 square foot tower (52 feet maximum);
- g) Parking structure (Amendment 5-98-156-A1 approved a 100-foot architectural tower);
- h) In the town square: one vertical monument with a footprint not to exceed 500 square feet (152 feet maximum);
- i) Flag poles (77 feet maximum);

- j) Up to seven three-dimensional food icons (70 feet maximum) within the confines of the faux roller coaster, provided that such icons do not advertise a particular store, product or service, and provided that they do not extend south of the north curb of Shoreline Drive; and
- k) On Building E at the southeast corner of Bay Street and Cedar Avenue (46 feet maximum).

All heights shall be measured from the average elevation at the front top of the curblin, or from the officially mapped flood hazard level of 13.8 feet above mean lower low water (MLLW), whichever is higher.

19. View Corridors.

No structures over 42 inches in height, other than required safety features, structures required to meet ADA access standards where there is no alternative location for such structures outside of the view corridors, mobile vending carts, lighting features and low-scale official directional signs, shall be placed in the view corridors identified on Exhibit #9 of this staff report (dated 1/14/99). In addition, no restaurant dining areas shall be placed in the view corridors identified on Exhibit #9 of this staff report (dated 1/14/99). However, seats and picnic tables (less than 42 inches in height) for the public picnic areas with no restaurant table service may be provided within view corridors only as shown on Exhibit #9 of the staff report dated February 24, 2000. An arch which contains the lettering "PIER, PINE AVENUE" shall be permitted at the entrance to the Pine Avenue Pier, provided that the bottom edge of the arch is at least twelve feet above the pier so as to not intrude into the protected pedestrian view corridor along the pier to the water.

Prior to issuance of the coastal development permit, the applicants shall submit revised plans that comply with the view corridor protections of this condition. The revised plans shall be subject to the review and approval of the Executive Director, and shall include the following revisions: a) removal of all items (other than the PINE AVENUE PIER arch) that exceed 42 inches in height from the Pine Avenue Pier view corridor; b) removal of the restaurant dining patios attached to Buildings J and K that encroach into the Terraces view corridor identified on Exhibit #9 of staff report dated 1/14/99 and located at the terminus of Pine Avenue, and c) provision of a 90-foot wide view corridor over Aquarium Way between Building F and Building G south of Shoreline Drive. The development shall conform to the revised plans approved by the Executive Director.

20. Signage.

All roof signs, freestanding signs, three-dimensional icons, and signs above 40 feet in elevation are prohibited, unless specifically permitted by this permit or another Commission approval. Exceptions: i) Signs attached to the wall of an approved structure that exceeds 40 feet in elevation, and ii) up to seven three-dimensional food icons within the confines of the faux roller coaster, provided that such icons do not exceed 70 feet in height above the flood plain elevation, do not advertise a particular store, product or service, and do not extend south of the north curb of Shoreline Drive. The applicants shall submit a comprehensive sign program, subject to the review and approval of the Commission, for all proposed signs that are not attached to the wall of an approved structure, or specifically approved by this action.

21. Final Plans: Parking Structure.

Prior to issuance of the coastal development permit, the applicants shall submit project plans, for the review and approval of the Executive Director, for the parking structure proposed in LCP Subarea 5 on the north side of Shoreline Drive between Cedar Avenue and Chestnut Avenue. The plans for the proposed parking structure shall include features designed to lessen the visual impact of the parking structure, including attractively designed facades, treatments that break up the unrelieved plane of the structure's surface, and special architectural and landscaping features. In addition, the applicants shall submit a drainage plan for the proposed parking structure that incorporates best management practices (BMP's) that will reduce the volume of runoff and amount of pollutants which leave the parking structure site and enter the storm drain system. The drainage plan shall incorporate the following: catch basins to collect trash, trash racks or bars to filter runoff, grease and oil separators, and provisions for periodic cleaning of the paved parking surfaces and catch basins. The drainage plan may include other measures as well. The applicants shall implement the approved drainage plan on an ongoing and permanent basis. The parking structure shall be constructed and maintained in a manner consistent with the plans approved by the Executive Director.

22. Conformance with the Requirements of the Resource Agencies.

The applicants shall comply with all permit requirements and mitigation measures of the State Water Resources Control Board, California Department of Fish and Game, U.S. Army Corps of Engineers, and the U.S. Fish and Wildlife Service with respect to preservation and protection of water quality and marine environment. Any change in the approved project which are required by the above-stated agencies shall be submitted to the Executive Director in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations.

23. Drainage Plans for Parking Lot. [Condition Satisfied 9/14/00]

Prior to issuance of the coastal development permit, the applicants shall submit a drainage plan, for the review and approval of the Executive Director, for the proposed parking lot in Shoreline Park at the southwest corner of Shoreline Drive and Pine Avenue. The drainage plan shall incorporate best management practices (BMP's) that will reduce the volume of runoff and amount of pollutants which leave the parking lot and enter the storm drain system. The drainage plan shall incorporate the following: catch basins to collect trash, trash racks or bars to filter runoff, grease and oil separators, and provisions for periodic cleaning of the paved parking surfaces and catch basins. The drainage plan may include other measures as well. The applicants shall implement the approved drainage plan on an ongoing and permanent basis consistent with the drainage plan approved by the Executive Director.

24. Assumption of Risk.

By acceptance of this permit, the applicants acknowledge and agree: (i) that the site may be subject to hazards from seismic events, liquefaction, storms, waves, floods and erosion; (ii) to assume the risks to the applicants and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any

claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

25. **Consistency with State Tidelands Grant.** *[Condition Satisfied 11/5/99]*

Prior to issuance of the coastal development permit, the applicants shall provide written documentation to the Executive Director, including specific citation of the relevant sections of the applicable State Tidelands Grant, specifically demonstrating that the proposed project in its entirety is consistent with the terms and conditions of the Legislature's grant of this portion of the Downtown Shoreline to the City of Long Beach.

26. **City Acceptance of Conditions.** *[Condition Satisfied 11/5/99]*

Prior to the issuance of the coastal development permit, the City Council shall adopt and submit a resolution, subject to the review and approval of the Executive Director, agreeing to abide by all terms and conditions of Coastal Development Permit 5-98-156. The City and its agents shall abide by all terms and conditions of Coastal Development Permit 5-98-156.

27. **Foundation Design.**

Prior to the commencement of development, the applicants shall submit for review and approval by the Executive Director, final foundation plans for the proposed development (Buildings A,B,C,D,E,F,G,H,J,K,L,M,N,P and the parking structure) that have been reviewed and approved for structural soundness and safety by a qualified engineer. The submitted plans must be in substantial conformance with the plans approved by the Commission. Any changes in the structure design approved by the Commission which may be required by the engineer shall be submitted to the Executive Director to determine whether an amendment to the permit is required. The proposed development shall be constructed in a manner consistent with the final approved plans.

28. **Pedestrian and Bicycle Access (Parking Structure).** *[Condition Satisfied 2/11/00]*

Prior to issuance of the coastal development permit, the applicants shall submit for the review and approval of the Executive Director, revised plans that provide a minimum six-foot wide sidewalk for public pedestrian access through the proposed parking structure on the west side of the Chestnut Place right-of-way. In addition, the applicants shall provide and maintain the bicycle path proposed along the north and east sides of the proposed parking structure that would connect the existing Chestnut Place bike path to the existing Regional Bicycle Route on the south side of the proposed parking structure (north side of Shoreline Drive). The applicants shall not interfere with public use of the existing Regional Bicycle Route that runs along the north side of Shoreline Drive, the Chestnut Place sidewalk required by this condition, or the proposed bicycle path connecting the Chestnut Place bike path to the Regional Bicycle Route. The development shall be maintained consistent with the plans approved by the Executive Director.

29. **Landscaping and Treatment of Roof (Parking Structure).** *[Condition Satisfied 7/6/00]*

Prior to issuance of the coastal development permit, the applicants shall submit for the review and approval of the Executive Director, a rooftop treatment plan for the proposed parking structure that provides landscaping and surface treatment to soften the visual impact of the parking structure's roof on nearby high-rise buildings. The roof surface shall be treated with material that reflects less light than standard gray concrete. Landscaping shall be provided on the roof to the extent that a minimum of twenty percent (20%) of the total roof area will be covered or shaded within three years of the issuance of the certificate of occupancy for the proposed parking structure. The approved rooftop landscaping shall be installed prior to the issuance of the certificate of occupancy for the proposed parking structure. The development shall be maintained consistent with the plans approved by the Executive Director.

30. **Erosion and Siltation Control (Parking Structure).** *[Condition Satisfied 3/13/2000]*

Prior to the issuance of the coastal development permit, the applicants shall submit, for the review and approval of the Executive Director, an erosion control and siltation prevention plan that incorporates structural and non-structural Best Management Practices (BMPs) to control erosion from the construction site and prevent silt from the construction site from entering the storm drain during construction of the proposed parking structure. The approved erosion control and siltation plan shall conform to the standards of the California Regional Water Quality Control Board and the U.S. Army Corps of Engineers, and shall be implemented during construction.

31. **Drainage Plan (Parking Structure).** *[Condition Satisfied 2/26/2000]*

Prior to issuance of the coastal development permit, the applicants shall submit, for the review and approval of the Executive Director, a drainage plan for the proposed parking structure that incorporates structural and non-structural Best Management Practices (BMPs) to: a) reduce the volume of runoff leaving the parking structure site, b) control the velocity at which the runoff enters the storm water drain, and c) reduce the amount of pollutants contained in the runoff leaving the parking structure site prior to entering the storm drain system. The drainage plan shall incorporate, but not be limited to, the following suggested BMPs: landscaped buffers, catch basins to collect litter, trash racks or bars to filter runoff, grease and oil separators or filters which will aid in the removal of dissolved contaminants, provisions for regular scheduled cleaning of paved parking lot surfaces and catch basins, and maintenance of structural and non-structural BMPs as necessary. The drainage plan may include other measures as well. The permittee shall implement the approved drainage plan on an ongoing and permanent basis in a manner consistent with the drainage plan approved by the Executive Director. In addition, any lease or operating agreement that involves the proposed parking structure shall explicitly incorporate the provisions of the drainage plan approved by the Executive Director.

32. **Parking Lot Landscaping Plan (Employee Lot/LCP Subarea 3).**

The applicants shall maintain and protect the mature trees as indicated on the proposed project plans, and provide and maintain the landscaping as indicated on the proposed project plans. The

proposed project plans are attached as page two of Exhibit #4 of the staff report dated November 18, 1999.

33. **Erosion and Siltation Control (Employee Lot/LCP Subarea 3).** *[Condition Satisfied 3/13/00]*

Prior to the issuance of the coastal development permit amendment (5-98-156-A2), the applicants shall submit, for the review and approval of the Executive Director, an erosion control and siltation prevention plan that incorporates structural and non-structural Best Management Practices (BMPs) to control erosion from the parking lot construction site and prevent silt from the construction site from entering the storm drain during construction of the proposed parking lot. The approved erosion control and siltation plan shall conform to the standards of the California Regional Water Quality Control Board and the U.S. Army Corps of Engineers, and shall be implemented during construction.

34. **Parking Lot Drainage Plan (Employee Lot/LCP Subarea 3).**

Prior to issuance of the coastal development permit amendment (5-98-156-A2), the applicants shall submit, for the review and approval of the Executive Director, a drainage plan for the proposed parking lot that incorporates structural and non-structural Best Management Practices (BMPs) to:

- a) reduce the volume of runoff leaving the parking lot site, b) control the velocity at which the runoff enters the storm water drain, and c) reduce the amount of pollutants contained in the runoff leaving the parking lot site prior to entering the storm drain system.

The drainage plan shall meet the standard of containing on the parking lot site 0.75 inches of precipitation within a 24-hour period. The drainage plan shall incorporate, but not be limited to, the following suggested BMPs: landscaped buffers, catch basins to collect litter, trash racks or bars to filter runoff, grease and oil separators or filters which will aid in the removal of dissolved contaminants, provisions for regular scheduled cleaning of paved parking lot surfaces and catch basins at least once a year between September 15 and October 15, and maintenance of structural and non-structural BMPs as necessary. The drainage plan may include other measures as well. The permittees shall implement the approved drainage plan on an ongoing and permanent basis in a manner consistent with the drainage plan approved by the Executive Director. In addition, any lease or operating agreement that involves the proposed parking lot shall explicitly incorporate the provisions of the drainage plan approved by the Executive Director.

35. **Consistency with State Tidelands Grant (Employee Lot Subarea 3).** *[Condition Satisfied 5/5/00]*

Prior to issuance of the coastal development permit amendment (5-98-156-A2), the applicants shall provide written documentation to the Executive Director, including specific citation of the relevant sections of the applicable State Tidelands Grant, specifically demonstrating that the proposed employee parking lot is consistent with the terms and conditions of the Legislature's grant of this portion of the Downtown Shoreline to the City of Long Beach.

36. **Revised Tentative Parcel Map.** *[Condition Satisfied 8/12/00]*

Prior to issuance of the coastal development permit amendment (5-98-156-A3), the applicants shall submit, for the review and approval of the Executive Director, a revised tentative parcel map that complies with all of the following conditions:

- a) All parcels shall be in the same general location as the parcels shown in Exhibits #5&6 of the staff report dated January 27, 2000;
- b) The total area of the proposed commercial parcels located south of Shoreline Drive (excluding the remainder public park area and one parcel comprised of a public parking lot) shall not exceed a maximum of four acres;
- c) No portion of any proposed commercial parcel located south of Shoreline Drive shall encroach into the view corridors identified on Exhibit #7 of the staff report dated January 27, 2000;
- d) No portion of any proposed commercial parcel shall encroach into the public accessways protected by special condition six of Coastal Development Permit 5-98-156;
- e) All parcels shall conform to all terms and conditions of Coastal Development Permit 5-98-156 as amended; and,
- f) The portion of the project site that is located south of Shoreline Drive, except for the four acres that comprise the proposed commercial parcels, shall remain designated as public park area.

The applicants shall record the final parcel map in accordance with the revised parcel map approved by the Executive Director pursuant to this condition. All development shall take place consistent with the revised parcel map approved by the Executive Director. All terms and conditions of Coastal Development Permit 5-98-156, as amended, shall be attached to the final recorded parcel map.

37. Permitted Uses.

The development and use of each parcel created by the proposed parcel map is limited to the development and uses expressly permitted by the terms and conditions of Coastal Development Permit 5-98-156 as amended. All terms and conditions of Coastal Development Permit 5-98-156, as amended, shall be attached to the final recorded parcel map.

38. Consistency with State Tidelands Grant. [Condition Satisfied 5/5/00]

Prior to issuance of the coastal development permit amendment (5-98-156-A3), the applicants shall provide written documentation to the Executive Director, including specific citation of the relevant sections of the applicable State Tidelands Grant, specifically demonstrating that the proposed subdivision of State Tidelands is consistent with the terms and conditions of the Legislature's grant of this portion of the Downtown Shoreline to the City of Long Beach. The applicants shall also demonstrate that the State Lands Commission has given permission for the proposed subdivision of State Tidelands and agrees that the proposed subdivision of State Tidelands is consistent with

the terms and conditions of the Legislature's grant of this portion of the Downtown Shoreline to the City of Long Beach.

39. Pedestrian Connection Between LCP Subarea 3 and LCP Subareas 5 & 6.

The public sidewalk and stairway proposed along the south side of Shoreline Drive connecting the existing public pedestrian access systems in LCP Subarea 3 to LCP Subareas 5 and 6 shall be constructed concurrent with the commercial development approved in LCP Subarea 5. The proposed public sidewalk and stairway linking the existing public pedestrian access systems in LCP Subareas 3, 5 and 6 shall be opened to the general public prior to the date of issuance of the first certificate of occupancy within the development permitted by Coastal Development Permit 5-98-156. Public access along the proposed and existing pedestrian accessways in LCP Subareas 3, 5 and 6 shall remain open and unobstructed for use by the general public. No gate or other obstruction is permitted on any proposed or existing pedestrian accessway in LCP Subareas 3, 5 or 6.

40. Protection of Water Quality – Project Design & Post Construction.

PRIOR TO ISSUANCE OF THE PERMIT AMENDMENT, the applicants shall submit for the review and approval of the Executive Director, a Water Quality Management Plan (WQMP) for the post-construction portion of the site subject to Permit Amendment 5-98-156-A6, prepared by a licensed water quality professional. The WQMP shall incorporate structural and non-structural Best Management Practices (BMPs) designed to reduce, to the maximum extent practicable, the volume, velocity and pollutant load of storm water and nuisance flow leaving the developed site. The WQMP shall be in substantial conformance with the following requirements:

A. Water Quality Goals.

- (i) Appropriate structural and non-structural BMPs shall be designed to treat, infiltrate, or filter the runoff from all surfaces and activities on the development site.
- (ii) Post-construction structural BMPs (or suites of BMPs) should be designed to treat, infiltrate or filter the amount of storm water runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event, with an appropriate safety factor (i.e., 2 or greater), for flow-based BMPs.
- (iii) Runoff from all roofs, parking areas, maintenance areas, and driveways shall be collected and directed through a system of appropriate structural BMPs. The filter elements shall be designed to 1) trap sediment, particulates and other solids and 2) remove or mitigate contaminants through filtration and/or biological uptake. The drainage system shall also be designed to convey and discharge runoff in excess of this standard from the building site in a non-erosive manner.

B. Restaurants

- (i) Each restaurant shall have a wash down area for restaurant equipment and accessories which shall be designed as follows: a) Designate equipment-cleaning areas indoors, and install berms to direct all runoff to the sewer system; or, if equipment cleaning areas are to be located outdoors, all wash-down areas shall be routed to the sanitary sewer system and shall

not contribute to polluted runoff or nuisance flows; b) Prohibit the cleaning of equipment in any area where water may flow to a street, gutter, creek, or storm drains; and, c) Minimize to the maximum extent practicable the amount of wash water used.

- (ii) The above restriction on restaurants shall be incorporated into a lease agreement with the concessionaire or operator of such facilities so that such requirements are binding upon them.

C. Education and Training

- (i) Provide annual training of employees on chemical management and proper methods of handling and disposal of waste. Make sure all employees understand the on-site BMPs and their maintenance requirements.
- (ii) Provide informational signs around the establishment for customers and employees about water quality and the BMPs used on-site.
- (iii) Label/stencil outdoor drains to indicate whether they flow to an on-site treatment device, a storm drain, or the sanitary sewer as appropriate.

D. Landscaping. Minimize to the maximum extent practicable the use of pesticides and fertilizers.

E. Monitoring and Maintenance

- (i) All BMPs shall be operated, monitored, and maintained for the life of the project and at a minimum, all structural BMPs shall be inspected, cleaned-out, and where necessary, repaired, at the following minimum frequencies: 1) prior to October 15th each year; 2) during each month between October 15th and April 15th of each year and, 3) at least twice during the dry season (between April 16 and October 14 of every year).
- (ii) Debris and other water pollutants removed from structural BMP(s) during clean-out shall be contained and disposed of in a proper manner.
- (iii) It is the applicants' responsibility to maintain the drainage system and the associated structures and BMPs according to manufacturer's specification and to ensure maximum pollutant removal efficiencies.

The permittees shall undertake and maintain the approved development in accordance with the Water Quality Management Plan approved by the Executive Director pursuant to this condition. Any proposed changes to the approved Water Quality Management Plan shall be reported to the Executive Director in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

41. **Permitted Use: Overnight Room Rentals.**

The permitted use of the structure approved by Coastal Development Permit Amendment 5-98-156-A15 is a 140-room hotel (as defined in the certified City of Long Beach Local Coastal

Program - Zoning Code Section 21.15.1380). The approved structure shall be operated as a bona fide hotel that provides overnight accommodations to visitors for a period of not more than thirty consecutive days. Any change in the number of units or change in use (including, but not limited to, a change from overnight room rentals to time shares or month-to-month rentals) is not permitted by this action and shall be submitted to the Executive Director to determine whether an amendment to this permit is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations.

42. Permitted Use: Overnight Room Rentals.

The permitted use of the structure approved by Coastal Development Permit Amendment 5-98-156-A17 is a 125-room hotel (as defined in the certified City of Long Beach Local Coastal Program - Zoning Code Section 21.15.1380) with 14,725 square feet of ground-floor retail space. The approved 125-room hotel shall be operated as a bona fide hotel that provides overnight accommodations to visitors for a period of not more than thirty consecutive days. Any change in use from overnight room rentals to time shares, condominium-style hotel rooms, or month-to-month rentals is not permitted by this action and is prohibited on the project site as such uses are not recognized as legal uses of State Tidelands. Any proposed change to the approved development shall be submitted to the Executive Director to determine whether an amendment to this permit is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations.

43. Affordable Overnight Accommodations – Mitigation.

(a) A \$30,000 mitigation fee per room shall apply to 25% of the total number of approved hotel rooms (0.25 x 125). Prior to the commencement of construction of the approved development, the total in-lieu fee of \$937,000 ($\$30,000 \times 31.25 = \$937,500$) shall be deposited into an interest-bearing account, to be established and managed by the State Coastal Conservancy pursuant to a memorandum of understanding entered into between the Conservancy and the Executive Director. The purpose of this account shall be to provide funding grants to public agencies or non-profit organizations for the provision of lower cost overnight visitor accommodations within or in close proximity to the coastal zone, including but not limited to hostel accommodations, campground accommodations, cabins, or low cost hotel or motel accommodations.

(b) The entire fee deposited into the special account identified in subparagraph (a) together with any accrued interest shall be used for the purpose set forth in subparagraph (a), and the expenditure of any funds from this account shall be subject to review and approval by the Executive Director of the Coastal Commission. This fee shall be expended within five (5) years of the date the fee is deposited into the account, unless this time limit is extended for good cause for a period not to exceed an additional five (5) years. If the funds are not expended within this time period, the Commission and the State Conservancy shall agree on an alternative expenditure of the funds for public recreational benefits in the coastal zone.

Exhibit 1.1

Application No:
5-98-156-A18



California Coastal
Commission

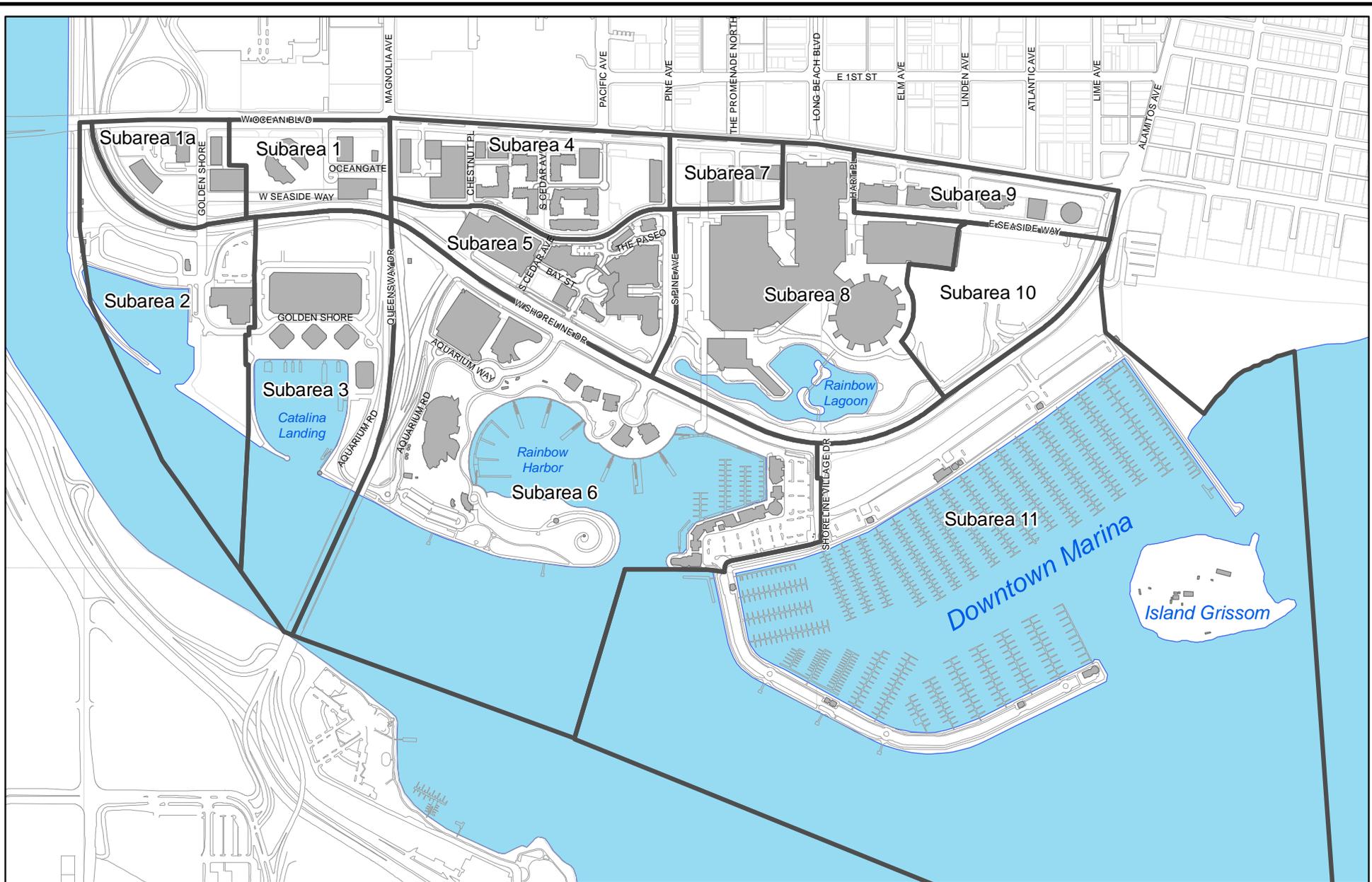


Exhibit 1.2

Application No:
5-98-156-A18



California Coastal
Commission



Downtown Shoreline
 Planned Development District
 (PD-6)

Updated March 2011

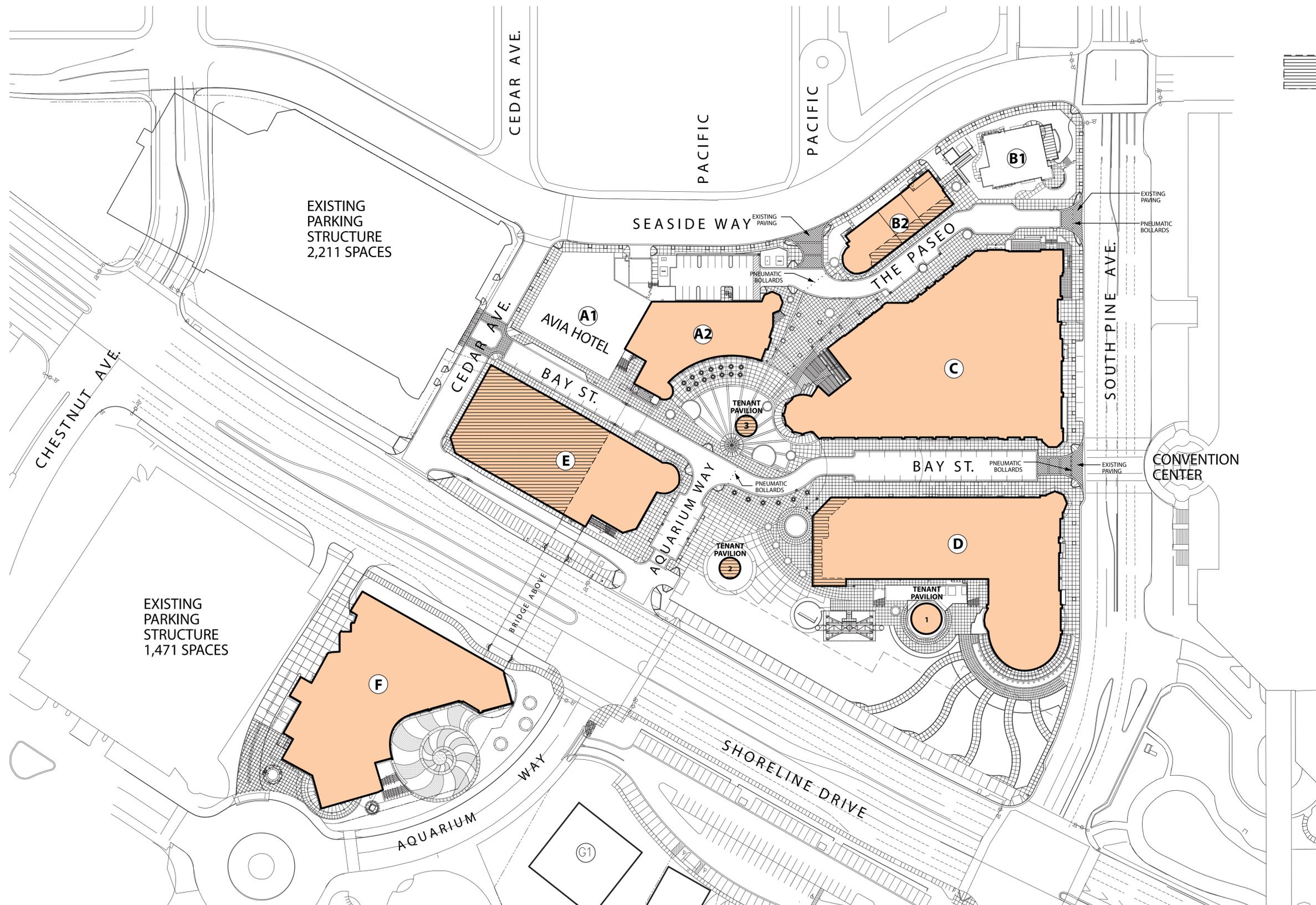


Exhibit 2.1

Application No:
5-98-156-A18



California Coastal
Commission

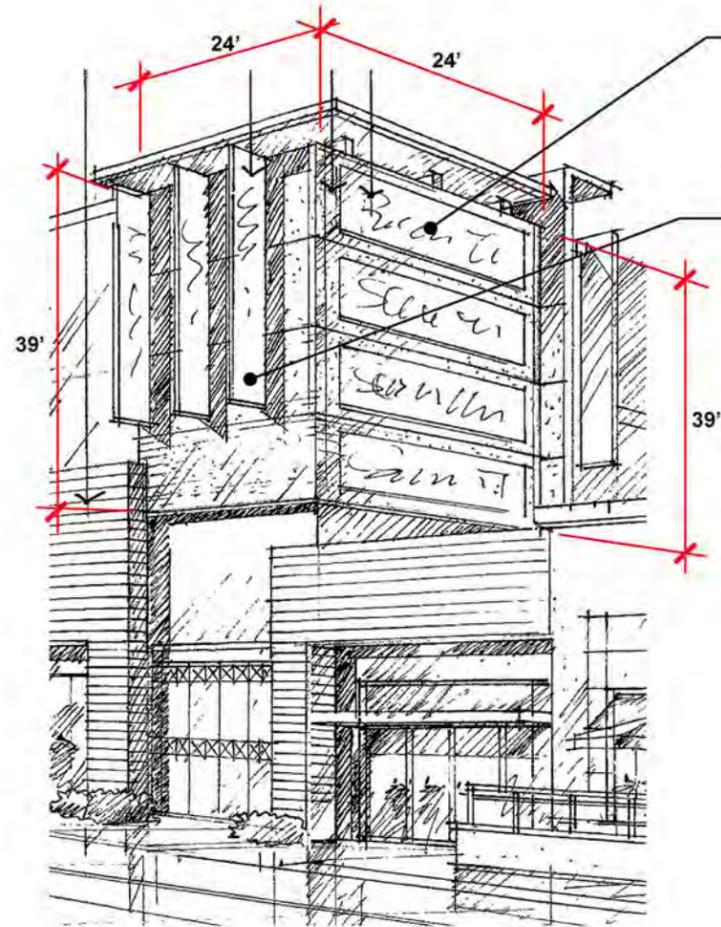


GROUND LEVEL

NEW CONSTRUCTION

Bldg. B2 =	1,785 SF
Bldg. D =	2,500 sf
Bldg. E =	21,900 SF
Pavilion 2 =	600 SF
Pavilion 3 =	600 SF
Total =	27,385 SF

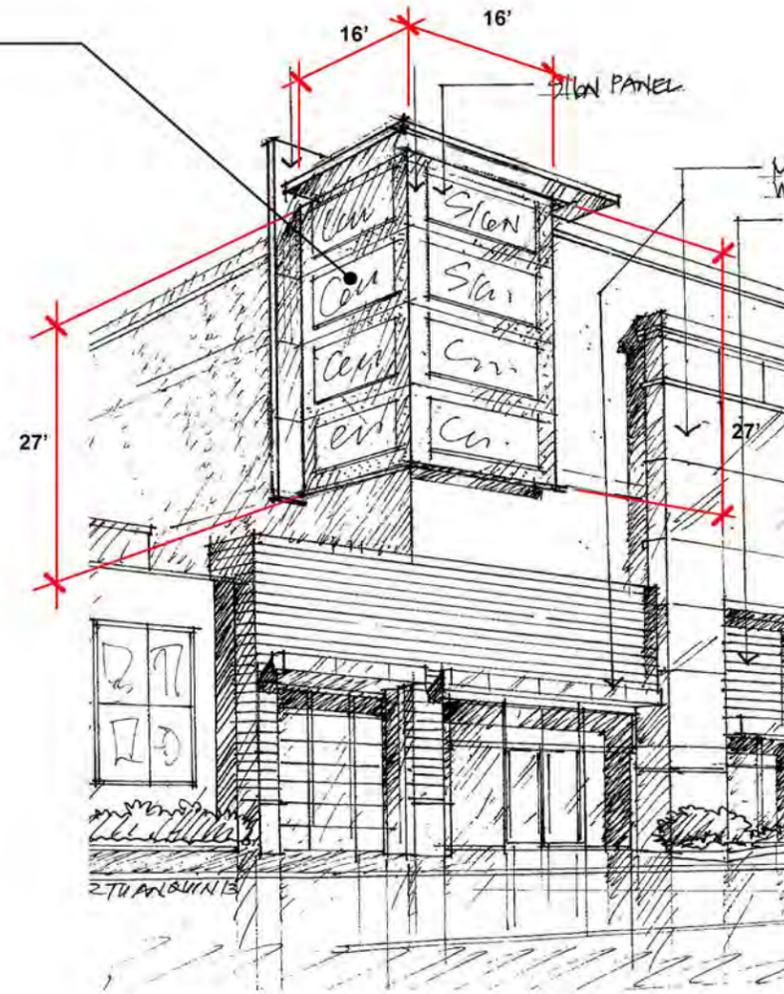
2. LIGHTING



CORNER SIGN 1

TYPE C: BLADE SIGNS
"ROUTED-OUT & BACKED-UP"
LED LIT ALUMINUM PANELS

TYPE B: SIGN PANELS
"PUSHED THROUGH" LED LIT
ON PERFORATED ALUMINUM



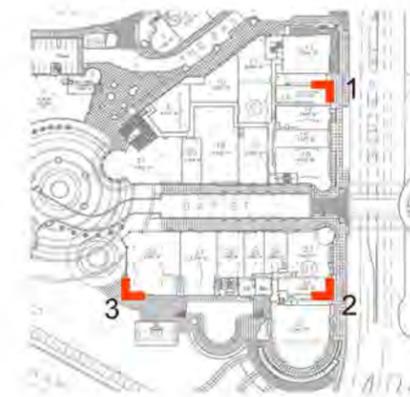
CORNER SIGN 2 & 3 (TYPICAL)



SURFACE MOUNTED SIGN (TYPICAL)

* **SIZE:** 1.5 SQUARE FOOT OF SIGN AREA PER LINEAR FOOT OF TENANT WIDTH.

**TYPE A: SURFACE MOUNTED
CHANNEL SIGNAGE**



KEY PLAN

Exhibit 2.2

Application No:
5-98-156-A18



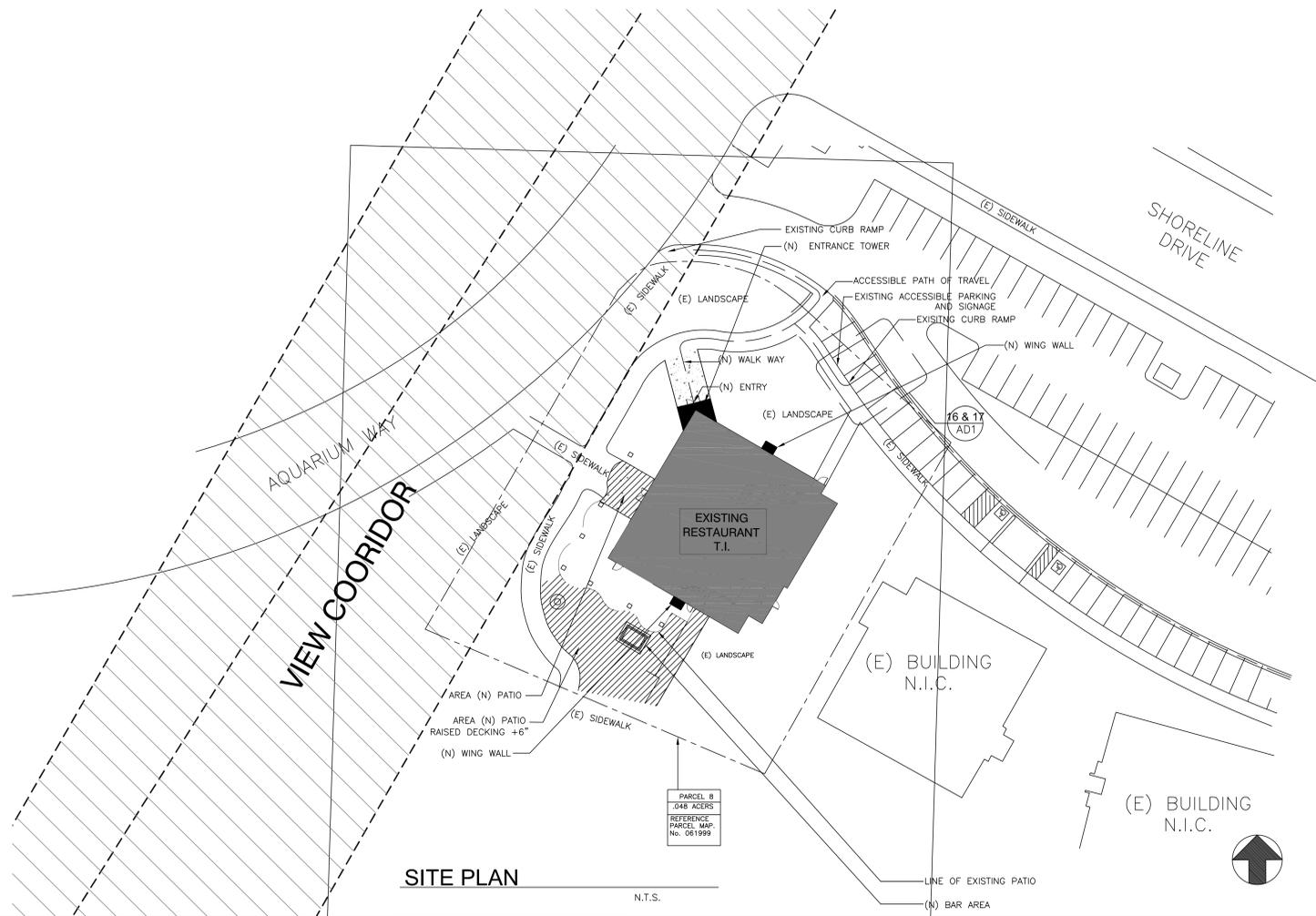
California Coastal
Commission

HOOTERS OF LONG BEACH

90 AQUARIUM WAY
LONG BEACH, CALIFORNIA 90802

FIRE NOTES

- STREET NUMBERS: High contrast, clearly visible address numbers are required in an approved location on the structure in the front of the business viewable from the street on both corners of the building. Minimum size is 12". Address numbers must be provided on exterior of all access doors at a minimum of 6". Coordinate with fire inspector for location specifics. IFC 505.1.1 Label exterior utility rooms as appropriate (Electric Room, Fire alarm, Fire Riser).
- EXIT PLAN: Provided on SHT A1.2 Provide exit aisle width per CBC/CFC 1017.
- EXITING: Provide 2 exits out of patio area. Include aisle width out of patio area.
- DOOR SWING: Doors must swing in the path of exit travel per CBC/CFC 1008.1.
- EXIT SIGNS: Provide exiting signs. Additional signs and or directional signs may be required during inspection.
- EXISTING EXIT SIGNS AND EMERGENCY LIGHTS: All Existing exit signs and emergency lighting must be tested prior to final. 90-minute battery backup must be provided in accordance with cbc 1006.3
- UL 300 HOOD SUPPRESSION SYSTEM: Submit plans to this office for approval.
- FIRE EXTINGUISHER: Provide a minimum of one 2A10BC type fire extinguisher within every 75 feet of travel distance. Extinguisher must be mounted where easily accessible. Mount Extinguisher 3-5 feet above floor.
- CLASS K FIRE EXTINGUISHER: Provide Class K fire extinguisher to kitchen area.
- TYPE OF LOCK AND LATCH: All exit doors are required to have panic hardware. Shown on floor plan sheet and in door schedule on sheet A-2.2. Gate exiting out of patio to either be panic hardware or no lock and latch.
- FIRE LANE: SEE SITE PLAN FOR EXISTING Fire Lane (No Parking)
- MAXIMUM OCCUPANCY SIGN: Provide a permanent maximum occupancy sign not to exceed number determined by the Building Official near the front entrance of business. sign to be installed prior to final.



SCOPE OF WORK

BUILDING RENOVATION TO EXISTING RESTAURANT
SCOPE TO INCLUDE:
RECONFIGURE INTERIOR WALLS
RECONFIGURE MECHANICAL, ELECTRICAL, PLUMBING AND EQUIPMENT, INCLUDING RESTROOMS
BUILDING EXTERIOR - ADD BOX PARAPETS, CLERESTORY WINDOWS, NEW ENTRANCE TOWER, A WING WALL & PATIO EXPANSION.

SHEET INDEX

- A1-0 SITE PLAN - PROJECT NOTES
- A1-1 EXISTING SITE PLAN (FOR REFERENCE)
- A2-0 EXISTING FLOOR PLAN (FOR REFERENCE)
- A2-1 FLOOR PLAN
- A4-1 EXTERIOR ELEVATIONS
- A4-2 EXTERIOR ELEVATIONS

PROJECT DATA

PROJECT NAME: LONG BEACH HOOTERS - REMODEL
OWNER AGENT: HOOTWING LLC
3188 VISTA WAY SUITE 200
OCEANSIDE, CA 92506
PROJECT ADDRESS: 90 AQUARIUM WAY,
LONG BEACH CA 90802
A.P.N. 7278-010-914
CONSTRUCTION TYPE: V-B
FIRE SPRINKLERS: YES
STORIES: ONE, EXISTING
OCCUPANCY: A2 RESTAURANT
RESTAURANT BUILDING AREA: 6238 SF
PATIO AREA PARTIALLY COVERED WITH TRELLIS: 4425 SF (1510 SF EXISTING +2915 SF NEW)



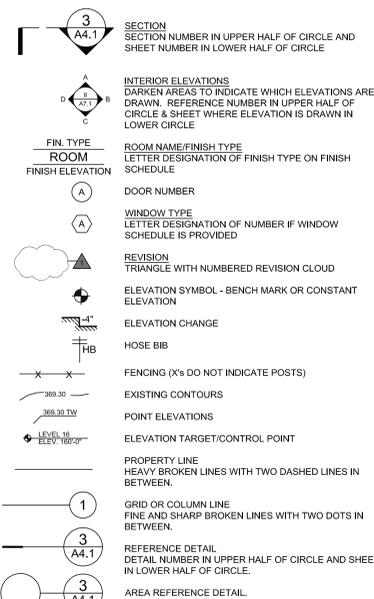
HOOTERS OF LONG BEACH
90 AQUARIUM WAY, LONG BEACH, CA 90802

DAVID BRENNAN ARCHITECT
1010 UNIVERSITY AVE. 344
SAN DIEGO CA 92103

ABBREVIATIONS

A.B.	ANCHOR BOLT	DWLS	DOWNLEDS	IN	INCH	REQ.(R)	REQUIRED
ABV.	ABOVE	DWR	DRAWER	INCL	INCLUDED	RE/S	RE-PAINT
A.C.	ASPHALTIC CONCRETE/ AIR CONDITIONING	EA	EACH	I.E.	INVERT ELEVATIONS	RM	ROOM
ACCUS	ACCUSTIC	E.B.	EXPANSION BOLT	INSUL	INSULATION	R.O.	ROUGH OPENING
A.D.	ACCESS DOOR/AREA DRAIN	E.J.	EXPANSION JOINT	INT	INTERIOR	S	SOUTH
ADD	ADDITION	E.J.	EXPANSION JOINT	JAN	JANITOR	SC	SOLID CORE
ADJ.	ADJUSTABLE	EL	ELEVATION	JST	JOIST	SCHED	SCHEDULE
A.F.F.	ABOVE FINISH FLOOR	ELEV	ELEVATION	JT	JOINT	SHT	SHEET
AL	ALUMINUM	ELC	ELECTRICAL	KIT	KITCHEN	S.F.	SQUARE FEET
ALT	ALTERNATE	EN	ENCLOSURE	LAM	LAMINATED	SM	SIMILAR
AND	AND/OTHER	EQ	EQUAL	L.G.	LAG BOLT	SPG	SPACING
ARCH	ARCHITECTURAL	E.W.	EACH WAY	L.L.	LIVE LOAD	SPEC	SPECIFICATION
ASPH	ASPHALT	EXT	EXTERIOR	LH	LONGLEDS VERTICAL	SD	SQUARE
Ø	AT	EXT	EXTERIOR	LONGIT	LONGITUDINAL	S.S.	STAINLESS STEEL
BD	BOARD	EX	EXISTING	L.P.	LOW POINT	STAGG	STAGGERED
BET	BETWEEN	F.B.	FLAT BAR	L.W.C.	LIGHT WEIGHT CONCRETE	STD	STANDARD
B.F.	BOTTOM FOOTING	F.D.	FLOOR DRAIN, FRENCH DOOR	MAS	MASONRY	STIFF	STIFFENED
BLDG	BUILDING	F.F.	FINISHED FLOOR/FACTORY FINISH	MATL	MATERIAL	STR	STRUCTURAL
BLKG	BLOCKING	FDN	FOUNDATION	MAX	MAXIMUM	STL	STEEL
BM	BEAM	F.E.	FIRE EXTINGUISHER	M.C.	MEDICINE CABINET	T	TREAD
B.N.	BOUNDARY NAIL	F.E.C.	FIRE EXTINGUISHER CABINET	MECH	MECHANICAL	TEMP	TEMPERED
BOT	BOTTOM	F.F.E.	FINISH FLOOR ELEVATION	MEMB	MEMBRANE	T.C.	TOP OF CURB/TOP OF CONC.
BRS	BEARING	FIN	FLOOR	MET	METAL	T.G	TONGUE AND GROOVE
BSMT	BASEMENT	FLUR	FLUORESCENT	MFR	MANUFACTURER	THR	THRESHOLD
B.U.	BUILD UP	F.M.	FIELD OF MARKING	MIB	MISCELLANEOUS	R.J.	TOOLED JOINT
CAB	CABINET	F.O.	FACE OF (SPECIFY ITEM)	MISC	MISCELLANEOUS	T.N.	TOE NAIL
C.L.	CENTERLINE	F.O.B.	FACE OF BRICK	N	NORTH	T.O.	TOP OF (SPECIFY ITEM)
CER	CERAMIC	F.O.C.	FACE OF CONCRETE	N/C	NOT IN CONTRACT	T.O.P.	TOP OF FOOTING
C.J.	CONTROL JOINT	F.O.M.	FACE OF MASONRY	NO	NUMBER	T.O.S.	TOP OF SLAB
CLG	CEILING	F.O.P.	FACE OF PANEL	N.T.S.	NOT TO SCALE	T.O.W.	TOP OF WALL
CMU	CONCRETE MASONRY UNIT	F.O.S.	FACE OF STUD	O.C.	ON CENTER	TRANS	TRANSVERSE
CONC	CONCRETE	F.P.	FIRE PROOFING	O.D.	OUTSIDE DIAMETER	TYP	TYPICAL
CONSTR	CONSTRUCTION	FT	FOOTFEET	O.F.	OVERFLOW/OUTSIDE FACE	U.N.O.	UNLESS NOTED OTHERWISE
CONT	CONTINUOUS	F.S.	FLOOR SINK	OPP	OPPOSITE	U.B.C.	UNIFORM BUILDING CODE
COORD	COORDINATE	FX	GAUGE	OPN	OPENING	V.A.T.	VERMILION ASBESTOS TILE
CORR	CORROSION	GA	GAUGE	OPOS	OPPOSITE	V.B.	VAPOR BARRIER
CSK	COUNTERSINK	GALV	GALVANIZED	OVRHD	OVERHEAD	VENT	VENTILATOR OR VENTILATION
CTR	CENTER	GL	GALVANIZED IRON	P.L.	PROPERTY LINE/PLATE	VERT	VERTICAL
C	CHANNEL	GLB	GLASS	PND	POND	W	WEST
CS	CASEMENT	GLU	GLU LAM BEAM	P.S.F.	POUNDS PER SQ. FT.	W	WITH
Ø	PENNY (NAILS)	G.P.R.	GIPSUM BOARD	P.S.I.	POUNDS PER SQ. INCH	WO	WOOD
CRK	CRACK	H.B.	HOSE BIBB	P.T.	PRESSURE TREATED	W.GL	WIRE GLASS
DET	DETAIL	H.C.	HOLLOW CORE	P.T.S.	POST TENSIONING SLAB	W.H	WATER HEATER
DM	DIAGONAL	HDR	HEADER	PRM	PERIMETER	W/O	WITHOUT
DPRM	DAMPENING	HDR	HEADER	PERP	PERPENDICULAR	W/P	WATERPROOF
DRINK	DRINKING FOUNTAIN	HOR	HANGER	PLAS	PLASTER	W.P.J.	WEAVENTED PLANE JOINT
DUGLAS FR	DOUGLAS FIR	H.M.	HOLLOW METAL	PLAT	PLASTIC	W.R.	WATER RESISTANT
DM	DIAMETER	H	HOPPER	R	RISE	W	WEIGHT
DL	DEAD LOAD	HORIZ	HORIZONTAL	R.D.	ROOF DRAIN	W.F.	WELDED WIRE FABRIC
DN	DOWN	HT	HEIGHT	REF	REFERENCE	Y	YARD
D.S.	DOWN SPOUT	H.V.A.C.	HEATING VENTILATING AND AIR CONDITIONING	REIN	REINFORCING	V	VERTICAL
DWG	DRAWING	H.W.	HOT WATER	RESIL	RESILIENT		
		I.D.	INSIDE DIAMETER	RET	RETAGGING		

SYMBOLS



GENERAL NOTES

- CONTRACTOR SHALL - PRIOR TO COMMENCEMENT OF WORK - FIELD VERIFY ALL EXISTING PROJECT CONDITIONS, INCLUDING DIMENSIONS, UTILITY LOCATIONS AND UTILITY SIZES - SHOULD ANY CONDITION ARISE WHERE INTENT OF DRAWINGS IS IN DOUBT, OR THERE IS A DISCREPANCY BETWEEN DRAWINGS AND FIELD CONDITIONS, CONTRACTOR SHALL NOTIFY ARCHITECT IN WRITING FOR CLARIFICATION - RECORD ANY DISCREPANCIES ON A REPRODUCIBLE DOCUMENT AND TRANSMIT TO ARCHITECT FOR PROJECT RECORD, COORDINATION, AND NECESSARY RESOLUTION PRIOR TO CONTINUING WITH WORK.
- WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED SIZES. DO NOT SCALE DRAWINGS TO DETERMINE ANY LOCATIONS. ARCHITECT SHALL BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO CONTINUING WITH WORK - DIMENSIONS ON PLANS ARE TO CENTERLINE OF WALLS AND COLUMNS, AND FACE OF STUD - UNLESS NOTED OTHERWISE
- ALL WORK SHALL CONFORM TO LATEST ADOPTED EDITIONS OF ALL APPLICABLE BUILDING CODES, AMERICANS WITH DISABILITIES ACT, AND ALL OTHER LOCAL GOVERNING CODES AND ORDINANCES. SEE PROJECT DATA
- SUBMISSION OF A PROPOSAL BY CONTRACTOR WILL BE CONSTRUED AS EVIDENCE THAT A CAREFUL AND THOROUGH EXAMINATION OF JOB SITE HAS BEEN MADE AND LATER CLAIMS FOR LABOR, MATERIALS, OR EQUIPMENT REQUIRED - OR FOR DIFFICULTIES ENCOUNTERED WHICH WOULD HAVE BEEN FORESEEN HAD SUCH AN EXAMINATION BEEN MADE - WILL NOT BE RECOGNIZED. IT ALSO CONSTITUTES A REPRESENTATION THAT CONTRACTOR HAS CHECKED AND VERIFIED ALL QUANTITIES, WORK, AND MATERIALS INVOLVED AND THAT CONTRACTOR SHALL TAKE RESPONSIBILITY FOR ANY DEFICIENCIES THEREIN
- AT TENANT IMPROVEMENT OR REMODELING PROJECTS, DRAWINGS ASSUME THE EXISTING BUILDING TO BE IN COMPLIANCE WITH ALL APPLICABLE CODE REQUIREMENTS - ANY VIOLATIONS OF CODES DISCOVERED DURING THE COURSE OF CONSTRUCTION SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER
- LOCATIONS OF ANY UTILITIES SHOWN ON DRAWINGS ARE APPROXIMATE AND CONTRACTOR SHALL EXERCISE EXTREME CAUTION IN EXCAVATING AND TRENCHING ON SITE TO AVOID DAMAGING EXISTING PIPES OR CONDUITS. CONTRACTOR IS RESPONSIBLE TO LOCATE ALL EXISTING UTILITIES, WHETHER SHOWN HEREIN OR NOT, AND PROTECT THEM FROM DAMAGE. CONTRACTOR SHALL BEAR ALL EXPENSE FOR REPAIR OR REPLACEMENT OF UTILITIES AND OTHER PROPERTY DAMAGED IN CONJUNCTION WITH EXECUTION OF WORK

PROJECT TEAM

ARCHITECT

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MECHANICAL / PLUMBING ENGINEER

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858.715.6601

ELECTRICAL ENGINEER

C & G ENGINEERING INC
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619.398.3479

PROJECT OWNER

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OCEANSIDE CA 92506
760.966.3000

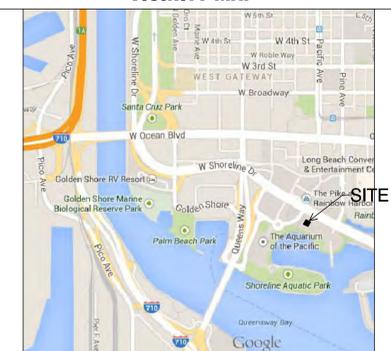
BUILDING CODES

THIS PROJECT SHALL COMPLY WITH BUT NOT LIMITED TO:
BUILDING CODE: 2013 (CBC) CALIFORNIA BUILDING CODE
PLUMBING CODE: 2013 (CPC) CALIFORNIA PLUMBING CODE
MECHANICAL CODE: 2013 (CMC) CALIFORNIA MECHANICAL CODE
ELECTRICAL CODE: 2013 (CEC) CALIFORNIA ELECTRICAL CODE
FIRE CODE: 2013 CALIFORNIA FIRE CODE
ADA ACCESS: CALIFORNIA TITLE 24 ADA
ENERGY CODE: 2013 CALIFORNIA ENERGY STANDARDS
GREEN CODE: 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE

DEFERRED SUBMITTALS

- NOTE: A SEPARATE SPRINKLER PERMIT SHALL BE REQUIRED FOR THIS EXISTING BUILDING. PLANS SHALL BE SUBMITTED APPROVAL.

VICINITY MAP



NO	REVISIONS

PROJECT NOTES

DATE: 8/14/14
COASTAL SUBMITTAL

SCALE: AS NOTED

JOB No. 1402

SHEET No.

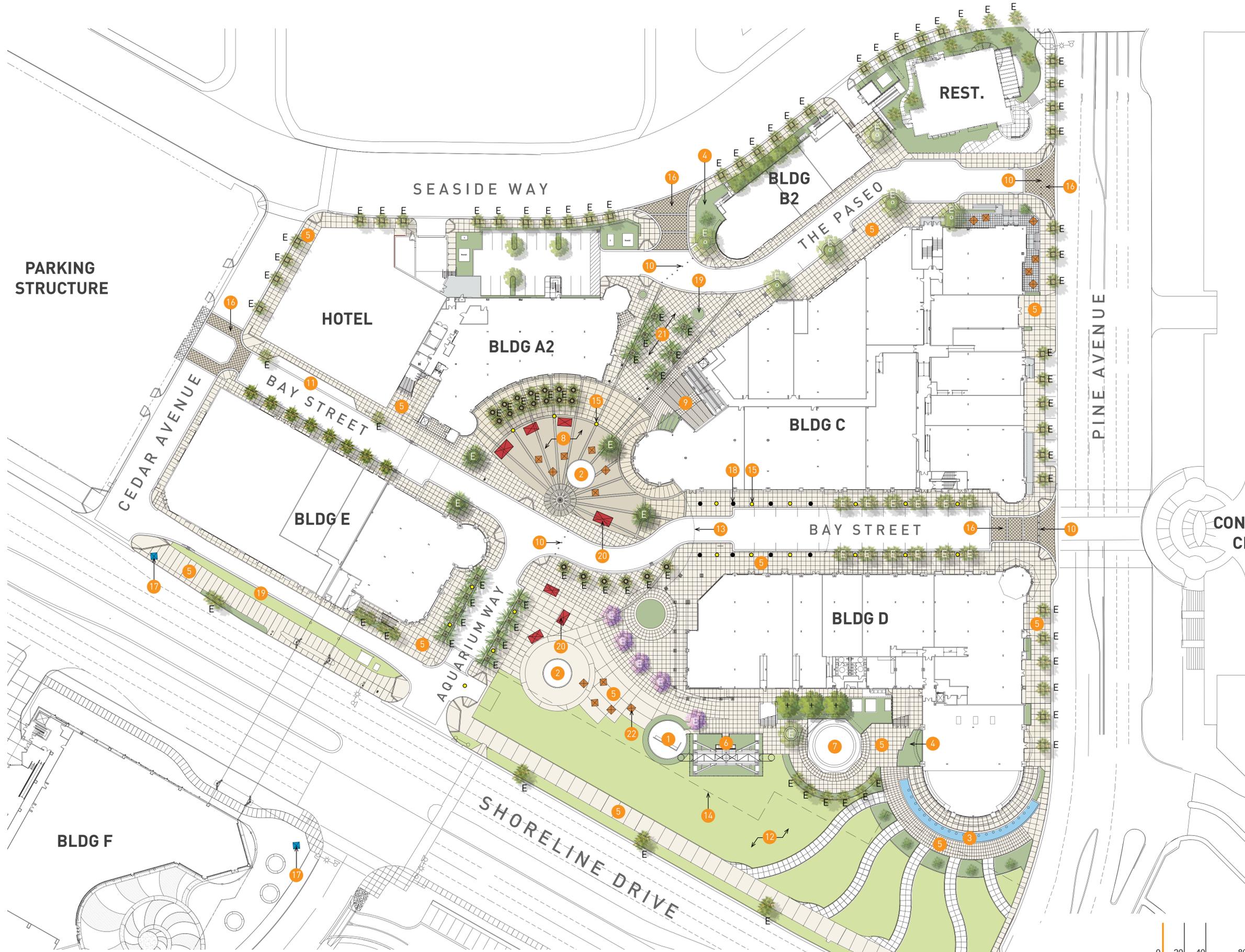
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Exhibit 2.3

Application No:
5-98-156-A18



California Coastal
Commission



KEYNOTES

- 1 Existing ferris wheel equipment bldg.
- 2 Proposed tenant pavilion
- 3 Existing water feature to remain
- 4 Existing shrub area, typical
- 5 Existing concrete sidewalk to remain, typ.
- 6 Existing ferris wheel to remain
- 7 Converted tenant pavilion
- 8 Proposed central plaza with colored concrete bands and unit paver field to replace existing curb and asphalt street
- 9 Existing exterior stair / amphitheater seating to remain
- 10 Proposed pneumatic bollards
- 11 Existing hotel drop-off and sidewalk
- 12 Existing turf area to remain
- 13 Line of building above
- 14 Grand Prix limit line
- 15 Proposed pedestrian lighting, typ.
- 16 Existing enhanced vehicular concrete paving to remain
- 17 Pole mounted i.d. sign per approved sign package
- 18 Proposed new architectural column below theater, typical of 8
- 19 New turf to replace existing hedgerow
- 20 Proposed vender kiosk, typ.
- 21 Proposed pedestrian concrete paseo with sawcut scorelines and acid wash textures to replace existing curb and asphalt street
- 22 Tables and umbrellas, typ.

TREE LEGEND

- Existing Washingtonia robusta to remain
- Proposed Washingtonia robusta - Mexican Fan Palm
- Existing Phoenix dactylifera to remain
- Existing Phoenix canariensis to remain
- Existing Arbutus unedo to remain
- Existing Ulmus parvifolia to remain
- Proposed Tristania conferta - Brisbane Box [24" box]

CONVENTION CENTER



SCALE 1" = 40'-0"

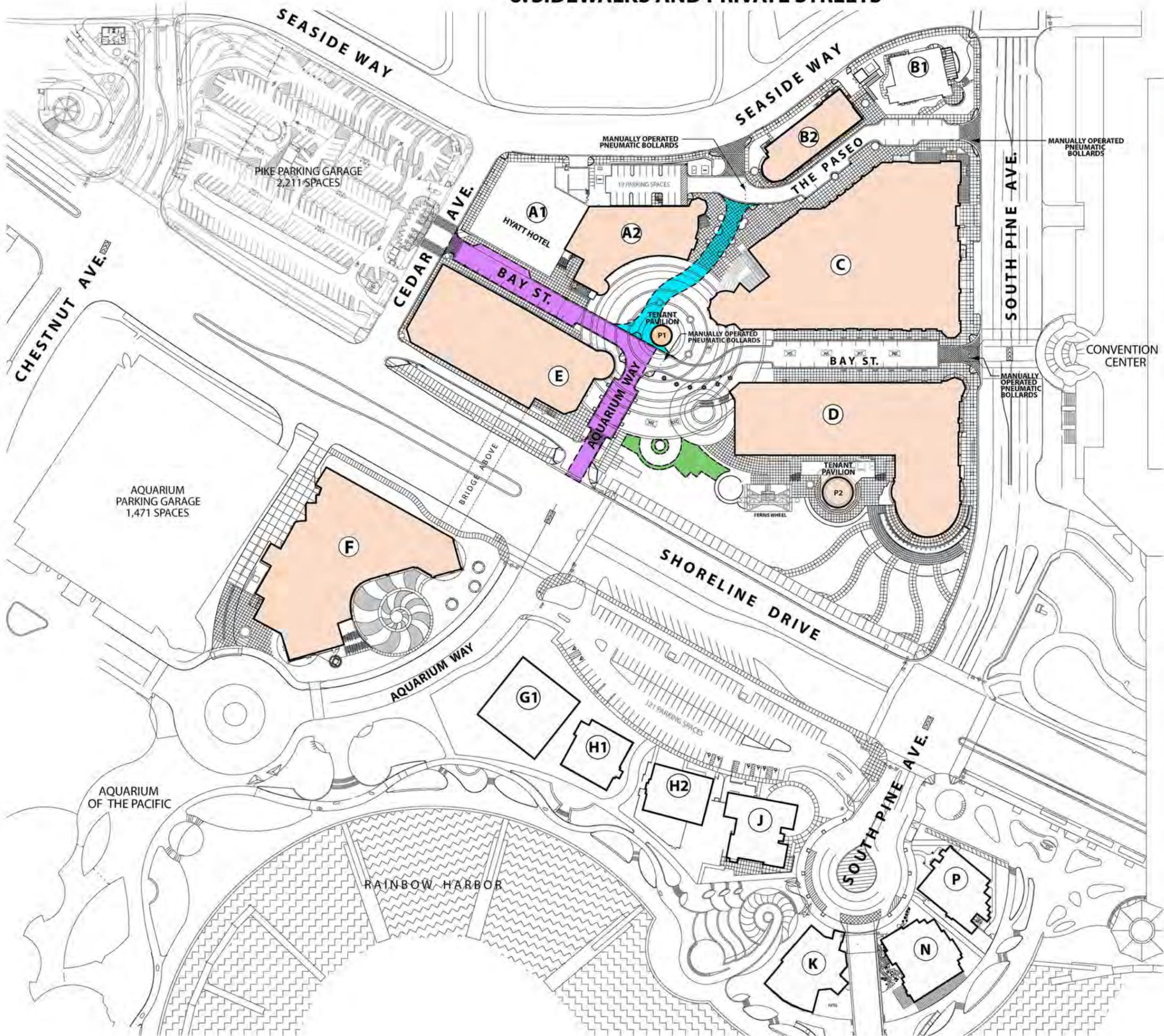
Exhibit 2.4

Application No:
5-98-156-A18



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6. SIDEWALKS AND PRIVATE STREETS



LEGEND:

- STREET TO GARAGE TO REMAIN OPEN
- NEW RAISED PLAZA AREA 7000 SF
- EXISTING CONCRETE PAVEMENT REPLACED BY TURF

NOTES:

1. NEW CURBS AT RAISED STREET TO MATCH ADJOINING EXISTING CURBS.
2. BICYCLES WILL HAVE UNLIMITED ACCESS TO SITE.
3. EXISTING CURB CUTS AND RAMPS WILL ALLOW WHEEL CHAIRS FULL ACCESS TO SITE.
4. PNEUMATIC BOLLARDS WILL BE RAISED AND LOWERED MANUALLY.
5. IMPROVED SURFACES WILL BE CONSTRUCTED WITH POURED CONCRETE.
6. PERMEABLE SURFACES WILL INCREASE 4,700 SQUARE FEET WITH EXISTING CONCRETE REPLACED BY TURF.
7. NO BOLLARD OR OTHER PEDESTRIAN DEVICES WILL BE USED FOR BAY STREET BETWEEN AQUARIUM WAY AND CEDAR AVENUE AND THE STREET WILL REMAIN OPEN TO ALL TRAFFIC.



Exhibit 2.5

Application No:
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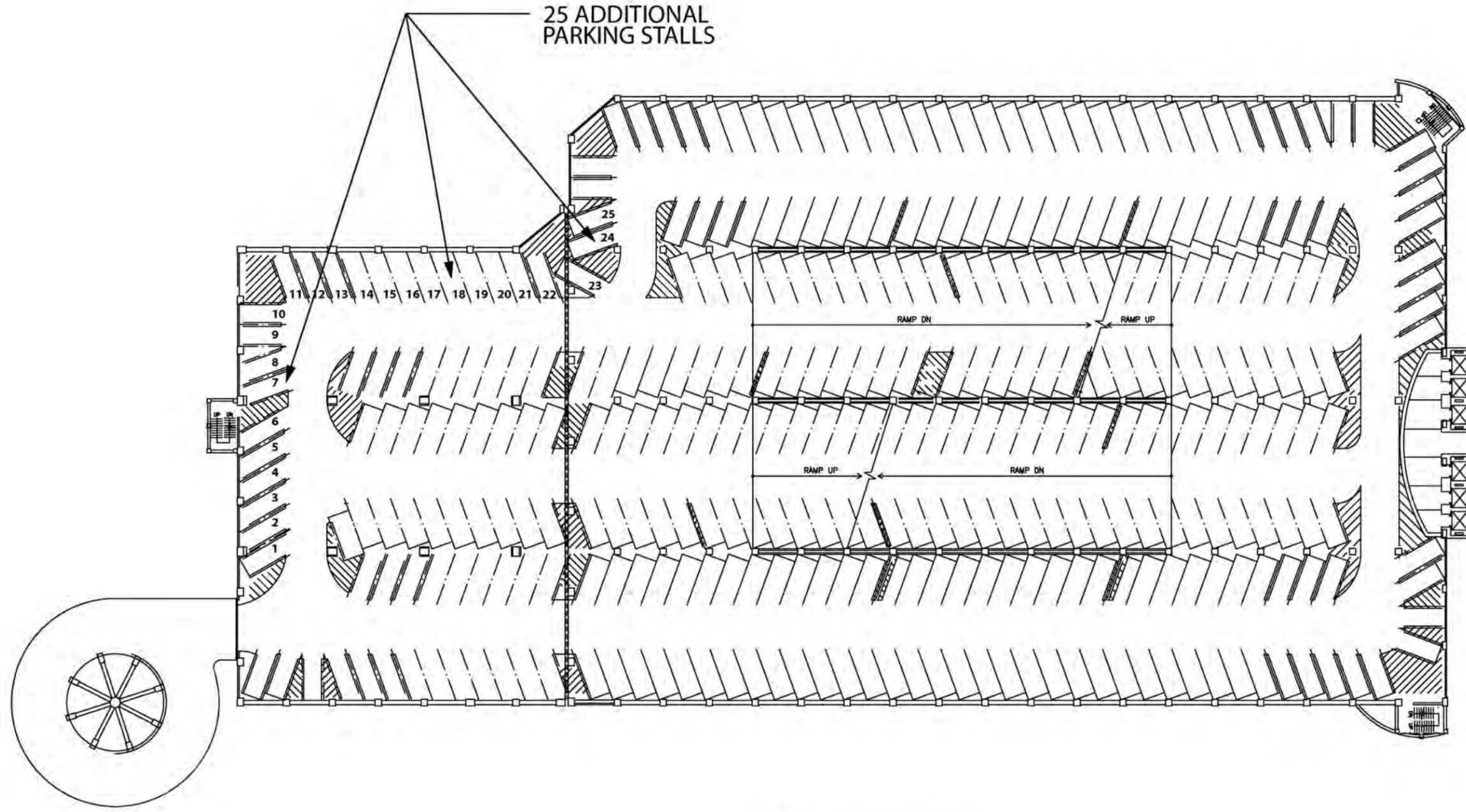
Exhibit 2.6

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5. PARKING



4th LEVEL PLAN

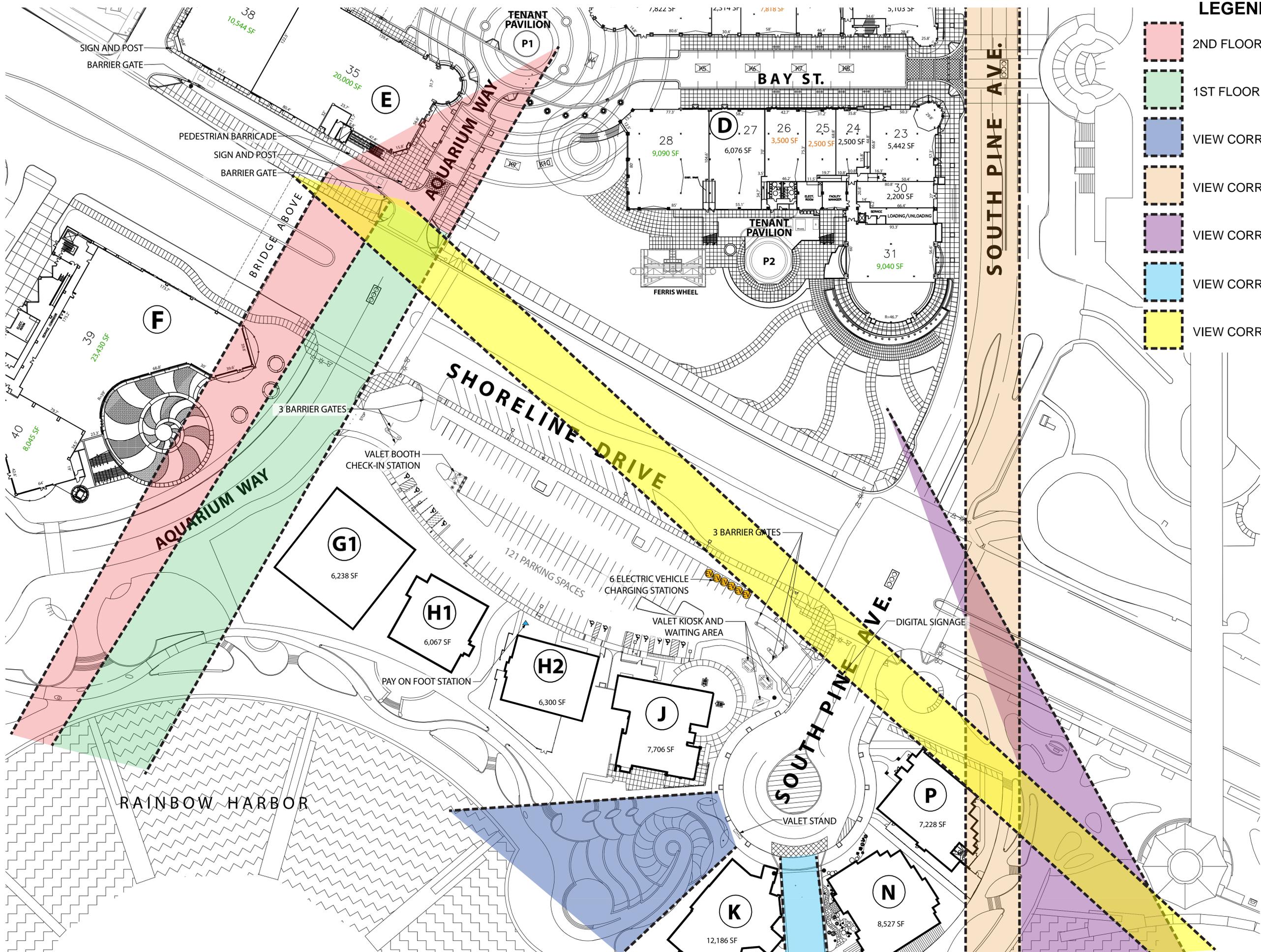
Exhibit 3

Application No:
5-98-156-A18



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2. PHYSICAL IMPROVEMENT



LEGEND:

- 2ND FLOOR VIEW CORRIDOR
- 1ST FLOOR VIEW CORRIDOR
- VIEW CORRIDOR

