

February 4, 2025

Evelynn Luna and Nicolas Aguilar 437 W. Knepp Avenue Fullerton. CA 92832

CITY OF DANA POINT ADMINISTRATIVE PERMIT MINOR CONDITIONAL USE PERMIT CUP24-0008(M)

PROJECT APPLICANT: Evelynn Luna and Nicholas Aguilar

PROPERTY OWNER: Dana Point Medical Real Estate LLC

LOCATION: 24655 La Plaza, Suite C (APN: 682-271-24) and 24631 La

Plaza (APN: 682-271-25)

REQUEST: A Minor Conditional Use Permit to establish a recreational use

within a vacant suite of a commercial building within the Town Center Mixed Use (TC-MU) Zoning District, and to establish a Shared Parking Program pursuant to Dana Point Zoning Code Section 9.35.060(c)(4)(C) to satisfy the minimum number of required parking stalls for the subject building's commercial

uses.

ENVIRONMENTAL: Pursuant to the California Environmental Quality Act (CEQA),

the project is categorically exempt per Section 15301(a) of the CEQA Guidelines (Class 1 – Existing Facilities) since the project consists of leasing an existing unit within a private structure and proposes minor alterations to the structure to accommodate the proposed use, and the permitting of a

Shared Parking Program for a commercial building.

<u>DETERMINATION:</u> The Community Development Director hereby

APPROVES DENIES

the requested ENTITLEMENT described herein subject to the

attached findings and applicable conditions.

Brenda Wisneski, Director Community Development Department

BACKGROUND/DISCUSSION:

- The subject sites are located within the boundaries of the Dana Point Town Center Plan (TCP). The project sites are zoned as Town Center Mixed Use (TC-MU), as designated by the City of Dana Point Zoning Map.
- The subject tenant space (24655 La Plaza Suite C) is located in an existing one-story, 6,593 square-foot commercial structure off La Plaza, which contains six (6) units. The parking lot for the subject commercial building is located on two adjoining parcels: 24631 La Plaza and 24655 La Plaza. There are 10 parking stalls located at 24631 La Plaza and eight (8) parking stalls at 24566 La Plaza, totaling 18 on-site parking stalls. Additionally, there are 16 off-site parking stalls located off La Plaza allocated from a Shared Parking Program permitted through the County of Orange per Coastal Development Permit 95-04/Conditional Use Permit 95-03/General Plan Change 95-01). The total on- and off-site parking stalls for the subject commercial building is 34 parking stalls.
- The subject tenant space is 1,058 square feet and was previously occupied by a Personal Service Use (Ardita Labs). The subject commercial structure is occupied by various Personal Service Uses, and Medical Office Uses.
- The applicant is requesting approval to establish a Recreational Use (Rolling Tide Jiu Jitsu) at 24655 La Plaza Suite C. In conjunction with the establishment of the Recreational Use the applicant is requesting a Shared Parking Program to satisfy the minimum number of required parking stalls for the subject building's commercial uses. The Shared Parking Program is located at the following two addresses: 24655 La Plaza and 24631 La Plaza.
- Pursuant to the Land Use Matrix within the Dana Point Town Center Plan, Recreational Uses are permitted, subject to approval of a Minor Conditional Use Permit [CUP(M)]. Additionally, pursuant to Dana Point Zoning Code Section 9.35.060(c)(4)(A), the Shared Parking Program is subject to review and approval of a Minor Conditional Use Permit by the Director of Community Development if it meets the City's parking requirements of Dana Point Zoning Code (DPZC) Section 9.35.060(c)(4)(C).

Recreational Use

- The proposed recreational use would occupy an existing 1,058 square-foot tenant space with an open floor plan that does not require tenants improvements to accommodate the proposed use. The floorplan would include an area for a reception desk, and seating near the entrance, and at the center of the suite would be a large mat area for practicing Jiu Jitsu (Exhibit A).
- The recreational use is a Jiu Jitsu Academy (Rolling Tide Jiu Jitsu) that aims to bring top-quality instruction, community development, and empowerment to adults of all ages and children. The business would operate Monday through Friday from 6:00 PM to 9:00 PM and be closed on weekends. Furthermore, the business would have two employees on-site.
- Recreational Uses are parked at a parking ratio of one (1) parking stall per 100 square feet of gross floor area pursuant to DPZC Section 9.35.080(e)(54) - Gym

use. The parking demand for the proposed Recreational Use requires 11 parking stalls. The combined commercial uses at the subject commercial building results in a total parking demand of 42 stalls. Consequently, the parking demand for the proposed Recreational Use creates a shortage of eight (8) parking stalls based on the 34 on- and off-site parking stalls dedicated to the subject sites. Therefore, the applicant requests a Shared Parking Program to satisfy the minimum number of required parking stalls for the building's commercial uses. As explained below, the Shared Parking Program allows the Recreational Use to operate from 6:00 PM to 9:00 PM during the weekdays since it would not be open during the peak commercial operating hours and not impact the parking demand of the other commercial uses.

Shared Parking Program

- To satisfy minimum parking requirements for the proposed Recreational Use, the
 applicant is also requesting that the Director of Community Development approve a
 CUP(M) for a Shared Parking Program utilizing the prescriptive standards outlined
 by DPZC Section 9.35.060(c)(4)(C). The Shared Parking Program would be located
 at 24655 La Plaza and 24631 La Plaza.
- The applicant has provided the following prescriptive City parking requirements according to the standards (DPZC Section 9.35.060(c)(4)(C)) outlined below:
 - 1. Written verification that property owner and tenants and all future property owners know of and will comply with the requirements of the shared parking program; and making known the shared parking program to all future property owners, tenants, and government agencies (Supporting Document 3 Shared Parking Program).
 - 2. A site plan showing all parking spaces, building square footage and tenant spaces (Supporting Document 3 Architectural Plans).
 - 3. A shared parking matrix(s) with the following information:
 - a. The number of parking stalls available on-site (parking supply)
 - b. Project building and tenant addresses.
 - c. Gross square footage of all building and tenant spaces.
 - d. The name, type of use, and the days and hours of operation for each tenant.
 - e. The number of parking stalls required by this Chapter for each tenant based on each tenant's gross square footage and type of use.
 - f. The hourly parking demand for all tenants on: Weekdays (M—F), Saturday, Sunday.
 - g. The comparison between hourly parking demand and the parking supply showing hourly parking demand will not exceed hourly parking supply according to this Chapter.
- Based on the mix of uses at the subject commercial center, a total of 42 parking stalls are required for all businesses to operate concurrently based on DPZC Section 9.35.080(e). As explained above, the current parking configuration provides a total of 34 parking stalls, including 18 on-site parking stalls, as well as 16 off-site parking stalls allocated from a Shared Parking Program permitted through the County of Orange. Consequently, with the proposed Recreational Use, there is a shortage of

- eight (8) parking stalls based on the parking demand of existing and proposed uses as identified in DPZC Section 9.35.080(e).
- The inclusion of the proposed Shared Parking Program limits the hours of operation of each use to ensure the hourly parking demand for all uses on site are met throughout the day based on each use's parking demand in DPZC Section 9.35.080. The hourly parking demand study (Exhibit B) demonstrates that the operational hours of the proposed Recreational Use would not conflict with the operational hours of the current uses and, therefore, provide a surplus of parking stalls continually during the daily operating hours of all uses. Furthermore, the hourly parking demand study identifies peak operating hours for the commercial building during the weekday from 10:00 AM to 5:00 PM, during these hours there is a parking demand of 31 parking stalls, resulting in a surplus of three parking stalls.
- Pursuant to both Section 9.35.060(c)(4)(C)(4) of the DPZC and Condition Number 10 included in the permit below, before signing any future lease agreement on-site, the applicant shall notify the City to re-assess the tenant mixture of uses to assure the required parking would continue to be maintained in compliance with the subject Shared Parking Program. Further justification for the Shared Parking Program is described within the findings in Section A below.
- Staff recommends approval of the Recreational Use, and the Shared Parking Program subject to the discussion points, attached findings and conditions of approval outlined below:

FINDINGS:

- A. Based on the evidence presented at the public hearing, the Director of Community Development makes the following findings and approves Minor Conditional Use Permit CUP24-0008(M), subject to conditions of approval:
 - 1. The proposed conditional use is consistent with the City of Dana Point General Plan ...

Recreational Use

in that, the proposed Recreational Use (Rolling Tide Jiu Jitsu) is consistent with Land Use Policy 6.1 of the City's General Plan, which states that uses should "Encourage retail businesses and mixtures of land uses that help to generate positive pedestrian activity in the area." The implementation of the new Recreational Use for the subject commercial building would offer a mixture of uses that encourage pedestrians to visit the Dana Point Town Center, promoting Land Use Policy 6.1.

Shared Parking Program

in that the proposed Shared Parking Program fulfills Policy 6.4 of the Circulation Element of the General plan to "Encourage the use of shared parking facilities such as through parking districts or other mechanisms," as the applicant's proposed Shared Parking Program meets all City required

criteria to implement this permitted alternative to the minimum number of required parking stalls outlined in DPZC Section 9.35.080.

 That the nature, condition, and development of adjacent uses, buildings, and structures have been considered, and the proposed conditional use will not adversely affect or be materially detrimental to the adjacent uses, buildings, or structures...

Recreational Use

in that, the proposed Recreational Use is proposed inside an existing suite within a commercial building within the TC-MU District. All activities associated with the proposed Recreational Use will take place within the confines of the subject suite. The proposed use is compatible with and complimentary to existing development in the project's vicinity as conditioned, and would not be materially detrimental to adjacent uses, buildings, or structures.

Shared Parking Program

in that according to Section 9.35.060(c)(4) of the DPZC, the purpose of the subject Shared Parking Program is to demonstrate that parking is available to accommodate the shared use of an on-site common parking facility between various land uses resulting in a program that assures adequate parking is continually provided. The results of the parking study indicate that there will be sufficient parking to accommodate the existing uses as well as the proposed Recreational Use on site, and therefore the nature, condition, and development of adjacent uses, and structures have been considered and the proposed conditional use will not adversely affect or be materially detrimental to the adjacent uses, or structures.

3. The proposed site is adequate in size and shape to accommodate the yards, fences, parking and loading facilities, landscaping and other land use development features prescribed in the Dana Point Municipal Code (DPMC) and required in order to integrate the use with existing and planned uses in the vicinity...

Recreational Use

in that, the proposed Recreational Use is identified as a conditionally permitted use within the Land Use Matrix of the Town Center Plan. Additionally, the Recreational Use is proposed within a vacant suite and will not require an interior tenant improvement (except for any exterior signage) and existing, exterior site improvements will remain unchanged. The proposed use is within a 1,058 square foot suite, and requires a parking demand of 11 parking stalls per DPZC Section 9.35.080(e)(54). Consequently, the parking demand for the Recreational Use would create a shortage of eight (8) parking stalls since the subject site contains 34 parking stalls. Therefore, the applicant has requested to establish a Shared Parking Program to satisfy

the minimum number of required parking stalls for the subject commercial building's commercial uses. The requested shared parking program is included as part of Minor Conditional Use Permit CUP24-0008(M), and demonstrates that the operational hours of the proposed Recreational Use would not conflict with the operational hours of the current uses and, therefore, provide a surplus of stalls daily on-site.

Shared Parking Program

in that the Shared Parking Program utilizes the City's prescriptive model program outlined in DPZC Section 9.35.060(c)(4) and is therefore a permitted alternative to parking through the approval of the subject CUP(M). Additionally, the program includes a daily and hourly parking study showing that at peak demand for all uses at the subject site, an excess supply of 3 parking stalls is available.

- B. Based on the evidence presented at the public hearing, the Director of Community Development makes the following **additional finding** required for the establishment of a Shared Parking Program, subject to conditions:
 - 1. That the shared parking program provides a reasonable, accountable, and enforceable means for all uses to share common parking and that the City's minimum requirements assure parking demand is continually met in that the proposed Shared Parking Program utilizes the City's prescriptive model program outlined in DPZC Section 9.35.060(c)(4). As such, the applicant has provided written verification from the property owner and tenants and has noted in a document (Exhibit C) that all future property owners know of and will comply with the requirements of the Shared Parking Program; and will make known the Shared Parking Program to all future property owners, tenants, and government agencies, the required site plan showing the parking supply, building floor area and tenant spaces, a Shared Parking matrix (Exhibit B) concluding that there is a surplus of spaces which will be made available to accommodate the uses on site as well as the proposed recreational use, and lastly, written acknowledgement from the property owner and tenants that shared parking is contingent upon the efficient implementation of the Shared Parking Program by the property owner and the tenant, and that if the Shared Parking Program is not implemented efficiently as determined by the Director of Community Development, the City shall have the right to deny issuance of tenant improvements or other permits for use or development on the site (Exhibit C). Therefore, the shared parking program provides a reasonable, accountable, and enforceable means for all uses to share common parking.
- C. Based on the foregoing, the Director of Community Development determines that this project is Categorically Exempt pursuant to Section 15301(a) (Class 1 Existing Facilities) exemption since the project consists of leasing an existing unit within an

existing public or private structure and proposes minor alterations to the existing structure to accommodate the proposed use, and the permitting of a Shared Parking Program for an existing commercial building.

CONDITIONS OF APPROVAL:

The City of Dana Point hereby grants approval of Minor Conditional Use Permit CUP24-0008(M) for the referenced project. This permit is valid subject to the following conditions of approval:

A. General:

- 1. Approval of this application permits a Minor Conditional Use Permit to establish a Recreational Use within a vacant suite of a commercial building within the Town Center Mixed Use (TC-MU) Zoning District, and to establish a Shared Parking Program pursuant to Dana Point Zoning Code Section 9.35.060(c)(4)(C) to satisfy the minimum number of required parking stalls for the subject commercial building's commercial uses, located at 24655 La Plaza, Suite C and 24631 La Plaza. Subsequent changes to the approved scope-of-work shall be in substantial compliance with those plans presented to the Community Development Director, and in compliance with applicable provisions of the City of Dana Point General Plan and Municipal and Zoning Codes and the Town Center Plan. (PLN)
- 2. The application is approved as a plan for the location and design of the uses, structures, features, and materials shown on the approved plans. Any demolition beyond that described in the approved plans or any relocation, alteration, or addition to any use, structure, feature, or material, not specifically approved by this application, will nullify this approving action. If any changes are proposed regarding the location or alteration to the appearance or use of any structure, an amendment to this permit shall be submitted for approval by the Director of Community Development. If the Director of Community Development determines that the proposed change complies with the provisions and the spirit and intent of the approval action, and that the action would have been the same for the amendment as for the approved plot plan, he may approve the amendment without requiring a new public hearing. (PLN)
- 3. This discretionary permit(s) will become void two (2) years following the effective date of the approval if the privileges authorized are not implemented or utilized or, if construction work is involved, such work is not commenced with such two (2) year time period or; the Director of Community Development or the Planning Commission, as applicable grants an extension of time. Such time extensions shall be requested in writing by the applicant or authorized agent prior to the expiration of the initial two-year approval period, or any subsequently approved time extensions. (PLN)

- Failure to abide by and faithfully comply with all conditions attached to the granting of this permit shall constitute grounds for revocation of said permit. (PLN)
- 5. The applicant or any successor-in-interest shall defend, indemnify, and hold harmless the City of Dana Point ("CITY"), its agents, officers, or employees from any claim, action, or proceeding against the CITY, its agents, officers, or employees to attack, set aside, void, or annul an approval or any other action of the CITY, its advisory agencies, appeal boards, or legislative body concerning the project. Applicant's duty to defend, indemnify and hold harmless the city shall include paying the CITY's attorney fees, costs and expenses incurred concerning the claim, action or proceeding. (PLN)

The applicant or any successor-in-interest shall further protect, defend, indemnify and hold harmless the City, its officers, employees, and agents from all claims, actions or proceedings against the City, its officers, employees, or agents arising out of or resulting from negligence of the applicant or the applicant's agents, employees or contractors. Applicant's duty to defend, indemnify and hold harmless the City shall include paying the CITY's attorney fees, costs and expenses incurred concerning the claim, action, or proceeding. (PLN)

The applicant shall also reimburse the City for City Attorney fees and costs associated with the review of the proposed project and any other related documentation. (PLN)

- The applicant and applicant's successors in interest shall be fully responsible for knowing and complying with all conditions of approval, including making known the conditions to City staff for future governmental permits or actions on the project site. (PLN)
- 7. The applicant and applicant's successors in interest shall be responsible for payment of all applicable fees along with reimbursement for all City expenses in ensuring compliance with these conditions. (PLN)
- 8. The applicant shall obtain all applicable permits for the proposed improvements. (PLN)
- All plans shall be in conformance with the Lantern District Plan and Lantern District/Town Center Standards and Construction Details, per the Public Works Director/City Engineer. (ENG)
- 10. Before signing any lease agreement with future tenants, or purchase agreement with a future owner, the owner shall submit an updated shared parking program to the Director of Community Development for review and approval. The

submittal shall indicate the new tenant or property owner, the tenant's required parking, and agreement with the Shared Parking Program with corresponding hours of operation limitations as evidenced through a signed letter. The submittal shall be accompanied with a service fee in an amount equal to the hourly Planning Department billing rate of for one (1) hour, according to the most current "City of Dana Point — Schedule of Service Fees." The City of Dana Point may withhold permits of any kind for the site until such documentation and fee is provided, reviewed, and approved.

- 11. The applicant and or owner shall require all tenants/business owners and their employees to park in the parking spaces provided at the subject site.
- 12. The hours of operation shall be the following:
 - a. Monday Friday: 6:00PM to 9:00PM
 - b. Closed: Saturday Sunday

Subsequent changes to the approved hours shall be reviewed and approved by the Director of Community Development. (PLN)

- 13. All proposed activities shall comply with the provisions of the City's Noise Ordinance (Dana Point Municipal Code Section 11.10) at all times. (PLN)
- 14. All Recreational Use related activities shall be held within the interior of 24655 La Plaza, Suite C. At no point shall any recreational use activities be allowed outside of the subject suite or within the front, side, or rear yards of the site. (PLN)
- 15. Any proposed exterior building signage shall be reviewed and approved under a separate permit. (PLN)
- 16. The City shall maintain the option to reconsider the Conditional Use Permit (and conditions contained herein), at any time if the Community Development Director finds it necessary to re-evaluate the impact of the use on the surrounding community. (PLN)
- B. Prior to the issuance of a Certificate of Occupancy or release on certain related inspections, the applicant shall meet the following conditions:
 - 17. The subject "Conditions of Approval" section of this permit shall be copied in its entirety, placed directly onto a separate plan sheet in both the City and job plan sets prior to the Planning Division signing off for the building final. (PLN)

- 18. All approvals from outside Departments and Agencies are required. (PLN)(PWE)(BLD)
- 19. The applicant shall contact the Planning Division to conduct an inspection of the completed project including compliance with all conditions prior to contacting the Building and Safety Division for final project sign-off. (PLN)



EXHIBIT A
"SITE PLAN AND FLOOR PLAN"

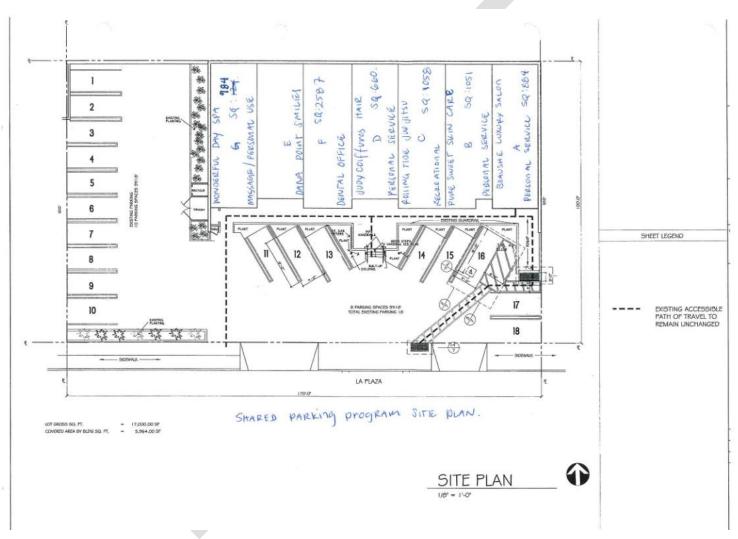


EXHIBIT A "SITE PLAN AND FLOOR PLAN"

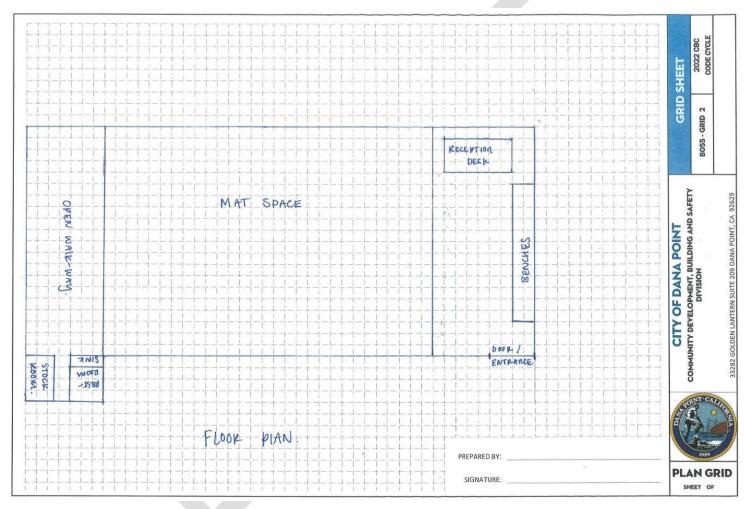


EXHIBIT B

"PARKING STUDY MATRIX"

		24655 La Plaza and 24631 La	Plaza Parking Demand per DPZC Section 9.35.	.080						
Tenant Name/ Suite #	Days of Operation	Hours of Operation	Use	GFA	Parking Code	Req. Parking				
Beaushe Luxury Salon - Suite A	Monday-Saturday	9AM - 6PM	Personal Service Use	884	1/300	3				
Pure Sweet Skin Care - Suite B	Monday-Saturday	9AM - 6PM	Personal Service Use	1051	1/300	4				
Rolling Tide Jiu Jitsu - Suite C	Monday-Friday	6PM - 9PM	Recreational Use	1058	1/100	11				
Judy's Coiffures Hair - Suite D	Monday-Saturday	9AM - 6PM	Personal Service Use	660	1/300	2				
Dana Point Smiles - Suite E/F	Monday-Friday	8AM - 5PM	Dental Office Use	1956	1/150	13				
Wonderful Day Spa - Suite G	Monday-Sunday	10AM - 8PM	Massage Establishment/Personal Service Use	984	3 Stalls Per Treatment Room	9				
			Total:	6593	Total Required Stalls:	42				
					On-site Parking (24631 La Plaza):	10				
					On-site Parking (24655 La Plaza):	8				
					Off-site Parking*:	16				
					Total Stalls:	34				
					Shortage/Surplus of Stalls:	-8				
					*Off-Site Parking stalls per shared	parking program established by the				
					County located within the La Plaza Right of Way					
					•					

Shared Parking Program - Parking Space Demand and Supply for Public Parking Spaces by Hour of Operation - Weekday (Monday-Friday)																		
TENANT NAME/ SUITE	USE	REQUIRED # STALLS PER CODE	HOURS OF OPERATION	8AM	9AM	10AM	11AM	12PM	1PM	2PM	3РМ	4PM	5PM	6PM	7PM	8PM	9PM	10PM
Beaushe Luxury Salon - Suite A	Personal Service Use	3	9AM - 6PM	0	7"	3	3	3		3	3	3	3	3	()	0	0 0
Pure Sweet Skin Care - Suite B	Personal Service Use	4	9AM - 6PM	0	4	1 4	1 4	. 4	. 4	4	4 4	1 4	1 4	4	. ()	0	0 0
Rolling Tide Jiu Jitsu - Suite C	Recreational Use	11	6PM - 9PM	0	((ס	0 () () (11	11	1 1	1	11 0
Judy's Coiffures Hair - Suite D	Personal Service Use	2	9AM - 6PM	0	2	2 2	2 2	! 2		2	2 2	2 2	2 2	. 2	. (D	0	0 0
Dana Point Smiles - Suite E/F	Dental Office Use	13	8AM - 5PM	13	13	3 13	13	13	13	3 1	3 13	13	3 13	0	()	כ	0 0
Wonderful Day Spa - Suite G	Massage Establishment/Personal Service Use	g	10AM - 8PM	0	(9	9 9	9	9	9	9 9	9	9 9	9	9	9	9	0 0
	TOTAL PARKING DEMAND:	42		13	22	2 31	L 31	. 31	. 3:	1 3	1 31	31	l 31	. 29	20	2	0	11 0
	TOTAL PARKING STALLS:	34		34	34	1 34	1 34	34	34	4 3	4 34	1 34	1 34	34	34	3	4	34 34
	SURPLUS/SHORTAGE:	-8		21	12	2 3	3	3		3	3 3	3	3	5	14	1 1	4	23 34

Shared Parking Program - Parking Space Demand and Supply for Public Parking Spaces by Hour of Operation - Weekend (Saturday)																	
TENANT NAME/ SUITE	USE	REQUIRED # STALLS PER CODE HOURS OF OPERATION	8AM	9AM	10AM	11AM	12PM	1PM	2PM	3РМ	4PM	5PM	6PM	7PM	8PM	9PM	10PM
Beaushe Luxury Salon - Suite A	Personal Service Use	3 9AM - 6PM		0	3	3	3	3	3	3	3	3	3	3	0 (0	0
Pure Sweet Skin Care - Suite B	Personal Service Use	4 9AM - 6PM		0	4	4 4	1 4	. 4	1 .	4	1	4	4	4	0 (0	0
Rolling Tide Jiu Jitsu - Suite C	Recreational Use	11 6PM - 9PM		0	0	0 () () ()	0 ()	0	0	0	0 () (<u>ر</u>
Judy's Coiffures Hair - Suite D	Personal Service Use	2 9AM - 6PM		0	2	2 2	2 2	. 2	2	2 :	2	2	2	2	0 (0	0
Dana Point Smiles - Suite E/F	Dental Office Use	13 8AM - 5PM		0	0	0 () ()	0 (D	0	0	0	0 (0 () 0
Wonderful Day Spa - Suite G	Massage Establishment/Personal Service Use	9 10AM - 8PM		0	0	9 9	9 9	9	9	9 9	Э	9	9	9	9 9	9 (0 ر
	TOTAL PARKING DEMAND:	42		0	9 1	8 18	3 18	18	3 1	8 18	3	18	18 1	.8	9 9	9 (0 ر
	TOTAL PARKING STALLS:	34	3	34 3	4 3	4 34	1 34	34	1 3	4 34	1	34	34 3	4 3	4 3	4 34	4 34
	SURPLUS/SHORTAGE:	-8	3	14 2	5 1	6 16	16	16	5 1	6 10	5	16	16 1	6 2	5 2	5 34	34

	Shared Parking Program - Parking Space Demand and Supply for Public Parking Spaces by Hour of Operation - Weekend (Sunday)																	
TENANT NAME/ SUITE	USE	REQUIRED # STALLS PER CODE	HOURS OF OPERATION	8AM	9AM	10AM	11AM	12PM	1PM	2PM	3PM	4PM	5PM	6PM	7PM	8PM	9PM	10PM
Beaushe Luxury Salon - Suite A	Personal Service Use	3	9AM - 6PM	0	() (0	C)	0	0) (0	0) ()	0	0 0
Pure Sweet Skin Care - Suite B	Personal Service Use	4	9AM - 6PM	0	() (0	C)	0	0) (0 0	0) ()	0	0 0
Rolling Tide Jiu Jitsu - Suite C	Recreational Use	11	6PM - 9PM	0	() (0	C		0	0) (0	0) ()	0	0 0
Judy's Coiffures Hair - Suite D	Personal Service Use	2	9AM - 6PM	0	() (0	C)	0	0) (0	0) (D	0	0 0
Dana Point Smiles - Suite E/F	Dental Office Use	13	8AM - 5PM	0	() (0	C)	0	0) (0	0) ()	0	0 0
Wonderful Day Spa - Suite G	Massage Establishment/Personal Service Use	9	10AM - 8PM	0	(9	9	9		9	9	9 9	9	9	9	Э	9	0 0
	TOTAL PARKING DEMAND:	42	!	0		9	9	9		9	9	9 9	9	9	9	9	9	0 0
	TOTAL PARKING STALLS:	34	į	34	34	34	34	34	3	4 3	34 3	4 34	34	34	34	1 3	14	34 34
	SURPLUS/SHORTAGE:	-8		34	34	25	25	25	2	5 2	25 2	5 25	25	25	2!	5 2	25	34 34

EXHIBIT C

"SHARED PARKING PLAN AGREEMENT"

Shared Parking Plan Agreement

This Shared Parking Plan Agreement is entered into by the following tenants of the commercial property located at 24655 La Plaza, Dana Point, Ca, in accordance with Dana Point Zoning Code Chapter 9.35.060(c)(4).

NOV 2 n 2024

Parties to this Agreement:

- 1. Beaushe Luxury Salon Tenant: Tina Tesch Suite A
- 2. Pure Sweet Skin Care Tenant: Shirley Lynn Suite B
- 3. Rolling Tide Jiu Jitsu Tenant: Evelynn Luna Suite C
- 4. Judy's Coiffures Hair Salon Tenant: Rosa Blanca Suite D
- 5. Dana Point Smiles Tenant: Tamer Shalaby, DDS Suite E & F
- Wonderful Day Spa Tenant: Ann Wu Suite G

1. Shared Parking Program

Pursuant to Dana Point Zoning Code Chapter 9.35.060(c)(4), the tenants of the property hereby agree to participate in a shared parking program. The purpose of this program is to efficiently utilize the available parking spaces for the benefit of all tenants and their respective patrons, while maintaining compliance with the City of Dana Point's parking regulations.

2. Written Verification

The undersigned parties, including the property owner and all current tenants, hereby provide written verification that they are aware of and will comply with the requirements of the shared parking program. Furthermore, this verification extends to all future property owners and tenants, who will be informed of the shared parking program and required to comply with its conditions.

This agreement will be binding on all future property owners, tenants, and any relevant governmental agencies with jurisdiction over the property.

3. Acknowledgment of Program Efficiency

The undersigned parties acknowledge that the effectiveness of the shared parking program is contingent upon the **efficient implementation** of the program by both the property owner and the tenants. If the program is not implemented efficiently, as determined by the Director of Community Development, the City of Dana Point reserves the right to **deny the issuance of tenant improvements or other permits** related to use or development of the property.

4. Monitoring and Compliance

The property owner and tenants agree to monitor the use of shared parking spaces to ensure compliance with the shared parking program. Should any issues arise regarding the efficiency or availability of parking, the parties agree to work in good faith with the City of Dana Point to resolve such matters in accordance with the zoning regulations.

5. Amendments and Termination

6. Signatures

This agreement may be amended with the written consent of all tenants and the property owner. Any changes must also be approved by the City of Dana Point to ensure continued compliance with Chapter 9.35.060(c)(4). This agreement will remain in effect until such time as it is mutually terminated by all parties or by order of the City of Dana Point.

By signing this agreement, all parties affirm their commitment to the shared parking program and agree to abide by the conditions set forth in Dana Point Zoning Code Chapter 9:35:060(c)(4).

AND REGULATION OF THE PROPERTY
Beaushe Luxury Salon
Tenant: Tina Tesch
Suite A
Signature:
Date:
Pure Sweet Skin Care
Tenant: Shirley Lynn
Suite B
Signature:
Date)
Rolling Tide Jim Jitsu
Tenant: Evelynn Luna
Suite C.
Suite C Signature: My L
Date: 1/14/24
11416
Judy's Coffures Hair Salon
Tenant: Rosa Blanca
Suite D
Signature:
Date:
Dana Point Smiles
Tenant: Tamer Shalaby, DDS
Suite E & F
Signature:
Suite E & F CO
Wooderful Day Spa
Tenant: Ann Wu
Suite:G
Signature:
Dotar

This agreement may be amended with the written consent of all tenants and the property owner. Any changes must also be approved by the City of Dana Point to ensure continued compliance with Chapter 9.35.060(c)(4). This agreement will remain in effect until such time as it is mutually terminated by all parties or by order of the City of Dana Point.

By signing this agreement, all parties affirm their commitment to the shared parking program and agree to abide by the conditions set forth in Dana Point Zoning Code Chapter 9.35.060(c)(4).

6. Signatures

Judy's Coiffure's Hair/Salon
Tenant: Blanca Rosal
Suite D
Signature:
Date: 10-31-2024
Property Owner
Name: Kevin Sadati
Signature:

Date: ____November 10, 2024__

6. Signatures

Beaushe Luxury Salon

Tenant: Tina Tesch

Signature: Tiva A. Tesch

Date: 10/23/24

Wonderful Day Spa

Tenant: Ann Wu

Suite G

Signature: ANN WU
Date: 10/25/2029

the tenants. If the program is not implementation of the program by both the property owner and the tenants. If the program is not implemented efficiently, as determined by the Director of Community Development, the City of Dana Point reserves the right to deny the issuance of tenant improvements or other permits related to use or development of the property.

4. Monitoring and Compliance

The property owner and tenants agree to monitor the use of shared parking spaces to ensure compliance with the shared parking program. Should any issues arise regarding the efficiency or availability of parking, the parties agree to work in good faith with the City of Dana Point to resolve such matters in accordance with the zoning regulations.

5. Amendments and Termination

This agreement may be amended with the written consent of all tenants and the property owner. Any changes must also be approved by the City of Dana Point to ensure continued compliance with Chapter 9.35.060(o)(4). This agreement will remain in effect until such time as it is mutually terminated by all parties or by order of the City of Dana Point.

By signing this agreement, all parties affirm their commitment to the shared parking program and agree to abide by the conditions set forth in Dana Point Zoning Code Clienter 9.35.060(c)(4):

6. Signatures

Beaushe Luxury Salon Tenant Tida Tesch

Suite A

Signature:

Date: Pure Sweet Skin Care

Touant: Shirley Lyon

Signature Date: 104 No. Hein