

## **CALIFORNIA COASTAL COMMISSION**

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# **Th15a**

**A-6-IMB-23-0026 (Buckeye Mixed-Use Redevelopment)**

**SEPTEMBER 7, 2023**

## **EXHIBITS**

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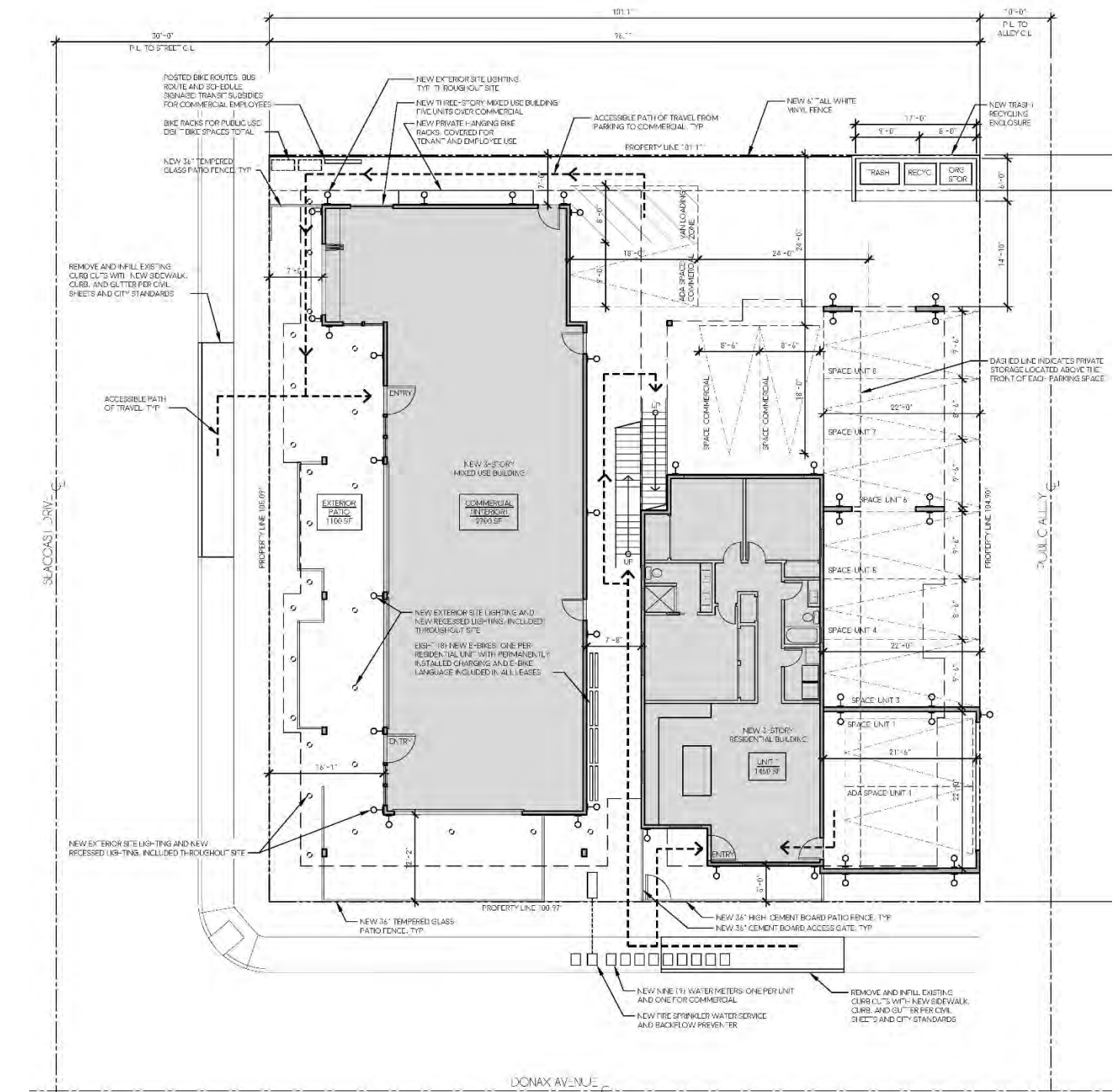


Project Location

Dunes Park

Imperial Beach Pier

EXHIBIT NO. 1
APPLICATION NO.
<b>A-6-IMB-23-0026</b>
Vicinity Map
 California Coastal Commission



# SITE PLAN

1/8"=1'-0"

EXHIBIT NO. 2  
APPLICATION NO.  
**A-6-IMB-23-0026**  
Project Plans

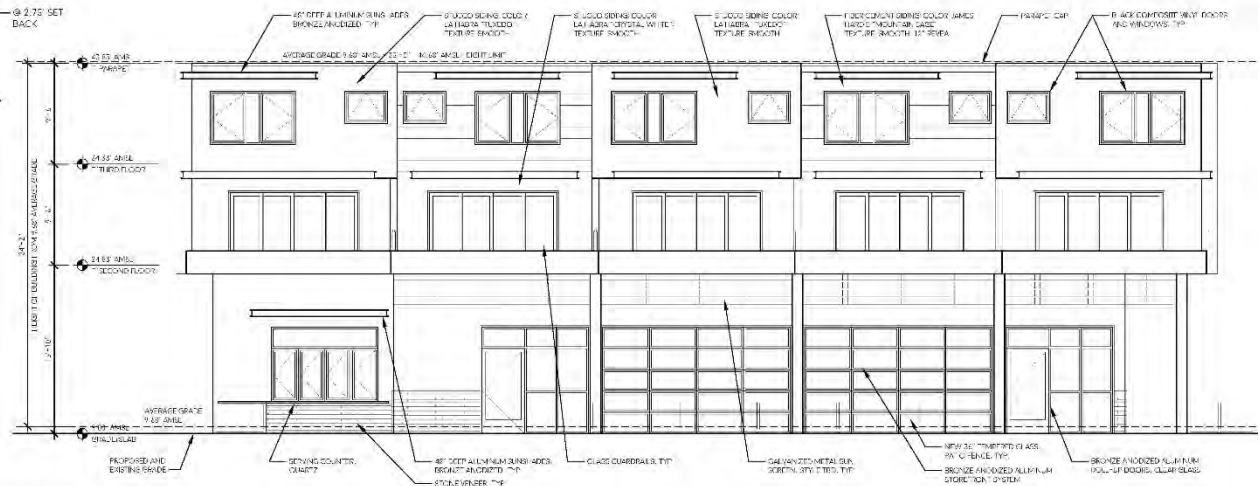
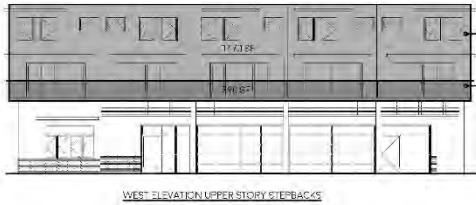
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California Coastal Commission

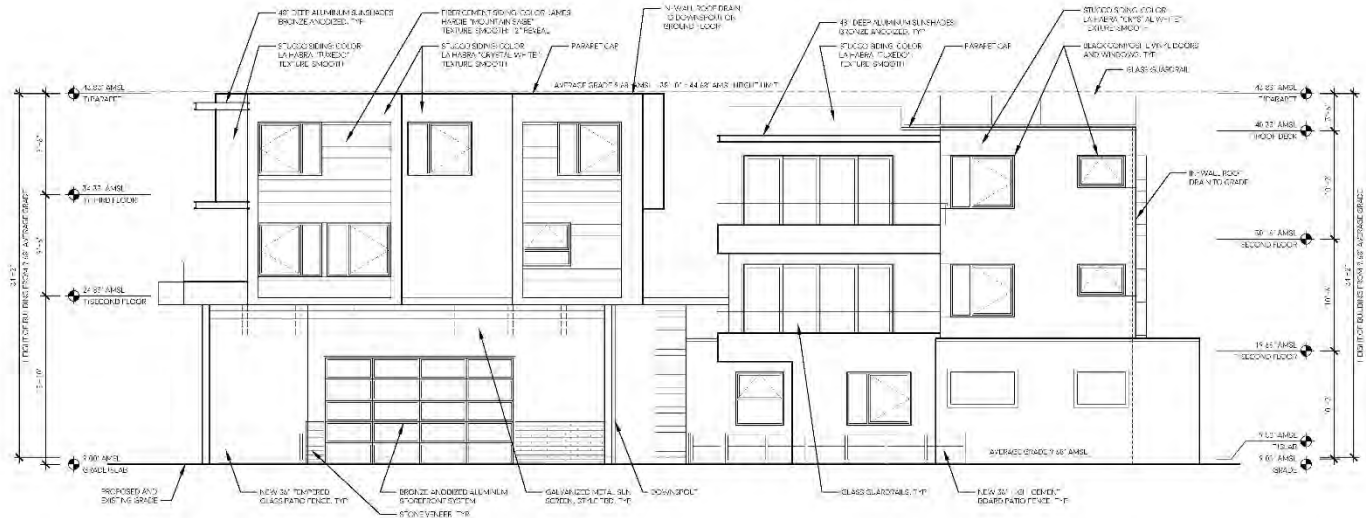


1383 SF TOTAL UPPER STORY + BACK SQUARE FOOTAGE  
/8.2% OF THIS AREA IS SET BACK 1'5" OR MORE



WEST ELEVATION  
3116'-11"-0"

1



SOUTH ELEVATION  
3116'-11"-0"

2





## RESOLUTION NO. 2023-49

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING REGULAR COASTAL PERMIT (CP-22-0012), CONDITIONAL USE PERMIT (CUP-22-0011), DESIGN REVIEW CASE (DRC- 22-0024), SITE PLAN REVIEW (SPR-22-0025), AND TENTATIVE MAP (TM-22-0002); AND CATEGORICAL EXEMPTION PURSUANT TO CEQA GUIDELINES SECTION 15332 CLASS 32 (IN-FILL DEVELOPMENT PROJECTS) FOR THE CONSTRUCTION OF A NEW MIXED-USE DEVELOPMENT WITH EIGHT RESIDENTIAL CONDOMINIUM UNITS, AND APPROXIMATELY 2,700 SQUARE FEET OF COMMERCIAL SPACE AT 757 SEACOAST DRIVE (APN 625-192-04-00). USE-22-0088.**

**WHEREAS**, on June 21, 2023 the City Council of the City of Imperial Beach held a duly advertised and noticed public hearing to consider the merits of approving or denying an application for a Regular Coastal Permit (CP-22-0011), Design Review Case (DRC-22-0024), Site Plan Review (SPR-22-0025), Tentative Map (TM-22-002), and Categorical Exemption pursuant to CEQA Guidelines 15332 Class 32 (In-Fill Development) for the construction of a new mixed-use development with eight residential condominium units and approximately 2,700 square feet of commercial space at 757 Seacoast Drive (APN 625-192-04-00), which is located in the C/MU-2 (Seacoast Commercial & Mixed Use) Zone.

**WHEREAS**, on April 19, 2023 the City Council of the City of Imperial Beach reviewed the project and the item was continued to a future date with a vote of 5-0; and

**WHEREAS**, on February 16, 2023 the Design Review Board recommended approval of the project's design with conditions with a vote of 3-1 (1 absent); and

**WHEREAS**, the City Council finds that the project design of the residential project is compatible with the community and would be consistent with Policy D-8 (Project Design) of the Design Element of the General Plan; and

**WHEREAS**, the City Council finds that the project is in compliance with the Land Use Element of the General Plan; and,

**WHEREAS**, the City Council finds that the project complies with the requirements of the California Environmental Quality (CEQA) as the project is categorically exempt pursuant to CEQA Guidelines 15332 (In-Fill Development Projects); and

**WHEREAS**, the City Council further offers the following findings in support of its decision to conditionally approve the project:

### **REGULAR COASTAL PERMIT (IBMC § 19.87.050):**

- 1. The proposed development conforms to the certified local coastal plan including coastal land use policies.**

The General Plan/Local Coastal Plan designates the site as Seacoast Commercial and Mixed Use (C/MU-2) Zone. The purpose of the C/MU-2 Zone is to provide land to meet the demand for goods and services required primarily by the tourist population, as well as local residents who use the beach area. It is intended that the dominant type of commercial activity in the C/MU-2 Zone will be visitor-serving retail such as specialty stores, surf shops, restaurants, and hotels and motels. The development standards of the C/MU-2 Zone encourage pedestrian activity through the design and location of building frontages and parking provisions (IBMC Section 19.27.010). The proposed project would provide commercial use (restaurant) with an open patio as well as eight residential units.

EXHIBIT NO. 3
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City Approval
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would serve both the local and the tourist population, meeting the intent of the land use designation. In addition, the project would encourage pedestrian activity through the design and location and alternative methods of transportation reducing the demand for vehicle uses. Also, the project would have no impact to existing shore processes, public access, coastal views, or scenic views because the project complies with the Municipal Code, does not exceed the height limit, and does not build in any areas with street end or other views. The project site is located in an appealable coastal zone and complies with the land use designation of the General Plan/Local Coastal Plan.

**2. For all development seaward of the nearest public highway to the shoreline, the proposed development meets standards for public access and recreation of Chapter Three of the 1976 Coastal Act and regulations promulgated thereunder.**

The project site is located between the seaward of the first public road. The General Plan/Local Coastal Program designates the site as Seacoast Commercial and Mixed Use (C/MU-2) Zone. The purpose of the C/MU-2 Zone is to provide land to meet the demand for goods and services required primarily by the tourist population, as well as local residents who use the beach area. It is intended that the dominant type of commercial activity in the C/MU-2 Zone will be visitor-serving retail such as specialty stores, surf shops, restaurants, and hotels and motels. The development standards of the C/MU-2 Zone encourage pedestrian activity through the design and location of building frontages and parking provisions (IBMC Section 19.27.010). The proposed project would provide a commercial use (restaurant) with an open patio as well as eight residential units which would serve both the local and the tourist population, meeting the intent of the land use designation. In addition, the project would encourage pedestrian activity through the design and location and alternative methods of transportation reducing the demand for vehicle uses. Also, the project would have no impact to existing shore processes, public access, coastal views, or scenic views because the project complies with the Municipal Code, does not exceed the height limit, and does not build in any areas with street end or other views. As such, the proposed development meets standards for public access and recreation of Chapter Three of the 1976 Coastal Act and regulations promulgated thereunder.

**3. The proposed development meets the minimum criteria set forth in the City of Imperial Beach Zoning Ordinance, the City's Minimum Landscape Planting and Irrigation Standards, and the City's Design Guidelines, as applicable.**

The proposed development has been designed to meet the minimum criteria set forth in the City of Imperial Beach Zoning Ordinance, City's Minimum Landscape Planting and Irrigation Standards, and the City's Design Guidelines as further specified within the findings of this Resolution. The proposed project will comply with all of the regulations and conditions for the Zoning Ordinance, and any other conditions noted in this Resolution.

The municipal code (reference IBMC Sections 19.27.020(A)(5), 19.27.070(A)(2), and 19.48.035) allows for an increase in density of one dwelling unit for each one thousand two hundred ten gross square feet of lot area, an increase in height from 30' to 35', and a 25% reduction in required off-street parking with approval of a conditional use permit by the City Council. The project is a vertical mixed-use project providing eight (8) new residential dwelling units with the increased density provided through a conditional use permit. To facilitate the development, the project is providing the development incentives (ref. IBMC Section 19.27.020(A)) of 84% of the frontage as active commercial use and is providing an increased plaza open space area.

The project is providing a building height of 34'-2" in height as it would accommodate the floor to ceiling height of 15' for the ground floor commercial space and provide adequate

roof top screening for mechanical equipment locating on the roof, benefitting the surrounding neighborhood. Additionally, there are extraordinary circumstances due to the location of the property and its proximity to the beach. The increase in height is not detrimental to adjacent property and does not adversely affect the General Plan or Local Coastal Program.

With regards to parking, a 25% reduction of the parking spaces provided is proposed because the project is intended to enhance the pedestrian corridor and provide active commercial uses. The applicant was not able to provide a feasible method of providing off-street parking in addition to accommodating the layout. The inclusion of a commercial space on the ground floor with direct pedestrian access from the Seacoast Drive sidewalk meets the purpose of the C/MU-2 Zone (IBMC Section 19.27.020), which is to meet the demand for goods and services required primarily by the tourist population, as well as local residents who use the beach area. The Municipal Code specifically allows for a 25% reduction of parking for projects that are proposing a vertical mixed-use structure. To help offset the parking impacts, the project is implementing transportation demand management strategies to reduce the demand for vehicle usage. Further, the General Plan and Local Coastal Plan encourages designs that reduce the demand of vehicle usage and enhance pedestrian use/access in the Seacoast Drive and commercial/mixed-use areas to improve the pedestrian atmosphere and/or improved design, particularly near the beach and develop properties near the ocean with commercial and recreational uses rather than parking lots (Policy C-22). The applicant is proposing short term and long term bicycle parking off of Seacoast Drive. Additional transportation demand management strategies include the following:

- Public bicycle racks (for eight bicycles)
- Private covered hanging bicycle racks (commercial and residential tenant use only)
- Map of the bike routes
- Bus route and schedule signage would be posted to encourage transit use and pedestrian/bike (multimodal) use
- One (1) electric bike will be provided per residential unit (8 total) with a built-in charging station
- On all long-term residential leases, there will be language for reduced rent (10%) for tenants who do not need a parking space
- Any and all short-term rental tenants will receive one voucher for e-bike rental for each stay
- Any commercial lease must include language for the property owner or designee to provide bus passes to employees of the commercial tenant upon employee request to offset parking demands

Implementing these transportation demand strategies should encourage the use of alternate methods of transportation, including bicycles, walking, ride-hailing, and public transportation. Application of transportation demand management strategies also emphasizes the City's ongoing effort to reduce carbon footprints and greenhouse gas emissions. Parking is a consistent area of concern within the community and a condition has been added to the resolution noting that the transportation demand management strategies for the project shall be revisited and revised at the expense of the property owner if determined necessary by the City.

4. **The proposed development meets minimum criteria set forth in Sections 19.81.060, 19.82.050., 19.83.120., 19.84.050., and 19.86.100., of this title for site plans, conditional use permits, design review, variances, zoning classification and rezonings.**



The proposed development meets the minimum criteria set forth in Sections 19.81.060, 19.82.050, 19.83.110, and 19.84.050 (Section 19.83.120 is no longer applicable) for a site plan review, conditional use permit, design review, and variance subject to the findings provided within this Resolution. Section 19.86.100 is not applicable because the project does not require a zoning classification/rezoning.

5. **For all development involving the construction of a shoreline protective device, a mitigation fee shall be collected which shall be used for each sand replenishment purposes. The mitigation fee shall be deposited in an interest-bearing account designated by the Executive Director of the California Coastal Commission and the city manager of Imperial Beach in lieu of providing sand to replace the sand a beach area that would be lost due to the impacts of any proposed protective structure.**

The subject site is not located near an area that would require shoreline protection. As such, the proposed project does not necessitate the construction of a shoreline protection device and would not have an impact on the sand in any beach area. Therefore, a mitigation fee is not required for the project.

6. **This project complies with the California Environmental Quality Act.**

This project is categorically exempted from the requirements of the California Environmental Quality Act (CEQA) as a Class 32 project pursuant to CEQA Guidelines Section 15332 (In-Fill Development). The City has prepared a Categorical Exemption per the CEQA requirements for this project and the Notice of Exemption will be filed with the County Clerk in compliance with CEQA.

7. **Public Notice requirements, pursuant to Zoning Ordinance Section 19.87.090, of the Coastal Development Project have been satisfied.**

The project description and the date of the City Council public hearing were sent to property owners within 300 feet and occupants within 100 feet of the subject site on June 5, 2023, and a public hearing notice was published in the South County Eagle & Times newspaper on June 8, 2023.

**CONDITIONAL USE PERMIT (IBMC § 19.82.040):**

8. **That the proposed use is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or community;**

The purpose of the C/MU-2 Zone is to provide land to meet the demand for goods and services required primarily by the tourist population, as well as local residents who use the beach area. It is intended that the dominant type of commercial activity in the C/MU-2 Zone will be visitor-serving retail such as specialty stores, surf shops, restaurants, and hotels and motels. The development standards of the C/MU-2 Zone encourage pedestrian activity through the design and location of building frontages and parking provisions (IBMC Section 19.27.010). The project would provide a ground floor commercial tenant space and eight (8) residential condominium units. The business would service local residents and the tourist population, contributing to the general well-being of the neighborhood and community and meeting the intent of the land use designation.

The General Plan and Local Coastal Plan encourages vertical mixed-use buildings with designs that reduce vehicular use/demand in the Seacoast Drive and commercial/mixed-use areas to improve the pedestrian atmosphere and/or improved design, particularly near the beach and develop properties near the ocean with commercial and recreational uses rather than parking lots (Policy C-22). Imperial Beach Municipal Code Section 19.48.050.J, reduction of parking may be proposed for mixed-use development of multiple-family residential over commercial use, by up to twenty-five percent to reduce the

demand for vehicle usage and promote commercial development. The project has incorporated the following transportation demand management strategies:

- Public bicycle racks (for eight bicycles)
- Private covered hanging bicycle racks (commercial and residential tenant use only)
- Map of the bike routes
- Bus route and schedule signage would be posted to encourage transit use and pedestrian/bike (multimodal) use
- One (1) electric bike will be provided per residential unit (8 total) with a built-in charging station
- On all long-term residential leases, there will be language for reduced rent (10%) for tenants who do not need a parking space
- Any and all short-term rental tenants will receive one voucher for e-bike rental for each stay
- Any commercial lease must include language for the property owner or designee to provide bus passes to employees of the commercial tenant upon employee request to offset parking demands

Implementing these transportation demand strategies should encourage the use of alternate methods of transportation, including bicycles, walking, ride-hailing, and public transportation. Application of transportation demand management strategies also emphasizes the City's ongoing effort to reduce carbon footprints and greenhouse gas emissions. In addition, a condition has been added to the resolution noting that the transportation demand management strategies for the project shall be revisited and revised at the expense of the property owner if determined necessary by the City. The proposed commercial use is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or community.

**9. That the use will not, under the circumstances of the particular use, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity;**

The proposed use will not be detrimental to the public, as there will be no hazardous materials, fumes, or operations at the facility, nor will there be any noxious odors, loud noises, or excessive traffic generated at the site. The proposed use is compatible with other uses in the neighborhood and would function in a similar manner as other nearby uses. Applicable conditions of approval and transportation demand management strategies have been included with the Resolution to further ensure compatibility with the vicinity.

**10. That the proposed use will comply with the regulations and conditions specified in this title for the use and for other permitted uses in the same zone; and**

Vertical mixed-use buildings with a ground floor commercial space and residential units are a permitted use in the C/MU-2 Zone. The proposed project is consistent with the zoning for this area and will comply with all of the regulations and conditions for these uses. Outdoor uses may be permitted subject to IBMC Section 19.72.040 and any other conditions noted in this Resolution. The applicable findings and conditions of approval have been included with the Resolution to ensure compliance with the use and other permitted uses in the vicinity.

A conditional use permit is required to allow for the increase in density, the increase in the building height, and a reduction in the off-street parking requirements. The project is located on an existing 10,608 square foot lot that is occupied by a detached commercial building and two detached residential duplexes. The applicant intends to demolish the

existing buildings and construct vertical mixed-use building with ground floor commercial and eight (8) residential condominium units. To increase the available housing stock within the community while providing commercial space to enhance the pedestrian corridor and stimulate the local economy, the project is proposing the density bonus providing eight (8) residential units instead of the seven (7) that would typically be allowed.

Regarding the increase in building height requirements with approval of a conditional use permit (from 30' to 35'), the project is providing a building height of 34'-2" in height as it would accommodate the floor to ceiling height of 15' for the ground floor commercial space and provide adequate roof top screening for mechanical equipment locating on the roof, benefitting the surrounding neighborhood. Additionally, there are extraordinary circumstances due to the location of the property and its proximity to the beach. The increase in height is not detrimental to adjacent property and does not adversely affect the General Plan or Local Coastal Program.

Regarding parking for the project, the 2,700 square foot commercial building would generally require three parking spaces and the eight (8) residential units would require 12 parking spaces. However, the project is proposing a 25% reduction of required off-street parking for a total of 11 parking spaces because the project is intended to enhance the pedestrian corridor and provide active commercial uses. The applicant was not able to provide a feasible method of providing off-street parking in addition to accommodating the proposed layout with ground floor commercial space.

The inclusion of the ground floor commercial space with direct pedestrian access from the sidewalk meets the purpose of the C/MU-2 Zone (IBMC Section 19.27.020), which is to meet the demand for goods and services required primarily by the tourist population, as well as local residents who use the beach area. Additionally, the project is providing residential units above the ground floor commercial as a vertical mixed-use building, consistent with the municipal code (IBMC 19.48.050.J), therefore, a reduction of parking may be proposed. In addition, the project is proposing the implementation of transportation demand management strategies to reduce the demand for vehicle usage. The applicant is proposing the following transportation demand management strategies:

- Public bicycle racks (for eight bicycles)
- Private covered hanging bicycle racks (commercial and residential tenant use only)
- Map of the bike routes
- Bus route and schedule signage would be posted to encourage transit use and pedestrian/bike (multimodal) use
- One (1) electric bike will be provided per residential unit (8 total) with a built-in charging station
- On all long-term residential leases, there will be language for reduced rent (10%) for tenants who do not need a parking space
- Any and all short-term rental tenants will receive one voucher for e-bike rental for each stay
- Any commercial lease must include language for the property owner or designee to provide bus passes to employees of the commercial tenant upon employee request to offset parking demands

Implementing the above strategies should encourage the use of alternate methods of transportation, including bicycles, walking, ride-hailing, and public transportation. Application of transportation demand management strategies also emphasizes the City's ongoing effort to reduce carbon footprints and greenhouse gas emissions. Parking is a consistent area of concern within the community and a condition has been added to the resolution noting that the transportation demand management strategies for the project



shall be revisited and revised at the expense of the property owner if determined necessary by the City.

Applicable conditions of approval for the project have been included with the Resolution to further ensure compatibility with the vicinity, which includes the ability for the Community Development Director to modify conditions if necessity warrants. As such, the proposed use will comply with the regulations and conditions specified in this title for the use and for other permitted uses in the same zone.

**11. That the granting of the conditional use permit will be in harmony with the purpose and intent of the zoning code, the adopted General Plan and the adopted Local Coastal Program.**

Vertical mixed-use buildings with a ground floor commercial space and residential units is a permitted use in the C/MU-2 Zone. The proposed project is consistent with the zoning for this area and will comply with all of the regulations and conditions for these uses. Outdoor uses may be permitted subject to IBMC Section 19.72.040 and any other conditions noted in this Resolution. The applicable findings and conditions of approval have been included with the Resolution to ensure compliance with the use and other permitted uses in the vicinity.

A conditional use permit is required to allow for the increase in density, the increase in the building height, and a reduction in the off-street parking requirements. The project is located on an existing 10,608 square foot lot that is occupied by a detached commercial building and two detached residential duplexes. The applicant intends to demolish the existing buildings and construct a vertical mixed-use building with ground floor commercial space and eight (8) residential condominium units. To increase the available housing stock within the community while providing commercial space to enhance the pedestrian corridor and stimulate the local economy, the project is proposing the density bonus providing eight (8) residential units instead of the seven (7) that would typically be allowed.

Regarding the increase in building height from 30' to 35', the project is providing a building height of 34'-2" in height as it would accommodate the floor to ceiling height of 15' for the ground floor commercial space and provide adequate roof top screening for mechanical equipment locating on the roof, benefitting the surrounding neighborhood. Additionally, there are extraordinary circumstances due to the location of the property and its proximity to the beach. The increase in height is not detrimental to adjacent properties and does not adversely affect the General Plan or Local Coastal Program.

Regarding parking for the project, the 2,700 square foot commercial building would generally require three parking spaces and the eight (8) residential units would require 12 parking spaces. However, the project is proposing a 25% reduction of required off-street parking for a total of 11 parking spaces because the project is intended to enhance the pedestrian corridor and provide active commercial uses. The applicant was not able to provide a feasible method of providing off-street parking in addition to accommodating the proposed layout with ground floor commercial space.

The inclusion of the ground floor commercial space with direct pedestrian access from the sidewalk meets the purpose of the C/MU-2 Zone (IBMC Section 19.27.020), which is to meet the demand for goods and services required primarily by the tourist population, as well as local residents who use the beach area. Additionally, the project is providing residential units above the ground floor commercial as a vertical mixed-use building, consistent with the municipal code (IBMC 19.48.050.J), therefore, a reduction of parking may be proposed. In addition, the project is proposing the implementation of transportation demand management strategies to reduce the demand for vehicle usage. The applicant is proposing the following transportation demand management strategies:

- Public bicycle racks (for eight bicycles)
- Private covered hanging bicycle racks (commercial and residential tenant use only)
- Map of the bike routes
- Bus route and schedule signage would be posted to encourage transit use and pedestrian/bike (multimodal) use
- One (1) electric bike will be provided per residential unit (8 total) with a built-in charging station
- On all long-term residential leases, there will be language for reduced rent (10%) for tenants who do not need a parking space
- Any and all short-term rental tenants will receive one voucher for e-bike rental for each stay
- Any commercial lease must include language for the property owner or designee to provide bus passes to employees of the commercial tenant upon employee request to offset parking demands

Implementing the above strategies should encourage the use of alternate methods of transportation, including bicycles, walking, ride-hailing, and public transportation. Application of transportation demand management strategies also emphasizes the City's ongoing effort to reduce carbon footprints and greenhouse gas emissions. Parking is a consistent area of concern within the community and a condition has been added to the resolution noting that the transportation demand management strategies for the project shall be revisited and revised at the expense of the property owner if determined necessary by the City.

Applicable conditions of approval for the project have been included with the Resolution to further ensure compatibility with the vicinity, which includes the ability for the Community Development Director to modify conditions if necessity warrants. As such, the granting of the conditional use permit will be in harmony with the purpose and intent of the zoning code, the adopted General Plan and the adopted Local Coastal Program.

**DESIGN REVIEW/SITE PLAN REVIEW (IBMC § 19.81.060):**

- 12. The proposed use does not have any detrimental effect upon the general health, safety and convenience of persons residing or working in the neighborhood, or is not detrimental or injurious to the value of the property and improvements in the neighborhood.**

The proposed project would provide a commercial use with an open patio as well as eight (8) residential units in the C/MU-2 (Seacoast Commercial & Mixed Use) Zone, where commercial buildings as well as detached and attached multi-family residential condominiums are typical. The project would not have a detrimental effect on the general health, welfare, safety and convenience of persons residing or working in the neighborhood because it is consistent with the intent of the development standards and zoning designations. The development would not be injurious to the value of the property and improvements in the neighborhood because the project represents an improvement of the existing conditions and the project could improve property values and stimulate growth in the area.

- 13. The proposed use does not adversely affect the General Plan or the Local Coastal Plan.**

The General Plan/Local Coastal Plan designates the site as C/MU-2 (Seacoast Commercial & Mixed Use) Zone. The purpose of the C/MU-2 Zone is to provide for areas for mixed-use development, multiple-family dwellings, and for businesses to meet the local demand for commercial goods and services. The proposed vertical mixed-use project

does not adversely affect the General Plan or the Local Coastal Plan because it would provide commercial and residential uses in an area allowing for the construction of vertical mixed-use buildings.

**14. The proposed use is compatible with other existing and proposed uses in the neighborhood.**

The project is located in the C/MU-2 (Seacoast Commercial & Mixed-Use) Zone. The areas to the north, south, and west of the site are also located in the C/MU-2 (Seacoast Commercial & Mixed-Use) Zone and include the IB Club (mixed-use building) and multifamily residences. The area to the east of the project site is an alley and residential uses. The single-family residence to the east is zoned R-2000 (Medium Density Residential). The surrounding areas include a mix of mixed-use, commercial, and residential structures and uses. The vertical mixed-use building would front Seacoast Drive with the front of the building including a ground floor commercial space measuring approximately 2,700 square feet and five residential condominium units on the second and third stories each with a roof deck. The rear of the building includes a residential unit on the ground floor with two additional units on the second and third stories each with a roof deck. The location and orientation of the buildings would be consistent with the surrounding area, which is comprised of commercial and mixed-use structures and uses along Seacoast Drive and residential uses to the east. The alley adjacent to the eastern property line would be used for vehicle ingress and egress. The proposed mixed-use project is compatible with other uses in the neighborhood because it proposes both residential and commercial uses where nearby properties are comprised of both commercial and residential buildings.

**15. The location, site layout and design of the proposed use orients the proposed structures to streets, driveways, sunlight, wind and other adjacent structures and uses in a harmonious manner.**

The vertical mixed-use building would front Seacoast Drive with the front of the building including a ground floor commercial space measuring approximately 2,700 square feet and five residential condominium units on the second and third stories each with a roof deck. The rear of the building includes a residential unit on the ground floor with two additional units on the second and third stories each with a roof deck. The alley adjacent to the eastern property line would be used for vehicle ingress and egress. The project is harmonious with other uses and structures, which include residential and commercial buildings in the neighborhood, because it proposes residential and commercial uses where nearby properties are comprised of residential and commercial buildings.

**16. The combination and relationship of one proposed use to another on the site is properly integrated.**

The project proposes residential and commercial uses that are properly integrated. The cohesive design style and the choice of building materials properly integrate the buildings.

**17. Access to and parking for the proposed use does not create any undue traffic problem.**

Vehicular ingress and egress would be provided off the alley adjacent to the eastern property line. The vertical mixed-use building that includes a covered 1,100 square foot open patio seating area provides direct pedestrian access from the sidewalk fronting Seacoast Drive to the business entrance. Access to the residential units in the mixed-use building is provided from a staircase that provides access from both the northern and southern elevation of the vertical mixed-use building. The staircase entrances are oriented towards northern elevation and the southern elevation but are accessible from a common



pedestrian walkway that may be accessed from Seacoast Drive, Donax Avenue, or the alley. The project proposes a configuration that enhances street parking spaces by closing existing curb cuts and accessing off the alley. The parking provided is a mix of open and covered parking spaces. An ADA accessible parking space is provided for the commercial building, a two-car garage is provided for the ADA accessible ground floor unit, and a mix of open parking spaces and covered spaces are provided for the units located above the ground floor commercial and the commercial building.

Additionally, transportation demand management strategies are provided to reduce vehicular use; the strategies include:

- Public bicycle racks (for eight bicycles)
- Private covered hanging bicycle racks (commercial and residential tenant use only)
- Map of the bike routes
- Bus route and schedule signage would be posted to encourage transit use and pedestrian/bike (multimodal) use
- One (1) electric bike will be provided per residential unit (8 total) with a built-in charging station
- On all long-term residential leases, there will be language for reduced rent (10%) for tenants who do not need a parking space
- Any and all short-term rental tenants will receive one voucher for e-bike rental for each stay
- Any commercial lease must include language for the property owner or designee to provide bus passes to employees of the commercial tenant upon employee request to offset parking demands

Implementing these transportation demand strategies should encourage the use of alternate methods of transportation, including bicycles, walking, ride-hailing, and public transportation.

Access and ingress and egress for the project should not create undue traffic problems because the project would comply with the standards set forth in the Municipal Code and would access off of the alley.

**18. All other applicable provisions of the Zoning Code are complied with.**

The project proposes the construction of a new vertical mixed-use project with approximately 2,700 square feet of commercial space and eight (8) residential condominium units at 757 Seacoast Drive in the C/MU-2 (Seacoast Commercial and Mixed Use) Zone, where commercial and residential mixed-use buildings are typical. The project design meets the underlying zoning requirements of the C/MU-2 (Seacoast Commercial and Mixed Use) Zone, and the minimum requirements set forth in the Zoning Ordinance will be met. Therefore, the project is consistent with the Zoning Code standards for the site.

**19. Any other considerations as the Community Development Department deem necessary to preserve the health, safety and convenience of the City in general.**

Standard and applicable conditions of approval have been included with the Resolution to further ensure that the health, safety, welfare, and convenience of the City in general are preserved.

**20. Public Notice requirements, pursuant to Zoning Ordinance Section 19.81.050, have been satisfied.**

The project description and the date of the City Council public hearing were sent to

property owners within 300 feet and occupants within 100 feet of the subject site on June 5, 2023, and a public hearing notice was published in the South County Eagle & Times newspaper on June 8, 2023.

**TENTATIVE MAP FINDINGS (IBMC § 18.12.070):**

**21. The proposed tentative tract map is consistent with the General Plan/Local Coastal Plan.**

The General Plan/Local Coastal Plan designates the site as C/MU-2 (Seacoast Commercial and Mixed Use) Zone. The purpose of the C/MU-2 Zone is to provide for land to meet the demand for goods and services required primarily by the tourist population, as well as local residents who use the beach area. It is intended that the dominant type of commercial activity in the C/MU-2 Zone will be visitor-serving retail such as specialty stores, surf shops, restaurants, and hotels and motels. Mixed-use and multiple family residences are also permitted in the C/MU-2 Zone. The proposed tentative tract map is consistent with the General Plan/Local Coastal Plan because it complies with the land use designations and zoning ordinance.

**22. The design or improvement of the proposed subdivision is consistent with the General Plan/Local Coastal Plan.**

The General Plan/Local Coastal Plan designates the site as C/MU-2 (Seacoast Commercial and Mixed Use) Zone. The purpose of the C/MU-2 Zone is to provide for land to meet the demand for goods and services required primarily by the tourist population, as well as local residents who use the beach area. It is intended that the dominant type of commercial activity in the C/MU-2 Zone will be visitor-serving retail such as specialty stores, surf shops, restaurants, and hotels and motels. Mixed-use and multiple family residences are also permitted in the C/MU-2 Zone. Typical of this zone are commercial buildings, detached and attached mixed-use developments, multiple-family dwellings, and businesses. Therefore, the proposed construction of a new vertical mixed-use project with approximately 2,700 square feet of commercial space and eight (8) residential condominium units meets the purpose and intent of the land use designation of the General Plan/Local Coastal Plan.

**23. The site is physically suitable for the type of development.**

The subject site is physically suitable for the mixed-use development because it is relatively flat and the proposed grading and drainage for the development of the project has been reviewed so that no adverse impacts would occur.

**24. The design of the subdivision will not cause substantial environmental damage or substantial and avoidable injury to fish or wildlife, or their habitat.**

The project involves new construction in a developed urban area that will not affect fish or wildlife habitat.

**25. The design of the subdivision will not cause serious public health problems.**

The development will meet all construction requirements and will be served by municipal water and sewer service and would not result in public health problems.

**26. The design of the subdivision will not conflict with any easement of record.**

A design of the subdivision will not conflict with any easement of record.

**27. All requirements of the California Environmental Quality Act (CEQA) have been fulfilled.**

This project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article 19 Sections 15332 (In-Fill Development Projects). The City has prepared a Categorical Exemption per the CEQA requirements for this project and the Notice of Exemption will be filed with the County Clerk in compliance with CEQA.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Imperial Beach that the above-listed findings and recitals are true and correct and are incorporated by reference; and

**BE IT FURTHER RESOLVED** by the City Council of the City of Imperial Beach that Regular Coastal Permit (CP-22-0012), Conditional Use Permit (CUP-22-0011), Design Review Case (DRC-22-22-0024), Site Plan Review (SPR-22-0025), Tentative Map (TM-22-0002), and Categorical Exemption pursuant to CEQA Guidelines 15332 (In-Fill Development) to demolish the existing structures and construct a new vertical mixed-use building with ground floor commercial and eight residential condominium units at 757 Seacoast Drive (APN 625-192-04-00) are hereby approved subject to the following:

**CONDITIONS OF APPROVAL:**

1. **Approval** of Regular Coastal Permit (CP-22-0012), Conditional Use Permit (CUP-22-0011), Design Review Case (DRC-22-0024), Site Plan Review (SPR-22-0025), Tentative Map (TM-22-0002), and Categorical Exemption pursuant to CEQA Guidelines 15332 (In-Fill Development) is valid for three years from the effective date following final action by the City Council (10 working days following final action) and shall **expire at the end of business on July 6, 2026**, unless vested with substantial construction pursuant to an approved building permit. Approvals of the Regular Coastal Permit (CP-22-0012), Conditional Use Permit (CUP-22-0011), Design Review Case (DRC-22-0024), Site Plan Review (SPR-22-0025), Tentative Map (TM-22-0002), and Categorical Exemption pursuant to CEQA Guidelines 15332 (In-Fill Development) shall run coterminous.
2. The site shall be developed in substantial compliance with the plans received on June 13, 2023 and Stormwater Management Plan on file at the Community Development Department, or as otherwise amended and approved, and the conditions contained herein.
3. The applicant and/or property owner or owner's designee is required to record a deed restriction with the conditions of approval from Resolution 2023-49, which shall run with the land.
4. The sidewalk fronting Seacoast Drive shall be widened to eight (8) – feet where feasible.
5. All gold medallion trees must be replaced with golden bells and yellow bell trees subject to approval of the project landscape plan by the Community Development Department.
6. The landscape plan must remove all potentially toxic plant species and replace them with alternative, non-toxic native drought tolerant plant species. The plant species that must be removed include:
  - a. Dragon Tree (*Dracaena draco*)
  - b. Quiver Tree (*Aloe dichotoma*)
  - c. Raspberry Festival (*Cordyline Festival*)
  - d. Sticks of Fire (*Euphorbia tirucalli*)
7. A property manager or equivalent representative must ensure maintenance of the property and all operations, and publicly facing signage shall be placed on the building noting the



relevant contact information for property management. Management must be available to respond to any issues related to operation of the building and any use thereof.

8. Prior to tenant occupancy, the applicant must coordinate and create a plan with City safety staff for all proposed deliveries to the site. City safety staff approval will not be unreasonably withheld, conditioned, or delayed, and any restrictions will be non-discriminatory and no more restrictive or onerous than restrictions placed on other retail uses in the City.
9. Lighting shall not have a negative effect on the existing neighborhood and a lighting plan shall be submitted and approved by the City prior to installation. All lighting shall be situated and adjusted to shine only on the subject property, or upon authorized pedestrian areas to enhance walkability. If the property receives perceptible complaints related to lighting, the applicant shall investigate said complaint and mitigate any issues (adjustment, shades, removal of light, etc.) to the reasonable satisfaction of the City.
10. Hours of operation and use for outdoor patio and roof deck areas are subject to separate authorization by the City, dependent on the tenant and operational use of the spaces. Hours and operation in the outdoor areas will be subject to review and modification by the Community Development Department and Public Safety Department, as necessary. Special events, live entertainment, or similar uses must obtain separate authorizations. Any and all live entertainment is subject to separate permitting and unique conditions of approval.
11. It is recommended that any business participating in the sale of alcoholic beverages must participate in the Responsible Retailer Program. As part of the Responsible Retailer Program, the establishment shall: (1) Know and comply with the law; (2) Have written policies to prevent sales to underage and intoxicated persons; (3) Train employees in responsible sales and service to include attending LEAD (Licensee Education on Alcohol and Drugs) classes or RBSS (Responsible Beverage Sales and Service) Training (or equivalent); (4) Actively participate in your establishment inspections by Sheriff's and Alcoholic Beverage Control (ABC) personnel; (5) Support alcohol policies and ensure they are put into practice.
12. In addition to all local requirements, as applicable, all businesses must always comply with any requirements from the Alcoholic Beverage Control.
13. Noise from the building and outdoor areas (i.e. TV speakers, speakers, low frequency vibrations, amplification, events, or otherwise) should be minimized to the maximum extent practicable, should not reasonably impact the neighborhood, and is subject to separate authorization by the City. All speakers and other amplification shall be directed away from any residential use. If any noise complaints are received for uses at the property, the applicant shall investigate said complaint and mitigate any issues to the reasonable satisfaction of the City. The project must also meet Imperial Beach Municipal Code noise requirements (Imperial Beach Municipal Code 9.32 – Noise) at all times. Any and all live entertainment is subject to separate permitting and unique conditions of approval.
14. Outdoor patio and dining area shall never exceed Fire Department assessed occupancy.
15. Transportation demand management strategies shall be provided and permanently maintained by the applicant and/or property owner to encourage multiple methods of transportation, including the following:
  - Public bicycle racks (for eight bicycles)
  - Private covered hanging bicycle racks (commercial and residential tenant use only)
  - Map of the bike routes

- Bus route and schedule signage would be posted to encourage transit use and pedestrian/bike (multimodal) use
- One (1) electric bike will be provided per residential unit (8 total) with a built-in charging station
- On all long-term residential leases, there will be language for reduced rent (10%) for tenants who do not need a parking space
- Any and all short-term rental tenants will receive one voucher for e-bike rental for each stay
- Any commercial lease must include language for the property owner or designee to provide bus passes to employees of the commercial tenant upon employee request to offset parking demands

The property owner and/or designee must submit a report to the Community Development Department Director and/or designee annually showing that the TDM strategies are being implemented. Transportation demand management strategies shall be revisited and revised at the expense of the property owner if determined reasonably necessary by the City.

16. Short term rentals shall be limited to five (5) of the residential units (concurrently or otherwise). The use of the residential units as short-term rentals may be reviewed/revisited by the City every two (2) years to assess the impact of the short-term rentals on the surrounding neighborhood and community.
17. If reasonable necessity warrants, the conditions of this permit may be reviewed by the Community Development Director, who will suggest proposed revisions with a reasonable cure period dependent on the necessary modifications. The applicant may appeal any decisions by the Community Development Director to the City Manager, who will have final administrative decision-making authority.
18. Per Imperial Beach Municipal Code Section 19.52.050, signage shall not exceed one square foot of signage per one lineal foot of wall face.
19. All building/structural materials shall be kept in a sound and clean condition, subject to reasonable wear and tear and weathering.
20. The owner and/or owner's designee shall assess the existing street lighting and must assess the feasibility of adding additional lighting to the adjacent right of ways to promote safety and enhance the pedestrian corridor.
21. All proposed/potential projections, mechanical or otherwise, where feasible must be below the maximum allowable building height and must be adequately screened.
22. The exterior materials of the trash enclosure must be consistent with the primary building materials.
23. Screening shall be provided around the open patio area to mitigate any potential noise impacts.
24. All utilities shall be undergrounded.
25. The owner and/or owner's designee shall make the necessary arrangements with each of the public utility companies for the installation of underground facilities and the relocation of existing facilities in conformance with IBMC 13.08.040.

26. Approval of this request shall not waive compliance with any portion of the Building Code and Municipal Code in effect at the time building permits are issued for the proposed development.
27. All fencing must be in conformance with IBMC Chapter 19.46 Fences.
28. Height must be measured per IBMC Section 19.04.400.
29. This project consists of covered multifamily dwellings. Demonstrate how the project will comply with the accessibility provisions of Chapter 11A of the California Building Code.
30. The plans indicate that an ADA space will be provided for the commercial space as required by Chapter 11B of the California Building Code. However, an ADA space is not shown for the residential units as required per Section 1109A of the California Building Code. Please clarify.
31. The commercial portion of this building will need to demonstrate compliance with Chapter 11B of the California Building Code.
32. Obtain all required building permits (Building, Plumbing, Mechanical, Electrical, Grading etc.) for this project. All construction shall comply with the adopted 2022 California Building Standards Codes; Residential, Building, Electrical, Mechanical, Plumbing, Energy, Fire, Green Building, Historic Building, Existing Building, as amended by City Ordinance 2022-1219 and other applicable Municipal Codes in effect at the time of plan submittal for building permits.
33. Prior to Foundation Inspection a survey of the property shall be conducted from a California Licensed Surveyor or Engineer and survey pins shall be in placed to identify the corners.
34. A setback and pad elevation certification prepared by the responsible licensed Land Surveyor or Engineer shall be submitted to the City Building Inspector prior to inspection or approval of the foundation.
35. All projects greater than or equal to twenty-five thousand dollars (\$25,000), or which involve the construction and/or demolition of two-hundred-fifty (250) square feet or more of floor space shall comply with Imperial Beach Municipal Code Chapter 8.38. A completed Waste Management Plan shall be submitted with the building permit application.
36. Any development of property other than single-family residence(s) or duplex(es) with a valuation in excess of fifty thousand dollars (\$50,000) will be required to underground all utility services on-site, adjacent thereto and those which traverse the site. IBMC 13.08.
37. Plans deviating from conventional wood frame construction shall have the structural portions signed and sealed by the California state licensed engineer or architect responsible for their preparation, along with structural calculations. (California Business and Professions Code).
38. No work for which a building permit is required shall be performed within the hours of 7:00 P.M. - 7:00 A.M. Monday - Friday, nor prior to 8:00 A.M. or after 5:00 P.M. on Saturday nor anytime on Sundays. A sign shall be posted at a conspicuous location near the main entry to the site, prominently displaying these hour restrictions.
39. The project is located in noise critical areas (CNEL contours of 60 dB) as shown on the City's General Plan. Your project will need to show compliance using one of the following methods from the California Green Building Standards Code (GBSC):



- a. Prescriptive method (GBSC Section 5.507.4.1) - Wall and roof-ceiling assemblies exposed to the noise source shall meet a composite Sound Transmission Class (STC) rating of at least 50 or a composite Outdoor-Indoor Sound Transmission Class (OITC) rating of no less than 40.
  - b. Performance Method (GBSC Section 5.507.4.2) - An acoustical analysis documenting complying interior sound levels, not in excess of an hourly equivalent noise level (Leq -1Hr) of 50 dBA in occupied areas during any hour of operation, shall be prepared by personnel approved by the architect or engineer of record
40. A soils report must be provided with the building permit application. The report shall include foundation design recommendations based on the engineer's findings and shall comply with Section R401.4.

Should the soils engineer recommend that he/she review the foundation excavations, provide a note on the foundation plan that "Prior to the contractor requesting a Building Department foundation inspection, the soils engineer shall advise the building official in writing that:

- a. The building pad was prepared in accordance with the soils report,
- b. The utility trenches have been properly backfilled and compacted, and
- c. The foundation excavations, the soils expansive characteristics and bearing capacity conform to the soils report."

A letter will need to be provided from the soils engineer confirming that the foundation plan, grading plan and specifications have been reviewed and that it has been determined that the recommendations in the soils report are properly incorporated into the construction documents (when required by the soil report).

41. This project will be required to provide an energy design detailing compliance with the Mandatory Measures and either the Performance or Prescriptive methods of compliance.
42. The mandatory Green Building requirements for residential construction must be included on your plans. Green Building Standards are applicable to newly constructed residential buildings and additions / alterations that increase the building's conditioned area, volume or size. California Green Building Standards Residential Mandatory Measures checklist plan sheets are available from the following website:  
<https://aiacalifornia.org/calgreen-checklists/>
43. Please contact Matthew Schuler and California American Water District; 619-446-5713 or [Matthew.Schuler@amwater.com](mailto:Matthew.Schuler@amwater.com), to confirm the water meter requirements for this project.
44. Please contact the San Diego Gas & Electric Project Planning Team (Metro Service Order Team) at 619-230-7800 to confirm that the proposed service locations detailed on your site plan are in compliance with their service standards.
45. An electrical line diagram, panel schedule and service load calculations will be required at submission of building permit application.
46. Specify the proposed sewer connection on the plans.
47. The ground-floor dwelling unit shall be adaptable and on an accessible route.
48. At the time of submittal for a building permit, ensure that all project information is included on the Title Sheet; including but not limited to the allowable building area and building height calculations, number of stories, occupant load, and the basis used for the separation of occupancies per Section 508 of the California Building Code.



49. Fire-flow demand report required. The proposed project exceeds the square footage of the previous/existing structure. The applicant/owner shall obtain a fire-flow demand report from water purveyor California American Water indicating that the existing water supply infrastructure can meet the demand required by the new structure(s). The nearest fire hydrant is located at the intersection of Seacoast Dr. and Donax Ave.

The project proposed 13,400 square feet, type VB.

Required minimum fire-flow demand:

3,000 GPM for 180 Minutes

Where to submit your fire flow demand report:

California American Water  
1025 Palm Avenue  
Imperial Beach, CA 91932

Once the report has been obtained from California American Water, please provide one (1) copy to the Imperial Beach Fire-Rescue Department for review and one (1) copy to the Imperial Beach Planning Division for retention.

Tom Santos, Assistant Fire Marshal  
Imperial Beach Fire-Rescue Department  
865 Imperial Beach Blvd.  
Imperial Beach, CA 91932  
Phone: (619) 628-1392 - Fax: (619) 628-1489  
[tsantos@imperialbeachca.gov](mailto:tsantos@imperialbeachca.gov) - [www.imperialbeachca.gov](http://www.imperialbeachca.gov)

50. Automatic fire sprinkler system shall be designed for compliance with NFPA 13. Automatic fire alarm system (waterflow activation) shall be designed for compliance with NFPA 72.
51. Specify the location of the proposed sewer lateral.
52. If an existing sewer lateral servicing the site will not be utilized and is to be abandoned, it shall be abandoned per the Greenbook standards or other approved building standards. Include the abandonment procedures on the building plans for City approval.
53. (If applicable) For new commercial units using existing sewer lateral, the applicant is required to demonstrate that the sewer lateral conforms to all City standards, specifications and codes. In order to determine the existing condition of the lateral, the applicant must provide an in-line closed-circuit video (CCTV) inspection of the lateral from the building to the City's sewer main. Any damaged sections of pipe found during the video inspection must be repaired before approval of the lateral for use.
54. (If Applicable) New sewer connection to the main line shall be coordinated with the City of Imperial Beach Public Works Department.
55. Prior to approval of these plans the sewer lateral locations shall be drawn on the plans and submitted to the City for review and approval. If applicable, new buildings cannot be constructed on top of existing sewer lateral, rerouting is required.
56. Multifamily dwellings are to have a separate sewer lateral for each detached unit with separate water meters. Applicants may request during the plan check to connect each building sewer to a common sewer system extension that leads to the public sewer system provided that the sewer system extension is adequately sized and an agreement is in place between the adjoining units.

57. Sewer laterals shall be installed per Regional Standards SS-01 through SS-04, SP-01 through SP-03 & SC-01. Upon completion, the applicant shall contact the Public Works Department for an inspection of the tie to the Main by calling the Public Works Inspector at (619) 551-8005.
58. No building roof or landscape water drains may be piped to the street or onto impervious surfaces that lead to the street. A design that has these water discharges directly into the storm drain conveyance system (onto an impervious surface that flows to the street) is in violation of the Municipal Storm Water Permit - Order R9-2013-0001.
59. Building foundation elevations shall be at least one (1) foot above gutter line to minimize flooding during storm conditions.
60. The owner of private property adjoining the public right-of-way shall be responsible to maintain the proposed bio retention landscaping in the area between the parkway and private property line for the entire frontage of the property. Such maintenance shall include watering and clearing of weeds.
61. If it is necessary to cut into the alley pavement as part of this project, all concrete cuts in the alley must be replaced with #4 rebar dowels positioned every 1 foot on center and secured with approved epoxy. Concrete specification must be 560-C-3250. Concrete saw cutting parallel to the alley drainage must be at least 2 feet from the alley drain line.
62. For alley, sidewalk or curb & gutter replacement ensure compliance with San Diego Regional Standard Drawing G-11 (Concrete Curb, Gutter, Sidewalk & Pavement Removal and Replacement) in that, the "Area to be removed [must be] 5' or from joint to joint in panel, whichever is less." The distance between joints or score marks must be a minimum of 5-feet. Where the distance from "Area to be removed", to existing joint, edge or score mark is less than the minimum shown, "Area to be removed" shall be extended to that joint, edge or score mark.
63. Along the public right-of-way, the applicant shall eliminate any existing tripping hazards caused by the condition of the existing public sidewalk along the property frontage. The remedial work required herein shall be performed to the satisfaction of the Public Works Inspector.
64. All existing sidewalk abutting the property on Seacoast Dr. & Donax Ave. that does not conform to current ADA standards shall be reconstructed and replaced per SDRSD G-7, with sidewalk joint locations per SDRSD G-9 and concrete joint details per SDRSD G-10.
65. Where existing right-of-way pavement is to be removed, a clean, neat line shall be saw-cut at the edge of existing pavement where the new replacement pavement to be installed. A minimum twelve (12) inch cut shall be provided between a new driveway, curb or other concrete work that meets with asphalt. This will give a clean, compactable area to transition from new concrete to existing road surface. All driveways or sidewalks shall be poured as soon as possible after disturbance of existing pavement to prevent erosion of pavement integrity. Any damaged pavement shall be repaired with like material to the satisfaction of the Public Works Inspector. Existing street widths shall not be narrowed as a result of apron placement.
66. All trench resurfacing shall be performed in accordance with the standards shown below and shall be subject to inspection by the City's Public Work Inspector. The permittee shall be responsible for calling for an inspection at (619) 423-8311. Trenches and improvements in streets shall conform to regional standards as follows:

- a. Trenches wider than six (6) inches: Use Regional Standard G-24A type C & G-24B. The base shall be compacted with twelve (12) inch maximum lifts to 95% modified proctor and test reports.
  - b. Trenches six (6) inches or less: Use regional standard G-33 Type B. Call for an inspection prior to the Asphalt repair at (619) 551-8005.
  - c. Traffic Control plans shall be followed per approved plans and adjusted by the contractor for changing conditions.
  - d. Trench plates used for a SDG&E gas connection (which can take several weeks), or on downhill road sections, need to be ground down so plates are flush with roadway. All plates are to be slip resistant. All open trenches in roadway shall be plated and secured at the end of the work day. All other open trenches shall be plated or covered in heavy plywood.
  - e. Where a curb exists, the applicant shall bore under curb or saw cut a minimum of the width of the asphalt patch and replace with same construction.
  - f. No trench shall be opened in any street for the purpose of laying pipes, conduits or ducts except when the prior written consent of the Director of Public Works has been obtained. Construction shall include restoration of all speed controls (bumps or humps) and all striping and/or any signage that may be disturbed as the result of project implementation. Restoration of disturbed speed humps shall include a double coat of speed hump paint with glass crystals. No open trench shall be allowed across any street or within 10 ft. of any travel way.
67. For any work to be performed in the street or alley, submit a traffic control plan for approval by Public Works Inspector a minimum of 5 working days in advance of street work. Traffic control plan is to be per Regional Standard Drawings or CALTRANS Traffic Control Manual.
68. The applicant shall be responsible for informing the public of the traffic conditions existing within the construction area at all times by placement of appropriate warning and advisory signs. The applicant shall also provide and maintain all traffic control and safety items. Barricades and any other delineation in the right of way shall be required and maintained by applicant for the duration of the right of way improvements. Applicant assumes sole and complete responsibility for the job and site conditions during the course of construction, including safety of all persons and property. This requirement shall apply continuously twenty-four (24) hours per day and shall not be limited to normal work hours.
69. For any project that proposes work within the public right-of-way (i.e., driveway removal/construction, sidewalk removal/construction, street or alley demolition/reconstruction, sewer lateral trenching and installation, landscaping and irrigation, fences, walls within the public right-of-way, etc.), a Temporary Encroachment Permit (TEP) shall be applied for and approved either prior to or concurrent with issuance of the building permit required for the project. Application for a Temporary Encroachment Permit shall be made on forms available at the Community Development Department.
70. Permittee shall schedule inspections with the Public Works Department (619) 423-8311 at least 24 hours prior to need as follows:
  - a. Sidewalk, Driveway, Curb and Gutter and other Concrete Work Pre-pour and Final
  - b. Street Excavation T-Cut and Final
  - c. Sewer Lateral Capping during Demolition and New Lateral Connection to Main
  - d. All Other Encroachment Activity Final

71. All alley, driveway, sidewalk, or curb & gutter construction within the City right-of-way shall require either a "CLASS A" or "C-8" Contractor's license. All sewer lateral installations and trenching work within the City right-of-way shall require a "CLASS A" Contractor's license.
72. Any disposal/transportation of solid/construction waste in roll off containers must be contracted through EDCO Disposal Corporation unless the hauling capability exists integral to the prime contractor performing the work.
73. The parcel impervious surfaces are not to increase beyond that proposed in the project review drawings. This will be as a post-construction condition in order to maximize the water runoff infiltration area on the parcel in compliance with Municipal Storm Water Permit – Order R9-2013-0001.
74. Install/set property survey monuments at all property corners. Prepare either a Record of Survey or Corner Record, whichever is applicable pursuant to the requirements of the State Land Surveyor's Act. Said Record of Survey or Corner Record shall be recorded in the office of the San Diego County Recorder. Provide the City with a recorded copy.
75. Applicant required to provide verification of post construction Best Management Practice (BMP) maintenance provisions through a legal agreement, covenant, CEQA mitigation requirement, and / or Conditional Use Permit. Agreement is provided through the Community Development Department.
76. Property owner must institute "Best Management Practices" to prevent contamination of storm drains, ground water and receiving waters during both construction and post construction. The property owner or applicant BMP practices shall include but are not limited to:
  - a. Contain all construction water used in conjunction with the construction. Contained construction water is to be properly disposed in accordance with Federal, State, and City statutes, regulations and ordinances.
  - b. All recyclable construction waste must be properly recycled and not disposed in the landfill.
  - c. Water used on site must be prevented from entering the storm drain conveyance system (i.e. streets, gutters, alley, storm drain ditches, storm drain pipes).
  - d. All wastewater resulting from cleaning construction tools and equipment must be contained on site and properly disposed in accordance with Federal, State, and City statutes, regulations, and ordinances.
  - e. Erosion control - All sediment on the construction site must be contained on the construction site and not permitted to enter the storm drain conveyance system. Applicant is to cover disturbed and exposed soil areas of the project with plastic-like material (or equivalent product) to prevent sediment removal into the storm drain system. See CASQA's (California Stormwater Quality Association) Construction Best Management Practices Handbook for other alternative erosion and sediment control BMPs.
77. Two days prior to any excavation, "Dig-Alert" (800) 227-2600 shall be notified to locate all known underground utilities.
78. Applicant must underground all utilities in accordance with I.B.M.C. 13.08.060.C as noted below, applicability to new structures:



- a. For any development which requires a building permit but is of a valuation of fifty thousand dollars or less, the applicant will be required either to underground the utilities or to sign a deferral agreement pertaining thereto.
  - b. For any development of single-family residence(s) or duplex(es) which exceeds a valuation of fifty thousand dollars, the applicant will be required to sign a deferral agreement with, and pay a recording fee to, the City.
  - c. Any development of property other than as described in subsection A or B of this section in excess of fifty thousand dollars valuation will be required to underground all utility services on-site, adjacent thereto and those which traverse the site.”
79. Applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney’s fees and costs incurred by the City and any claim for private attorney general fees and costs claimed by or awarded to any party against the City or its agents officers or employees against the City or its agents, officers, or employees, relating to the approval of the project (USE-22-0088) including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision (including the Regular Coastal Permit (CP-22-0012), Conditional Use Permit (CUP-22-0011), Design Review Case (DRC-22-22-0024), Site Plan Review (SPR-22-0025), Tentative Map (TM-22-0002), and Categorical Exemption pursuant to CEQA Guidelines 15332 (In-Fill Development)), including any claims for violation of the Public Records Act or discovery law arising from and with respect to litigation involving these approvals (collectively “Development Approvals”). The City will promptly notify applicant of any claim, action or proceeding concerning the Development Approvals. (“Notification of Claim”). The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, applicant shall pay all of the costs related thereto, including without limitation reasonable attorney’s fees and costs. In the event of such election applicant shall pay all of the costs related thereto including without limitation attorney’s fees and costs incurred by the City. In the event of a disagreement between the City and applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter.
80. The Developer or Developer's representative shall read, understand, and accept the conditions listed herein and shall, within 30 days, return the signed Affidavit accepting said conditions.
81. The Developer shall pay off any deficits in his project account (22-0088-DEP) prior to building permit issuance and prior to final inspection.

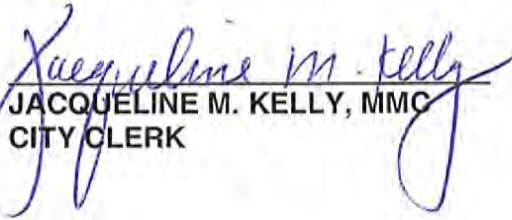
**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 21<sup>st</sup> day of June 2023, by the following vote:

**AYES: COUNCILMEMBERS: FISHER, MCKAY, LEYBA-GONZALEZ, AGUIRRE**  
**NOES: COUNCILMEMBERS: SEABURY**  
**ABSENT: COUNCILMEMBERS: NONE**



**PALOMA AGUIRRE, MAYOR**

**ATTEST:**



**JACQUELINE M. KELLY, MMC**  
**CITY CLERK**

**CALIFORNIA COASTAL COMMISSION**

SAN DIEGO COAST DISTRICT OFFICE  
7575 METROPOLITAN DR., SUITE 103  
SAN DIEGO, CA 92108-4421  
(619) 767-2370  
SANDIEGOCOAST@COASTAL.CA.GOV

**RECEIVED**

JUL 25 2023

**APPEAL FORM** CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT**Appeal of Local Government Coastal Development Permit****Filing Information (STAFF ONLY)**

District Office: San Diego Coast

Appeal Number: \_\_\_\_\_

Date Filed: 7/25/2023Appellant Name(s): LARRY ZAJONE**APPELLANTS**

**IMPORTANT.** Before you complete and submit this appeal form to appeal a coastal development permit (CDP) decision of a local government with a certified local coastal program (LCP) to the California Coastal Commission, please review the appeal information sheet. The appeal information sheet describes who is eligible to appeal what types of local government CDP decisions, the proper grounds for appeal, and the procedures for submitting such appeals to the Commission. Appellants are responsible for submitting appeals that conform to the Commission law, including regulations. Appeals that do not conform may not be accepted. If you have any questions about any aspect of the appeal process, please contact staff in the Commission district office with jurisdiction over the area in question (see the Commission's contact page at <https://coastal.ca.gov/contact/#/>).

**Note regarding emailed appeals.** Please note that emailed appeals are accepted **ONLY** at the general email address for the Coastal Commission district office with jurisdiction over the local government in question. For the San Diego Coast district office, the email address is [SanDiegoCoast@coastal.ca.gov](mailto:SanDiegoCoast@coastal.ca.gov). An appeal emailed to some other email address, including a different district's general email address or a staff email address, will be rejected. It is the appellant's responsibility to use the correct email address, and appellants are encouraged to contact Commission staff with any questions. For more information, see the Commission's contact page at <https://coastal.ca.gov/contact/#/>.

EXHIBIT NO. 4

APPLICATION NO.

**A-6-IMB-23-0026**

Appeal

1 of 18



California Coastal Commission

## Appeal of local CDP decision

Page 2

### 1. Appellant information:

Name: Larry Zajonc  
Mailing address: P.O. Box 157 - 1.23 Dorax Ave  
Phone number: 408-205-3939  
Email address: LarryZajonc@yahoo.com

How did you participate in the local CDP application and decision-making process?

☐ Did not participate ☒ Submitted comment ☒ Testified at hearing ☐ Other

Describe: I Presented my concerns at the most recent  
City meeting. Although most my topics of concern  
were overlooked, Taking initiative, I started a  
Petition along with other neighbors and collected 112  
Signatures.

☒ You did not participate in the local CDP application and decision-making process, please identify why you should be allowed to appeal anyway (e.g., if you did not participate because you were not properly noticed).

Describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please identify how you exhausted all LCP CDP appeal processes or otherwise identify why you should be allowed to appeal (e.g., if the local government did not follow proper CDP notice and hearing procedures, or it charges a fee for local appellate CDP processes).

Describe: Referring to Council meetings on August 21, 2023 there  
were incidents of unprofessional behavior by the  
Council men. This issue impacts me considering the  
location of where I live and the development  
taking place.

1 If there are multiple appellants, each appellant must provide their own contact and participation information. Please attach additional sheets as necessary.

## Appeal of local CDP decision

Page 3

### 2. Local CDP decision being appealed<sup>2</sup>

Local government name: City of Imperial Beach  
Local government approval body: Imperial Beach City Council and mayor  
Local government CDP application number: 757 Seacoast  
Local government CDP decision: ☒ CDP approval ☐ CDP denial<sup>3</sup>  
Date of local government CDP decision: June 21, 2023

Please identify the location and description of the development that was approved or denied by the local government.

Describe: The location of this project is on 757 Seacoast  
Drive in Imperial Beach California. This is a  
development of 8 condo buildings and 1 commercial  
building on 10,500 square feet. This adds nine  
more units to the already dense section of our  
city without parking. The area where this development  
will be constructed has already been approved for one  
retail building and three restaurants. This will leave  
three parking spots available for the restaurants  
and condominiums.

<sup>2</sup> Attach additional sheets as necessary to fully describe the local government CDP decision, including a description of the development that was the subject of the CDP application and decision.

<sup>3</sup> Very few local CDP denials are appealable, and those that are also require submittal of an appeal fee. Please see the ~~appeal~~ appeal information sheet for more information.



## Appeal of local CDP decision

Page 4

### 3. Applicant information

Applicant name(s):

Larry Zionc

Applicant Address:

123 Dornex Ave CA 91932

### 4. Grounds for this appeal

For appeals of a CDP approval, grounds for appeal are limited to allegations that the approved development does not conform to the LCP or to Coastal Act public access provisions. For appeals of a CDP denial, grounds for appeal are limited to allegations that the development conforms to the LCP and to Coastal Act public access provisions. Please clearly identify the ways in which the development meets or doesn't meet, as applicable, the LCP and Coastal Act provisions, with citations to specific provisions as much as possible. Appellants are encouraged to be concise, and to arrange their appeals by topic area and by individual policies.

Describe: Given the amount of building that has happened  
in the last 14 months, Shows a result of a  
cluster of buildings with no parking. As well as  
ignoring Conditional use Permits (CUP) for height,  
density and parking. This problem will get  
exponentially worse in the future considering each  
residential lot can have up to two buildings.

## Appeal of local CDP decision

Page 5

### 5. Identification of Interested persons

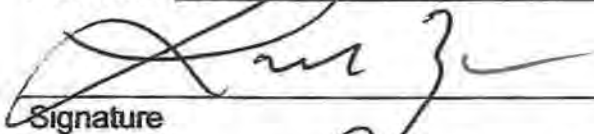
On a separate page, please provide the names and contact information (i.e., mailing and email addresses) of all persons whom you know to be interested in the local CDP decision and/or the approved or denied development (e.g., other persons who participated in the local CDP application and decision making process, etc.), and check this box to acknowledge that you have done so.

☐ Interested persons identified and provided on a separate attached sheet

### 6. Appellant certifications

I attest that to the best of my knowledge, all information and facts in this appeal are correct and complete.

Print name Larry Zajonc

  
Signature

Date of Signature July 24 2023

### 7. Representative authorizations

While not required, you may identify others to represent you in the appeal process. If you do, they must have the power to bind you in all matters concerning the appeal. To do so, please complete the representative authorization form below and check this box to acknowledge that you have done so.

☐ I have authorized a representative, and I have provided authorization for them on the representative authorization form attached.

<sup>5</sup> If there are multiple appellants, each appellant must provide their own certification. Please attach additional sheets as necessary.

<sup>6</sup> If there are multiple appellants, each appellant must provide their own representative authorization form to identify others who represent them. Please attach additional sheets as necessary.

**CALIFORNIA COASTAL COMMISSION**

455 MARKET STREET, SUITE 300  
SAN FRANCISCO, CA 94105-2219  
VOICE (415) 904-5200  
FAX (415) 904-5400

**DISCLOSURE OF REPRESENTATIVES**

If you intend to have anyone communicate on your behalf to the California Coastal Commission, individual Commissioners, and/or Commission staff regarding your coastal development permit (CDP) application (including if your project has been appealed to the Commission from a local government decision) or your appeal, then you are required to identify the name and contact information for all such persons prior to any such communication occurring (see Public Resources Code, Section 30319). The law provides that failure to comply with this disclosure requirement prior to the time that a communication occurs is a misdemeanor that is punishable by a fine or imprisonment and may lead to denial of an application or rejection of an appeal.

To meet this important disclosure requirement, please list below all representatives who will communicate on your behalf or on the behalf of your business and submit the list to the appropriate Commission office. This list could include a wide variety of people such as attorneys, architects, biologists, engineers, etc. If you identify more than one such representative, please identify a lead representative for ease of coordination and communication. You must submit an updated list anytime your list of representatives changes. You must submit the disclosure list before any communication by your representative to the Commission or staff occurs.

Your Name Larry Zajonc

CDP Application or Appeal Number \_\_\_\_\_

**Lead Representative**

Name Larry Zajonc

Title \_\_\_\_\_

Street Address 123 Donax Ave

City Imperial Beach

State, Zip CA, 91932

Email Address larryzajonc@yahoo.com

Daytime Phone 408-205-3939

Your Signature [Signature]

Date of Signature July 24 2023

Larry Zajonc  
123 Donax Ave  
Imperial Beach, CA, 91933  
Larry Zajonc  
408- 205-3939  
7/8/23

RECEIVED

JUL 25 2023

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

**California Coastal Commission**  
**7575 Metropolitan Dr.**  
**Str 103**  
**Sd car 92108- 4402**

Subject: Concerns Regarding Coastal Development in Imperial Beach

Dear California Coastal Commission,

I hope this letter finds you well. I am writing to express my deep concern regarding the proposed coastal development in Imperial Beach. As a concerned citizen and someone who values the preservation of our beautiful coastline. I feel compelled to bring certain issues to your attention.

Imperial Beach, a charming coastal city, uniquely situated amidst breathtaking surroundings. Although the geographical configuration is landlocked for the area. Imperial Beach is encompassed by magnificent elements of nature, including the vast ocean, a 2,500 acre estuary, and the scenic Silver Strand.

First and foremost, it is crucial to highlight the significance of safeguarding the natural splendor and ecological harmony of our coastal areas. The coastal regions of Imperial Beach possess not only awe-inspiring beauty but also a recreation for all of us to enjoy. Reminding us of the importance of preserving and appreciating such natural treasures as they may not be around for future generations to relish in firsthand.

In addition, the problem with a lack of parking in Imperial Beach is the strain it places on the local infrastructure and community. Beachgoers will ultimately be unable to park within a reasonable distance from the coastline. Limited space to park leads to increased competition for parking spots, traffic congestion, and difficulty finding convenient parking near homes and businesses. This, coupled with a community of only two traffic routes, would discourage tourism thereby leaving a harmful impact on the local economy. This issue can adversely affect the quality of life for residents and visitors, as it may result in longer commute times and discomfort of living.

Recently, we have witnessed exponential development activity in our quaint coastal community of 25,000 residents. Some of these developments include;

- Four restaurants
- A retail building
- 23 units within a 5 block radius.
- A prominent restaurant
- Four single-family residences and two townhouses

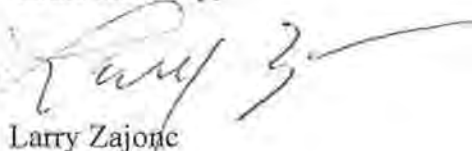
Notably, two of the four restaurants currently under construction provide no on-site parking. This has been made possible by continuously overriding ordinances by issuing Conditional Use Permits. While an increase in capacity is inevitable, doing so without adequate parking will undoubtedly increase congestion issues for local businesses and residents. Unfortunately, this will ultimately lead to our coastal community losing its accessibility.

Within the 112 collected signatures, 78% of them belong to residents on Donax and Daisy Avenue within the first two blocks and individuals who heavily rely on this parking. Regrettably, the city council has shown a lack of concern as they dismissed the significance the residents signatures presented.

In conclusion, I implore the California Coastal Commission to thoroughly consider the environmental, ecological, and socioeconomic implications of the proposed coastal development in Imperial Beach. Our coastline is a precious resource that should be protected for the benefit of current and future generations. I respectfully request that you take into account the concerns raised in this letter.

Thank you for your attention to this matter.

Yours sincerely,



Larry Zajonc


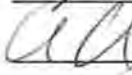

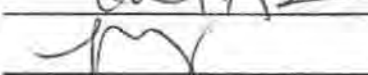
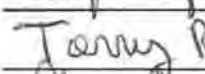



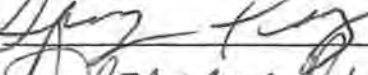


Re: New Building Construction replacing Aroma Thai at 757 Seacoast Drive

We the undersigned residents and property owners in the vicinity of Seacoast Dr. and Donax Ave. are concerned about the construction project being considered to replace the existing structures located at 757 Seacoast Dr. The expansion of commercial development on Seacoast Drive in recent years has become extreme to the point of diminishing the quality of life of our local residents. We object to the proposed new development regarding CUP's or code exemptions to parking requirements, building height, or density.

The existing codes and limits on the issuance of CUP's as they are established followed much study using sound reasoning. Code exemptions and CUP's should not be issued without serious impact studies and attention and consideration by the councilmembers to the residents concerns and desires.

We the undersigned object to any exemptions to any code requirement.

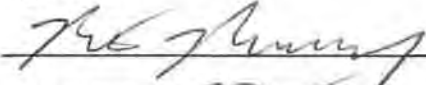
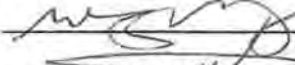

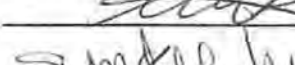

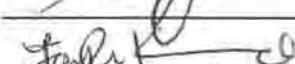
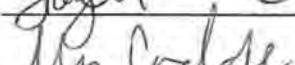
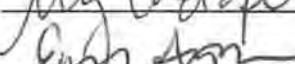
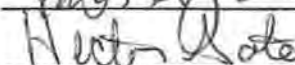
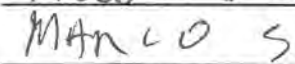
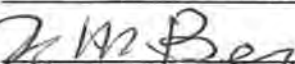
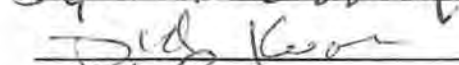
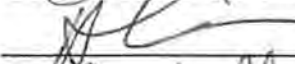
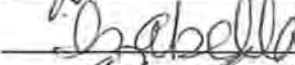
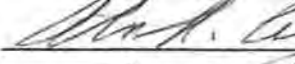



Signature	Date	Print Name and Address
	14 APR 23	MALL KENNEDY 221 DONAX
	4-15-23	154 Daisy Ave
	4/15/23	154 Daisy Ave apt C
	4/15/23	148 DAISY AVE E
	4/15/23	142 Daisy Ave.
Torrey Robin	4/15/23	TORREY ROBINSON 162 daisy Ave
Madeline Knight	4/15/23	Madeline Knight 162 Daisy Ave
Marie Dilton	4/15/23	Marie Dilton - 178 Daisy Ave
Brian Dillon	4/15/23	Brian Dillon - 178 Daisy Ave
Donna Hyatt	4-15-23	DONNA HYATT - 182 DAISY AVE
Richard Acker	4-16-23	ERICHARD ACKER - 266 DONAX AVE
Kelly Valdez	4/16/23	743 3RD ST
Emilio Valerio	4/16/23	278 daisy ave
	4/16/23	238 Daisy Ave
	4/16/23	238 Daisy Ave.
	4/16/23	173 Daisy Ave.
	4/16/23	129 Dahlia Ave
Donna Russell	4/16/23	132 Daisy Ave

Re: New Building Construction replacing Aroma Thai at 757 Seacoast Drive

We the undersigned residents and property owners in the vicinity of Seacoast Dr. and Donax Ave. are concerned about the construction project being considered to replace the existing structures located at 757 Seacoast Dr. The expansion of commercial development on Seacoast Drive in recent years has become extreme to the point of diminishing the quality of life of our local residents. We object to the proposed new development regarding CUP's or code exemptions to parking requirements, building height, or density.

The existing codes and limits on the issuance of CUP's as they are established followed much study using sound reasoning. Code exemptions and CUP's should not be issued without serious impact studies and attention and consideration by the councilmembers to the residents concerns and desires.

We the undersigned object to any exemptions to any code requirement.

Signature	Date	Print Name and Address
	5/6/23	Matt Murray 327 Dahlia
	5/6/23	Mei-Ling Murray 327 Dahlia 91932
	5/6/23	DAVID BRAVO 330 DAHLIA
	5/6/23	MONICA DECOROVA 330 DAHLIA
	5/6/23	Syndee Holt 190 Calla Ave
	5/6/23	Roberto Velez
	5/6/23	Taylor Kincaid 217 date ave
	5/6/23	Megan Commandante 219 Date Ave
	5/6/23	Emily Agbunag 223 Date Ave
	5/6/23	Hector Soto 277 E BONY AVE
	5/6/23	277 E BONY AVE
	5-7-23	Mark Bernier 444
	5-6-23	SITA KEONARA
	5-6-23	Hannah Leonard Hannah Leonard signed
	05/06/23	Isabella Andrade 1460 #2 Seacoast
	5-6-23	Alan Cuniff 785 Seacoast
	5/20/23	Patrick Stitt 133 Daisy
	5/20/23	Sharon Douglas 135 Daisy

Original


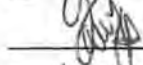
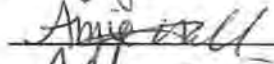
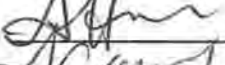
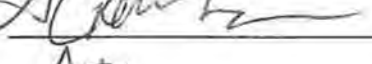
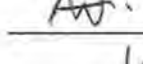
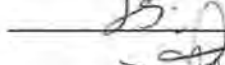
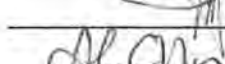
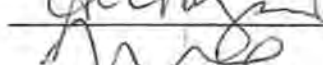




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Signature	Date	Print Name and Address
	5/20/23	WILLIAM STEWART 127 DAISY AVE
	05/20/23	Gabrielle Samonte 127 Daisy Ave
	5.20.23	Amie Hall 141 Daisy Ave Apt B Imperial Beach CA 91932
	5.20.23	Alce Hingan
	5.20.23	ALEXANDRA D. CAMPBELL
	5.20.23	Aidan Lee Womer 141 daisy ave
	5-20-23	Cosette Short 141 daisy ave
	5-20-23	CRIBZON MUNSA YAC 149 DAISY AVE
	5-20-23	ANNA MUNSA YAC 149 DAISY AVE
	5.20.23	Christian Huetten Chavez
	5.20.23	Amanda VELASCO
	5/20/23	AJ Fran Chavez 165 daisy ave
	5/20/23	Erik 1865 Donax Ave

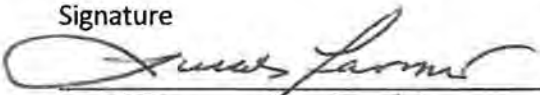
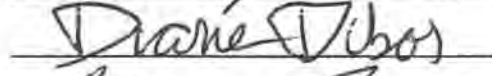
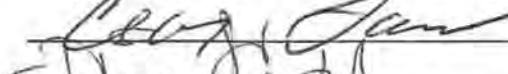
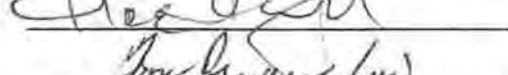
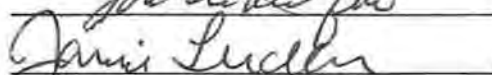

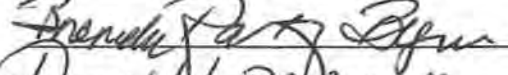
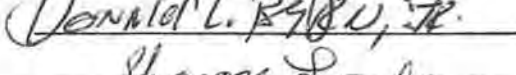
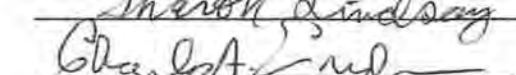

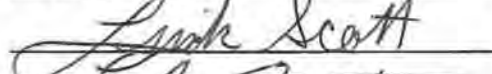


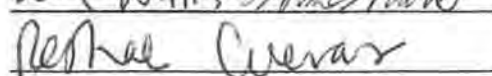
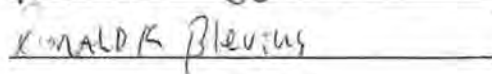



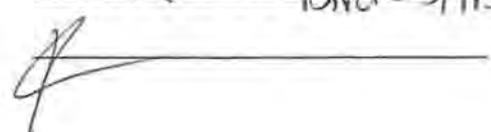
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Re: New Building Construction replacing Aroma Thai at 757 Seacoast Drive

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We the undersigned object to any exemptions to any code requirement.

Signature	Date	Print Name and Address
	5/4/23	Lucas Farmer 160 Daisy Ave
	5/4/23	Diane Farmer 160 Daisy Ave
	5/4/23	Cesar Tavares
	5/4/23	Alice Crawford
	5-4-23	Jon Crawford
	5/4/23	Jamie Luckner
	5/4/23	Aaron Stillwell
	5-4-23	BRENDA RAMIREZ BYRN
	5-4-23	Donald L. Byrn, Jr. 275 Donax } 275 Donax
	5-4-23	Sharon Lindsay 806 7th St.
	5/6/23	Chuck Erickson, 186 Daisy Ave.
	5/6/23	Barbara Jones 505 11th St
	5-6-23	Linda Scott 300 Elkwood Ave. 11th St
	5/6/23	Ed Scott 300 Elkwood Ave.
	5/6/23	Luc Smith 506 7th St
	5-6-23	William Willis 1032 10th St, IB 9A32
	5/6/23	Restee Cuellar 1031 Imperial Beach Blvd #3, IB 91932
	5/6/23	



Imperial Beach Councilmembers:

We, the undersigned residents and property owners in the vicinity of Seacoast Dr and Donax Ave, are concerned with the business operating at 710 Seacoast Dr., the Tepik Sports Grill, which has been issued a CUP and has an ABC License On Sale Beer and Wine and the planning of proposed future development of the property at 757 Seacoast Dr., currently Aroma Thai Restaurant.

The expansion of commercial development on Seacoast Dr in recent years has become extreme to the point of substantially limiting the quality of life of our local residents. The noise levels and limited parking are already a serious problem for us. We object to the numerous violations of the Tepik Grill CUP and liquor license, as well as any exemptions to the codes related to parking, noise, and height restrictions associated with any new construction at 757 Seacoast Dr.

The CUP and liquor license for the Tepik Grill require: the doors and windows be closed during entertainment, that there be no outdoor speakers, that there be no hard liquor sales, that there be no removal of open containers from the premises, that specific noise requirements are met, and that the entertainment ends at 10:00pm. Every one of these requirements are being blatantly violated.

We are greatly concerned about the fights, drunk driver's departing, trash left in the area surrounding the Tepik Grill, and especially the noise level. Many of us have been impacted by the fights, the open containers left, and vomit along our sidewalks. Besides reducing these problems by enforcing or withdrawing the Tepik Grill CUP, we want to preempt the problems with the expected next development at 757 Seacoast Dr. The existing codes and limits on issuance of CUP's as they are established followed much study using sound reasoning. Code exemptions and CUP's should not be issued without serious impact studies and attention and consideration by the councilmembers to the residents concerns and desires. Finally, any issued CUP should have a required schedule for evaluation to ensure compliance.

Name	address	Date
LARRY ZAJONA	123 DONAX AVE	9-1-2023
DOMINIC MILLER	132 DONAX AVE	4/1/2022
Corine Miller	131 Donax Ave	4/1/2023
Edward Negron	136 Donax Ave	4/1/2023
ELISA ARIST	136 DONAX AVE	4/1/2023
PAUL MONTEAGUDO	162 DONAX AVE	1/4/2023
Rosamaria Montelairmora	162 Donax Ave	1/4/3/2023
Paul Hummel	211 DONAX AVE	4/3/2023
James Zane	123 Donax Ave	March 21, 2023
Bobby Zane	P.O. Box 157 IRON 9433	April 11, 2023
Don Simpson	168 DONAX AVE	" "
Jeannie B. Jensen	Jeannie Jensen	4-1-23
Joe Bernier	Donax Ave	" " " "
Ben Ortega	220 Donax Ave	4-2-23





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We the undersigned tenants, property managers, and owner, are concerned about the construction project being considered to replace the Aroma Thai restaurant and additional structures located at 757 Seacoast Dr. The expansion of commercial development on Seacoast Drive in recent years has become extreme to the point of diminishing the quality of life of our local residents. The noise levels and limited parking are already a serious problem for us, as well as the neighboring residents.

We the undersigned object to any exemptions to any codes that could worsen these noise and parking conditions as well as any other quality of life considerations. We object to any code exemption without further study of impact.

### Print Name and Address

Cody Fairfield, 777 Seacoast Dr, #0

Cody Fairfield, 777 Seacoast Dr, #P

Robert Montgomery 777 Seacoast Dr

Rhonda Montgomery <sup>1777</sup> ~~Secretary~~ Owner

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TOTAL  
112

**We the undersigned object to any exemptions to any code requirement.**

### Print Name and Address

Dane Smith 130 Daisy Ave  
Imperial Beach, CA 919

Amanda Marino 130 Daisy Ave

3 Ingrid Barclay 774 3rd  
55, F.B.

Deborah Good 3460 919 24 9124 IB 91%

HELEN CERBERG 276 DONAX AVE  
CB, Ca 91932

Michaelis

2015 E Mexico St. Guad. Az

916 Fourth St 914 05 03

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The existing codes and limits on the issuance of CUP's as they are established followed much study using sound reasoning. Code exemptions and CUP's should not be issued without serious impact studies and attention and consideration by the councilmembers to the residents concerns and desires.

Signature	Date	Print Name and Address
<i>[Signature]</i>	15 APR 23	ALAN HAINES 136 DAISY AVE IB
<i>[Signature]</i>	16 APR 23	747 SENECA DR IB AMANDA GONZALES
<i>[Signature]</i>	16 APR 23	128 DUBLIN AVE
<i>[Signature]</i>	16 APR 23	132 DAISY AVE IB
<i>[Signature]</i>	4/16/23	125 DORRIS AV

RECEIVED

JUL 25 2023

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

FOR

757

SEA COAST

IMPERIAL BEACH

LARRY ZAJONE

408-205-3939