Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

April 14, 2011

Honorable Board of Supervisors
County of Los Angeles
Kenneth Hahn Hall of Administration, Room 383
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

PROJECT NO. R2006-01510-(4)
PLAN AMENDMENT CASE NO. 200600005
COASTAL DEVELOPMENT PERMIT NO. 200600002
CONDITIONAL USE PERMIT NO. 200600115
PARKING PERMIT NO. 200600009
ENVIRONMENTAL ASSESSMENT NO. 200600109
APPLICANT: MDR OCEANA LLC.
PLAYA DEL REY ZONED DISTRICT
FOURTH SUPERVISORIAL DISTRICT (3-VOTE)

IT IS RECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING:

1. Certify the Environmental Impact Report ("EIR") including: Draft EIR, Final EIR and Mitigation Monitoring Program ("MMP"), and adopt the Environmental Findings of Fact and Statement of Overriding Considerations for Project No. R2006-01510-(4);

2. Indicate its intent to approve the recommendation of the Regional Planning Commission to adopt an amendment to the Marina del Rey Local Coastal Program and determine that the amendment is compatible with and supportive of the goals and policies of the County Strategic Plan;

3. Instruct County Counsel to prepare a final resolution of the Board of Supervisors approving and submitting the Marina del Rey Local Coastal Program amendment to the California Coastal Commission;

4. Instruct County Counsel to prepare a final ordinance to amend the Marina del Rey Specific Plan (Part 3, Chapter 22.56, Title 22 of the Los Angeles County

Code) as recommended by the Regional Planning Commission and include any changes as directed by the Board; and

5. Instruct County Counsel to prepare the necessary Findings and Conditions to affirm the Regional Planning Commission's approval of Project No. R2006-01510-(4) including Coastal Development Permit No 200600002, Conditional Use Permit No. 200600115 and Parking Permit No. 200600009.

JUSTIFICATION FOR RECOMMENDED ACTION

The Los Angeles County Regional Planning Commission ("Planning Commission") conducted public hearings on a request to authorize the removal of an existing 186 space public parking lot and the development of a new 114-unit Senior Accommodations Facility on Marina del Rey Parcel OT ("Project"), on October 21, 2009, November 11, 2009, December 16, 2009, April 07, 2010 and April 28, 2010. At the April 28, 2010 hearing, the Regional Planning Commission approved Project No. R2006-01510-(4) including Coastal Development Permit No. 200600002 Conditional Use Permit No. 200600115 and Parking Permit No. 200600009 and certified the associated Environmental Impact Report ("EIR"), by a vote of 4-1. The Regional Planning Commission also adopted a resolution recommending that the Board of Supervisors adopt the proposed changes to the Marina del Rey Local Coastal Program (Plan Amendment Case No. 200600005).

FISCAL IMPACT/FINANCING

Reaffirming the Planning Commission's approval of the project and adoption of the proposed amendment to the Marina del Rey Local Coastal Program ("LCP") should not result in any new significant costs to the County or to the Department of Regional Planning; no request for financing is being made.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

An amendment to the Marina del Rey LCP must be submitted to the California Coastal Commission for certification pursuant to a resolution adopted by the Board of Supervisors.

The Planning Commission conducted duly noticed public hearings on October 21, 2009, November 11, 2009, December 16, 2009, April 07, 2010 and April 28, 2010 on Project No. R2006-01510. The Planning Commission voted (4-1) to approve the Coastal Development Permit, Conditional Use Permit and Parking Permit and to adopt a resolution to the Board of Supervisors recommending approval of the LCP amendment at the April 28, 2010 meeting.

Pursuant to subsection B.2 of Section 22.60.230 of the County Code, the Coastal Development Permit, Conditional Use Permit, and Parking Permit are deemed to be

called for review by your Board. A public hearing is required pursuant to Section 22.16.200 and Section 22.60.240 of the County Code and Sections 65335 and 65856 of the Government Code. Notice of the hearing must be given pursuant to the procedures set forth in Section 22.60.174 of the County Code. These procedures exceed the minimum standards of Government Code Sections 6061, 65090, 65355, and 65856 relating to the notice of public hearing.

ENVIRONMENTAL DOCUMENTATION

An Initial Study was prepared for the proposed project in compliance with CEQA (Public Resources Code section 21000, et seq.), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study analyzed the senior facility along with a commercial complex on Marina del Rey Parcel 21. The Initial Study, when viewing the projects cumulatively, found potentially significant impacts related to Geotechnical (liquefaction area), Noise (construction), Water Quality, Air Quality, Visual Qualities, Traffic/Access, Utilities, and Land Use.

A Draft EIR was prepared and circulated for agency and public review. The Draft EIR determined that when the project is analyzed individually, potential interior noise impacts for the balconies facing Washington Blvd and Admiralty Way cannot be reduced to levels of insignificance through the implementation of mitigation measures. The Draft EIR also found that when the project is viewed cumulatively with other projects in the area, significant and unavoidable impacts related to traffic would occur.

Following Planning Commission review of the document, the Department of Regional Planning prepared a Final Environmental Impact Report ("FEIR"), Statement of Overriding Considerations, and Mitigation Monitoring Program for the project.

IMPACT ON CURRENT SERVICES

Action on the proposed Plan Amendment, Coastal Development Permit, Conditional Use Permit, and Parking Permit is not anticipated to have a negative impact on current services.

Respectfully submitted,

Richard J. Bruckner
Director

Attachments: Planning Commission Hearing Package and Environmental Impact Report

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors
Director, Department of Public Works
Chief, County Fire Department
Director, Department of Public Health

RJB:JS:SZD:MRT

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

CERTIFIED-RECEIPT REQUESTED

May 5, 2010

Goldrich and Kest
5150 Overland Blvd
Culver City, CA 90230
Attention: Sherman Gardner

Mr. Gardner:

SUBJECT: PROJECT NO. R2006-01510-(4)
LOCAL COASTAL PROGRAM PLAN AMENDMENT NO. RPA200600014
COASTAL DEVELOPMENT PERMIT NO. 200600002
CONDITIONAL USE PERMIT NO. CUP200600115
PARKING PERMIT NO. 200600009

A public hearing on the above-mentioned cases was held before the Regional Planning Commission of Los Angeles County ("Commission") on October 21, 2009, November 4, 2009, December 16, 2009, April 7, 2010 and April 28, 2010.

After considering the evidence presented, the Commission in its action on April 28, 2010, recommended that the Los Angeles County Board of Supervisors ("Board") approve the requested Local Coastal Program amendment, and re-approve the approved coastal development permit, conditional use permit, and parking permit in accordance with the Title 22 (Zoning Ordinance) of the Los Angeles County Code ("County Code"). A copy of the resolution and approved findings and conditions is attached.

The plan amendment is currently pending. The coastal development permit, conditional use permit, and parking permit are not effective until the plan amendment is approved by the Board. Pursuant to subsection B.2 of Section 22.60.230 of the County Code, the coastal development permit, conditional use permit, and parking permit are deemed to be called for review by the Board and shall be considered concurrently with the recommended plan amendment at the public hearing.

The action on the coastal development permit, conditional use permit, and parking permit authorize:

1. The demolition and removal of all landside improvements and the construction of 114-unit, maximum 75-foot-tall Senior Accommodations Facility with landscaping, hardscape, garage parking, and other site amenities and appurtenant facilities on the subject parcel. The building will also contain 3,500 square feet of visitor-serving/convenience commercial space and 92 public parking spaces;

2. Visitor-serving/convenience commercial uses on a parcel with a Mixed Use Overlay Zone; and

3. The transfer of public parking spaces from Parcel OT to an offsite location in Marina del Rey (Parcel 21).

Your attention is called to the following:

1. Condition No. 2 of the Project Permits states that the permits shall not become effective for any purpose until the applicant and the owner of the property involved, or their duly authorized representative, have filed at the office of the Los Angeles County Department of Regional Planning ("Regional Planning") the affidavit stating that they are aware of and accept all of the conditions of the permit.

This grant shall expire unless used on the date that is two (2) years after the Final Approval Date (defined below). The "Final Approval Date" means the later of (a) the last date on which any party may file any legal challenge or appeal the approval action for this grant, provided no such legal challenge or appeal has been filed; or (b) if any legal challenge or appeal of the approval action for this grant is made by any party, then the date on which such legal challenge or appeal is fully and finally resolved, such that no further legal challenge may be made. No less than six (6) months prior to the permit expiration date, the permittee may request in writing a one-year time extension, and pay the applicable extension fee.

The recommended plan amendment is to authorize the transfer of development potential between Development Zones (114 hotel units from the Admiralty DZ #7 and 3,500 square feet of Visitor-Serving/Convenience Commercial space from the Palawan/Beach DZ #5 to the Oxford DZ #6); the creation of a Seniors Accommodations Land Use Category in the LCP; the redesignation of Parcel OT's land use designation from "Parking" to the " Senior Accommodations Facility" designation with a Mixed Use Overlay Zone; the transfer 94 of the LCP required 186 public parking spaces on Parcel OT to Parcel 21; and the adjustment of the parcel boundary between Parcel OT (Currently designated as Parking in the LCP) and Parcel P (Currently designated as Open Space in the LCP), which would also necessitate adjustment to the land use categories of both parcels to the corresponding LCP maps. Parcel P currently has an area 10.72 acres and Parcel OT has an area 1.6 acres. If the proposed amendment to

give 19,755 square feet of Parcel P to Parcel OT is approved, Parcel P will be reduced to 10.27 acres and Parcel OT will be increased to 2.10 acres.

If you have any questions regarding this matter, please contact Michael Tripp of the Special Projects Section of the Department of Regional Planning at (213) 974-4813 between the hours of 7:30 a.m. and 5:30 p.m., Monday through Thursday. Our offices are closed Fridays.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING
Richard Bruckner
Director

Samuel Z. Dea, Supervising Regional Planner
Special Projects Section

SD:mrt

Enclosures: Resolution, Findings and Conditions, Environmental Document and Affidavit of Acceptance

c: Board of Supervisors
Testifiers
California Coastal Commission

Project No. R2006-01510-(4)
Coastal Development Permit No. RCDP200600002
Conditional Use Permit No. RCUP200600115
Parking Permit Case No. 200600009

FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION COUNTY OF LOS ANGELES

REGIONAL PLANNING COMMISSION HEARING DATES: October 21, 2009; November 4, 2009; December 16, 2009; April 7, 2010; April 28, 2010

SYNOPSIS:
The applicant, MDR Oceana LLC, is requesting approval to demolish an existing public surface parking lot containing 186 parking spaces and appurtenant landscaping located on Marina del Rey Parcel OT, and to subsequently construct a 114-unit, maximum 75-foot-tall Senior Accommodations Facility with landscaping, hardscape, garage parking, and other site amenities and appurtenant facilities on the subject parcel. The building will also contain 3,500 square feet of visitor-serving/convenience commercial space and 92 public parking spaces. Parcel OT is located near the northeast corner of Palawan Way and Admiralty Way, with frontages on both Admiralty Way and Washington Boulevard. Associated land use entitlements for the project consist of a **Coastal Development Permit** to authorize demolition of all existing landside improvements and subsequent construction of the aforementioned landside improvements on Parcel OT; a **Conditional Use Permit** to authorize visitor-serving/convenience commercial uses on a parcel with a Mixed Use Overlay Zone; and a **Parking Permit** to authorize the transfer of public parking spaces from Parcel OT to an offsite location in Marina del Rey (Parcel 21).

The applicant is also requesting **amendments to the Marina del Rey Local Coastal Program** authorizing the transfer development potential between Development Zones (114 hotel units from the Admiralty DZ #7 and 3,500 square feet of Visitor-Serving/Convenience Commercial space from the Palawan/Beach DZ #5 to the Oxford DZ #6); the creation of a Seniors Accommodations Land Use Category in the LCP; the redesignation of Parcel OT's land use designation from "Parking" to the "Senior Accommodations Facility" designation with a Mixed Use Overlay Zone; the transfer 94 of the LCP required 186 public parking spaces on Parcel OT to Parcel 21; and the adjustment of the parcel boundary between Parcel OT (Currently designated as Parking in the LCP) and Parcel P (Currently designated as Open Space in the LCP), which would also necessitate adjustment to the land use categories of both parcels to the corresponding LCP maps. Parcel P currently has an area 10.72 acres and Parcel OT has an area 1.6 acres. If the proposed amendment to give 19,755 square feet of Parcel P to Parcel OT is approved, Parcel P will be reduced to 10.27 acres and Parcel OT will be increased to 2.10 acres. Associated approval findings for the associated Local Coastal Program amendment are included in a separate Regional Planning Commission Resolution concerning the Local Coastal Program Amendment requests.

PROCEEDINGS BEFORE THE COMMISSION:

October 21, 2009 Public Hearing

The Regional Planning Commission (Commission) held a duly noticed public hearing regarding the subject project on October 21, 2009. At this meeting (and at each of the Commission's public hearing meetings described below), the Commission conducted concurrent public hearings regarding the subject project and the following proposed Marina development project:

- Project No. R2006-02726, a request to a authorize a new 29,348 square foot commercial facility with an attached six-level parking structure containing 447 parking spaces and a 28 foot wide pedestrian promenade.

At the October 21, 2009 public hearing on the subject project and associated requested land use entitlements (and at each subsequent Commission hearing described below regarding the project), the Commission considered a single, comprehensive Environmental Impact Report evaluating the potential project-specific and cumulative environmental impacts associated with the subject project and the above-described proposed development project on Marina del Rey Parcel 21.

Proponent Testimony

The project applicants and two (2) members of the public testified in favor of the request. Proponent testified that the proposed project would modernize and improve services to marine businesses and boaters at the site.

Opposition Testimony

Seven (7) persons testified in opposition of the proposed development. Their testimony is summarized below:

a. The height of the proposed structure is out-of-character in relation to adjacent uses;
b. Public parking at the site should be preserved so that visitors may use the lot if they wish to visit the Oxford Basin after the Department of Public Works completes their planned enhancement of it;
c. The California Coastal Commission and the Marina del Rey Local Coastal Program (LCP) only allows public parking lots to be turned into parks;
d. The proposed project will result in a loss of public parking;
e. The Coastal Commission should approve all LCP plan amendments before they are considered by the Regional Planning Commission;

f. A Request for Proposals (RFP) was never released for Parcel OT;
g. The Marina del Rey Design Control Board did not approve this project with market rate housing or at its current location;
h. The County is preparing a Major LCP amendment that contains Cumulative Impact Assessment. No projects should be approved by the Regional Planning Commission until the LCP Amendment and Cumulative Impact Assessment have been heard.

At the conclusion of the October 21, 2009 hearing, the Commission directed staff to prepare a summary of the various concerns that were expressed by the testifiers and instructed the applicant to respond to the concerns raised by the opponents. The Commission continued the hearing to February 10, 2010.

November 4, 2009 Public Hearing

Prior to the February 10, 2010 hearing, a letter was received from the Department of Beaches and Harbors requesting that an earlier hearing date be considered. The Commission considered the letter as a discussion item at the November 4, 2009 hearing and voted unanimously to change the continued hearing date to December 16, 2009. Commissioners Bellamy, Rew, Valadez, and Helsely were present. Commissioner Modugno was absent.

December 16, 2009 Public Hearing

On December 16, 2009, a duly noticed public hearing was held. All Commissioners were present at this hearing. During the hearing, the Commission heard the staff presentation and testimony from the project applicant and interested members of the public. Commissioner Valadez stated her concern that the proposed project may not be providing a sufficient amount of parking. Commissioner Valadez was also concerned about the height of the proposed structure. At the conclusion of the hearing the applicants were directed to return to the Marina del Rey Design Control Board for further review of how the projects elevations interacted with pedestrians. The Commission then continued the hearing to April 7, 2010 and instructed staff to prepare the Final Environmental Impact Report, a resolution recommending the approval of the proposed Local Coastal Program (LCP) plan amendment to the Board of Supervisors and findings and conditions of approval. Commissioners Bellamy, Rew, Valadez, Helsley and Modugno were present.

Proponent Testimony

The applicants and one (1) member of the pubic testified in favor of the project.

Opposition Testimony

Six (6) individuals testified in opposition to the project at the hearing. Opposition testimony raised the following issues:

a. Everything in the Marina should be regulated by price control;
b. The proposed project is a low priority under the Coastal Act;
c. The Marina is underserved by recreation;
d. The proposed land use category is discriminatory;
e. The project does not have an adequate amount of parking;
f. The traffic trip generation rates for the project need to be reexamined;
g. The County does not belong in the luxury housing market;
h. Marina del Rey needs a master plan;
i. The proposed units should be subject to the Mello Act;

April 7, 2010 Public Hearing

The Commission held a continued public hearing on April 7, 2010. At the hearing, staff informed the Commission that additional time was needed to prepare the Final Environmental Impact Report and other final documentation for the Commission's consideration. The Regional Planning Commission continued the public hearing to April 28, 2010.

April 28, 2010 Public Hearing

The Commission held a continued public hearing on April 28, 2010. All of the Commissioner's were present. At the hearing, staff provided a brief summary of the proposed project and the project applicant provided a presentation of project changes that were made following the February 17, 2010 Design Control Board's review of the project.

Four (4) persons testified in opposition to the proposed project. Opposition testimony raised the following issues:

- The proposed land use category is discriminatory;
- The project is inconsistent with the Local Coastal Program because it transfers development potential between development zones and converts development potential; and
- There is not a proper oversight in place to monitor the project during the operational phase.

Following the opposition testimony, the consultant for the applicant provided a rebuttal to the issues raised regarding the project's Local Coastal Program consistency. County Counsel provided clarification on the legality of the proposed land use category.

At the conclusion of the applicant's rebuttal and the clarification provided by County Counsel, the Commission discussed the project. Commissioner Valadez requested further explanation of how the parking ratio for the proposed land use category was derived. Staff and the project traffic engineer provided an explanation of the analysis that was used to determine the appropriate ratio. Commissioner Valadez requested the following modifications be made to the findings and conditions:

- Strike word, "active from the, "Active Senior Accommodations Facility," land use category;
- Require transportation to be provided for the residents;
- Change the minimum age requirement to over the age of 62;
- Remove provision that accommodations may be rented, for no more than seven (7) days, to relatives or friends who are visiting residents of the facility;
- Require the applicant to return to the Design Control board with additional enhancements to create a pedestrian environment that has a more upscale appearance with high quality amenities; and
- Require that applicant to obtain final approval from the Director of Planning for the pedestrian amenities.

On a motion by Commissioner Modugno, seconded by Commissioner Valadez, the Commission voted to approve the project with the revised conditions and findings and adopted a resolution recommending approval of the plan amendment to the Board of Supervisor. Commissioner Helsley voted against approval of the project and stated that while he was in favor of the idea of the project, he did not think the location was appropriate.

Findings

1. The applicant, MDR Oceana LLC, has requested approval of a **Coastal Development Permit** to authorize the demolition of an existing public surface parking lot containing 186 parking spaces and appurtenant landscaping located on Marina del Rey Parcel OT, and to subsequently construct one (1) 114-unit, maximum 75-foot-tall Senior Accommodations Facility with landscaping, hardscape, garage parking, and other site amenities and appurtenant facilities on the subject parcel. The building will also contain 3,500 square feet of visitor-serving/convenience commercial space and 92 public parking spaces. The applicant has also requested a **Conditional Use Permit** to authorize visitor-serving/convenience commercial uses on a parcel with a Mixed Use Overlay Zone, and a **Parking Permit** to authorize the transfer of public parking spaces from Parcel OT to an offsite location in Marina del Rey (Parcel 21). Collectively, the requested land use permits for the project are to referred herein as the "Project Permits."

The Project Permits were considered by the Commission concurrently with the **Local Coastal Program Amendment No. RPA200600005**. On April 28, 2010, the Commission recommended approval of the project-related, plan amendment. The Project Permits will not become effective unless and until Local Coastal Program Amendment No. RPA200600005 has been adopted and certified by the Board of Supervisors and the California Coastal Commission.

2. The 2.08-acre subject property, known as Marina del Rey "Parcel OT," is located in the Playa del Rey Zoned District near the northeast corner of the intersection of Admiralty Way and Palawan Way in the County of Los Angeles unincorporated community of Marina del Rey. Washington Boulevard fronts the subject property to the north; Admiralty Way fronts the subject property to the south; the Oxford Flood Control Basin adjoins the subject property to the east; and Marina del Rey Parcel 145 adjoins the subject property to the west.

4. The subject property is zoned "Specific Plan" within the Marina Del Rey Local Coastal Program (LCP). The subject parcel's existing land use designation per the LCP is Parking; however, the applicant is requesting an amendment to the LCP to change the subject parcel's land use designation to Senior Accommodations with a Mixed Use Overlay Zone designation to facilitate the proposed development.

5. Zoning designations on the surrounding properties consist of the following:

   North: Multifamily Residential (City of Los Angeles)

   South: Visitor-Serving/ Convenience Commercial/Water (per MDR Specific Plan)

   West: Hotel/Residential V (per MDR Specific Plan)

   East: Open Space (per MDR Specific Plan)

6. The subject property is currently developed with an underutilized surface parking lot containing 186 public parking spaces and appurtenant landscaping.

7. Land Use on surrounding properties consists of the following:

   North: Multi-family residential (City of Los Angeles)

   South: Restaurant and Marina del Rey Basin E

   West: Hotel

   East: Oxford flood control basin

8. In May of 1995, Coastal Development Permit 94-150 was approved to allow 93 public parking spaces on Parcel OT to be used for offsite parking related to a charter boat operation. No previous zoning enforcement actions were found for the subject property.

9. The site plans and elevations depict a 257,370 square foot structure on 2.10 acres of land. The proposed structure has a ground floor (level one) with 44 parking spaces, and a 3,500 square foot Visitor-Serving/Convenience Commercial area. The second level contains 117 parking spaces, the senior accommodation facility's lobby, reception area, staff offices and lounges for both staff and the seniors. The third level depicts 18 units, a screening room, beauty salon, card room, arts and crafts room, library, bathrooms, gym, three communal dining areas and the facility's kitchen. The fourth, fifth and sixth levels each consist of 32 units, a lounge, a sitting room and two laundry rooms. The proposed structure has a maximum roof height of 75' above grade on the Washington Blvd side and 67 feet in height on the Admiralty Way side.

10. The site plan depicts three vehicular entrances/exits into the building, one via the garage entrance on Washington Boulevard, one via a turn out on Admiralty way and one via a garage entrance accessed from an alley that connects to both Washington Boulevard and Admiralty Way. Two parking levels are provided. The lower level provides 30 spaces for the senior facility and 14 spaces for the Visitor-Serving/Convenience Commercial use. The upper level provides 92 public parking spaces, 22 spaces for the senior facility and 3 spaces for maintenance vehicles. Seven of the 161 parking spaces are allocated to persons with disabilities.

11. Prior to the public hearing on the Project Permits and associated Draft Environmental report (DEIR) before the Commission, a legal notice was published in the local newspaper, *The Argonaut* on September 3, 2009 and in *La Opinion* on September 2, 2009. Staff also mailed out 209 hearing notices on August 31, 2009 to property owners and tenants within 500 feet of the site and interested parties. The applicant posted a hearing notice sign on the subject property on September 1, 2009.

12. The subject parcel is currently designated "Parking" in the Marina del Rey Land Use Plan and Specific Plan. In order to facilitate development of the proposed project, the applicant is requesting amendments to the LCP (see Local Coastal Program Amendment No. RPA200600005) to transfer development potential between Development Zones (114 hotel units from the Admiralty DZ #7 and 3,500 square feet of Visitor-Serving/Convenience Commercial space from the Palawan/Beach DZ #5 to the Oxford DZ #6); the creation of a Seniors Accommodations Land Use Category in the LCP; the redesignation of Parcel OT's land use designation from "Parking" to the "Senior Accommodations Facility" designation with a Mixed Use Overlay Zone; the transfer 94 of the LCP required

186 public parking spaces on Parcel OT to Parcel 21; and the adjustment of the parcel boundary between Parcel OT (Currently designated as Parking in the LCP) and Parcel P (Currently designated as Open Space in the LCP), which would also necessitate adjustment to the land use categories of both parcels to the corresponding LCP maps. Parcel P currently has an area 10.72 acres and Parcel OT has an area 1.6 acres. If the proposed amendment to give 19,755 square feet of Parcel P to Parcel OT is approved, Parcel P will be reduced to 10.27 acres and Parcel OT will be increased to 2.10 acres. The Commission finds there is clear precedent for the proposed inter-Development Zone transfer of development potential; reference Goldrich & Kest Industries' LCP amendment approval at Marina Parcel 20, certified by the California Coastal Commission, which authorized the transfer of 97 development units from the Bora Bora DZ into the Panay DZ (see approval for County Project No. 98-172-4). As with the Parcel 20 LCP amendment, a traffic analysis has been prepared for the subject project which has determined that the traffic and circulation impacts of the proposed inter-Development Zone transfer of excess development units will have no adverse impact on traffic circulation in the project vicinity.

13. The applicant is requesting the associated amendment to the certified LCP in order to amend the certified LCP in a manner that will accommodate the proposed development on the subject parcel. The Commission finds that the benefit of bringing the type of senior housing proposed by the applicant into the Marina and the transfer of 94 public parking spaces to a location nearer a visitor attraction, Marina Beach, justifies the conversion of a public parking lot into a senior accommodations facility.

14. The subject Parcel OT is currently improved with a surface parking lot, which, due to its relatively distant location from recreational uses or visitor attractions in the Marina, has been and continues to be highly underutilized by the public. This fact was confirmed by the California Coastal Commission staff in its Marina del Rey Periodic Review Staff Recommendation, dated May 25, 2005, in which staff writes (at page 104):

> "[T]here are a few public parking lots that the County provides that are not located adjacent to key visitor attractions and may be underutilized due to their location. Parcels FF and OT are examples of such parking lots.... Parcel OT, located on the northern side of Admiralty Way and northeast of Marina Beach, is approximately 600 feet from Marina Beach, but because of its location, the use of the lot may not be maximized."

15. The underutilization of the Parcel OT parking lot and the resulting contemplation for the parcel's conversion from parking to another use is further confirmed on Page 2-5 of Chapter A.2 of the LUP (Recreation & Visitor-Serving Facilities), which states, under the "Potential Conversion of Public Parking Lots" subsection: "Lots

FF and OT, both on the west side of the Marina, are under utilized throughout most of the year. They are being contemplated for development as residential uses."

16. The Los Angeles County Department of Beaches & Harbors' comprehensive March 2009 Right-Sizing Study of Parking Lots in Marina del Rey, concludes the public's use of Parcel OT parking is minimal. The County's Right-Sizing Study, which the Commission has reviewed and is included in the administrative file for this case, was based on field observations in 2005 and 2007. Moreover, the California Coastal Commission's April 2009 Revised Findings in support of its Periodic Review of the Marina del Rey LCP also found that the lot is underutilized by the public because it is not located near visitor-serving or recreational attractions.

17. Having considered the foregoing evidence demonstrating the public's historic and ongoing use of the public parking spaces located at Parcel OT is minimal, the Commission hereby finds that no temporary or permanent public parking shortage will occur as a result of the proposed conversion of Parcel OT from its current parking use to the applicant's proposed senior accommodation facility. The Commission further finds that the County's proposal to relocate 94 of the 186 public parking spaces that currently exist on Parcel OT to Parcel 21, will serve to enhance the public's access to the Coast by providing the public parking at a more desirable location in direct proximity to visitor-serving or recreational attractions.

18. The Marina del Rey Local Coastal Program (LCP) provides development guidelines for the unincorporated community of Marina del Rey. The Marina del Rey LCP consists of two sets of inter-related requirements: the Marina del Rey Land Use Plan (land use policies) and the Local Implementation Program or Specific Plan (development-specific requirements).

19. Consistent with Marina del Rey Specific Plan requirements, the project has been reviewed and conceptually approved by the Department of Beaches & Harbors' Design Control Board ("DCB"). In rendering its conceptual approval for the project, the DCB found the proposed project to be in conformity with the various public access, height, circulation, building massing, visual impact and view requirements of the LCP.

20. The Applicant has submitted a preliminary geotechnical report to County Department of Public Works (a copy of this report is included in the EIR appendices) as part of its application filing, the content of which is compliant with LCP requirements; site development will be based on thorough site-specific geologic and soils studies, including specific geotechnical studies related to mitigation of liquefaction and lateral spreading. The project has also been designed to utilize earthquake resistant construction and engineering practices, in full compliance with applicable County and state regulations and ordinances.

21. The applicant has been conditioned to conduct site development in conformity with the archeological reporting requirements specified in Section 22.46.1190.2.a-c of the County Code.

22. To ensure project consistency with Section 22.46.1190.A.3 of the County Code, the applicant has been conditioned to implement a functional transportation systems management (TSM)/Transportation Demand Management (TDM) program.

23. The Commission hereby finds the proposed development project conforms to the phasing schedules in the LCP because:

    - With development of the project, there will be no significant, unmitigated peak-hour project-specific adverse traffic impacts created as a result of project development;

    - The County-approved traffic study for the project indicates there is sufficient traffic capacity in both the Marina del Rey internal system and the sub-regional highway system serving the Marina to accommodate the traffic generated by the modest planned development; and

    - As outlined in finding #20 above, with approval of the associated LCP amendment, the Commission hereby finds that the project will be in full conformity with the build-out limitations of the LCP specified for Development Zone 3.

24. With approval of the LCP amendment for the project, the Commission hereby finds project will be consistent with the newly created, "Senior Accommodations Facility" with a Mixed Use Overlay Zone land use designation for the parcel.

25. The proposed parking ratio of 0.484 spaces per unit will adequately serve the senior accommodations facility and will not result in traffic congestion, excessive off-site parking or unauthorized use of parking facilities developed to serve surrounding properties.

26. Sections 22.46.1090 and 22.46.1100 of the County Code and the LUP require, among other things, that the applicant demonstrate that there is sufficient traffic capacity in both the internal Marina del Rey road system and the subregional highway system serving the Marina to accommodate traffic generated by the development. The certified Environmental Impact Report for the project includes a traffic report that was prepared in accordance with the requirements of the LCP and LUP and which was reviewed and approved by the Traffic & Lighting Division of the County Department of Public Works. The approved traffic report for the

project demonstrates there is adequate internal and subregional traffic capacity to support the project, and identifies specific traffic improvements intended to mitigate the project's potentially significant direct and cumulative impacts, which mitigation measures have been incorporated into the Mitigation Monitoring Program approved for the project in conjunction with certification of the Final Environmental Impact Report. In accordance with LCP requirements, the applicant has been conditioned to pay traffic mitigation fees of $5,690 per p.m. peak hour trip generated by the project, to be allocated as follows:

a. $1,600 per p.m. peak hour trip will be paid by the applicant into the County-administered Transportation Improvement Program to offset project impacts to the internal Marina circulation system (Category 1 improvements identified in Appendix G to the LCP); and

b. $4,090 per p.m. peak hour trip will be paid by the applicant into the County-administered Transportation Improvement Program to offset the project's proportional share of the cumulative impacts of Marina development on the subregional transportation system (Category 3 improvements identified in Appendix G of the certified LCP).

27. The applicants for the combined projects on Parcels OT and 21 shall be required to pay $170,700 in trip mitigation fees, based on the expected project trip generation of 30 net new PM peak hour trips.

28. Consistent with LCP requirements, the Commission finds more than 10 percent of the net lot area will be landscaped and building coverage is less than 90 percent of the net lot area.

29. With the approval of the Plan Amendment, parking for the project will be consistent with the parking standards of the County Zoning Ordinance. The applicant has been conditioned to provide at least 161 on-site parking spaces. Of the 161 on-site parking spaces provided in the project, 55 are allocated to senior accommodations facility, 14 are for the Visitor-Serving/Convenience Commercial use and 92 are dedicated to public parking. Seven (7) spaces are allocated to persons with disabilities.

30. The building will be sprinklered, in conformance with County Fire Department requirements. Emergency access to all structures and common areas of the project will be provided to the satisfaction of the County Fire Department. The applicant has been conditioned to secure Fire Department approval of a "Fire Safety Plan" prior to issuance of a building permit.

31. The project landscaping along site perimeters will maintain a minimum width of eight feet and will allow visual access into the lot, as required by the LCP.

32. The project infrastructure has been designed, and will be constructed by the applicant, in an environmentally sensitive manner, and will follow design policies of the LCP, including landscaping standards required by the DCB. The project will be subject to the County's newly-enacted Green Building and Drought-Tolerant Landscape ordinances.

33. Consistent with Shoreline Access Policy #1 of the LUP (Public Access to Shoreline a Priority), the project enhances public access to the shoreline by transferring 94 public parking spaces from the subject parcel to Parcel 21. The subject Parcel, OT does not have a water frontage. By transferring the parking spaces from Parcel OT to Parcel 21, the public is provided parking spaces that are closer to the shoreline and closer to Marina Beach.

34. Consistent with Shoreline Access Policy #11 of the LUP, the project has been conditioned to participate in its proportionate share (through the County's appropriation of the Applicant's paid Category 3 traffic mitigation fees), if and when such a shuttle system is established in the future.

35. Consistent with Shoreline Access Policy #13 of the LUP, the project will provide an outdoor map showing locations of public waterfront access ways and parks located in Marina del Rey and will have a kiosk within the senior accommodations facility that will provide information on visitor-serving activities in Marina del Rey.

36. Consistent with Shoreline Access Policy #14 of the LUP, the applicant's development of a new 28-foot-wide public pedestrian promenade and amenities along the parcel's entire waterfront will allow the public substantial viewing opportunities of the small craft harbor water areas.

37. Consistent with Recreation & Visitor-Serving Facilities Policy #2 of the LUP, the project will provide a walking path between Parcel OT and the Oxford Basin.

38. Consistent with Marine Resources Policy #2 of the LUP ("*Reduce contaminated run-off into Marina waters*"), the applicant has completed a drainage concept, which has been approved by the County Department of Public Works. To avoid adverse impacts on the local Marina and greater ocean waters, the applicant has been conditioned to comply with National Pollution Discharge Elimination System requirements of the California Regional Water Quality Control Board, as well as all pertinent stormwater quality management programs of the Federal, State and County agencies.

39. Consistent with Cultural Heritage Resources Policy #1 of the LUP, the project was reviewed during the environmental review/CEQA review process to determine potential impacts on cultural resources; no such impacts were identified.

40. Consistent with Cultural Heritage Resources Policy #3 of the LUP, the applicant has been conditioned to notify the County Department of Regional Planning and the State Historic Preservation Office in the event a significant cultural resource is discovered during any construction phase. A halt-work condition will be instituted in the event of such a cultural resource discovery during construction.

41. Consistent with Land Use Plan Policy #1 of the LUP ("Preservation of the small craft harbor as a recreational facility shall be a priority") the project enhances public access to the shoreline by transferring 94 public parking spaces from the subject parcel to Parcel 21. The public parking lot currently develop on Parcel OT is underutilized most of the year. By moving public parking spaces from the location on Parcel OT to Parcel 21 the public is provided more convenient access to the Marina harbor and Marina Beach.

42. The project implements Land Use Plan Policy #2 of the LUP ("Maintenance of the physical and economic viability of the marina is a priority") through redeveloping Parcel OT, which is currently developed with a 186 space public parking lot that is underutilized for most of the year. The conversion of the parking lot to a senior accommodations facility with 3,500 square feet of Visitor-Serving/Convenience Commercial space will increase the economic viability of the Marina.

43. Consistent with Land Use Plan Policy #6 of the LUP, the project has received conceptual design approval from the DCB, as prescribed in the LCP. This DCB's review included review for consistency with the *Manual for Specifications and Minimum Standards of Architectural Treatment and Construction* and applicable policies of the certified LCP.

44. The approved project is consistent with Coastal Visual Resources Policy #9 of the LUP (Evaluation of wind impacts). Rowan, Williams, Davies and Irwin, Inc. (RWDI), a licensed engineering firm, performed a detailed assessment of the proposed Parcel OT development. The analysis studied the projects potential impacts on winds coming from the east, west, southwest and west-southwest directions. The analysis concluded that winds coming from the east, southwest and west-south west direction that come in contact with the proposed Parcel OT building would likely stay on land, rather than enter the Marina basins, and thus would not have an impact on sailing in the Marina. The analysis further concluded that due to the height of the hotel next to the project site and the condominium towers located southeast of the site, the projects impacts on winds from the west would also be insignificant.

45. The Commission has reviewed RWDI's wind report for the project and deems them to constitute credible evidence substantiating that development of the subject

building on Parcel OT will not significantly increase infringements of wind access for boats in their berths, in the fairways, or in the Main Channel, nor adversely impact winds utilized by birds in flight.

46. Consistent with Hazards Policy #1 of the LUP, the applicant has obtained approval of Drainage Concept and SUSMP plans from the Department of Public Works. These plans are intended to mitigate flooding concerns relating to site drainage and to minimize runoff of polluted rainwater sheet-flow into the Marina and public storm drain system.

47. Consistent with Hazards Policy # 2 of the LUP, the applicant the applicant will be required to implement geotechnical engineering recommendations related to secondary geologic hazards (liquefaction, lateral spreading, and ground subsidence) that are recommended by the geotechnical engineer and the Department of Public Works. A geologic report approved by DPW will be required prior to any construction.

48. The traffic report prepared for the project, which has been reviewed and approved by the County Department of Public Works' Traffic & Lighting Division and has been included as an appendix to the EIR concluded that the proposed project will not cause in increase in traffic that will exceed the capacity of the internal Marina del Rey street system.

49. Consistent with Traffic Circulation Policy #3 of the LUP (Sub-regional Transportation Improvements), as outlined in the project traffic study, the applicant has been conditioned to make its fair share contribution, though payment of the prescribed traffic mitigation fee, to help fund construction of "Category 3" ("Sub-regional") transportation improvements, which are prescribed in the LCP. The applicant will be conditioned to pay traffic mitigation fees to fund Category 3 transportation improvements, as is required by the LCP. This requirement has been included in the draft conditions and also as part of the mitigation measures. The combined Parcels OT and 21 projects will be required to pay $170,700 in traffic mitigation fees.

50. In conformance with Public Works Policy #2 of the LUP (Public Works improvement phasing), the applicant's Coastal Development Permit has been conditioned to require that all necessary public works facilities/infrastructure will be provided for the project prior to the County's issuance of a Certificate of Occupancy for the project.

51. In conformance with Public Works Policy #6 of the LUP, the project has been conditioned to incorporate water-conserving technology consistent with local, state and/or federal regulations affecting same. Consistent with this Policy, the project has also been conditioned to ensure County Public Works will review the project

plans to assure that water conservation measures and techniques are incorporated. Moreover, the project will be subject to the County's recently-enacted Green Building and Drought-Tolerant Landscaping ordinances.

52. Consistent with Public Works Policy #10 of the LUP, the project has been conditioned to require fire sprinklers in conformance with Fire Department requirements.

53. The DCB is charged with regulating the design of Marina del Rey signage through its "Revised Permanent Sign Controls and Regulations" (Section 22.46.1060 (D) (1)) of the County Code. Prior to installation of any signage on the subject property, the applicant will be required to submit its proposed signage package to the DCB for review and approval.

54. As directed by the Commission at the December 16, 2009 continued public hearing, the applicant updated the plans for the project to include additional conditions mandated by the Design Control Board.

55. The Commission held a duly notice public hearing on the Project Permits on October 21, 2009. At the conclusion of the hearing, the Commission directed staff to prepare a summary of the various concerns that were expressed by the testifiers and instructed the applicant to respond to the concerns raised by the opponents. The Commission continued the hearing to February 10, 2010.

56. Prior to the February 10, 2010 hearing, a letter was received from the Department of Beaches and Harbors requesting that an earlier hearing date be considered. The Commission considered the letter as a discussion item at the November 4, 2009 hearing and voted unanimously to change the continued hearing date to December 16, 2009.

57. The Commission held a duly noticed public hearing on the Project Permits and associated DEIR on December 16, 2009. At the conclusion of the hearing, the Commission continued the hearing to April 7, 2010, and directed the applicants to return to the Marina del Rey Design Control Board for further review of the project's pedestrian promenade. Staff was directed prepare final findings and conditions for the project and to prepare the Final Environmental Impact Report, for the Commission's consideration at the April 7, 2010 continued public hearing.

58. At the April 7, 2010 continued public hearing, staff informed the Commission that it needed additional time to prepare the Final Environmental Impact Report and other final documentation for the Commission's consideration. On a motion by Commissioner Modugno, seconded by Commissioner Helsley, the Regional Planning Commission continued the public hearing to April 28, 2010.

59. On April 28, 2010, the Commission voted to certify the FEIR for the project and approved the final findings and conditions for the Project Permits.

60. During the public hearings for the Project Permits, DEIR before the Commission, a number of persons spoke in opposition to the proposed project. The Commission also received a number of letters and emails in opposition to the project, each of which has been incorporated by staff into the administrative record for the subject case and has been responded to in the FEIR.

61. Written and verbal correspondence to the Commission in opposition to the project generally focused on the following issues and/or allegations:

    a. The height of the proposed structure is out-of-character in relation to adjacent uses;
    b. Public parking at the site should be preserved so that visitors may use the lot if they wish to visit the Oxford Basin after the Department of Public Works completes their planned enhancement of it;
    c. The California Coastal Commission and the Marina del Rey Local Coastal Program (LCP) only allows public parking lots to be turned into parks;
    d. The proposed project will result in a loss of public parking;
    e. The Coastal Commission should approve plan amendments before they are considered by the Regional Planning Commission;
    f. A Request for Proposals (RFP) was never released for Parcel OT;
    g. The Marina del Rey Design Control Board did not approve this project with market rate housing or at its current location;
    h. The County is preparing a Major LCP amendment that contains Cumulative Impact Assessment. No projects should be approved by the Regional Planning Commission until the LCP Amendment and Cumulative Impact Assessment have been heard.
    i. Everything in the Marina should be regulated by price control;
    j. The proposed project is a low priority under the Coastal Act;
    k. The Marina is underserved by recreation;
    l. The proposed land use category is discriminatory;
    m. The project does not have an adequate amount of parking;
    n. The trip generation rates for the project need to be reexamined;
    o. The County does not belong in the luxury housing market;
    p. Marina del Rey needs a master plan; and
    q. The proposed units should be subject to the Mello Act;

62. A Final Environmental Impact Report for the project has been prepared in accordance with the California Environmental Quality Act (CEQA), the State Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Final Environmental Impact Report consists of the Draft EIR, the Technical Appendices to the Draft EIR and the Final

EIR, including responses to comments. A Mitigation Monitoring Program consistent with the conclusions and recommendations of the FEIR has been prepared, and its requirements have been incorporated into the conditions of approval for this project. On April 28, 2010, the Commission certified the FEIR prepared for the project pursuant to Public Resources Code Section 21082.1(c)(3) and CEQA Guidelines, finding that (1) the FEIR has been completed in compliance with CEQA, (2) that the Commission had reviewed and considered the information contained in the FEIR prior to approving the project, and (3) that the FEIR reflected the Commission's independent judgment and analysis. Except for potentially significant noise impacts at the project level, and impacts related to traffic and visual quality when the project is viewed cumulatively with other projects in the area, identified significant impacts can be reduced to acceptable levels with mitigation measures identified in the FEIR. As stated in the FEIR and Statement of Overriding Considerations, the project will result in the unavoidable potentially significant impacts mentioned above. Such impacts have been reduced to the extent feasible, and the Commission found that the benefits of the proposed project outweigh these unavoidable adverse impacts. Such unavoidable adverse impacts have been determined to be acceptable based upon the overriding considerations set forth in the Statement of Overriding Considerations for the project.

63. The Commission has duly considered all of the issues and information contained in all of the oral testimony and written correspondence made in opposition to the proposed project during the public hearing process on the Project Permits, and DEIR as well as all of the oral testimony and written correspondence provided to the Commission in response thereto by staff and the project applicant. For the reasons set forth in the following findings, and explained in the County's detailed responses to all public written comments received by the Commission regarding the proposed project, all of which have been incorporated into the Final Environmental Impact Report (FEIR), the Commission finds the allegations made against the project in the opposition testimony and correspondence fail to identify any substantial evidence that the FEIR does not meet the requirements of CEQA, and fail to identity any substantial evidence requiring recirculation of the FEIR pursuant to CEQA Guidelines section 15088.5. The Commission finds that there is no credible evidence in the record that the supposed environmental impacts set forth in the project opponents' testimony and correspondence will in fact occur, but there is credible evidence in the administrative record for this case rebutting such testimony and correspondence. The Commission further finds that the opponents' oral testimony and written correspondence do not constitute substantial evidence, but instead consist entirely of argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment and do not constitute substantial evidence.

BASED ON THE FOREGOING, REGARDING THE CONDITIONAL USE PERMIT BURDEN OF PROOF, THE REGIONAL PLANNING COMMISSION CONCLUDES:

Regarding the Coastal Development Permit:

A. That the proposed project is in conformity with the certified local coastal program and, where applicable; and

Regarding the Conditional Use Permit:

A. The proposed use is consistent with the adopted general plan for the area;

B. The requested use at the proposed location will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare;

C. The proposed site is adequate in size and shape to accommodate the development features prescribed in Title 22 of the County Code, or as otherwise required in order to integrate said uses with the uses in the surrounding area; and

D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

Regarding the Parking Permit:

That off-site facilities, leases of less than 20 years, rear lot transitional parking lots and uncovered residential parking spaces will provide the required parking for uses because:

A. That off-site facilities will provide the required parking for the uses because such off-site facilities will be controlled through ownership, leasing or other arrangement by the owner of the use for which the site serves, and are conveniently accessible to the main use, and such leases will be written in such a way as to prevent multiple leasing of the same spaces or cancellation without providing alternate spaces and will contain other guarantees assuring continued availability of the spaces.

B. That the requested parking permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding property.

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Coastal Development Permit as set forth in Section 22.56.2410 of the Los Angeles County Code (Zoning Ordinance), for a Conditional Use Permit as set forth in Section 22.56.090 of the Zoning Ordinance and for a Parking Permit as set forth in Section 22.56.1020 of the Zoning Ordinance.

REGIONAL PLANNING COMMISSION ACTION:

1. The Regional Planning Commission certifies that it has independently reviewed and considered the information contained in the Final Environmental Impact Report prepared by Los Angeles County Department of Regional Planning as lead agency prior to approving the project; certifies the EIR; adopts the Mitigation Monitoring Plan (MMP) which is appended to and included in the attached conditions of approval, finding that, pursuant to California Public Resources Code Section 21081.6, the MMP is adequately designed to ensure compliance with the mitigation measures during project implementation; determines that the conditions of approval attached hereto are the only mitigation measures for the project which are feasible and that the unavoidable significant effects of the project after adoption of said mitigation measures are as described in these findings; determines that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social and/or environmental benefits of the project as stated in the findings and in the Environmental Findings of Fact and Statement of Overriding Considerations adopted for the project, which findings and statement are incorporated herein by reference.

2. In view of the findings of fact and conclusions presented above, Coastal Development Permit No. RCDP200600002, Conditional Use Permit No. RCUP200600115 and Parking Permit No. RPKP200600009 are approved subject to the attached conditions.

VOTE

Concurring: Rew, Modugno, Valadez and Bellamy

Dissenting: Helsley

Abstaining: None

Absent: None

Action Date: April 28, 2010

This grant authorizes a **Coastal Development Permit** for the demolition of an existing public surface parking lot containing 186 parking spaces and appurtenant landscaping located on Marina del Rey Parcel OT; the subsequent construction of one (1) 114-unit, maximum 75-foot-tall (excluding rooftop appurtenant structures) senior accommodations facility 3,500 square foot Visitor-Serving/Convenience Commercial space and landscaping, hardscape, garage parking, and other site amenities and appurtenant facilities on Parcel OT in Marina del Rey. This grant also authorizes a **Conditional Use Permit** for 3,500 square feet of Visitor-Serving/Convenience Commercial uses on a parcel with a proposed Mixed Use Overlay Zone. This grant further authorizes a **Parking Permit** to authorize the transfer of public parking spaces from Parcel OT to an offsite location in Marina del Rey (Parcel 21), as all such improvements are depicted on the approved site plans, building elevations, parking plan, building cross-sections, and other approved plans, marked Exhibit "A" on file, subject to all of the following conditions of approval:

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.

2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant, and until all required monies have been paid pursuant to Condition Nos. 8, 10 and 11.

3. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of California Government Code section 65009, or any other applicable limitation period. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.

4. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing pay Regional Planning an initial deposit of $5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:

    a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to

the number of supplemental deposits that may be required prior to completion of the litigation; and

b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents shall be paid by the permittee in accordance with County Code section 2.170.010.

5. This grant shall expire unless used on the date that is two (2) years after the Final Approval Date (defined below). The "Final Approval Date" means the later of (a) the last date on which any party may file any legal challenge or appeal the approval action for this grant, provided no such legal challenge or appeal has been filed; or (b) if any legal challenge or appeal of the approval action for this grant is made by any party, then the date on which such legal challenge or appeal is fully and finally resolved, such that no further legal challenge may be made. No less than six (6) months prior to the permit expiration date, the permittee may request in writing a one-year time extension, and pay the applicable extension fee. This grant shall not become effective unless the Coastal Commission has approved Local Coastal Program Amendment No. RPA200600005 and until the Board of Supervisors adopted a resolution or take necessary actions effecting said amendment request.

6. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.

7. Upon any transfer or lease of the property during the term of this grant, the property owner or permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.

8. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. The permittee shall deposit with the County the sum of **$6,000**. These monies shall be placed in a performance fund which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including adherence to development in accordance with the approved site plan on file. The fund provides for **30** annual inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment (currently **$200** per inspection).

9. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a hearing officer may, after conducting a public hearing and giving notice thereof to permittee, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.

10. Within five (5) days of the final approval date of this grant, the permittee shall cause a Notice of Determination to be posted in the office of the County Registrar/Recorder in compliance with Section 21152 of the Public Resources Code. Permittee shall remit applicable processing fees, payable to the County of Los Angeles, in connection with such filing. The project is not *de minimus* in its effect on fish and wildlife and is not exempt from payment of a fee to the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current total fee amount is **$2,867.25** ($2,792.25 plus $75.00 processing fee).

11. Within 30 days of the approval date of this grant, the permittee shall deposit the sum of **$3,000** with Regional Planning to defray the cost of reviewing the required mitigation monitoring reports and verifying compliance with the Mitigation Monitoring Program ("MMP") adopted in conjunction with the certified Final Environmental Impact Report for the project.

12. The conditions and/or changes in the project, set forth in the Final Environmental Impact Report, necessary in order to assure that the proposed project will not have a significant effect on the environment, are incorporated herein by this reference and made conditions of approval of this grant. The permittee shall comply with all such conditions/changes in accordance with the attached MMP. As a means of ensuring the effectiveness of such conditions and/or changes to the project, the permittee shall submit mitigation monitoring reports to Regional Planning for review and approval as frequently as may be required by Regional Planning. The reports shall describe the status of the permittee's compliance with the required project

conditions/changes.

13. The subject apartment building shall be limited to 114 Senior Accommodations Facility Units.

14. Units of the proposed facility are age restricted for seniors age 62 and up.

15. The development shall provide housing only to senior citizen households by at all times complying with the federal fair housing statutes and regulations under 42 United States Code section 3601, et seq.; the California fair housing statutes and regulations under California Government Code section 12955, et seq.; and California Civil Code section 51, et seq., for "housing for older persons," as defined in those federal and state statutes and regulations.

16. Individual Kitchens are not permitted within the units of the facility.

17. Front yards and rear yards (Yards fronting Admiralty Way and Washington Boulevard) shall be maintained at a minimum of ten (10) feet in width and side yards shall be maintained at a minimum of five (5) feet in width.

18. The permittee shall refrain from restricting the rental or lease of the site or any portion thereof on the basis of race, color, creed, religion, gender, marital status, sexual orientation, national origin, or ancestry of any person. All such leases or contracts shall contain or be subject to substantially the following non-discrimination or non-segregation clauses.

19. There shall be no discrimination against or segregation of any person, or group of persons, on account of race, color, creed, religion, gender, marital status, sexual orientation, national origin, or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of the site, nor shall the permittee itself or any person claiming under or through it establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees, or vendees of the site or any portion thereof. The non-discrimination and non-segregation provisions set forth herein shall remain in effect in perpetuity.

20. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided as may be required by said department.

21. All requirements of Title 22 of the County Code and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as

set forth in these conditions, or shown on the approved plans.

27. The subject property shall be maintained in substantial conformance with the plans marked Exhibit "A." In the event that subsequent revised plans are submitted, the permittee shall submit four (4) copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner.

28. All structures shall comply with the requirements of the Division of Building and Safety of the County Department of Public Works ("Public Works").

22. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not provide pertinent information about said premises. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

23. Within sixty (60) days of the Design Control Board's ("DCB") final design approval, permittee shall submit to the Director for review and approval three (3) copies of a revised Exhibit "A", similar to that presented at the public hearing. This Revised Exhibit "A" submittal shall contain a full set of the approved site plan, floor plans, parking plan, roof plan, building elevations, building cross-sections, landscaping plan, and signage plan.

24. Within sixty (60) days of the DCB's final design approval, the permittee shall submit to the Director for review and approval three copies of a landscape plan, which may be incorporated into the revised Exhibit "A" described herein. The landscape plan shall show the size, type, and location of all plants, trees, and watering facilities. The permittee shall maintain all landscaping in a neat, clean, and healthful condition, including proper pruning, weeding, removal of litter, fertilizing, and replacement of plants when necessary for the life of this grant.

25. Within sixty (60) days of the DCB's final design approval, the permittee shall submit to the Director and Director of DBH for review and approval three copies of a signage plan, including elevations, proposed lettering, colors, and locations of signage on the subject property, which may be incorporated into the revised Exhibit "A," described herein. All renderings of said signage shall be drawn to scale and shall be in conformity with those approved by the DCB.

26. Prior to development of the project, the applicant must replace 94 of the public

parking spaces located onsite to an offsite location known as Marina del Rey Parcel 21.

27. The proposed facility must include 92 public parking spaces. These spaces must be separated from the spaces required for the retail and senior accommodations facility parking. Signage must be provided and approved by the Marina del Rey Design Control Board that direct the public to the public parking spaces.

28. Prior to issuance of a building permit for the project, the permittee shall secure approval from the County Fire Department of a Fire Safety Plan meeting the specifications for same outlined in Section 22.46.1180.15 of he County Code. The permittee shall conduct site development in conformance with the approved Fire Safety Plan, and shall provide a copy of such approved plan to Regional Planning staff for inclusion in the subject case file.

29. The permittee shall contact the Fire Prevention Bureau of the County Fire Department to determine what facilities may be necessary to protect the property from fire hazard. The permittee shall provide fire flow, hydrants, gated access width, emergency access, and any other facilities as may be required by said Department.

30. The applicant shall provide fire sprinklers in all structures in accordance with County Building Code, Chapter 38, sections 3802(b) 5 and 3802 (h) to the satisfaction of the County Fire Department.

31. The following conditions shall apply to project construction activities:

    a. Construction activity shall be restricted between the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday and 8:00 a.m. to 5:00 p.m. Saturday. Written permission from the Department of Beaches and Harbors is required prior to any construction on Saturdays. No construction shall occur on Sundays and legal holidays;

    b. Pile driving shall be restricted to the hours between 8:00 a.m. to 4:30 p.m., Monday through Friday. No pile driving activity shall be conducted on Saturdays or Sundays. The permittee shall provide adjacent property owners and tenants with a pile-driving schedule 10 days in advance of such activities, and a three-day notice of any re-tapping activities that may occur. The permittee shall submit a copy of the schedule and mailing list to the Director and to Public Works prior to the initiation of construction activities. In addition, at least 10 days in advance of any construction activities on the subject parcel, the permittee shall conspicuously post a construction schedule at the subject parcel's Admiralty Way and Washington Blvd. street

frontages. The schedule shall also include information where individuals may register questions, concerns, or complaints regarding noise issues. The permittee shall take appropriate action to minimize any reported noise problems;

c. All material graded shall be sufficiently watered to prevent excessive amounts of dust during the construction phase. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after work is done for the day. All clearing, grading, earth moving, or excavation activities shall cease during periods of high winds (i.e., greater than 20 mph averaged over one hour) to prevent excessive amounts of dust. Any materials transported off site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust;

d. All fixed and mobile construction equipment shall be in proper operating condition and be fitted with standard silencing devices; engineering noise controls shall be implemented on fixed equipment to minimize adverse effects on nearby properties. Generators and pneumatic compressors shall be noise protected in a manner that will minimize noise inconvenience to adjacent properties. All construction equipment, fixed or mobile, that is utilized on the site for more than two working days shall be in proper operating condition and fitted with standard factory silencing features. To ensure that mobile and stationary equipment is properly maintained and meets all federal, state, and local standards, the permittee shall maintain an equipment log. Said log shall document the condition of equipment relative to factory specifications and identify the measures taken to ensure that all construction equipment is in proper tune and fitted with an adequate muffling device. Said log shall be submitted to the Director and to Public Works for review and approval on a quarterly basis. In areas where construction equipment (such as generators and air compressors) is left stationary and operating for more than one day within 100 feet of residential land uses, temporary portable noise structures shall be built. These barriers shall be located between the piece of equipment and sensitive land uses;

e. Parking of construction worker vehicles and storage of construction equipment/materials shall be on-site;

f. All project-related truck hauling shall be restricted to a route approved by the Director of Public Works, a map of which shall be provided to the Director upon approval. The permittee shall post a notice at the construction site and along the proposed truck haul route. The notice shall contain information on the type of project, anticipated duration of construction activity, and provide a phone number where people can register questions and complaints. The

permittee shall keep a record of all complaints and take appropriate action to minimize noise generated by the offending activity where feasible. A monthly log of noise complaints shall be maintained by the permittee and submitted to the County Department of Public Health;

g. The permittee shall develop and implement a construction management plan, as approved by the Director of Public Works, which includes all of the following measures as recommended by the South Coast Air Quality Management District ("SCAQMD"), or other measures of equivalent effectiveness approved by the SCAQMD:

   i. Configure construction parking to minimize traffic interference;

   ii. Provide temporary traffic controls during all phases of construction activities to maintain traffic flow (e.g., flag person);

   iii. Schedule construction activities that affect traffic flow on the arterial system to off-peak hours to the degree practicable as determined by the Director of Public Works;

   iv. Consolidate truck deliveries when possible;

   v. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site;

   vi. Suspend use of all construction equipment operations during second stage smog alerts. Contact the SCAQMD for daily forecasts;

   vii. Use electricity from power poles rather than temporary diesel- or gasoline-powered generators, except as approved by the Director of Public Works;

   viii. Use methanol- or natural gas-powered mobile equipment and pile drivers instead of diesel if readily available at competitive prices; and

   ix. Use propane- or butane-powered on-site mobile equipment instead of gasoline if readily available at competitive prices;

h. The permittee shall develop and implement a dust control plan, as approved by the Director of Public Works, and the County Local Enforcement Agency ("LEA"), which includes the following measures recommended by the SCAQMD, or other measures of equivalent effectiveness approved by the SCAQMD:

i. Apply approved non-toxic chemical soil stabilizers according to the manufacturer's specification to all inactive construction areas (previously graded areas inactive for four days or more);

ii. Replace ground cover in disturbed areas as quickly as possible;

iii. Enclose, cover, water twice daily, or apply approved soil binders to exposed piles (i.e., gravel, sand, dirt) according to manufacturers' specifications;

iv. Provide temporary wind fencing consisting of three- to five-foot barriers with 50 percent or less porosity along the perimeter of sites that have been cleared or are being graded;

v. Sweep streets at the end of the day if visible soil material is carried over to adjacent roads (recommend water sweepers using reclaimed water if readily available);

vi. Install wheel washers where vehicles enter and exit unpaved areas onto paved roads, or wash-off trucks and any equipment leaving the site each trip; and

vii. Apply water three times daily or chemical soil stabilizers according to manufacturers' specifications to all unpaved parking or staging areas or unpaved road surfaces.

j. All construction and development on the subject property shall comply with the applicable provisions of the California Building Code and the various related mechanical, electrical, plumbing, fire, grading, and excavation codes as currently adopted by the County; and

k. The permittee shall demonstrate that all construction and demolition debris, to the maximum extent feasible as determined by the Director of Public Works, will be salvaged and recycled in a practical, available, and accessible manner during the construction phase. Documentation of this recycling program shall be provided to the Director of Public Works, prior to building permit issuance.

32. In conformance with the approved parking plans on file, the permittee shall provide a minimum of 161 parking spaces on-site, of which 92 shall be reserved for public parking, 55 shall be used exclusively for the senior accommodations facility and 14 shall be used in conjunction with the project's 3,500 square feet of Visitor-

Serving/Convenience Commercial space. All designated spaces shall be clearly marked.

33. ADA compliant sidewalks and driveways shall be constructed to the satisfaction of Public Works.

34. The permittee shall design and construct driveways to the satisfaction of Public Works.

35. Site development shall be conducted in conformance with the archeological reporting requirements specified in Section 22.46.1190.2.a-c of the County Code.

36. The permittee shall establish a functional Transportation Demand Management (TDM) program or shall participate in an existing TDM program. Viable TDM components may include, but shall not be limited to:
    - -- Carpools;
    - -- Ridesharing;
    - -- Vanpools;
    - -- Increase use of bicycles for transportation;
    - -- Bicycle racks;
    - -- Preferential parking for TDM participants;
    - -- Incentives for TDM participants;
    - -- Disincentives.

    Said TDM program shall follow the guidelines in the Transportation Improvement Program contained in Appendix G of the Marina del Rey Local Coastal Program. An annual report on the effectiveness of the TDM program shall be submitted to the Director.

37. As outlined in the attached MMP, prior to issuance of a building permit for the project, the permittee shall pay the LCP-prescribed Category 1 and Category 3 traffic mitigation fees for the project, to the satisfaction of the Director Public Works.

38. The permittee shall install conspicuous signage, as reflected on the final signage plans to be approved by the DCB prior to issuance of a building permit for the project, at each entrance to the pedestrian path between Washington Blvd and Admiralty Way identifying it as a public access way.

39. All necessary Public Works facilities and infrastructure shall be provided for the project prior to the County's issuance of a Certificate of Occupancy for the project, to the satisfaction of the Director of the Department of Public Works. All project

infrastructure shall be designed and constructed in an environmentally sensitive manner, in full conformance with County Department of Public Works' requirements to the satisfaction of said Department, and shall follow the design and recreation policies of the certified Local Coastal Program, including landscaping standards required by the DCB.

40. The permittee shall obtain all necessary permits from the Los Angeles County Department of Public Works and shall maintain all such permits in full force and effect throughout the life of this grant.

41. Prior to issuance of a building permit, the Department of Public Works shall approve a flood control, runoff and storm drain plan submitted by the permittee, which plan shall be consistent with the Santa Monica Bay Recovery Plan.

42. Permittee shall comply with the NPDES (National Pollution Discharge Elimination System) requirements of the California Regional Water Quality Control Board and the Los Angeles County Department of Public Works. Prior to issuance of a building permit, the permittee shall obtain any necessary permit or approval from the Department of Public Works.

43. The subject facility shall be developed and maintained in compliance with the requirements of the Los Angeles County Department of Health Services. Adequate water and sewage disposal facilities shall be provided to the satisfaction of said Department.

44. The building shall be designed and constructed utilizing earthquake resistant construction and engineering practices and shall be designed to withstand a seismic event. All earthquake studies shall comply with the latest recommendations of the state Department of Conservation and the Seismic Safety Board for seismic safety.

45. In the event of discovery of Native American remains or of grave goods, §7050.5 of the Health and Safety Code, and §5097.94, §5097.98 and §5097.99 of the Public Resources Code (all attached) shall apply and govern the permittee's development activities.

46. Prior to commencement of grading, the permittee shall provide evidence that it has notified the Office of State Historic Preservation and the Native American Heritage Commission of the location of the proposed grading, the proposed extent of the grading and the dates on which the work is expected to take place.

47. The permittee shall maintain the subject property in a neat and orderly fashion and free of litter. Yard areas that are visible from the street shall be free of debris, trash,

lumber, overgrown or dead vegetation, broken or discarded furniture, and household equipment such as refrigerators, stoves, and freezers.

48. All ground- and roof-mounted equipment shall be fully screened from public view. All roof-mounted facility screening materials shall be constructed of high quality building materials and shall be fully integrated into the building architecture.

49. Outside lighting shall be so arranged to prevent glare or direct illumination onto any adjacent properties and shall be subject to the requirements of the DCB.

50. Project development shall conform to the phasing schedules in the certified Local Coastal Program. The phasing schedules include requirements for the existing Marina, circulation and public recreation improvements and infrastructure.

51. The permittee shall incorporate water-conserving devices and technologies into the project, in compliance with local, state and/or federal regulations controlling same, to the satisfaction of the Director of the Department of Public Works.

52. The permittee shall comply with all recommended conditions listed in the attached letter from the Department of Public Works dated August 11, 2009 except as otherwise required by said department.

53. The permittee shall comply with all recommended conditions listed in the attached letter from the Los Angeles County Fire Department dated March 26, 2009, except as otherwise required by said department.

54. The aforementioned conditions shall run with the land and shall be binding on all lessees and sublessees of Parcel OT.

55. Transportation service shall be provided to the residents at all times.

Attachment:
Department of Public Works letter dated August 11, 2009
Los Angeles County Fire Department letter dated March 26, 2009
Mitigation Monitoring Program

SD:MT
05/05/10

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

GAIL FARBER, Director

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
http://dpw.lacounty.gov

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

August 11, 2009

IN REPLY PLEASE REFER TO FILE: LD-1

TO: Mark Child, AICP
Zoning Permits I Section
Department of Regional Planning

Attention Michael Tripp

FROM: Steve Burger
Land Development Division
Department of Public Works

CONDITIONAL USE PERMIT (CUP) NO. CUP 200600115
PROJECT NO. R2006-01510
PARCEL OT-OCEANA RETIREMENT
4220 ADMIRALTY WAY
MARINA DEL REY AREA

☒ Public Works recommends approval of this CUP.

☐ Public Works does **NOT** recommend approval of this CUP.

This supersedes our memorandum dated June 25, 2009. We reviewed the site plan for the subject CUP. The development is for the construction of a 114-unit retirement facility, retail space, attached parking structures and the transfer of 94 parking spaces to Parcel 2,1 Phase 1. The project is located in the unincorporated County of Los Angeles area of Marina Del Rey.

Upon approval of the site plan, we recommend the following conditions:

1. Geotechnical

   1.1. Prior to grading or building permit, obtain approval for geotechnical reports from Public Works' Geology and Material Engineering Division addressing all items in the outstanding soils and geologic review sheets dated February 2, 2009, and February 5, 2009.

For questions regarding the items above, contact Jeremy Wan at (626) 458-4925.

2. Sewer

   2.1. Prior to grading or building permit, obtain approval for the sewer relocation per Private Contract No. 12041 currently in plan check with Public Works' Land Development Division. Existing sewer easement for abandon sewer should be vacated.

   For questions regarding the items above, please contact Tony Khalkhali at (626) 458-4921.

3. Sewer Maintenance

   3.1. On all applicable plans, show the ownership of all County of Los Angeles sewer lines clearly as "County of Los Angeles CSMD sewer line." Clearly label sewer lines to be abandoned and proposed sewer lines on all pages.

   3.2. Site Plan Sheet 2-4: Clearly label proposed sewer line as "Proposed 10" County of Los Angeles CSMD sewer line." All new sewer line requires a minimum 10 feet sanitary sewer easement, 5 feet on each side, dedicated to the County of Los Angeles. Easement must be separate and independent from all other easement.

   For questions regarding the items above, please contact please contact James Hilovsky (626) 300-3363.

4. Water

   4.1. A water system maintained by the water purveyor, with appurtenant facilities to serve all proposed buildings, must be provided. The system shall include fire hydrants of the type and location for both on-site and off-site as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.

   4.2. There shall be on filed with Public Works a statement from the water purveyor indicating that the water system will be operated by the purveyor and that under normal conditions, the system will meet the requirements for the proposed land use, and that water service will be provided to each building.

   4.3. If needed, easements shall be granted to the County, appropriate agency or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructures constructed for this project to the satisfaction of Public Works.

4.4. Relocation and upsizing of existing water system facilities in conflict with proposed project via one of the three following options:

1. Should the timing of the District's water main project result in its construction prior to approval of the proposed project, the District would upsize the water main in its current location, as planned. During construction of the proposed project, the applicant would then relocate the upsized water main approximately 36 feet to the northeast and abandon the current alignment. The applicant shall be responsible for the costs of relocating the water main in this situation.

2. If the proposed project is approved prior to the District initiating construction of the water main project, the District would upsize the water main in the proposed alignment, approximately 36 feet to the northeast of the current alignment, and abandon the current alignment. Under this scenario, the applicant shall be responsible for compensating the District for costs associated with design and construction of the water main in the new alignment to accommodate the project. Applicant would also be responsible for compensating the District for costs associated with the replacement of trees impacted by construction activities.

3. Should the proposed project be approved and ready for construction prior to the District's water main project, the applicant would have the option to construct the upsized water main in the proposed alignment, approximately 36 feet to the northwest of the current alignment and abandon the existing alignment. The applicant shall be responsible for the costs of designing and constructing the water main in the new alignment in this situation.

4.5. The construction of on-site facilities shall meet all health and safety codes, and all domestic water service meter and fire protection connections shall have a backflow device to prevent contamination of the public water system.

4.6. Submit landscape and irrigation plans for the common area in the project, with landscape area greater than or equal to 2,500 square feet, in accordance with the Water Efficient Landscape Ordinance.

For questions regarding the items above, please contact Tony Khalkhali at (626) 458-4921.

5. Drainage

5.1. Comply with the requirements of the Drainage Concept/Hydrology Study/Standard Urban Stormwater Mitigation Plan (SUSMP) approved on June 10 2009, to the satisfaction of the Department of Public Works prior to Building Permit.

5.2. Obtain a permit from City of Los Angeles for proposed parkway drains and discharge onto Washington Boulevard to the satisfaction of Public Works prior to Building Permit.

For questions regarding the items above, please contact Amir Ibrahim at (626) 458-5915.

6. Grading

6.1. Prior to building permit, obtain approval for grading plan from Public Works' Land Development Division. The grading plan must show and call out the following items, including but not limited to: construction of all drainage devices and details, paved driveways, elevation and drainage of all pads, SUSMP and Low-Impact Development devices (if applicable), and any required landscaping and irrigation. Acknowledgement and/or approval from all easement holders may be required.

6.2. A maintenance agreement may be required prior to grading plan approval for privately maintained drainage devices including any onsite SUSMP devices.

6.3. Provide approval of grading plan by Public Works' Geotechnical and Materials Engineering Division.

6.4. Acquire permits and/or letters of nonjurisdiction from all State and Federal agencies, as applicable. These agencies may include, but may not be limited to the California Coastal Commission, State of California Regional Water Quality Control Board, State of California Department of Fish and Game, State of California Department of Conservation, Division of Oil, Gas, and Geothermal Resources, and the Army Corps of Engineers.

For questions regarding the items above, contact Sam Richards at (626) 458-4921.

7. Road Improvements

7.1. Close any unused driveway with standard curb, gutter, and sidewalk along the property frontage on Admiralty Way to the satisfaction of Public Works.

7.2. Reconstruct any non-American with Disabilities Act conforming parkway improvements (sidewalk, driveways, curb ramps, landings, etc) that either serve or form a part of a Pedestrian Access Route to meet current American with Disabilities Act requirements to the satisfaction of Public Works.

7.3. Provide 8-foot sidewalks along the property frontage on Admiralty Way to the satisfaction of Public Works. The County will initiate the set-aside process.

7.4. Reconstruct full-width sidewalk along the property frontage on Washington Boulevard to the satisfaction of Public Works and the City of Los Angeles.

7.5. Reconstruct curb, base, pavement, longitudinal gutter on the westerly alley along the property frontage to the satisfaction of Public Works.

7.6. Provide adequate line of sight for pedestrians from all proposed driveways from the parking structure to the satisfaction of Public Works.

7.7. Repair any cub, gutter, driveways, pavement, and sidewalk damaged during construction.

7.8. Plant street trees on Admiralty Way and Washington Boulevard along the property frontages to the satisfaction of Public Works. Existing trees within the existing road right of way if not accepted as street trees will be removed and replaced with approved street trees to the satisfaction of Public Works and the City of Los Angeles (for Washington Boulevard).

7.9. Underground all new utility lines to the satisfaction of Public Works and Southern California Edison. Please contact Construction Division at (626) 458-3129 for new location of any above ground utility structure in the parkway.

7.10. Prior to obtaining grading permit, acquire street plan approval or direct check status from Public Works' Land Development Division.

7.11. Prior to issuance of a grading permit or a building permit, whichever come first, execute an Agreement to Improve for the street improvements. For information regarding Agreement to Improve, contact Ruben Cruz at (626)458-4910.

For questions regarding the items above, contact Sam Richards at (626) 458-4921.

8. Traffic

8.1. Comply with the mitigation and/or fairshare requirements set forth in the attached letter dated November 24, 2008, from Public Works' Traffic and Lighting Division.

For questions regarding the traffic comments, contact Jeff Pletyak at (626) 300-4721.

9. Street Lighting Requirements

9.1. Provide Street lights on concrete poles with underground wiring along the property frontage on Admiralty Way to the satisfaction of Public Works. Submit street lighting plans showing all existing lights along with existing and/or proposed underground utilities plans as soon as possible to the Traffic and Lighting Division, Street Lighting Section.

9.2. Washington Boulevard is within the City of Los Angeles, Contact the City Bureau of Street Lighting for the City's street light requirements.

9.3. Upon approval of the CUP, the applicant shall enter into a secured agreement with the County of Los Angeles for the installation of the street lights in the amount of $15,000.00 (subject to revision at the time of street lighting plan approval). The applicant shall comply with the conditions listed below in order for the lighting districts to pay for the future operation and maintenance of the street lights.

9.4. All street light in the project, or approved project phase, must be constructed according to Public Works-approved plans. The contractor shall submit one complete As-built plans. Provided the above conditions are met, the Lighting District can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year, provided all street lights have been energized and the developer has requested a transfer of billing at least by January 1 of the previous year. The transfer of billing could be delayed

one or more year if the above conditions are not met. The Lighting District cannot pay for the operation and maintenance of street lights located within gated community.

For questions regarding the items above, please contact David Stringer at (626) 300-4754.

If you have any other questions or require additional information, please contact Simin Agahi or Toan Duong at (626) 458-4910.

SA:ca
P:/LDPUB/SUBMGT/CUP/Project R2006-01510_CUP200600115_4220 Admiralty Way.DOC

Attach.

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040-3027

DATE: March 26, 2009

TO: Department of Regional Planning
Permits and Variances

PROJECT #: CUP R2006-01510

LOCATION: Parcel OT - 4420 Admiralty Way, Marina Del Rey

☐ The Fire Department Land Development Unit has no additional requirements for this permit.

☒ The required fire flow for this development is **5000** gallons per minute for **5** hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 psi residual pressure. 3 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.

☒ The required fire flow for private on-site hydrants is 2500 gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing 1250 gallons per minute at 20 psi with two hydrants flowing simultaneously, one of which must be the furthest from the public water source.

☒ Verify **2** Install **TBD** 6" X 4" X 2 1/2" fire hydrants, conforming to AWWA C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.

☒ **Comments:** THIS PROJECT IS CLEARED BY THE FIRE DEPARTMENT FOR PUBLIC HEARING.

☒ **Location:** Verify and perform Fire Flow Availability tests on the following:
1. The nearest existing public fire hydrant on Admiralty Way. (LAC Waterworks)
2. The nearest existing public fire hydrant on Washington Blvd. (LADWP)
3. If necessary, additional fire hydrant and/or fire protection system installation(s) will be determined during the building plan check phase.

☒ **Access:**
1. Fire apparatus access is adequate as depicted on Site Plan A0.11 dated 03-26-09.
2. Submit architectural plans to the Fire Prevention Engineering Division in Hawthorne for review and approval prior to building permit issuance. For submittal requirements contact (310) 263-2732.

☒ **Special Requirements:** THE FOLLOWING ITEMS SHALL BE SUBMITTED TO THE FIRE DEPARTMENT LAND DEVELOPMENT UNIT FOR REVIEW AND APPROVAL PRIOR TO ISSUANCE OF A BUILDING PERMIT:

1. An original Fire Flow Availability form (Form 196) for each public fire hydrant as specified.

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office at (323) 890-4243.

Inspector: ***SCOTT JAEGGI***

RESOLUTION OF THE REGIONAL PLANNING COMMISSION OF THE COUNTY OF LOS ANGELES RELATING TO THE ADOPTION OF AN AMENDMENT TO THE MARINA DEL REY LOCAL COASTAL PROGRAM FOR PROJECT NO. R2006-01510

WHEREAS, Article 6 of Chapter 3 of Division 1 of Title 7 of the Government Code of the State of California (commencing with Section 65350) provides for the adoption of amendments to county general plans; and

WHEREAS, the petitioner, MDR Oceana LLC, has requested a Local Coastal Program (LCP) Amendment No. RPA200600005 to authorize the transfer of development potential between Development Zones (114 hotel units from the Admiralty DZ #7 and 3,500 square feet of Visitor-Serving/Convenience space from the Palawan/Beach DZ #5 to the Oxford DZ #6); the creation of a Seniors Accommodations Land Use Category in the LCP; the redesignation of Parcel OT's land use designation from "Parking" to the "Senior Accommodations Facility" designation with a Mixed Use Overlay Zone; the transfer 94 of the LCP required 186 public parking spaces on Parcel OT to Parcel 21; and the adjustment of the parcel boundary between Parcel OT (Currently designated as Parking in the LCP) and Parcel P (Currently designated as Open Space in the LCP), which would also necessitate adjustment to the land use categories of both parcels to the corresponding LCP maps. Parcel P currently has an area 10.72 acres and Parcel OT has an area 1.6 acres. If the proposed amendment to give 19,755 square feet of Parcel P to Parcel OT is approved, Parcel P will be reduced to 10.27 acres and Parcel OT will be increased to 2.10 acres.; and

WHEREAS, the Regional Planning Commission of the County of Los Angeles conducted concurrent public hearings regarding Coastal Development Permit No. RCDP200600002, Conditional Use Permit No. RCUP200600115, and Parking Permit No. RPKP200600009 on October 21, 2009, November 4, 2009, December 16, 2009, April 7, 2010, and April 28, 2010; and

WHEREAS, in compliance with the California Coastal Act of 1976, as amended to date, the County of Los Angeles has prepared an amendment to the certified Local Coastal Program for Marina del Rey; and

WHEREAS, the Local Coastal Program for Marina del Rey consists of a Land Use Plan and Local Implementation Program, which includes a specific plan, a Transportation Improvement Program and related appendices (collectively referred to herein as the "certified LCP"); and

WHEREAS, an amendment to the certified LCP element of the Los Angeles County General Plan is necessary at this time to address unique circumstances in the unincorporated territory of Marina del Rey; and

WHEREAS, the amendment to the certified LCP includes modifications to the Land Use Plan and Local Implementation Program and related text, for the unincorporated area of Marina del Rey commonly known as Parcel "OT"; and

WHEREAS, an Environmental Impact Report for the project has been completed and certified by the Commission in compliance with the California Environmental Quality Act (CEQA) and the State and County guidelines relating thereto; and

WHEREAS, the Regional Planning Commission has considered the public testimony, the recommendations and testimony of the Regional Planning Department staff, and the Environmental Impact Report, including the documentation within each case file; and

WHEREAS, the Regional Planning Commission finds as follows:

1. The subject property is located near the northeast corner of the intersection of Admiralty Way and Palawan Way, in Marina del Rey and in the Playa Vista Zoned District., also known as Marina del Rey Parcel OT.

2. The 2.08-acre subject property is located on gently sloping terrain in a highly urbanized area devoted primarily to recreational boating, visitor serving uses and multi-family residential uses. Washington Blvd fronts the subject property to the north; Admiralty Way fronts the subject property to the south; the Oxford Flood Control Basin adjoins the subject property to the east; and Marina del Rey Parcel 145 adjoins the subject property to the west. The County of Los Angeles owns fee title to the subject property, and will enter into a long-term lease agreement with the applicant regarding the parcel prior to the applicant's development of the proposed project.

3. The subject property is zoned "Specific Plan" within the Marina Del Rey Local Coastal Program (LCP). The subject parcel's existing land use designation per the LCP is Parking; however, the applicant is requesting an amendment to the LCP to change the subject parcel's land use designation to Senior Accommodations Facility

4. Zoning designations on the surrounding properties consist of the following:

   North: Multifamily Residential (City of Los Angeles)

   South: Visitor-Serving/ Convenience Commercial/Water (per MDR Specific Plan)

   West: Hotel/Residential V (per MDR Specific Plan)

   East: Open Space (per MDR Specific Plan)

5. The subject property is currently developed with a surface parking lot containing 186 public parking spaces and appurtenant landscaping.

6. Land Use on surrounding properties consist of the following:

   North: Multi-family residential (apartments) and Marina Basin C

   South: Multi-family residential (apartments)

   West: Multi-family residential (condominiums in City of Los Angeles)

   East: Multi-family residential (apartments)

7. In May of 1995, Coastal Development Permit 94-150 was approved to allow 93 public parking spaces on Parcel OT to be used for offsite parking related to a charter boat operation. No previous zoning enforcement cases were found for the subject property.

8. The site plans and elevations depict one (1) 257,370 square foot structure on 2.10 acres of land. The proposed structure has a ground floor (level one) with 44 parking spaces, and a 3,500 square foot Visitor-Serving/Convenience Commercial space. The second level contains 117 parking spaces, the senior accommodation facility's lobby, reception area, staff offices and lounges for both staff and the seniors. The third level depicts 18 units, a screening room, beauty salon, card room, arts and crafts room, library, bathrooms, gym, three communal dining areas and the facility's kitchen. The fourth, fifth and sixth levels each consist of 32 units, a lounge, a sitting room and two laundry rooms. The proposed structure has a maximum roof height of 75 feet above grade on the Washington Boulevard side and 67 feet in height on the Admiralty Way side.

9. The site plan depicts three vehicular entrances/exits into the building, one via the garage entrance on Washington Boulevard, one via a turn out on Admiralty Way and one via a garage entrance accessed from an alley that connects to both Washington Boulevard and Admiralty Way. Two parking levels are provided. The lower level provides 30 spaces for the senior facility and 14 spaces for the Visitor-Serving/Convenience Commercial use. The upper level provides 92 public parking spaces, 22 spaces for the senior facility and 3 spaces for maintenance vehicles. Seven of the 161 parking spaces are allocated to persons with disabilities.

10. The subject parcel is currently designated "Parking" in the Marina del Rey Land Use Plan and Specific Plan. In order to facilitate development of the proposed project, the applicant is requesting amendments to the LCP (see

Local Coastal Program Amendment No. RPA200600005) to transfer development potential between Development Zones (114 hotel units from the Admiralty DZ #7 and 3,500 square feet of Visitor-Serving/Convenience Commercial space from the Palawan/Beach DZ #5 to the Oxford DZ #6); the creation of a Seniors Accommodations Land Use Category in the LCP; the redesignation of Parcel OT's land use designation from "Parking" to the "Senior Accommodations Facility" designation with a Mixed Use Overlay Zone; the transfer 94 of the LCP required 186 public parking spaces on Parcel OT to Parcel 21; and the adjustment of the parcel boundary between Parcel OT (Currently designated as Parking in the LCP) and Parcel P (Currently designated as Open Space in the LCP), which would also necessitate adjustment to the land use categories of both parcels to the corresponding LCP maps. Parcel P currently has an area 10.72 acres and Parcel OT has an area 1.6 acres. If the proposed amendment to give 19,755 square feet of Parcel P to Parcel OT is approved, Parcel P will be reduced to 10.27 acres and Parcel OT will be increased to 2.10 acres.

11. The proposed transfer of 114 Hotel development units and 3,500 square feet of Visitor-Serving/Convenience Commercial space into the subject Oxford Development Zone is necessary because there no existing Hotel or Visitor-Serving/Convenience Commercial development potential in the Oxford Development Zone.

12. During the public hearing conducted by the Commission regarding the subject amendment to the certified LCP and associated project permits and Draft Environmental Impact Report, speakers testified in opposition to approval of the subject amendment to the certified LCP, alleging, among other things, that the movement/transfer of development units between Development Zones is not permitted in the certified LCP and should not be authorized in the instant case.

13. The Commission finds there is clear precedent for the proposed inter-Development Zone transfer of development units; a previous LCP amendment approval for Marina Parcel 20, certified by the California Coastal Commission, authorized the transfer of 97 development units from the Bora Bora DZ into the Panay DZ (see approval for County Project No. 98-172-4). A traffic analysis has been prepared for the subject project which has determined that the traffic and circulation impacts of the proposed inter-Development Zone transfer, within the LCP study area, of excess development units will have no adverse impact on traffic circulation in the project vicinity. The County Department of Public Works' Traffic & Lighting Division has reviewed and approved the project traffic study and concurs with the traffic report's finding that the proposed transfer of dwelling units will not impact traffic or circulation patterns within or outside of the Marina. The Commission finds that the proposed transfer of the development allocation among different Development Zones is consistent with the goals

and policies of the certified LCP inasmuch as it will neither result in additional development as contemplated in the certified LCP nor result in additional traffic impacts as contemplated in the certified LCP.

14. During the public hearing before the Commission regarding the subject amendment to the certified LCP and associated project permits and Draft Environmental Impact Report, persons testified in opposition to approval of the subject LCP amendment, stating that, pursuant to the certified LCP, Parcel OT may only be converted to a public park, and no other land use.

15. The applicant is requesting the associated amendment to the certified LCP in order to amend the certified LCP in a manner that will accommodate the proposed development on the subject parcel. The Commission finds that the benefit of bringing the type of senior housing proposed by the petitioner (A specialized facility where units shall not provide a kitchen. However, communal dining facilities shall be available on-site. Mixed use services provided on-site for residents may include, but are not limited to the following: concierge, dry cleaners, laundry, hair and beauty salon, spa, recreation room, lounge, shuttle/limousine, travel, maid, linen, and other similar personal services) into the Marina and the transfer of 94 public parking spaces to a location nearer a visitor attraction, Marina Beach, justifies the conversion of a public parking lot into a senior accommodations facility.

16. A qualified engineering firm performed Rowan, Williams, Davies and Irwin, Inc. (RWDI), a licensed engineering firm, performed a detailed assessment of the proposed development. The analysis studied the projects potential impacts on winds coming from the east, west, southwest and west-southwest directions. The analysis concluded that winds coming from the east, southwest and west-south west direction that come in contact with the proposed Parcel OT building would likely stay on land, rather than enter the Marina basins, and thus would not have an impact on sailing in the Marina. The analysis further concluded that due to the height of the hotel next to the project site and the condominium towers located southeast of the site, the projects impacts on winds from the west would also be insignificant.

17. The Commission has reviewed RWDI's wind report for the project and deems them to constitute credible evidence substantiating that development of the subject building on Parcel OT will not significantly increase infringements of wind access for boats in their berths, in the fairways, or in the Main Channel, nor adversely impact winds utilized by birds in flight.

18. The Commission finds that the subject Parcel OT is currently improved with a public surface parking lot, which, due to its relatively distant location from recreational uses or visitor attractions in the Marina, has been and continues to be underutilized by the public.

19. The underutilization of the Parcel OT parking lot and the resulting contemplation for the parcel's conversion from parking to another use is further confirmed on Page 2-5 of Chapter A.2 of the LUP (Recreation & Visitor-Serving Facilities), which states, under the "Potential Conversion of Public Parking Lots" subsection: "Lots FF and OT, both on the west side of the Marina, are under utilized throughout most of the year. They are being contemplated for development as residential uses."

20. The Los Angeles County Department of Beaches & Harbors' comprehensive March 2009 Right-Sizing Study of Parking Lots in Marina del Rey, concludes the public's use of Parcel OT parking is minimal. The County's Right-Sizing Study, which the Commission has reviewed and is included in the administrative file for this case, was based on field observations in 2005 and 2007. Moreover, the California Coastal Commission's April 2009 Revised Findings in support of its Periodic Review of the Marina del Rey LCP also found that the lot is underutilized by the public because it is not located near visitor-serving or recreational attractions.

21. Having considered the foregoing evidence demonstrating the public's historic and ongoing use of the public parking spaces located at Parcel OT is minimal, the Commission hereby finds that no public parking shortage will occur as a result of the proposed conversion of Parcel OT from its current parking use to the applicant's proposed senior accommodation facility. The Commission further finds that the County's proposal to relocate 94 of the 186 public parking spaces that currently exist on Parcel OT to Parcel 21, will serve to enhance the public's access to the Coast by providing the public parking at a more desirable location in direct proximity to visitor-serving or recreational attractions.

22. During the public hearing before the Commission regarding the subject amendment to the certified LCP and associated project permits and Draft Environmental Impact Report, speakers testified in opposition to approval of the subject amendment to the certified LCP, stating that approval of the LCP amendment and associated project permits would constitute piecemealing in violation of CEQA.

23. The Commission finds that adoption of the subject amendment to the certified LCP, approval of the Project Permits and certification of the Final Environmental Impact Report does not constitute piecemealing pursuant to CEQA or other applicable laws. Under the CEQA guidelines, the County has overseen preparation of a single, comprehensive Environmental Impact Report in order to evaluate the potential project-specific and cumulative environmental impacts associated with the subject project on Parcel OT and another proposed development project on nearby Marina del Rey Parcel 21

(located south of Parcel OT on Panay Way). The Parcel 21 project (reference County Project No. R2006-02726-(4)) is a request to demolish all existing landside improvements and subsequently construct a structure with 2,916 square feet of Visitor-Serving/Convenience Commercial uses, 11,432 square feet of marine commercial uses, a 5,000 square foot yacht club, 6,000 square foot health club, a 447 space six-level parking structure, an adjacent waterfront public pedestrian promenade, and other site amenities and facilities. The EIR also considered potential cumulative impacts associated with reasonably foreseeable related projects located within and outside of the Marina.

24. The Commission finds that this comprehensive EIR processing approach for the above-referenced development projects, while being fully compliant with CEQA and other applicable laws, has afforded the public and the Commission an enhanced understanding of the numerous land use planning and environmental issues associated with developing the subject property and nearby Marina Parcel 21.

25. Concurrently with the above-mentioned local coastal program plan amendment, the applicant is requesting a Coastal Development Permit to authorize the demolition of an existing public surface parking lot containing 186 parking spaces and appurtenant landscaping located on Marina del Rey Parcel OT, and to subsequently construct a 114-unit, maximum 75-foot-tall Senior Accommodations Facility with landscaping, hardscape, garage parking, and other site amenities and appurtenant facilities on the subject parcel. The building will also contain 3,500 square feet of visitor-serving/convenience commercial space and 92 public parking spaces. Collectively, the requested discretionary land use permits for the project are referred to herein as the "Project Permits."

26. The Commission finds the applicant has submitted substantial evidence, in the form of detailed written findings and other written correspondence to the Commission and verbal testimony during the public hearing before the Commission, which satisfies the burden of proof for approval of the subject amendment to the certified Local Coastal Program, which evidence addresses the need for the development, the appropriateness of the subject LCP amendment, and how the subject amendment will be in the interest of the public health, safety and general welfare, an in conformity with good planning practices. Based on the evidence submitted into the record during the Commission's consideration of this case, the Commission finds the subject amendment to the certified LCP is consistent with the goals, policies and programs of the Los Angeles County General Plan and the certified LCP, and that there is a need for the adoption of the subject LCP amendment in order to facilitate the construction and operation of the proposed use. Based on the evidence considered by the Commission, the Commission further finds that the proposed project will not be materially

detrimental to the use, enjoyment, or valuation of property or other persons located in the vicinity of the site.

27. The Commission finds the subject property is presently underutilized. In addition, the Commission finds the proposed use of the parcel would be consistent with development in the vicinity of the project site and has been designed to be compatible with the surrounding area in terms of land use patterns, design, and established community character. The Commission finds that the project's compatibility with surrounding land uses will be ensured through the numerous conditions imposed on the associated project Coastal Development Permit, Conditional Use Permit, Parking Permit, and mitigation measures.

28. The Commission finds the project will be reasonably proximate to public transit and necessary services and facilities.

29. The Commission finds the project to be consistent with the goal of the certified LCP to encourage controlled changed in the Marina over the next 30 years. The project is also consistent with the certified LCP's goal to encourage private lessees within the Marina to replace and update facilities to maintain the physical and economic viability of the Marina.

30. The subject amendment to the certified LCP constitutes an amendment to the Los Angeles County General Plan and a change to the County Zoning Ordinance.

31. The proposed project, in summary:

    a. Avoids premature conversion of undeveloped land to urban uses;

    b. Promotes the distribution of population consistent with service system capacity, resource availability, environmental limitations, and accessibility;

    c. Directs urban development and revitalization efforts to protect natural and man-made amenities and to avoid severe hazard areas, such as active fault zones, steep hillside areas, and high fire hazard area;

    d. Encourages the efficient use of land through a more concentrated pattern of urban development, including the focusing of a new urban growth in the areas of suitable land;

    e. Ensures that new development and urban expansion areas will occur in a manner consistent with stated plan policies and will pay for marginal and public costs that it generates;

f. Focuses intensive urban uses in inter-dependent systems of activity centers located to effectively provide services throughout the urban area, including adequate transportation facilities; and

32. In connection with its approval of the Project Permits, The Commission, certified that it has independently reviewed and considered the information contained in the Final Environmental Impact Report prepared by Los Angeles County Department of Regional Planning as lead agency prior to approving the project; certified the EIR; adopted the Mitigation Monitoring Plan (MMP) which is appended to and included in the attached conditions of approval for the associated Project Permits, finding that, pursuant to California Public Resources Code Section 21081.6, the MMP is adequately designed to ensure compliance with the mitigation measures during project implementation; determined that the conditions of approval attached to the Project Permits are the only mitigation measures for the project which are feasible and that the unavoidable significant effects of the project after adoption of said mitigation measures are as described in these findings; determined that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social and/or environmental benefits of the project as stated in the findings and in the Environmental Findings of Fact and Statement of Overriding Considerations adopted for the project, which findings and statement are incorporated herein by reference.

33. A Final Environmental Impact Report for the project has been prepared in accordance with the California Environmental Quality Act (CEQA), the State Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Final Environmental Impact Report consists of the Draft EIR, the Technical Appendices to the Draft EIR and the Final EIR, including responses to comments. A Mitigation Monitoring Program consistent with the conclusions and recommendations of the FEIR has been prepared, and its requirements have been incorporated into the conditions of approval for this project. On April 28, 2010, the Commission certified the FEIR prepared for the project pursuant to Public Resources Code Section 21082.1(c)(3) and CEQA Guidelines, finding that (1) the FEIR has been completed in compliance with CEQA, (2) that the Commission had reviewed and considered the information contained in the FEIR prior to approving the project, and (3) that the FEIR reflected the Commission's independent judgment and analysis. Except for potentially significant noise impacts at the project level, and impacts related to traffic and visual quality when the project is viewed cumulatively with other projects in the area, identified significant impacts can be reduced to acceptable levels with mitigation measures identified in the FEIR. As stated in the FEIR and Statement of Overriding Considerations, the project will result in the unavoidable potentially significant impacts mentioned above.

Such impacts have been reduced to the extent feasible, and the Commission found that the benefits of the proposed project outweigh these unavoidable adverse impacts. Such unavoidable adverse impacts have been determined to be acceptable based upon the overriding considerations set forth in the Statement of Overriding Considerations for the project.

34. The Commission finds the recommended plan amendment will not place an undue burden upon the community's ability to provide necessary facilities and services, as outlined in the preceding findings of fact, the findings of fact for the associated Project Permits and the certified Final Environmental Impact Report prepared for the project.

WHEREAS, based upon the findings of fact described above, the Regional Planning Commission, having completed an independent review and analysis of the project, concludes that:

1. The site is suitable for the proposed use and intensity.

2. The recommended Local Coastal Program Amendment will not place an undue burden on the community's ability to provide necessary facilities and services.

3. The recommended Local Coastal Program Amendment is consistent with the goals, policies, and programs of the General Plan and will help implement the various objectives identified with respect to the Site.

4. The recommended Local Coastal Program Amendment is in the interest of public health, safety, and general welfare and is in conformity with good planning practice.

NOW, THEREFORE, BE IT RESOLVED: That the Regional Planning Commission of the County of Los Angeles hereby recommends that the Board of Supervisors:

1. Hold a public hearing to consider the above-recommended Local Coastal Program Amendment; and

2. Rely on the certified EIR in connection with its approval of the above-recommended Local Coastal Program Amendment;

3. Find that the recommended Local Coastal Program Amendment is consistent with the goals, policies and programs of the Los Angeles County General Plan and the Marina Del Rey Specific Plan; and

4. Adopt Local Coastal Program Amendment No. RPA200600005, amending the Land Use Map of the Marina Del Rey Specific Plan and

the Land Use Policy Map of the Marina Del Rey Land Use Plan (and related text) regarding the 2.08-acre subject parcel as follows:

- Authorizing the creation of a Seniors Accommodations Land Use Category in the LCP;

- Amending the subject parcel's LCP-designated land use designation from "Parking" to the "Senior Accommodations Facility" designation with a Mixed Use Overlay Zone;

- Authorizing the transfer of development potential between Development Zones (114 hotel units from the Admiralty Development Zone #7 and 3,500 square feet of Visitor-Serving/Convenience Commercial space from the Palawan/Beach Development Zone #5 to the Oxford Development Zone #6;

- Authorizing the transfer 94 of the LCP required 186 public parking spaces on Parcel OT to Parcel 21;

- Authorizing the adjustment of the parcel boundary between Parcel OT (Currently designated as Parking in the LCP) and Parcel P (Currently designated as Open Space in the LCP), which would also necessitate adjustment to the land use categories of both parcels to the corresponding LCP maps. Parcel P currently has an area 10.72 acres and Parcel OT has an area 1.6 acres. If the proposed amendment to give 19,755 square feet of Parcel P to Parcel OT is approved, Parcel P will be reduced to 10.27 acres and Parcel OT will be increased to 2.10 acres.

I hereby certify that the foregoing was adopted by a majority of the voting members of the Regional Planning Commission of the County of Los Angeles on April 28, 2010.

Rosie O. Ruiz, Secretary
County of Los Angeles
Regional Planning Commission

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
Geotechnical Hazards						
GEO-1 The applicant shall implement the geotechnical engineering recommendations related to groundwater of the geotechnical engineer and/or others, as well as conform to all subsequent conditions that are imposed on the project and are deemed appropriate and necessary during grading, construction, and/or operation of the proposed developments at Parcel OT and Parcel 21. A summary of these recommendations follows:	Grading/ Construction Operation	County Geotechnical Engineer	Grading Permit Prior to Building Permit Prior to Occupancy	County Public Works		
Parcel OT and Parcel 21 Excavation and Dewatering *Construction* • Open, unshored, excavations above the groundwater table may be cut vertically to a maximum depth of no more than four feet. Excavations extending between four and 15 feet deep (Parcel OT) or between four and ten feet (Parcel 21) shall be shored or sloped back from the base of the excavation to at least a one and one-half horizontal to 1 vertical (1.5H:1V) slope or flatter. If excavations dry out, sloughing will occur. No excavation shall be made within a 1:1 line projected outward from the toe of any existing footing or structure.	Grading/ Construction	County Geotechnical Engineer	Grading Permit Prior to Building Permit	County Public Works		
• During the time open (unshored) excavations are open, no heavy grading equipment or other surcharge loads (i.e. excavation spoils) shall be allowed within a horizontal distance from the top of any slope equal to the depth of the excavation (both distances measured from the top of the excavation slope).	Grading/ Construction	County Geotechnical Engineer	Grading Permit Prior to Building Permit	County Public Works		
• Adequate measures shall be taken to protect any structural foundations, pavements, or utilities adjacent to any excavations.	Grading/ Construction	County Geotechnical Engineer	Grading Permit	County Public Works		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
• Design and operation of any dewatering system shall be the responsibility of the contractor. However, Earth Systems Southern California Inc. suggests that a sheet-pile cutoff wall shall be used as a cutoff wall to minimize entry of groundwater into the temporary basement excavation. Alternatively, a soil-cement cutoff wall shall be used as the cutoff wall if it is also proposed as a mitigation measure for lateral spreading. Sumps, pumps, and or well points may also be necessary to remove groundwater from the basement excavation during construction. Sizing and operation of sumps and pumps or well points shall be the responsibility of the contractor.	Grading/ Construction	County Geotechnical Engineer	Grading Permit On-going	County Public Works		
Operation To minimize entry of moisture into the completed subterranean portions of the structures, a subdrain and backdrain system with sumps and sump pumps shall be utilized below the bottom floor slab and behind the retaining walls for the subterranean portions of the structure.	Construction Operation	County Geotechnical Engineer	Prior to Building Permit	County Public Works		
GEO-2 The applicant shall implement the geotechnical engineering recommendations related to soil condition improvement of the geotechnical engineer and/or others, as well as conform to all subsequent conditions that are imposed on the project and are deemed appropriate and necessary during grading, construction, and/or operation of the proposed developments at Parcel OT and Parcel 21. A summary of these recommendations follows:	Grading/ Construction Operation	County Geotechnical Engineer Contractor	Grading Permit Field Verification On-going	County Public Works		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
Parcel OT **General Site Preparation** • As the existing fill material is not suitable for use in engineered fill at the site, all strippings and debris shall be removed from the site in order to preclude their incorporation in site fill or remedial excavation backfill. Depressions resulting from such removals shall have debris and loose soils removed and filled with suitable soils placed as recommended below.	Grading/ Construction	County Geotechnical Engineer Contractor	Grading Permit Field Verification	County Public Works		
• Soils beneath any proposed traffic-bearing pavement and any exterior non-traffic bearing concrete flatwork (sidewalks, patios, walkways etc.), shall be excavated a minimum of 24 inches below the existing grade or finished subgrade, whichever is lower. The remedial excavation shall extend a minimum lateral distance of at least two feet beyond pavement edges. The bottom of the remedial excavation shall then be scarified (ripped) six inches. Suitable imported soils shall be used to replace the excavated fill, if necessary. The imported material shall be moisture conditioned to near optimum moisture content and be uniformly compacted to at least 90 percent of maximum dry density using mechanical compaction equipment. Compaction shall be verified by testing. ***It shall be understood that the new fill beneath such pavements and slabs will still be supported on at least 10 feet of non-engineered old debris fill, and as such may be subject to distress and shorter service life.***	Grading/ Construction	County Geotechnical Engineer Contractor	Grading Permit Field Verification	County Public Works		
• If necessary, import soils shall be equal to, or better than, the on-site soils in strength, expansion, compressibility, and soil chemistry characteristics. In general, import material shall be free of organic matter and harmful substances, have 100 percent passing a two inch sieve, 60 percent to 100 percent passing a #4 sieve, no more than 20 percent passing a #200 sieve, an Expansion Index less than 20, a	Grading/ Construction	County Geotechnical Engineer Contractor	Grading Plan Check Prior to Building Permit	County Public Works		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
Liquid Limit less than 35, and a Plasticity Index less than 12. If they are to be utilized, import soils shall be evaluated prior to their use. Approval of import soils shall be given only after the material is on the project, either in-place, or stockpiled in adequate quantity to complete the project. • Backfill around or adjacent to confined areas (i.e. interior utility trench excavations, etc.) shall be performed either with a lean sand/cement slurry (minimum two sacks of cement per cubic yard) or "flowable fill" material (a mixture of sand/cement/fly ash). The fluidity and lift placement thickness of any such material shall be controlled in order to prevent "floating" of any "submerged" structure.						
• Roof drainage systems for the proposed structure shall be designed so that runoff water is diverted away from any structure.	Construction Operation	County Geotechnical Engineer Contractor	Prior to Building Permit	County Public Works		
• Final site grades shall be designed and constructed so that all water is diverted away from all structures and not allowed to pond on or near pavement. Drainage devices shall be constructed to divert drainage from the project site.	Grading/ Construction Operation	County Geotechnical Engineer Contractor	Grading Plan Check Prior to Building Permit On-going	County Public Works		
Slab-on-Grade Construction • Any exterior building concrete slab-on-grade construction shall be supported by compacted soils. A minimum of four inches of compacted sand or gravel shall be placed over the finished compacted subgrade prior to placing concrete. This granular material shall be moisture conditioned to near optimum moisture content and uniformly compacted using mechanical compaction equipment.	Grading/ Construction	County Geotechnical Engineer Contractor	Grading Plan Check Prior to Building Permit	County Public Works		
• Reinforcement of slab-on-grade construction is contingent upon the structural engineer's recommendations and the Expansion Index of the	Grading/ Construction	County Geotechnical Engineer	Grading Plan Check	County Public Works		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
supporting soils. Since the mixing of fill soils with native soils could change the Expansion Index, additional tests shall be conducted during rough grading to determine the expansion characteristics of the new subgrade soils. Structural mat and post-tensioned slabs shall be designed as outlined below. All exterior concrete slab-on-grade construction shall be reinforced with at least #4 bars on 16-inch centers, each way. Reinforcement shall be placed at mid-depth of the slab. Additional reinforcement may be required once the final expansion potential of the subgrade soils is known. Actual reinforcement requirements will be dependent on the Expansion Index of the bearing soils, applicable sections of the governing building code, and requirements of the structural engineer.		Structural Engineer	Prior to Building Permit			
• Cracks that develop in concrete slab-on-grade shall be filled and sealed prior to placing floor coverings. Frequent control joints shall be incorporated into the slab construction, particularly in the areas of re-entrant corners, to help control cracking.	Construction	County	During Building Inspection Prior to Occupancy	County Public Works		
• In areas of moisture sensitive floor coverings, an appropriate vapor retarder shall be installed in order to minimize vapor transmission from the subgrade soil to the slab. The vapor retarder shall be centered within the four-inch thick sand layer. The vapor retarder shall be evaluated for holes and/or punctures, and the edges overlapped and taped, prior to placement of sand. Any holes or punctures observed shall be properly repaired. The retarder shall be covered with two inches of sand to help protect it during construction. The sand shall be lightly moistened and densified just prior to placing the concrete.	Grading/ Construction	County Geotechnical Engineer	During Building Inspection Prior to Occupancy	County Public Works		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
• Relatively impervious floor coverings (i.e. vinyl, linoleum, etc.) that cover concrete slab-on-grade may block the passage of moisture vapor through the concrete slab, which could result in damage to the floor covering. After the concrete slab has sufficiently cured, the concrete slab surface shall be sealed with a commercial sealant prior to placing the floor covering. The compatibility, and recommendations for placing of the concrete sealer, mastic, and floor covering shall be verified by the floor covering manufacturer prior to sealing the concrete or placing of the floor covering.	Construction	County	Building Permit Plan Check Verified at Inspection Prior to Construction	County Public Works		
• The proposed exterior perimeter slabs (sidewalks, patios, walkways, etc.) shall be designed to be relatively independent of foundation stems (free-floating) to help mitigate cracking due to foundation settlement and/or expansion.	Construction	County	Building Permit Plan Check Verified at Inspection Prior to Construction	County Public Works		
• Subgrade soils for all concrete flatwork shall be moisture conditioned to near optimum moisture content within 24 hours prior to placement of concrete. Measures shall be taken to maintain optimum moisture until concrete is placed. Actual depths of pre-moistening shall be dependent upon the actual Expansion Index of the subgrade soils.	Grading/ Construction	County Geotechnical Engineer	Grading Plan Check Building Permit Plan Check Verified at Inspection Prior to Construction	County Public Works		
Parcel 21 <u>General Site Preparation</u> • Much of the soil within the building footprints is very loose and soft, and the foundation excavations are expected to penetrate to a depth near or below the groundwater table elevation. Therefore, to provide a firm working surface for pile driving and	Grading/ Construction	County Geotechnical Engineer Structural Engineer	Building Permit Plan Check Verified at Inspection Prior to Construction	County Public Works		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
construction of the pile caps and structural deck, a layer of gravel, at least one-foot thick, shall be placed at the base of the excavation for each building footprint.						
• Soils beneath any proposed traffic-bearing flexible pavement and non-traffic-bearing flatwork (sidewalks, walkways, patios, etc.) outside the building footprints, shall be excavated a minimum of 24 inches below the existing grade or finished subgrade, whichever is lower. These remedial excavations shall extend a minimum lateral distance of at least two feet beyond the pavement edges. The bottom of the remedial excavation shall then be scarified (ripped) six inches. The scarified and excavated soils shall be moisture conditioned to near optimum moisture content and be uniformly compacted to at least 90 percent of maximum dry density using mechanical compaction equipment. Compaction shall be verified by testing. The purpose of this recommendation is to provide minimum subgrade support to attain minimum life for the proposed pavements and flatwork. ***It shall be understood that, the entire site is underlain by at least 17 feet of poorly compacted uncertified fill and the proposed pavements and flatwork may experience settlement and other distress sooner and to a greater degree than pavements and flatwork supported by a full depth of structural fill.***	Grading/ Construction	County Geotechnical Engineer	Grading Permit Plan Check Building Permit Plan Check Verified at Inspection Prior to Construction	County Public Works		
• If used, any import soils shall be equal to, or better than, the on-site soils in strength, expansion, compressibility, and soil chemistry characteristics. In general, import material shall be free of organic matter and harmful substances, have no more than 20 percent passing a #200 sieve, and an Expansion Index less than 20. Import soils shall be evaluated prior to their use, but will not be prequalified by the geotechnical consultant. Approval of import soils	Grading/ Construction	County Geotechnical Engineer	Grading Plan Check Prior to Building Permit	County Public Works		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
shall be given only after the material is on the project, either in-place, or stockpiled in adequate quantity to complete the project.						
• Backfill around or adjacent to confined areas (i.e. interior utility trench excavations, etc.) shall be performed with a lean sand/cement slurry (minimum two sacks of cement per cubic yard) or "flowable fill" material (a mixture of sand/cement/fly ash). The fluidity and lift placement thickness of any such material shall be controlled in order to prevent "floating" of any "submerged" structure.	Grading/ Construction	County	Prior to Building Permit	County Public Works		
• Roof drainage systems for the proposed structures shall be designed so that runoff water is diverted away from any structure.	Construction Operation	County	Building Permit Plan Check Prior to Occupancy On-going	County Public Works		
• Final site grades shall be designed and constructed so that all water is diverted away from all structures and not allowed to pond on or near pavement. Drainage devices shall be constructed to divert drainage from the project site.	Grading/ Construction	County	Prior to Grading Permit Prior to Building Permit	County Public Works		
Temporary Shoring • The proposed partial subterranean parking level excavation will be approximately five to seven feet deep and may be adjacent to at least one property line. Temporary shoring may be necessary to support the excavation during construction. The shoring shall consist of temporary sheet pile or steel panels, a soldier pile and lagging type system, or similar temporary shoring system. The shoring shall be cantilevered.	Grading/ Construction	County Geotechnical Engineer Structural Engineer	Plan Check Prior to Grading Permit Field Verified Prior to Building Permit	County Public Works		
• Cantilevered, shoring shall be designed to resist active lateral earth pressures of 40Z pounds per square foot (psf) per foot of depth, where Z = Depth (in feet) measured below the top of the retained	Grading/ Construction	County Geotechnical Engineer		County Public Works		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
ground surface behind the shoring. This value is based on level ground behind the shoring.		Structural Engineer				
• The lateral earth pressure to be resisted by retaining shall be increased to allow for surcharge loads. The surcharge considered shall include the loads from any other structures or vehicle traffic within a distance at least equal to the height of the shoring. This includes the surcharge from the weight of the existing south property-line wall if this wall is to be preserved in place. Surcharge effects for cantilevered shoring shall be computed assuming active earth pressure conditions using a pressure coefficient of 0.4.	Grading/ Construction	County Geotechnical Engineer Structural Engineer	Plan Check Prior to Grading Permit Field Verified Prior to Building Permit	County Public Works		
• Lateral resistance for temporary shoring sheet piles or soldier piles founded in native site soils shall be assumed to be provided by passive pressure below the bottom of the excavation. As discussed above, the excavation depth is expected to be approximately seven feet below the existing ground surface. The passive pressure for temporary sheet piles or soldier piles may be taken as 250D pounds per square foot (psf) per foot of depth for unsaturated soils, where D = Depth (in feet) measured below the bottom of the excavation. For saturated soils below the water table, passive pressure of 135 psf per foot of soil may be used. This resisting pressure is an ultimate value. An appropriate factor of safety shall be used for design calculations (minimum of 1.5 recommended). The effective width of soldier piles for passive pressure calculations shall be taken as up to three times the actual pile width.	Grading/ Construction	County Geotechnical Engineer Structural Engineer	Plan Check Prior to Grading Permit Field Verified Prior to Building Permit	County Public Works		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
• If soldier piles are used, exposed soils between soldier piles shall be supported by lagging and backfilled or supported through the use of reinforced gunite designed to prevent soil movement. All timber lagging to be left in the ground shall be pressure treated in accordance with Standard Specifications for Public Works Construction, Section 204-2.	Grading/ Construction	County Geotechnical Engineer Structural Engineer	Plan Check Prior to Grading Permit Field Verified Prior to Building Permit	County Public Works		
GEO-3 The applicant shall implement the geotechnical engineering recommendations related to secondary seismic hazards (liquefaction, ground subsidence, and lateral spreading) of the geotechnical engineer and/or others, as well as conform to all subsequent conditions that are imposed on the project and are deemed appropriate and necessary during grading, construction, and/or operation of the proposed developments at Parcel OT and Parcel 21. A summary of these recommendations follows:	Grading/ Construction Operation	County Geotechnical Engineer	Plan Check Prior to Grading Permit Field Verified Prior to Building Permit On-going	County Public Works		
Parcel OT <u>Soil Improvement</u> • There are a variety of methods that can be used for soil improvement to minimize liquefaction potential. For this site, the Earth Systems Southern California (ESSC) recommends: a) a combination of a soil-cement cutoff wall around most or all of the site perimeter and stone columns for soil densification and excess pore water pressure relief, or b) a cellular pattern of soil-cement cutoff walls to both mitigate the lateral spreading issue and to provide support for a mat-type foundation system.	Grading/ Construction	County Geotechnical Engineer	Plan Check Prior to Grading Permit Field Verified Prior to Building Permit	County Public Works		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
• It should be understood that if it is intended to leave some of the existing fill in place, soil improvement of that type of debris-filled irregular material may be difficult and may not result in adequate support for a mat foundation. Consideration shall be given to doing complete removal of the existing fill and replacement to the proposed mat foundation elevation with imported granular engineered fill.	Grading/ Construction	County Geotechnical Engineer Structural Engineer	Plan Check Prior to Grading Permit Field Verified Prior to Building Permit	County Public Works		
• At a minimum, a soil-cement cutoff wall shall be installed along the easterly site boundary (adjacent to the lagoon) to mitigate the potential for lateral spreading. The cutoff wall shall be at least 30 feet deep to fully contain the soils with potential for lateral movement. Soil-cement cutoff walls shall also be installed around the remaining portions of the site perimeter for temporary excavation support and groundwater control. Additionally, if stone columns are not used, some soil-cement cutoff walls are recommended in the interior of the building footprint for form a "cellular" pattern for soil containment and support of a mat foundation.	Grading/ Construction	County Geotechnical Engineer Structural Engineer	Plan Check Prior to Grading Permit Field Verified Prior to Building Permit	County Public Works		
• Soil-cement cutoff walls shall consist of overlapping "cylinders" of soil mixed in place at depth with Portland cement or other suitable cemetitious materials. The specific soil cement mix design shall be provided by a qualified ground improvement contractor under the review of the project geotechnical engineer.	Grading/ Construction	County Geotechnical Engineer	Plan Check Prior to Grading Permit Field Verified Prior to Building Permit	County Public Works		
• Stone columns shall be installed on a grid pattern to cover the building footprint plus at least 10 feet laterally beyond the building footprint. The exact spacing and depth of the stone columns is dependent on the amount of liquefying soil in a given part of the site.	Grading/ Construction	County Geotechnical Engineer	Plan Check Prior to Grading Permit Field Verified Prior to Building Permit	County Public Works		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
• As a preliminary estimate for the south part of the site, stone columns shall be spaced at no further than eight feet on center and should be at least 50 feet deep (below existing grade) to intersect all potentially liquefiable soil. In the northerly side of the site, stone columns shall be at least 30 feet deep to intersect the deepest liquefying layer in that area.	Grading/ Construction	County Geotechnical Engineer	Plan Check Prior to Grading Permit Field Verified Prior to Building Permit	County Public Works		
• Stone columns shall be at least 18 inches in diameter and shall consist of relatively clean gravel placed in a "column" by means of a crane-mounted vibrator.	Grading/ Construction	County	Plan Check Prior to Grading Permit Field Verified Prior to Building Permit	County Public Works		
• Wick drains (if used) shall be used to relieve excess pore pressure during stone-column installation and maximize ground densification. Wick drains shall consist of a geosynthetic drain material typically about four inches wide corrugated plastic with a filter fabric wrapping. Wick drains shall be installed to the same depth as the adjacent stone columns and are typically installed by hydraulic push methods.	Grading/ Construction	County Geotechnical Engineer		County Public Works		
• Deep soil mixed soil-cement cutoff walls, stone columns, and wick drains (if used) shall be installed by a qualified ground improvement contractor with experience in Southern California. The ground improvement contractor shall be consulted for more specific estimates of the stone column specifications and for special limitations of the ground improvement methods.	Grading/ Construction	County Geotechnical Engineer	Plan Check Prior to Grading Permit Field Verified Prior to Building Permit	County Public Works		
• Confirmation testing shall be required to verify that the ground improvement has achieved the minimum soil densities and strengths necessary to adequately reduce the liquefaction potential. At least 10 CPT soundings and five soil borings with SPT samples shall be performed after installation of the stone columns (and wick drains if used) to demonstrate the "post ground improvement" soil density. Earth	Grading/ Construction	County Geotechnical Engineer	Plan Check Prior to Grading Permit Field Verified Prior to Building Permit	County Public Works		

MITIGATION MONITORING PROGRAM						
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Systems Southern California (ESSC) recommends the following tentative criteria to demonstrate adequate densification: corrected SPT blow counts (N_{160cs}) shall exceed 30 blows per foot, and CPT tip resistance (Q_{ICN}) shall exceed 160 tons per square foot (tsf) in all of the soils below the proposed building foundation that do not meet the "Chinese criteria' (clay content <15 percent or CPT Ic parameter <2.5).						
• An indicator program of soil-cement cutoff walls and stone columns is recommended at the beginning of the project (prior to full "production" of soil-cement and stone columns) to verify their effectiveness. For the indicator program, a soil-cement cutoff wall at least five feet wide by at least 20 feet long should be installed. Indicator stone columns should be installed in a 100 square foot area in the northerly part of the site and a 100 square foot area in the southerly part of the site. At least two borings with SPT samples and at least two CPT soundings should be completed in each of the two test areas to verify the effectiveness of the soil densification. Once the indicator program is complete, the ground improvement program can be finalized.	Grading/ Construction	County Geotechnical Engineer	Plan Check Prior to Grading Permit Field Verified Prior to Building Permit	County Public Works		
Mat Foundations Due to the soft, variable nature of the site soils and the potential for seismic-induced ground movement, a structural mat foundation is recommended for the building foundation. The proposed soil improvement will reduce but not eliminate all potential variability in ground support for building foundations. Earth Systems Southern California (ESSC) recommends that any building or structure constructed on this site be designed to at least the minimum standards for Seismic Zone 4, as designated by the 2001 edition of the California Building Code (CBC). • The mat shall be either conventionally reinforced or consist of a post-tensioned slab system. Specific criteria for post-tensioned slab design shall be	Grading/ Construction	County Geotechnical Engineer Structural Engineer	Plan Check Prior to Grading Permit Field Verified Prior to Building Permit	County Public Works		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
provided by the project geotechnical engineer if a post-tensioned system is selected. • The mat foundation for the proposed structure shall be supported by improved ground. • An allowable "net" bearing capacity of 1,500 pounds per square foot (psf) shall be utilized for dead and sustained live loads for design of the mat foundation. This value is a "net" value that includes the compensation for soil removal assuming a minimum five-foot deep parking basement. This value shall be increased by 1/3 when considering transient loads such as earthquake or wind forces. • The mat slab shall be at least six inches thick and shall include a perimeter beam extending a minimum of 24 inches below finished adjacent grade. The actual depth, width, and reinforcement requirements for the mat foundation depend on the Expansion Index of the bearing soils and shall be specified by the structural engineer. • The mat foundation shall be designed to accommodate differential movement of up to 1.5 inches in a 30-foot span (1:240 distortion ratio). • Resistance to lateral loading may be provided by friction acting along the mat foundation base. A coefficient of friction of 0.35 shall be used for concrete foundations on site soils that have been "improved." This value includes a safety factor of 1.5. • Additional resistance to lateral loading may be provided by passive earth pressure acting against the sides of foundations or grade beams. Based on the presence of "improved" soils around the perimeter of the proposed building, the passive pressure is estimated to be 350 Z PSF, where Z = Depth (in feet) below the finished ground elevation. In passive pressure calculations, the upper one-foot of soil shall be subtracted from the depth, Z, unless confined by						

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
pavement or slab. The resisting pressure provided is an ultimate value. An appropriate factor of safety shall be used for design calculations (minimum of 1.5 recommended).						
• The excavation for the mat foundation shall be cleaned of all loose or unsuitable soils and debris prior to placement of concrete. Soil generated from the foundation excavations shall not be placed below the mat slab unless properly moisture conditioned and compacted.	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		
Building Foundation Piles • Building foundation piles, if used, shall consist of precast, prestressed reinforced concrete driven piles. The piles may be round or square in cross-section. It is anticipated that piles would need to be at least 24-inches in diameter or square dimension. • Building piles shall be embedded a minimum of 15-feet into dense sand (minimum tip depth of at least 60 ft below exist grade in the southerly part of the site). The actual total pile length and embedment may vary depending upon the requirements of the structural engineer and the results of the pile driving analysis (ie. evaluation of pile driving blow counts). • In general, the pile driving criteria provided by the Engineering News Record (ENR) formula (Public Works, 2000) shall be satisfied for the last one foot of pile driving. If the required driving resistance is not achieved at the design depth, the pile may be allowed to "set" overnight and then driven an additional foot. If the required driving resistance is still not achieved, the pile may be lengthened or additional piles may be installed in accordance with the recommendations of the geotechnical and structural engineers. • The axial load carrying capacities of the foundation piles will depend on the final pile size and embedment depth selected. Deeper exploration of the site and further analysis of pile capacities would be necessary	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
to provide allowable pile capacities. Preliminarily, skin friction for piles embedded below the lowest liquefying layer may be assumed to be approximately 0.9 tons per square foot (tsf). Down-drag forces of at least 0.5 tsf must be applied to all portions of the piles above the lowest liquefying soil layer. • The lateral load carrying capacity of foundation piles will be a function of the depth of liquefying soil at each pile location and the anticipated depth of lateral soil movement due to lateral spreading. Resistance to lateral movement can be provided by passive soil pressure below the lowest liquefying soil layer. Passive pressure may be taken as 500 pounds per square foot per foot of depth in firm soil below the liquefying layers. Driving lateral earth pressures must be applied to the portions of the piles within the depths where lateral spreading is anticipated. Specific lateral pile capacity calculations can be provided if pile foundations are selected for the project. • The design mix for the concrete to be used in the pile construction shall be established and approved by the structural engineer prior to the time of construction. Concrete compression tests shall be performed during pile casting in accordance with applicable codes or requirements of the structural engineer. Inspection by qualified personnel shall be provided during the pile casing and/or reinforcement placing and tensioning. • An indicator pile program shall be conducted for both proposed buildings prior to installation of the building foundation piles. The indicator pile program shall include a minimum of ten piles. The indicator piles shall have the same cross-section and consist of the same construction as the piles selected for the building foundation and may be used as final building foundation piles ("production piles"). The indicator piles shall be located at points distributed approximately uniformly across the two building						

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
footprints. The indicator piles shall be a minimum of 60 feet in length (as delivered to the site) and shall be driven to a minimum embedment of 15 feet into the dense sand below the lowest liquefying soil layer. • At least the first indicator pile shall be driven with no pre-boring. Pre-boring up to 3/4 of pile cross sectional area will be permitted for subsequent piles if necessary to achieve minimum embedment depth. The axial pile capacity for the last two feet of driving must be calculated based on blow counts to at least the required axial design load for the pile. • The geotechnical engineers, or their representatives, shall be present during the installation of all pile foundations. This is to observe pile driving conditions and help identify variations in soil conditions that may require additional evaluation of the foundation criteria in this report. • Piles in groups or rows shall be driven alternately before driving an adjacent pile. • Driven piles shall not be more than two percent from the plumb position.						
Retaining Walls The following lateral earth pressures shall be used in the design of the proposed basement (partial subterranean parking level) retaining walls, or similar structures at the site (Refer to Section IV.A of this EIR for equivalent fluid earth pressures table).	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		
• The basement (partial subterranean parking level) retaining walls shall be supported by the structural mat foundation as recommended herein.	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		
• The lateral earth pressure to be resisted by retaining shall be increased to allow for surcharge loads. The surcharge considered shall include the loads from any structures or vehicle traffic within a distance approximately equal to the height of the retaining wall.	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
• Backfill immediately behind any retaining structure shall be a free-draining granular material. Comments on the characteristics of import soils shall be given by the geotechnical consultant after the material is on the project, either in place, or stockpiled in adequate quantities to complete the project.	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		
• Backfill behind retaining walls shall be with soils that have been properly moisture conditioned to approximately optimum moisture content and uniformly compacted to at least 90 percent of maximum dry density as determined by ASTM D 1557 test procedures using mechanical compaction equipment. To aid in the compaction operation, retaining wall backfill shall be placed in lifts not exceeding six inches compacted thickness.	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		
• Compaction within the area of a 1H:1V slope from the bottom of wall excavations shall be performed by hand operated compaction equipment, intended to reduce potential "locked-in" lateral pressures caused by compaction with heavy grading equipment.	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		
• Backdrains or an equivalent system of backfill drainage shall be incorporated into the retaining wall design unless the walls are designed to resist full hydrostatic pressure and properly waterproofed. Waterproofing of retaining walls shall be provided to help reduce the potential for efflorescent formation.	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		
• The final grade shall be such that all water is diverted away from the retaining wall's foundation or backfill.	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		
Parcel 21 Foundation Piles • Building foundation piles shall consist of precast, prestressed reinforced concrete driven piles. The piles may be round or square in cross-section. Recommendations are provided herein primarily for	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
24-inch square piles.						
• Building piles shall be embedded a minimum of 13-ft. into dense sand (minimum tip depth of approximately 45 ft. below existing grade). The actual total pile length and embedment may vary depending upon the requirements of the structural engineer and the results of the pile driving analysis (ie. evaluation of pile driving blow counts).	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		
• In general, the pile driving criteria provided by the Engineering News Record (ENR) formula (Public Works, 2006) shall be satisfied for the last one foot of pile driving. If the required driving resistance is not achieved at the design depth, the pile may be allowed to "set" overnight and then driven an additional foot. If the required driving resistance is still not achieved, additional piles shall be installed in accordance with the recommendations of the geotechnical and structural engineers.	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		
• The axial load carrying capacities of the foundation piles shall be determined based on the final pile size and embedment depth selected.	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		
• The lateral load carrying capacities of the foundation piles shall be determined based on the final pile size and embedment depth selected.	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		
• The design mix for the concrete to be used in the pile construction shall be established and approved by the structural engineer prior to the time of construction. Concrete compression tests shall be performed during pile casting in accordance with applicable codes or requirements of the structural engineer. Inspection by qualified personnel shall be provided during the pile casing and/or reinforcement placing and tensioning.	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		
• An indicator pile program shall be conducted for the proposed building prior to the remainder of the	Grading/ Construction	County	Grading Permit	County Public Works		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
building foundation piles. The indicator pile program shall include a minimum of six piles within each of the two building footprints. The indicator piles shall have the same cross-section and consist of the same construction as the piles selected for the building foundation and may be used as final building foundation piles ("production piles"). The indicator piles shall be located at points distributed approximately uniformly across the building footprints, except that at least one set of indicator piles shall be driven as a group of three to evaluate pile group installation. The indicator piles shall be 45 to 50 feet in length (as delivered to the site) and shall be driven to a minimum embedment of 15 feet into the dense sand (at least 15 feet below the 32-foot depth from existing grade). The indicator piles shall be driven using the same hammer that will be used for production pile installation.		Structural Engineer	Building Permit			
• At least the first indicator pile shall be driven with no pre-boring. Pre-boring up to 3/4 of pile cross sectional area shall be permitted for subsequent piles if necessary to achieve minimum embedment depth. The axial pile capacity for the last foot of driving shall be calculated based on blow counts to at least the required axial design load for the pile.	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		
• The geotechnical engineers, or their representatives, shall be present during the installation of all pile foundations. This is to observe pile driving conditions and help identify variations in soil conditions that may require additional evaluation of the foundation criteria in this report.	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		
• Piles in groups or rows shall be driven alternately before driving an adjacent pile.	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		
• Driven piles shall not be more than two percent from the plumb position.	Grading/ Construction	County	Grading Permit	County Public Works		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
		Structural Engineer	Building Permit			
Retaining Walls • The walls of the subterranean portion of the proposed building shall be supported by the structural deck and building piles. Any retaining walls proposed for the project that are not structurally supported by the piles shall be supported by existing uncertified fill soils at the site and thus may experience some degree of settlement and other distress.	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		
• Lateral earth pressures for subterranean walls at the subject site include normal "static" pressures and earth pressures resulting from earthquakes and laterally spreading soils. The following "static" lateral earth pressures shall be used in the design of the proposed subterranean building walls and any other retaining walls that may be proposed at the site (Refer to Section IV.A of this EIR for equivalent fluid earth pressures with well drained backfill table).	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		
• For walls founded in soil rather than supported by the pile foundation system, resistance to lateral loading shall be provided by passive pressure of soil in front of the wall and by friction acting along the foundation base.	Grading/Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		
• For retaining walls founded in soil, passive pressures of 270 psf per foot of soil in front of the wall shall be used for unsaturated soils. For saturated soils below the water table, passive pressure of 135 psf per foot of soil may be used. The upper one-foot of soil shall be neglected for passive pressure calculations unless confined by pavement or slab.	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		
• A coefficient of friction of 0.3 shall be used in designing concrete retaining wall foundations in site soils recompacted to approximately 90 percent of maximum dry density as determined by ASTM D 1557 test procedures, and shall be used with dead loads. This value includes a safety factor of 1.5. This	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
value used for design may be increased by 1/3 when transient loads (such as wind and seismic forces) are considered.						
• The lateral earth pressure to be resisted by retaining shall be increased to allow for surcharge loads. The surcharge considered shall include the loads from any structures or vehicle traffic within a distance approximately equal to the height of the retaining wall.	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		
• Backfill immediately behind any retaining structure shall be a free-draining granular material. Comments on the characteristics of import soils shall be given by the geotechnical consultant after the material is on the project, either in place, or stockpiled in adequate quantities to complete the project.	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		
• Backfill behind retaining walls shall be with soils that have been properly moisture conditioned to approximately optimum moisture content and uniformly compacted to at least 90 percent of maximum dry density as determined by ASTM D 1557 test procedures using mechanical compaction equipment. To aid in the compaction operation, retaining wall backfill shall be placed in lifts not exceeding six inches compacted thickness.	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		
• Compaction within the area of a 1H:1V slope from the bottom of wall excavations shall be performed by hand operated compaction equipment. This is intended to reduce potential "locked-in" lateral pressures caused by compaction with heavy grading equipment.	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		
• Back-drains, or an equivalent system of backfill drainage shall be incorporated into the retaining wall design. Proper back-drainage will minimize the potential for hydrostatic pressures behind retaining walls. In addition to back-drains, waterproofing of retaining walls is recommended to minimize moisture migration through the walls and to help reduce the	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
potential for efflorescent formation.						
• The final grade shall be such that all water is diverted away from the retaining wall's foundation or backfill.	Grading/ Construction	County Structural Engineer	Grading Permit Building Permit	County Public Works		
Seiches and Tsunamis Parcels OT and 21 **GEO-4** The applicant shall prepare emergency evacuation plans for both Parcel OT and Parcel 21, subject to the review and approval of the Fire Department.						
Noise						
N-1 Noise monitoring shall be performed by a qualified acoustician, who shall be responsible for posting notices at the construction sites describing the nature of the project and the duration and hours of construction, providing a phone number at which noise complaints may be registered, and responding to such complaints. If any violations occur, the equipment in question or barriers/shields shall be modified before pile driving or construction activities continue.	Grading/ Construction	County	Prior to Grading	County Public Works Regional Planning		
N-2 The pile driver shall be shielded through noise blankets or a temporary barrier sufficiently to meet the Los Angeles County noise ordinance levels.	Construction	County	Construction	County Public Works		
N-3 Because the repetitive noise of pile driving may be intrusive even if ordinance standards are not exceeded, the allowable hours of pile driving shall be restricted from 8 a.m. to 4:30 p.m. from Monday through Friday.	Construction	County	Construction	County Public Works		
The County of Los Angeles Ordinances requires that construction noise measured at nearby single-family residential property lines not exceed 75 dB from mobile noise sources. The construction noise standard for multi-family uses is 80 dB, and 85 dB for the adjacent hotel. This standard would be met if the following measures are implemented:						

MITIGATION MONITORING PROGRAM							
	Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
N-4	All construction and general maintenance activities, except in an emergency, shall be limited to the hours of 8 a.m. to 5 p.m. Monday through Saturday and shall utilize the quietest equipment available.	Grading/ Construction Operation	County	Construction Ongoing	County Public Works Regional Planning		
N-5	All on-site construction equipment shall have properly operating mufflers. Other measures shall be implemented wherever necessary to further reduce construction equipment noise. These may include, but are not limited to, utilizing ¾-inch plywood screening on semi-stationary equipment operating under full power for more than 60 minutes within a direct line of sight to any residential bedroom window.	Grading/ Construction Operation	County	Construction Ongoing	County Public Works Regional Planning		
N-6	All construction staging and delivery areas shall be located as far away as possible from the nearest homes (for development on Parcel OT, staging shall occur away from the northwestern portions of the site; and for development on Parcel 21, staging shall occur away from the easternmost and southernmost portions of the site), and shall be scheduled to occur from the mid-morning to mid-afternoon hours.	Plan Check Grading/ Construction	County	Prior to Grading Permit Ongoing	County Public Works Regional Planning		
N-7	In order for the County interior standard of 45 dB CNEL to be met with a reasonable margin of safety, the applicant shall incorporate the use of dual-paned windows (STC=30 rated windows and/or sliding glass doors) and supplemental ventilation that includes a fresh air supply of 30 cubic feet per minute in the active seniors accommodations on Parcel OT.	Plan Check Operation	County	Prior to Building Permit	County Public Works Regional Planning		
	Construction of multiple family dwelling units requires compliance with all noise insulation requirements of the California Building Code, as applied to the project by the County Department of Building and Safety.	Construction On-going	County	Prior to Building Permit			

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Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
N-8 The applicant shall implement structural noise attenuation measures as required by the California Building Code. The Code requires the following noise insulation features for such units, as stated in CBC Appendix 1208A:	Construction On-going	County		County Public Works		
• Wall and floor-ceiling assemblies separating dwelling units from each other and from public spaces such as interior corridors and service areas shall provide airborne sound insulation for walls, and both airborne and impact sound insulation for floor-ceiling assemblies. Wall assemblies shall have a minimum STC rating of 50. Floor-ceiling assemblies shall have a minimum STC and IIC ratings of 50.	Construction	County	Plan Check Prior to Building Permit Prior to Occupancy	County Public Works		
• Construction details for all sound- and impact-rated assemblies shall be provided on architectural plans. Laboratory test reports governing the STC and IIC ratings of these assemblies shall be specified.	Construction	County	Plan Check Prior to Building Permit Prior to Occupancy	County Public Works		
• Entrance doors from interior corridors to dwelling units together with their perimeter seals shall have a minimum STC rating of 26. The 1-3/8-inch (35mm) solid core wood or 18-gauge insulated steel slab doors with resilient stop and compression seals all around, including threshold, are acceptable without other substantiating data.	Construction	County	Plan Check Prior to Building Permit Prior to Occupancy	County Public Works		
• All penetrations or openings in construction assemblies for piping, electrical devices, recessed cabinets, bathtubs, soffits, or heating, ventilating or exhaust ducts shall be sealed, lined, insulated or otherwise treated to maintain the required ratings.	Construction	County	Plan Check Prior to Building Permit Prior to Occupancy	County Public Works		
• All rigid conduit, ducts, plumbing pipes, and appliance vents located in sound assemblies shall be sealed, lined, insulated or otherwise treated to maintain the required ratings.	Construction	County	Plan Check Prior to Building Permit Prior to Occupancy	County Public Works		
• Mineral fiber insulation shall be installed in joint spaces whenever a plumbing pipe or duct penetrates a floor-ceiling assembly or where such pipe or duct passes through the plane of the floor-ceiling assembly	Construction	County	Plan Check Prior to Building Permit Prior to Occupancy	County Public Works		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
from within a wall. The insulation shall be installed to a point 12 inches (305mm) beyond the pipe or duct.						
• Combustion air and kitchen and bathroom exhaust ducts within sound separation assemblies shall be wrapped with Type "C" insulation as shown in Table No. 6-D, Uniform Mechanical Code.	Construction	County	Plan Check Prior to Building Permit Prior to Occupancy	County Public Works		
• Electrical penetrations in sound-rated wall and floor-ceiling assemblies shall conform to the following (outlet box used herein is defined as a box used for receptacles, switches, surface-mounted lighting fixtures, junction points, telephones, thermostats, television uses, etc.): - Outlet box dimensions shall not exceed 6 inches (152mm) in length or width. - Only outlet boxes and ceiling exhaust fans in the bathrooms shall be permitted in walls and ceilings. All other equipment and devices including recessed fixtures, panel boards, heaters, kitchen exhaust fans, sound-producing equipment (bells, intercoms, etc.) shall not be installed in these sound-rated assemblies. - Light switches, outlet boxes and surface-mounted fixtures shall not be installed back-to-back. Plugs and switches shall be separated by 36 inches (914mm) minimum. - Surface-mounted fixtures shall be separated by 24 inches (610mm) minimum. All openings shall be caulked to ensure integrity. - Outlet boxes shall not exceed 1-1/2" (38mm) in depth so as to allow the required 2-inch (51mm) uncompressed insulation to be installed in a standard 2-inch X 4-inch (51mm by 104mm) wall. On walls of deeper dimensions, boxes of greater depths may be permitted. - Conduits or raceways (stubouts) may	Construction	County	Plan Check Prior to Building Permit Prior to Occupancy			

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
penetrate the sound-rated assemblies provided the conduit is covered at the penetration point with permanently resilient sealant. - Floor-ceiling assemblies between residential areas and equipment penthouses (a/c units, etc.) shall be installed in accordance with the sound separation requirements.						
• Floor coverings such as carpet and pad which are required as part of a sound- and impact-rated assembly shall be installed prior to final inspection and that such coverings must be retaine as a permanent part of the assembly and may be replaced only by other floor coverings which provide the required ratings. • Wall-mounted lavatories and toilets are not permitted on sound-rated walls.	Construction	County	Plan Check Prior to Building Permit Prior to Occupancy On-going	County Public Works		
N-9 Heating, ventilation, or air conditioning (HVAC) equipment on Parcel 21 shall not operate between the hours of 10 p.m. and 7 a.m., unless it is demonstrated by noise measurement that the noise level from such operation does not exceed a Leq_{50} of 45 dB at the closest residential property line.	Operation	County	Ongoing	County Public Works Regional Planning		
N-10 Although noise from the Parcel 21 parking structure is not expected to be any greater than what sensitive receivers currently experience in the project area, the applicant shall incorporate into the parking structure a design that coats the floor with a treatment or provides a swirled concrete texture that reduces tire squeal.	Construction Operation	County	Plan Check Prior to Building Permit Field Verified Prior to Occupancy	County Public Works Regional Planning		
N-11 Signage shall be posted that notifies parking structure users on Parcel 21 of possible penalties (such as reporting to the Sheriff's Department that may result in towing) for false alarms if their alarm does not comply with limits on frequency or duration of triggering an alarm.	Construction Operation	County	Plan Check Prior to Building Permit Field Verified Prior to Occupancy	County Public Works Regional Planning		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
Water Quality						
Surface Water Quality **WQ-1** Grading activities shall be planned during the Southern California dry season (April through October) to the extent feasible and practicable.	Grading	County	Grading Permit On-going	County Public Works Regional Planning		
WQ-2 The applicant shall prepare a Stormwater Pollution Prevention Plan (SWPPP) and submit it with the grading plan to the County of Los Angeles Department of Public Works' Land Development Division for review and approval and apply the appropriate BMPs identified. These may contain at a minimum the following items: • During construction, contractors shall be required to utilize sandbags and berms to control runoff during on-site watering and periods of rain in order to minimize erosion, sedimentation, and surface water contamination. • In order to intercept sediment-laden runoff generated during construction activities and trap and retain sediment, sediment basins shall be employed within the project site. • Filter fences designed to intercept and detain sediment and trash while decreasing the velocity of runoff shall be employed within project sites.	Grading/ Construction	County	Prior to Grading Permit Ongoing	County Public Works		
WQ-3 The applicant shall prepare a Drainage Concept and Standard Urban Stormwater Mitigation Plan (SUSMP) for both Parcels OT and 21, subject to review and approval by the County of Los Angeles Department of Public Works' Land Development Division. The SUSMP shall include best management practices for controlling and treating polluted runoff and removing floating solids from runoff. Any such best management practices or devices shall be incorporated as shown on the Drainage Concept as approved by the County of Los	Grading/ Construction On-going	County	Prior to Grading Permit On-going	County Public Works Regional Water Quality Control Board		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
Angeles Department of Public Works, if necessary, for compliance with applicable Total Maximum Daily Loads under the Los Angeles Regional Water Quality Control Board.						
Air Quality						
Construction Period Impacts **AQ-1** The applicant shall prepare a Construction Management Plan to control fugitive dust. At a minimum, the Plan shall include the following dust control measures: • The simultaneous disturbance site should be minimized as much as possible. • The proposed project shall comply with SCAQMD established minimum requirements for construction activities to reduce fugitive dust and PM-10 emissions. A plan to control fugitive dust through the implementation of best available control measures shall be prepared and submitted to the County for approval prior to the issuance of grading permits. The plan shall specify the dust control measures to be implemented. Such measures may include but are not limited to: a) Application of soil stabilizers to inactive areas; b) Preparation of a high wind dust control plan and implement plan elements and terminate soil disturbance when winds exceed 25 mph; c) Stabilization of previously disturbed areas if subsequent construction is delayed; and d) Covering all stock piles with tarps.	Grading/ Construction	County	Plan Check Prior to Grading Permit. On-going	County Public Works SCAQMD		
• The project proponent shall comply with all applicable SCAQMD Rules and Regulations including Rule 403 insuring the clean up of construction-related dirt on approach routes to the site. Rule 403 prohibits the release of	Grading/ Construction	County	On-going	County Public Works SCAQMD		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
fugitive dust emissions from any active operation, open storage pile or disturbed surface area visible beyond the property line of the emission source. Particulate matter on public roadways is also prohibited. • Adequate watering techniques shall be employed to mitigate the impact of construction-related dust particulates. Portions of the site that are undergoing surface earth moving operations shall be watered such that a crust will be formed on the ground surface, and then watered again at the end of each day. Watering of exposed surfaces and haul roads three times/day is recommended. • Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil. • Any construction access roads (other than temporary access roads) shall be paved as soon as possible and cleaned after each work day. The maximum vehicle speed on unpaved roads shall be 15 mph. • Grading operations shall be suspended during any first stage ozone episodes.						
AQ-2 The applicant shall prepare a Construction Management Plan to control vehicle and equipment emissions during construction. At a minimum, the Plan shall incorporate the following mitigation measures: Construction parking shall be configured to minimize the potential for traffic interference and vehicle idling. • Any construction equipment using direct internal combustion engines shall use a diesel fuel with a	Grading/ Construction	County	Prior to Grading Permit On-going	County Public Works SCAQMD		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
maximum of 0.05 percent sulfur and a four-degree retard. • Equipment and vehicle engines shall be maintained in good condition and in proper tune, according to manufacturer's specifications and per SCAQMD rules, to minimize exhaust emissions. 90 day Low NOx tune-ups shall be required for off-road equipment. • Tier 3 rated engines shall be used for all equipment during site grading, if available. • Equipment whose engines are equipped with diesel oxidation catalysts shall be utilized, if available. • Construction operations affecting off-site roadways shall be scheduled by implementing traffic hours and shall minimize obstruction of through-traffic lanes. Construction operations that may affect traffic flow on the arterial system shall be limited to off-peak hours, as permitted. • Truck deliveries occurring during construction shall be consolidated to the extent feasible. • Idling trucks or heavy equipment shall turn off their engines if the expected duration of idling exceeds five (5) minutes as required by law. • On-site heavy equipment used during grading and construction shall be equipped with diesel particulate filters unless it is demonstrated that such equipment is not available or its use is not cost-competitive. • All building construction shall comply with energy use guidelines in Title 24 of the California Code of Regulations. • To the extent that such measures are economically feasible/cost • competitive, the applicant shall incorporate the following practices: – Utilizing electricity from power poles in place of temporary diesel or gasoline-powered generators;						

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
– Utilizing methanol or natural gas-powered mobile equipment and pile drivers in place of diesel; and – Utilizing propane or butane-powered on-site mobile equipment in place of gasoline. • Construction equipment operations shall be suspended during any second stage smog alert.						
Biota						
BIO-1 Tree removal shall be performed between the dates of August 1 through January 31 to avoid the nesting bird season. Should this not be feasible, a qualified biologist shall conduct a thorough examination of the tree to determine whether nesting birds are present, and if found, the status of the nest shall be noted. The nest survey shall take place not more than three days (72 hours) prior to the planned removal. If nesting birds are present, the biologist shall prepare a recommendation, which may include a delay of the removal until such time that nesting has been completed. The recommendation of the biologist shall be communicated to the local CDFG Agent for approval and consent prior to removal of the tree(s).	Grading/ Construction	County Monitoring Biologist	Prior to Grading On-going	County Public Works County Regional Planning		
Cultural Resources						
Prehistoric and Historic Archaeological Resources **CUL-1** During the removal of asphalt paving and subsequent grading of the sites, the sites shall be monitored by a qualified archaeological monitor. The archaeological monitor shall also be accompanied by a Native American Monitor to be selected from the Native American Heritage Commission approved list for this area. Should evidence of any prehistoric or historic resources be uncovered, including Native American resources, the archeologist must be notified and work in the find area shall cease until the monitor arrives. The State Historic Preservation Office and Los Angeles	Demolition/ Grading/ Construction	County Archaeological Monitor	On-going	County Regional Planning		

MITIGATION MONITORING PROGRAM							
	Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
	County Department of Regional Planning shall also be notified if such resources are uncovered. The archeological monitor shall have the authority to halt any activities adversely impacting potentially significant archeological resources, while the find is evaluated in accordance with CEQA criteria for significance.						
CUL-2	Should evidence of any prehistoric or historic archaeological resources be uncovered, a Phase II evaluation must be conducted in accordance with Section 15064.5(f) of the CEQA Guidelines.	Grading/ Construction	County Archaeological Monitor	On-going	County Regional Planning		
CUL-3	Following §30116(d) of the Coastal Act, any cultural resource found in the portion of the LCP study area planned for development shall be collected and maintained at the Los Angeles County Museum of Natural History or other appropriate location as otherwise provided by State law.	Grading/ Construction	County	On-going	County Regional Planning		
CUL-4	Should human remains be discovered during the removal of asphalt paving and subsequent grading of the sites, the County Coroner shall be contacted and permitted access to the site for preliminary identification of the remains. Preservation and disposition of the remains shall be conducted in accordance with Public Resources Code Section 5097.98 and Health and Safety Code Section 7050.5. If the remains are found to be of Native American origin, the Native American Heritage Commission must be notified and permitted to identify the Most Likely Descendant (MLD), and, in consultation with the proponent and archaeological monitor, determine the appropriate disposition of the remains, as stated in Section 15064.5(d) of the CEQA Guidelines.	Grading/ Construction	County Archaeological Monitor	On-going	County Regional Planning County Coroner Native American Heritage Commission		
CUL-5	As part of the Coastal Development Permit application involving disturbance of native soils or vegetation, including but not limited to excavation, pile driving or grading, the applicant shall provide	Grading/Cons truction	County Archaeological Monitor		County Regional Planning Office of State Historic		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
evidence that they have notified the Office of State Historic Preservation and the Native American Heritage Commission of the location of the proposed grading, the proposed extent of the grading, and the dates on which the work is expected to occur.				Preservation Native American Heritage Commission		
CUL-6 Should an Archaeological Recovery Program be warranted, it shall require a Coastal Development Permit consistent with the provisions of the certified Marina del Rey LCP.	Grading/Construction	County Archaeological Monitor	Completion of the Recovery Program	County Public Works Regional Planning		
Visual Resources						
Light and Glare **VIS-1** The applicant shall develop and submit a Lighting Plan for the proposed project for County of Los Angeles review and approval. The Lighting Plan shall include the following features, at a minimum: • Exterior lighting shall consist of low intensity, shielded, hooded fixtures and shall be directed downward or toward the area to be illuminated, so that backscatter to the nighttime sky is minimized and light trespass outside the project boundary is prevented. • Outdoor flood lamps shall not be used to provide architectural highlight or accent lighting. • Lighting used to provide for public safety along exterior pedestrian walkways shall consist of low level positioned lights that are specifically aimed at key walkway points and screened by lens-covering light grills to eliminate potential glare effects.	Plan Check Operations	County	Prior to Building Permit	County Public Works Regional Planning		
Traffic/Access						
Construction Period Impacts **TA-1** Traffic Control Plans for both Parcel OT and Parcel 21 shall be submitted to the County of Los Angeles Department of Beaches and Harbors and the County of Los Angeles Department of Public Works Traffic	Grading/ Construction	County	Prior to Grading Permit	County Department of Beaches and Harbors County Public Works - Traffic and Lighting Division		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
and Lighting Division for review and approval. The Traffic Control Plans shall designate haul routes for construction-related vehicles, the location of access to the construction site, and staging and parking areas for workers and equipment. The Plans shall also specify the permitted hours of construction, methods of safeguarding traffic flow, methods of re-routing or detouring traffic if necessary, and the placement/utilization of traffic control devices (including signs, flashing arrows, traffic cones and delineators, barricades, flaggers, temporary modifications to existing signals and signal timing, etc.), as necessary. Further, the Plans shall address the provision of signage for alternative pedestrian and bicycle access routes where affected, coordination with emergency service providers, and coordination with pubic transit providers (such as the MTA, LADOT Commuter Express, and Culver City Bus). The Plans shall include the MTA telephone number (213-922-4632) of the Metro Bus Operations Control Special Events Coordinator that the contractor shall contact for construction coordination outreach efforts						
Cumulative Traffic/Access Impacts For the intersections of Admiralty Way at Via Marina, Admiralty Way at Palawan Way, and Admiralty Way at Bali Way: **TA-2** Pursuant to the Marina del Rey Specific Plan Transportation Improvement Program (TIP), the applicant shall provide a "fair share" contribution toward the funding of Category 1 (local Marina) and Category 3 (regional) roadway improvements, based on the amount of project PM peak hour trips. [As the County's traffic mitigation fee structure is currently $5,690 per PM peak hour trip, the proposed project shall be required to pay $170,700 in trip mitigation fees, based on the expected project	Plan Check	County	Prior to Building Permit	County Public Works Regional Planning		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
trip generation of 30 net new PM peak hour trips, with a portion of these fees being designated toward the Category 3 (regional) transportation improvements].						
For the intersections of Washington Boulevard at Palawan Way, Washington Boulevard at Ocean Avenue/Via Marina, and Admiralty Way at Mindanao Way: **TA-3** The applicant shall contribute "fair share" funding to provide 1) a new traffic signal at the intersection of Washington Boulevard and Palawan Way, 2) realignment at the south leg of the intersection to reduce the angle of the northbound right-turn only lane for a more perpendicular approach in addition to northbound dual left-turn lanes, and 3) two northbound left-turn lanes onto westbound Washington Boulevard and an exclusive right-turn lane (add a second left-turn). The proposed project shall contribute 3.8 percent of the impact at this location. While cost estimates for this improvement are currently being finalized, they are estimated to be $332,500, with a project responsibility of $12,635.	Plan Check	County	Prior to Building Permit	County Public Works Regional Planning		
TA-4 The proposed project shall contribute "fair share" funding to either 1) a second southbound left-turn lane at the Admiralty Way at Mindanao Way intersection or 2) the conversion of the shared left-turn/through lane to a shared through/left-/right-turn lane on the westbound approach to the Admiralty Way at Mindanao Way intersection with optimization of signal operation at adjacent intersections at this intersection when plans are finalized by the applicable discretionary agencies.	Plan Check and/or Construction	County	Prior to Building Permit	County Public Works Regional Planning		
TA-5 The proposed project shall dedicate the necessary right of way for the future widening of Admiralty Way as well as an eight-foot sidewalk along the project frontage on Admiralty Way.	Plan Check	County	Prior to Grading Permit	County Public Works Regional Planning		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
Utilities (Water Supply)						
Water Demand **WS-1** The applicant shall prepare a landscape plan that meets all provisions of Title 26 of the Los Angeles County Code, Chapter 71, Water Efficient Landscaping.	Plan check and construction	County	Prior to Grading Permit	County Public Works		
WS-2 The applicant shall incorporate into the building plans water conservation measures as outlined in the following: • State of California Health and Safety Code Section 17921.3, requiring low-flow toilets and urinals; • Title 24, California Administrative Code, which establishes efficiency standards for shower heads, lavatory faucets, and sink faucets, as well as requirements for pipe insulation that can reduce water used before hot water reaches equipment or fixtures; and • Government Code Section 7800, which requires that lavatories in public facilities be equipped with self-closing faucets that limit the flow of hot water.	Building Plan check, Construction and Operation	County	Prior to Building Permit	County Public Works		
WS-3 The applicant shall adhere to the conditions of the Los Angeles County Waterworks District "will serve" letters issued for Parcel OT and Parcel 21, including, but not limited to, the payment of connection fees and implementation of water system improvements, if necessary.	Plan approval and Construction	County	Prior to Utility Plan approval Prior to Building Permit	County Public Works		
WS-4 The construction of on-site facilities shall meet all health and safety codes, and all domestic water service meter and fire protection connections shall have a backflow device to prevent contamination of the public water system.	Plan approval and Construction	County	Prior to Utility Plan approval Prior to Building Permit	County Public Works		
WS-5 The District has prepared a water main relocation and expansion plan for the 14-inch water main that currently traverses Parcel OT. Prior to issuance of the grading permit for the proposed project, the upsized water main shall be installed and operational on Parcel OT, unless the water main upsizing is to	Prior to Grading Permit	County	Prior to Grading Permit	County Public Works		

MITIGATION MONITORING PROGRAM							
	Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
	be constructed and made operational as a part of the proposed project. The applicant shall be responsible for costs associated with relocating the water main on Parcel OT or compensating the District for such incurred costs.						
WS-6	The applicant shall complete the following tasks, for review and approval by the County of Los Angeles Fire Department: *Parcel OT* Prepare a Fire Safety Plan; Verify and perform Fire Flow Availability tests on 1) the nearest existing public fire hydrant on Admiralty Way (Los Angeles County Waterworks), and 2) the nearest existing public fire hydrant on Washington Boulevard (District); Submit architectural plans to the Fire Prevention Engineering Division in Hawthorne; and Submit an original Fire Flow Availability Form (196). *Parcel 21* Prepare a Fire Safety Plan; Verify the nearest existing public fire hydrant to the property; Submit architectural plans to the Fire Prevention Engineering Division in Hawthorne; and Submit an original Fire Flow Availability Form (196).	Water /Utility Plan Approval Building Permit approval for architectural plans. On-going	County	Water/Utility Plan Check Prior to Building Permit	County Public Works County Fire Department		
W-7	Prior to issuance of the grading permit for the proposed project, the water main infrastructure in Panay Way shall be replaced with a water main that is up to 18 inches in diameter and operational in order to meet the fire flow demand of the project on Parcel 21.	Grading / Construction	County	Prior to Grading Permit	County Public Works		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
Environmental Safety						
ES-1 The applicant shall adhere to all applicable County, State, and Federal guidelines regarding the handling, excavation, disposal, and/or remediation of soils classified as hazardous waste, which may include, but not be limited to, the development and implementation of a Soil Management Work Plan (SMWP) for the project, as well as correspondence with the Regional Water Quality Control Board (RWQCB) and Department of Toxic Substances Control (DTSC) to determine the level of any necessary remediation efforts.	Grading / Construction	County	Prior to Grading Permit On-going	County Public Works		
ES-2 In the event that previously unidentified waste or debris is discovered during construction/grading activities, and the waste or debris is believed to involve hazardous waste or materials, the contractor shall: immediately stop work in the vicinity of the suspected contaminant; remove workers and the public from the area; notify the resident inspector; secure the area as directed by the resident inspector; and notify the County of Los Angeles Hazardous Waste/Materials Coordinator and the Fire Department. Work in the affected area shall cease until the proper approval is granted by the appropriate governmental oversight agency and a work plan is implemented, if necessary.	Grading / Construction	County	During Grading	County Public Works		
Parcel OT Methane Concentrations **ES-3** The applicant shall install a passive ventilation system beneath the building foundation system on Parcel OT. The sub-slab vent system typically consists of four-inch diameter perforated polyethylene piping installed within 12-inch deep gravel-filled trenches beneath the building. These vent lines are normally spaced no more than 20 to 30 feet apart in order to effectively ventilate the subgrade beneath the building. The sub-slab vent lines are connected to vent risers installed within the	Construction	County	Prior to Building Permit Prior to Occupancy	County Public Works		

MITIGATION MONITORING PROGRAM							
	Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
	building walls. As with typical sanitary sewer vent lines, the methane vent risers terminate above the roofline of the building. A dewatering system shall be required if the methane vent lines are less than one foot above the historic high groundwater level at the site.						
ES-4	The applicant shall install a gas membrane beneath the building foundation system of Parcel OT. The sub-slab gas barrier typically consists of a continuous Liquid Boot™ membrane installed beneath the floor slab of the building. This membrane has a minimum required thickness of 100-mills (0.10 inch). Gas tight seals are required at all locations where utilities or conduits penetrate the membrane. At the completion of the installation, the membrane is smoke tested using a procedure developed by GeoKinetics in order to confirm its integrity.	Construction	County	Prior to Building Permit	County Public Works		
ES-5	The applicant shall install conduit seals on dry utilities servicing the building the Parcel OT. Conduit seals shall be installed on dry utility conduits (e.g. electrical, telephone, cable T.V.) that terminate on the interior of the building. These seals are intended to prevent the migration of methane through the conduits to interior areas. Also, in order to reduce the potential for methane to migrate through the sand backfill of any utility trenches, which extend up to and/or beneath the building, "dams" consisting of a lean sand/ cement/ bentonite slurry shall be installed within the trench lines at the perimeter of the building.	Construction	County	Prior to Building Permit	County Public Works		
ES-6	Upon finalization of the foundation and/or architectural plans for the structure on Parcel OT, and prior to issuance of the Grading Permit, the project subsurface methane gas consultant shall review such plans and provide further recommendations for methane gas mitigation	Construction Operation	County Methane Gas Consultant	Grading Permit Building Permit	County Public Works		

MITIGATION MONITORING PROGRAM						
Mitigation	**Monitoring Phase**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Time**
measures, if necessary. Any additional recommendations by the subsurface methane gas consultant shall be adhered to by the applicant.						
Global Climate Change						
It should be noted that the project, in mitigating for traffic and air quality impacts, has been designed to incorporate many of the mitigation measures to reduce greenhouse gas emissions recommended by the scientific community. Additionally, the applicant has incorporated several measures into the project design that exceed minimum Title 24 energy conservation requirements. Among these measures are: • Installation of low NOx (nitrogen oxide) residential water heaters and space heaters; • Installation of Energy Star labeled furnaces, equipment, and appliances; • Use of water-based paint on exterior surfaces; • Use solar-assisted water heating and/or tankless hot water on demand systems if their energy efficiency is demonstrated to exceed that of a central storage tank water heating system; • Use of improved insulation and ducting; • Use of natural lighting; • Installation of energy efficient lighting and/or maximize use of low pressure sodium and/or fluorescent lighting; • Use of drought-tolerant landscaping subject to County review; • Encouragement of the use of transit, bicycling and walking by providing infrastructure to promote their use (bike paths and sidewalks); • Prohibition against the installation and use of wood burning fireplaces; and • Use of low volatile organic compound (VOC) coatings for painted surfaces.	Construction Operation	County	Building Permit Plan Check Prior to Occupancy Ongoing	County Public Works Regional Planning		

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

April 22, 2010

TO: Wayne Rew, Chair
Pat Modugno, Vice Chair
Esther L. Valadez, Commissioner
Leslie G. Bellamy, Commissioner
Harold V. Helsley, Commissioner

FROM: Samuel Dea, Section Head
Special Projects Section

SUBJECT: Oceana Retirement Facility and Holiday Harbor Courts. Project Nos. R2006-01510, R2006-02726 (Item Nos. 6 and 7)

Please find the following attachments regarding Agenda Items 6 and 7:

1. A letter dated March 25, 2009, outlining the Fire Department's conditions of approval for the Project on Parcel 21. **Agenda item 7**;
2. A letter dated March 26, 2009 outlining the Fire Department's conditions of approval for the Project on Parcel OT. **Agenda item 6**;
3. A letter dated June 25, 2009 outlining the Department of Public Works' conditions of approval for the Project on Parcel 21. **Agenda item 7**;
4. A letter dated August 11, 2009 outlining the Department of Public Works' conditions of approval for the Project on Parcel OT. **Agenda item 6**;
5. A letter from the applicant for the Parcel 21 project requesting withdrawal of the Plan Amendment to adjust the boundary between Parcel 21 and Parcel GR. **Agenda item 7**.

In addition, Regional Planning Commission packages on the above-mentioned projects were provided to your commission on May 14, 2010. The following are proposed changes to the Draft Conditions of Approval:

Item No. 6 (Project R2006-01510 – Oceana Retirement Facility on Parcel OT)

Condition No. 52 found on page 12 of the Draft Conditions should be revised as follows:

*The date of the referenced letter from Department of Public Works should read, "**August 11, 2009,**" not, "June 25, 2009."*

Condition No. 53 found on page 12 of the Draft Conditions should be revised as follows:

The date of the referenced letter from the Los Angeles County Fire Department should read, ***"March 26, 2009,"*** *not, "March 25, 2009."*

If you need further information, please call Michael Tripp of my staff at (213) 974-4813. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

SD:MRT:mrt

Attachments

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040-3027

DATE: March 25, 2009

TO: Department of Regional Planning
Permits and Variances

PROJECT #: CUP R2006-02726

LOCATION: Parcel 21 - 14025 Panay Way, Marina Del Rey

☐ The Fire Department Land Development Unit has no additional requirements for this permit.

☒ The required fire flow for this development is **5000** gallons per minute for **5** hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 psi residual pressure. **3** Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.

☒ The required fire flow for private on-site hydrants is 2500 gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing 1250 gallons per minute at 20 psi with two hydrants flowing simultaneously, one of which must be the furthest from the public water source.

☒ Verify **1** Install **TBD** 6" X 4" X 2 1/2" fire hydrant, conforming to AWWA C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.

☒ **Comments:** THIS PROJECT IS CLEARED BY THE FIRE DEPARTMENT FOR PUBLIC HEARING.

☒ **Location:** 1. Verify the nearest existing public fire hydrant to the property.
2. Once the location of existing public fire hydrants is confirmed, the number and location of new fire hydrant installations will be determined.

☒ **Access:** 1. Submit architectural plans to the Fire Prevention Engineering Division in Hawthorne for review and approval prior to building permit issuance. For submittal requirements contact (310) 263-2732.

☒ **Special Requirements:** THE FOLLOWING ITEM SHALL BE SUBMITTED TO THE FIRE DEPARTMENT LAND DEVELOPMENT UNIT FOR REVIEW AND APPROVAL PRIOR TO ISSUANCE OF A BUILDING PERMIT:

1. An original Fire Flow Availability form (Form 196).

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office at (323) 890-4243.

Inspector: ***SCOTT JAEGGI***

Land Development Unit – Fire Prevention Division – Office (323) 890-4243 Fax (323) 890-9783

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040-3027

DATE: March 26, 2009

TO: Department of Regional Planning
Permits and Variances

PROJECT #: CUP R2006-01510

LOCATION: Parcel OT - 4420 Admiralty Way, Marina Del Rey

☐ The Fire Department Land Development Unit has no additional requirements for this permit.

☒ The required fire flow for this development is **5000** gallons per minute for **5** hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 psi residual pressure. 3 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.

☒ The required fire flow for private on-site hydrants is 2500 gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing 1250 gallons per minute at 20 psi with two hydrants flowing simultaneously, one of which must be the furthest from the public water source.

☒ Verify **2** Install **TBD** 6" X 4" X 2 1/2" fire hydrants, conforming to AWWA C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.

☒ **Comments:** THIS PROJECT IS CLEARED BY THE FIRE DEPARTMENT FOR PUBLIC HEARING.

☒ **Location:** Verify and perform Fire Flow Availability tests on the following:
1. The nearest existing public fire hydrant on Admiralty Way. (LAC Waterworks)
2. The nearest existing public fire hydrant on Washington Blvd. (LADWP)
3. If necessary, additional fire hydrant and/or fire protection system installation(s) will be determined during the building plan check phase.

☒ **Access:**
1. Fire apparatus access is adequate as depicted on Site Plan A0.11 dated 03-26-09.
2. Submit architectural plans to the Fire Prevention Engineering Division in Hawthorne for review and approval prior to building permit issuance. For submittal requirements contact (310) 263-2732.

☒ **Special Requirements:** THE FOLLOWING ITEMS SHALL BE SUBMITTED TO THE FIRE DEPARTMENT LAND DEVELOPMENT UNIT FOR REVIEW AND APPROVAL PRIOR TO ISSUANCE OF A BUILDING PERMIT:

1. An original Fire Flow Availability form (Form 196) for each public fire hydrant as specified.

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office at (323) 890-4243.

Inspector: ***SCOTT JAEGGI***

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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GAIL FARBER, Director

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
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ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

June 25, 2009

IN REPLY PLEASE REFER TO FILE: LD-1

TO: Mark Child, AICP
Zoning Permits I Section
Department of Regional Planning

Attention Michael Tripp

FROM: Steve Burger
Land Development Division
Department of Public Works

CONDITIONAL USE PERMIT (CUP) NO. 200600223
PROJECT NO. R2006-02726
CDP20060003
PARCEL 21-HOLIDAY HARBOR COURTS
14025 PANAY WAY
MARINA DEL REY AREA

☒ Public Works recommends approval of this CUP.

☐ Public Works does **NOT** recommend approval of this CUP.

We reviewed the site plan for the subject CUP. The development is for the construction of a five- floor structure housing Marine commercial office, health club, yacht club, retail uses, public plaza, promenade and on-site parking. The project is located in the unincorporated County of Los Angeles area of Marina Del Rey.

Upon approval of the site plan, we recommend the following conditions:

1. Geotechnical

   1.1. Prior to grading or building permit, obtain approval for geotechnical reports from Public Works' Geology and Materials Engineering Division addressing all items in the outstanding soils and geologic review sheets dated October 10, 2007, and September 10, 2007.

For questions regarding the items above, contact Jeremy Wan at (626) 458-4925.

2. Water

2.1. A water system maintained by the water purveyor, with appurtenant facilities to serve all proposed buildings, must be provided. The system shall include fire hydrants of the type and location for both on-site and off-site as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.

2.2. There shall be on filed with Public Works a statement from the water purveyor indicating that the water system will be operated by the purveyor and that under normal conditions, the system will meet the requirements for the proposed land use, and that water service will be provided to each building.

2.3. If needed, easements shall be granted to the County, appropriate agency or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructures constructed for this project to the satisfaction of Public Works.

2.4. Submit landscape and irrigation plans for the common area in the project, with landscape area greater than or equal to 2,500 square feet, in accordance with the Water Efficient Landscape Ordinance.

For questions regarding the items above, contact Lana Radle at (626) 458-4921.

3. Drainage

3.1. Prior to building permit, comply with the requirements of the Drainage Concept/Hydrology Study/Standard Urban Stormwater Mitigation Plan (SUSMP) approved on 6/03/09 to the satisfaction of Public Works.

3.2. Prior to building permit, obtain a permit from Public Works for proposed connections to outlets and discharge through the marina bulkhead, to the satisfaction of Public Works and Department of Beaches and Harbor.

3.3. Obtain a permit from City of Los Angeles for proposed parkway drains discharging onto Washington Boulevard to the satisfaction of Public Works.

For questions regarding the items above, contact Amir Ibrahim at (626) 458-4921

4. Sewer Maintenance

4.1. On all applicable plans, show the ownership of all County of Los Angeles sewer lines clearly as "County of Los Angeles CSMD sewer line." Show size and stationing of all proposed sewer laterals along Panay Way. Show existing sewer manholes.

4.2. Show the distance between sewer line and intersecting storm drain on the "Schematic Emergency Overflow Discharge."

For questions regarding the items above, please contact James Hilovsky at (626) 300-3388.

5. Grading

5.1. Prior to building permit, obtain approval for grading plan from Public Works' Land Development Division. The grading plan must show and call out the following items, including but not limited to: construction of all drainage devices and details, paved driveways, elevation and drainage of all pads, SUSMP and Low-Impact Development devices (if applicable), and any required landscaping and irrigation. Acknowledgement and/or approval from all easement holders may be required.

5.2. A maintenance agreement may be required prior to grading plan approval for privately maintained drainage devices including any on-site SUSMP devices.

5.3. Provide approval of grading plan by Public Works' Geotechnical and Materials Engineering Division.

5.4. Acquire permits and/or letters of non-jurisdiction from all State and Federal Agencies, as applicable. These agencies may include, but may not be limited to the California Coastal Commission, State of California Regional Water Quality Control Board, State of California Department of Fish and Game, State of California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR), and the Army Corps of Engineers.

For questions regarding the items above, contact Sam Richards at (626) 458-4921.

6. Road Improvements

6.1. Close any unused driveway with standard curb, gutter, and sidewalk along the property frontage on Panay Way to the satisfaction of Public Works.

6.2. Reconstruct any non-American with Disabilities Act conforming parkway improvements (sidewalk, driveways, curb ramps, landings, etc.), that either serve or form a part of a Pedestrian Access Route to meet current American with Disabilities Act requirements to the satisfaction of Public Works.

6.3. Provide a minimum of 5.5-foot sidewalks from curb face with no above-ground obstructions along the property frontage on Panay Way to the satisfaction of Public Works. Provide sidewalk pop-outs within locations with above-ground obstructions.

6.4. Provide adequate line of sight for pedestrians from all proposed driveways from the parking structure to the satisfaction of Public Works.

6.5. Repair any curb, gutter, driveways, pavement, and sidewalk damaged during construction.

6.6. Comply with the mitigation and/or fairshare requirements set forth in the letter dated November 24, 2008, from Public Works' Traffic and Lighting Division.

6.7. Underground new utility lines to the satisfaction of Public Works and Southern California Edison. Please contact Construction Division at (626) 458-3129 for new location of any above-ground utility structure in the parkway.

6.8. Prior to obtaining grading permit, acquire street plan approval or direct check status from Public Works' Land Development Division.

6.9. Prior to issuance of a grading permit or a building permit, whichever come first, execute an Agreement to Improve for the street improvements. For information regarding Agreement to Improve, contact Ruben Cruz at (626) 458-4910.

For questions regarding the items above, contact Sam Richards at (626) 458-4921.

7. Traffic

7.1. Comply with all mitigations per the attached traffic impact analysis letter dated November 24, 2008, from Public Works' Traffic and Lighting Division. For questions regarding traffic comments, contact Jeff Pletyak at (626) 300-4721.

If you have any other questions or require additional information, please contact Simin Agahi or Toan Duong at (626) 458-4910.

SA:ca
P:/LDPUB/SUBMGT/CUP/Project R2006-02726_CUP200600223_14025 Panay Way. ApprovalDOC

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
http://dpw.lacounty.gov

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: T-4

November 24, 2008

Mr. Jonathan Louie
Crain & Associates
2007 Sawtelle Boulevard, Suite No. 4
Los Angeles, CA 90025-6238

Dear Mr. Louie:

OCEANA RETIREMENT FACILITY AND HOLIDAY HARBOR COURTS PROJECTS
MARINA DEL REY PARCEL NOS. OT AND 21
CONDITIONAL USE PERMITS 06115 AND 06223
TRAFFIC IMPACT ANALYSIS (JUNE 25, 2008)
MARINA DEL REY AREA

As requested, we have reviewed the revised Traffic Impact Analysis (TIA) for the proposed Oceana Retirement Facility project located on the County-owned Parcel No. OT in the Oxford Development Zone (DZ) 6 at 4445 Admiralty Way east of Palawan Way and the proposed Holiday Harbor Courts project located on the County-owned Parcel No. 21 in the Panay DZ 4 at 14025 Panay Way east of Via Marina with a builtout year of 2014 instead of 2010. Both projects are located in the unincorporated County of Los Angeles area of Marina del Rey. This memo supersedes our previous memo dated February 27, 2008.

The Oceana Retirement Facility project proposes to develop a six-floor, 114-unit retirement facility, which would house an estimated population of 145 residents. The facility will include retail space, a lobby, two lounges, two card rooms, a chapel, administration and reception offices, a dining room, a library, arts and crafts room, laundry facilities, a trash and mailroom, a kitchen, a beauty salon, and on-site parking. The Oceana Retirement Facility project is estimated to generate a net increase of approximately 387 vehicle trips daily, with 10 and 41 vehicle trips during the a.m. and p.m. peak hours, respectively.

SFL

The Holiday Harbor Courts project proposes to replace the existing on-site marine commercial office, health club, and retail uses with a new five-floor structure housing marine commercial office, health club, yacht club, and retail uses, as well as, a public park plaza, promenade, and on-site parking. The Holiday Harbor Courts project is estimated to generate a net decrease of approximately 19 vehicle trips daily, with a net increase of 2 and a net decrease of 11 vehicle trips during the a.m. and p.m. peak hours, respectively. Both projects combined are estimated to generate a net increase of approximately 278 vehicle trips daily, with 12 and 30 vehicle trips during the a.m. and p.m. peak hours, respectively.

The traffic generated cumulatively by both projects and with other related projects will exceed the significance threshold as defined in our TIA Report Guidelines at the three intersections listed below. We agree with the TIA that mitigation measures which are identified in the Marina del Rey Local Implementation Program (MDR LIP) will fully mitigate the direct and cumulative impacts to these three intersections. As required by the MDR Local Coastal Plan (LCP), the project shall pay the LCP traffic mitigation fee of $5,690 per p.m. peak-hour trip for Category 1 and 3 improvements. Based on the 30 estimated project p.m. peak-hour trips, the project's fair share of the LCP Transportation Improvement Program fee is $170,700 of which $47,760 will go toward the Category 1 transportation improvements and the remaining $122,940 will go toward the Category 3 transportation improvements. The project shall submit payment to Public Works, Marina del Rey Traffic Mitigation Fee Account No. TF2 7703, upon approval of the project.

- Admiralty Way at Via Marina

  We agree with the TIA's recommendation to reconstruct the intersection to realign Admiralty Way as a through roadway with the southern leg of Via Marina as proposed under the MDR LIP Category 3 improvements, rather than widen the south side of Admiralty Way to accommodate a triple westbound left-turn movement as proposed under the MDR LIP Category 1 improvements.

- Admiralty Way at Mindanao Way

  The addition of a northbound right-turn lane as proposed under the MDR LIP Category 1 improvements is not feasible due to right of way constraints. We agree with the TIA's recommendation to add a second southbound left-turn lane. We also recommend converting the shared left-turn/through lane to a shared left-/through/right-turn lane on the westbound approach, modifying the traffic signal to provide a westbound

right-turn phase concurrent with the southbound left-turn movement, and optimizing the signal operation at adjacent intersections to mitigate the project's cumulative traffic impact at the intersection.

- Admiralty Way at Bali Way

  Although the TIA's recommendation to widen Admiralty Way from Fiji Way to Via Marina to provide a third westbound/northbound through lane as proposed under the MDR LIP Category 1 improvements will mitigate the project's impact, we recommend instead adding a second southbound left-turn lane.

No feasible physical improvements are currently available to mitigate the potential cumulative impact for the five intersections listed below. The TIA indicates the proposed extension of State Route 90 (SR-90) to connect to Admiralty Way will mitigate the cumulative impact at these intersections. Although the SR-90 extension is not a programmed project, it is one of several potential regional transportation circulation improvements identified under the MDR LIP Category 3 improvements. These five intersections will have significant cumulative impacts until the SR-90 extension or another project of equal effectiveness is constructed. Therefore, please ensure that these unmitigated impacts are properly described in the project's revised TIA and subsequent Environmental Impact Report.

- Lincoln Boulevard at Washington Boulevard
- Lincoln Boulevard at SR-90 (Marina Expressway)
- Lincoln Boulevard at Bali Way
- Lincoln Boulevard at Mindanao Way
- Lincoln Boulevard at Fiji Way

The intersections listed below need to be improved to adequately handle the cumulative traffic generated by the project and other related projects. The project shall contribute its proportionate share of the cost for these improvements. Detailed striping and signal modification plans and cost estimates shall be submitted to Public Works for review and approval.

- Admiralty Way at Palawan Way

  North approach: One left-turn lane, one shared left-turn/through lane, and an exclusive right-turn lane instead of one left-turn lane, one through lane, and an exclusive right-turn lane (convert through lane to shared left-turn/through lane). This alternative appears to be feasible and

provides a better Level of Service (LOS) than the alternative to convert one through lane into a second left-turn lane to Admiralty Way as proposed under the MDR LIP Category 1 improvements.

East approach: One left-turn, two through lanes, and one shared through/right-turn lane instead of one left-turn lane, one through lane, and one shared through/right-turn lane (add second through lane).

South approach: One left-turn and one shared through/right-turn lane instead of one shared left-turn/through lane and one shared through/right-turn lane (convert shared left-turn/through lane to left-turn lane). This alternative appears to be feasible and provides a better LOS than the alternative to provide a separate right-turn lane to Admiralty Way as proposed under the MDR LIP Category 1 improvements.

- Washington Boulevard at Ocean Avenue/Via Marina

  Although no physical improvements are feasible at this intersection, the improvements recommended for the adjacent intersection of Washington Boulevard at Palawan Way will provide adequate mitigation.

- Washington Boulevard at Palawan Way

  South approach: Two northbound left-turn lanes and an exclusive right-turn lane (add two left-turn lanes).

  Install a new traffic signal and, as necessary, modify traffic signal at the intersection of Palawan Way at Admiralty Way. The project's prorata share is 3.8 percent which is $12,635 based on the total improvement cost estimated at $332,500. This improvement was reviewed and approved by the City of Los Angeles Department of Transportation (copy enclosed).

The project shall dedicate the necessary right of way for the future roadway widening along Admiralty Way and widening of sidewalk to 8 feet wide along the project frontage on Admiralty Way.

The project shall submit a 40-foot-scale site plan of the project showing access locations in relationship to adjacent intersections and driveways to our Land Development Division for review and approval.

MDR LCP Compliance

The project is well within the MDR LCP potential development entitlement of 2,750 p.m. peak-hour trips. The project's request to transfer the development potential of 114 hotel rooms and 5,000 square feet of office space from the Admiralty DZ 7 to Oxford DZ 6 will require an amendment to the LCP. We advise the project's representatives to consult with the Department of Regional Planning (DRP) to assess the requirements for obtaining the necessary approvals for this amendment.

Chapter 22.46 of the Los Angeles County Code (also known as the Marina del Rey Specific Plan) states for Parcel No. OT that development of uses other than public parking shall be conditioned to provide replacement public parking on-site or elsewhere in the marina on a one-to-one basis such that there is no net reduction on public parking spaces. The project's proposed relocation of 94 existing parking spaces from Parcel No. OT to Parcel No. 21 may conflict with the Department of Beaches and Harbors (DBH) pursuit for rights to relocate 260 other parking spaces to Parcel No. 21. We advise the project's representatives to consult with DRP and DBH to assess all parking lot redevelopment and parking space relocation for Parcel No. 21.

The Cities of Culver City and Los Angeles and Caltrans shall be consulted to obtain its written concurrence with the California Environmental Quality Act level of significance determination as soon as possible and/or before the public review period.

If you have any questions regarding the traffic analysis, please contact Mr. Suen Fei Lau of our Traffic Studies Section at (626) 300-4820.

Very truly yours,

DEAN D. EFSTATHIOU
Acting Director of Public Works

WILLIAM J. WINTER
Assistant Deputy Director
Traffic and Lighting Division

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Enc.

cc: Caltrans (Elmer Alvarez)
City of Culver City (Charles Herbertson)
City of Los Angeles (Eddie Guerrero)
County Counsel (Thomas Faughnan)
Department of Beaches and Harbors (Barry Kurtz)
Department of Regional Planning (Russell Fricano, Gina Natoli)

bc: Design (Chinn)
Land Development (Narag)
Programs Development (Dingman)
Traffic and Lighting (Quintana)

COUNTY OF LOS ANGELES

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P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

August 11, 2009

IN REPLY PLEASE REFER TO FILE: LD-1

TO: Mark Child, AICP
Zoning Permits I Section
Department of Regional Planning

Attention Michael Tripp

FROM: Steve Burger
Land Development Division
Department of Public Works

CONDITIONAL USE PERMIT (CUP) NO. CUP 200600115
PROJECT NO. R2006-01510
PARCEL OT-OCEANA RETIREMENT
4220 ADMIRALTY WAY
MARINA DEL REY AREA

☒ Public Works recommends approval of this CUP.

☐ Public Works does **NOT** recommend approval of this CUP.

This supersedes our memorandum dated June 25, 2009. We reviewed the site plan for the subject CUP. The development is for the construction of a 114-unit retirement facility, retail space, attached parking structures and the transfer of 94 parking spaces to Parcel 2,1 Phase 1. The project is located in the unincorporated County of Los Angeles area of Marina Del Rey.

Upon approval of the site plan, we recommend the following conditions:

1. Geotechnical

   1.1. Prior to grading or building permit, obtain approval for geotechnical reports from Public Works' Geology and Material Engineering Division addressing all items in the outstanding soils and geologic review sheets dated February 2, 2009, and February 5, 2009.

For questions regarding the items above, contact Jeremy Wan at (626) 458-4925.

2. Sewer

   2.1. Prior to grading or building permit, obtain approval for the sewer relocation per Private Contract No. 12041 currently in plan check with Public Works' Land Development Division. Existing sewer easement for abandon sewer should be vacated.

   For questions regarding the items above, please contact Tony Khalkhali at (626) 458-4921.

3. Sewer Maintenance

   3.1. On all applicable plans, show the ownership of all County of Los Angeles sewer lines clearly as "County of Los Angeles CSMD sewer line." Clearly label sewer lines to be abandoned and proposed sewer lines on all pages.

   3.2. Site Plan Sheet 2-4: Clearly label proposed sewer line as "Proposed 10" County of Los Angeles CSMD sewer line." All new sewer line requires a minimum 10 feet sanitary sewer easement, 5 feet on each side, dedicated to the County of Los Angeles. Easement must be separate and independent from all other easement.

   For questions regarding the items above, please contact please contact James Hilovsky (626) 300-3363.

4. Water

   4.1. A water system maintained by the water purveyor, with appurtenant facilities to serve all proposed buildings, must be provided. The system shall include fire hydrants of the type and location for both on-site and off-site as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.

   4.2. There shall be on filed with Public Works a statement from the water purveyor indicating that the water system will be operated by the purveyor and that under normal conditions, the system will meet the requirements for the proposed land use, and that water service will be provided to each building.

   4.3. If needed, easements shall be granted to the County, appropriate agency or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructures constructed for this project to the satisfaction of Public Works.

4.4. Relocation and upsizing of existing water system facilities in conflict with proposed project via one of the three following options:

1. Should the timing of the District's water main project result in its construction prior to approval of the proposed project, the District would upsize the water main in its current location, as planned. During construction of the proposed project, the applicant would then relocate the upsized water main approximately 36 feet to the northeast and abandon the current alignment. The applicant shall be responsible for the costs of relocating the water main in this situation.

2. If the proposed project is approved prior to the District initiating construction of the water main project, the District would upsize the water main in the proposed alignment, approximately 36 feet to the northeast of the current alignment, and abandon the current alignment. Under this scenario, the applicant shall be responsible for compensating the District for costs associated with design and construction of the water main in the new alignment to accommodate the project. Applicant would also be responsible for compensating the District for costs associated with the replacement of trees impacted by construction activities.

3. Should the proposed project be approved and ready for construction prior to the District's water main project, the applicant would have the option to construct the upsized water main in the proposed alignment, approximately 36 feet to the northwest of the current alignment and abandon the existing alignment. The applicant shall be responsible for the costs of designing and constructing the water main in the new alignment in this situation.

4.5. The construction of on-site facilities shall meet all health and safety codes, and all domestic water service meter and fire protection connections shall have a backflow device to prevent contamination of the public water system.

4.6. Submit landscape and irrigation plans for the common area in the project, with landscape area greater than or equal to 2,500 square feet, in accordance with the Water Efficient Landscape Ordinance.

For questions regarding the items above, please contact Tony Khalkhali at (626) 458-4921.

5. Drainage

5.1. Comply with the requirements of the Drainage Concept/Hydrology Study/Standard Urban Stormwater Mitigation Plan (SUSMP) approved on June 10 2009, to the satisfaction of the Department of Public Works prior to Building Permit.

5.2. Obtain a permit from City of Los Angeles for proposed parkway drains and discharge onto Washington Boulevard to the satisfaction of Public Works prior to Building Permit.

For questions regarding the items above, please contact Amir Ibrahim at (626) 458-5915.

6. Grading

6.1. Prior to building permit, obtain approval for grading plan from Public Works' Land Development Division. The grading plan must show and call out the following items, including but not limited to: construction of all drainage devices and details, paved driveways, elevation and drainage of all pads, SUSMP and Low-Impact Development devices (if applicable), and any required landscaping and irrigation. Acknowledgement and/or approval from all easement holders may be required.

6.2. A maintenance agreement may be required prior to grading plan approval for privately maintained drainage devices including any onsite SUSMP devices.

6.3. Provide approval of grading plan by Public Works' Geotechnical and Materials Engineering Division.

6.4. Acquire permits and/or letters of nonjurisdiction from all State and Federal agencies, as applicable. These agencies may include, but may not be limited to the California Coastal Commission, State of California Regional Water Quality Control Board, State of California Department of Fish and Game, State of California Department of Conservation, Division of Oil, Gas, and Geothermal Resources, and the Army Corps of Engineers.

For questions regarding the items above, contact Sam Richards at (626) 458-4921.

7. Road Improvements

7.1. Close any unused driveway with standard curb, gutter, and sidewalk along the property frontage on Admiralty Way to the satisfaction of Public Works.

7.2. Reconstruct any non-American with Disabilities Act conforming parkway improvements (sidewalk, driveways, curb ramps, landings, etc) that either serve or form a part of a Pedestrian Access Route to meet current American with Disabilities Act requirements to the satisfaction of Public Works.

7.3. Provide 8-foot sidewalks along the property frontage on Admiralty Way to the satisfaction of Public Works. The County will initiate the set-aside process.

7.4. Reconstruct full-width sidewalk along the property frontage on Washington Boulevard to the satisfaction of Public Works and the City of Los Angeles.

7.5. Reconstruct curb, base, pavement, longitudinal gutter on the westerly alley along the property frontage to the satisfaction of Public Works.

7.6. Provide adequate line of sight for pedestrians from all proposed driveways from the parking structure to the satisfaction of Public Works.

7.7. Repair any cub, gutter, driveways, pavement, and sidewalk damaged during construction.

7.8. Plant street trees on Admiralty Way and Washington Boulevard along the property frontages to the satisfaction of Public Works. Existing trees within the existing road right of way if not accepted as street trees will be removed and replaced with approved street trees to the satisfaction of Public Works and the City of Los Angeles (for Washington Boulevard).

7.9. Underground all new utility lines to the satisfaction of Public Works and Southern California Edison. Please contact Construction Division at (626) 458-3129 for new location of any above ground utility structure in the parkway.

7.10. Prior to obtaining grading permit, acquire street plan approval or direct check status from Public Works' Land Development Division.

7.11. Prior to issuance of a grading permit or a building permit, whichever come first, execute an Agreement to Improve for the street improvements. For information regarding Agreement to Improve, contact Ruben Cruz at (626)458-4910.

For questions regarding the items above, contact Sam Richards at (626) 458-4921.

8. Traffic

8.1. Comply with the mitigation and/or fairshare requirements set forth in the attached letter dated November 24, 2008, from Public Works' Traffic and Lighting Division.

For questions regarding the traffic comments, contact Jeff Pletyak at (626) 300-4721.

9. Street Lighting Requirements

9.1. Provide Street lights on concrete poles with underground wiring along the property frontage on Admiralty Way to the satisfaction of Public Works. Submit street lighting plans showing all existing lights along with existing and/or proposed underground utilities plans as soon as possible to the Traffic and Lighting Division, Street Lighting Section.

9.2. Washington Boulevard is within the City of Los Angeles, Contact the City Bureau of Street Lighting for the City's street light requirements.

9.3. Upon approval of the CUP, the applicant shall enter into a secured agreement with the County of Los Angeles for the installation of the street lights in the amount of $15,000.00 (subject to revision at the time of street lighting plan approval). The applicant shall comply with the conditions listed below in order for the lighting districts to pay for the future operation and maintenance of the street lights.

9.4. All street light in the project, or approved project phase, must be constructed according to Public Works-approved plans. The contractor shall submit one complete As-built plans. Provided the above conditions are met, the Lighting District can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year, provided all street lights have been energized and the developer has requested a transfer of billing at least by January 1 of the previous year. The transfer of billing could be delayed

one or more year if the above conditions are not met. The Lighting District cannot pay for the operation and maintenance of street lights located within gated community.

For questions regarding the items above, please contact David Stringer at (626) 300-4754.

If you have any other questions or require additional information, please contact Simin Agahi or Toan Duong at (626) 458-4910.

SA:ca
P:/LDPUB/SUBMGT/CUP/Project R2006-01510_CUP200600115_4220 Admiralty Way.DOC

Attach.

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

DEAN D. EFSTATHIOU, Acting Director

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
http://dpw.lacounty.gov

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: T-4

November 24, 2008

Mr. Jonathan Louie
Crain & Associates
2007 Sawtelle Boulevard, Suite No. 4
Los Angeles, CA 90025-6238

Dear Mr. Louie:

OCEANA RETIREMENT FACILITY AND HOLIDAY HARBOR COURTS PROJECTS
MARINA DEL REY PARCEL NOS. OT AND 21
CONDITIONAL USE PERMITS 06115 AND 06223
TRAFFIC IMPACT ANALYSIS (JUNE 25, 2008)
MARINA DEL REY AREA

As requested, we have reviewed the revised Traffic Impact Analysis (TIA) for the proposed Oceana Retirement Facility project located on the County-owned Parcel No. OT in the Oxford Development Zone (DZ) 6 at 4445 Admiralty Way east of Palawan Way and the proposed Holiday Harbor Courts project located on the County-owned Parcel No. 21 in the Panay DZ 4 at 14025 Panay Way east of Via Marina with a builtout year of 2014 instead of 2010. Both projects are located in the unincorporated County of Los Angeles area of Marina del Rey. This memo supersedes our previous memo dated February 27, 2008.

The Oceana Retirement Facility project proposes to develop a six-floor, 114-unit retirement facility, which would house an estimated population of 145 residents. The facility will include retail space, a lobby, two lounges, two card rooms, a chapel, administration and reception offices, a dining room, a library, arts and crafts room, laundry facilities, a trash and mailroom, a kitchen, a beauty salon, and on-site parking. The Oceana Retirement Facility project is estimated to generate a net increase of approximately 387 vehicle trips daily, with 10 and 41 vehicle trips during the a.m. and p.m. peak hours, respectively.

SFL

The Holiday Harbor Courts project proposes to replace the existing on-site marine commercial office, health club, and retail uses with a new five-floor structure housing marine commercial office, health club, yacht club, and retail uses, as well as, a public park plaza, promenade, and on-site parking. The Holiday Harbor Courts project is estimated to generate a net decrease of approximately 19 vehicle trips daily, with a net increase of 2 and a net decrease of 11 vehicle trips during the a.m. and p.m. peak hours, respectively. Both projects combined are estimated to generate a net increase of approximately 278 vehicle trips daily, with 12 and 30 vehicle trips during the a.m. and p.m. peak hours, respectively.

The traffic generated cumulatively by both projects and with other related projects will exceed the significance threshold as defined in our TIA Report Guidelines at the three intersections listed below. We agree with the TIA that mitigation measures which are identified in the Marina del Rey Local Implementation Program (MDR LIP) will fully mitigate the direct and cumulative impacts to these three intersections. As required by the MDR Local Coastal Plan (LCP), the project shall pay the LCP traffic mitigation fee of $5,690 per p.m. peak-hour trip for Category 1 and 3 improvements. Based on the 30 estimated project p.m. peak-hour trips, the project's fair share of the LCP Transportation Improvement Program fee is $170,700 of which $47,760 will go toward the Category 1 transportation improvements and the remaining $122,940 will go toward the Category 3 transportation improvements. The project shall submit payment to Public Works, Marina del Rey Traffic Mitigation Fee Account No. TF2 7703, upon approval of the project.

- Admiralty Way at Via Marina

  We agree with the TIA's recommendation to reconstruct the intersection to realign Admiralty Way as a through roadway with the southern leg of Via Marina as proposed under the MDR LIP Category 3 improvements, rather than widen the south side of Admiralty Way to accommodate a triple westbound left-turn movement as proposed under the MDR LIP Category 1 improvements.

- Admiralty Way at Mindanao Way

  The addition of a northbound right-turn lane as proposed under the MDR LIP Category 1 improvements is not feasible due to right of way constraints. We agree with the TIA's recommendation to add a second southbound left-turn lane. We also recommend converting the shared left-turn/through lane to a shared left-/through/right-turn lane on the westbound approach, modifying the traffic signal to provide a westbound

right-turn phase concurrent with the southbound left-turn movement, and optimizing the signal operation at adjacent intersections to mitigate the project's cumulative traffic impact at the intersection.

- Admiralty Way at Bali Way

  Although the TIA's recommendation to widen Admiralty Way from Fiji Way to Via Marina to provide a third westbound/northbound through lane as proposed under the MDR LIP Category 1 improvements will mitigate the project's impact, we recommend instead adding a second southbound left-turn lane.

No feasible physical improvements are currently available to mitigate the potential cumulative impact for the five intersections listed below. The TIA indicates the proposed extension of State Route 90 (SR-90) to connect to Admiralty Way will mitigate the cumulative impact at these intersections. Although the SR-90 extension is not a programmed project, it is one of several potential regional transportation circulation improvements identified under the MDR LIP Category 3 improvements. These five intersections will have significant cumulative impacts until the SR-90 extension or another project of equal effectiveness is constructed. Therefore, please ensure that these unmitigated impacts are properly described in the project's revised TIA and subsequent Environmental Impact Report.

- Lincoln Boulevard at Washington Boulevard
- Lincoln Boulevard at SR-90 (Marina Expressway)
- Lincoln Boulevard at Bali Way
- Lincoln Boulevard at Mindanao Way
- Lincoln Boulevard at Fiji Way

The intersections listed below need to be improved to adequately handle the cumulative traffic generated by the project and other related projects. The project shall contribute its proportionate share of the cost for these improvements. Detailed striping and signal modification plans and cost estimates shall be submitted to Public Works for review and approval.

- Admiralty Way at Palawan Way

  North approach: One left-turn lane, one shared left-turn/through lane, and an exclusive right-turn lane instead of one left-turn lane, one through lane, and an exclusive right-turn lane (convert through lane to shared left-turn/through lane). This alternative appears to be feasible and

provides a better Level of Service (LOS) than the alternative to convert one through lane into a second left-turn lane to Admiralty Way as proposed under the MDR LIP Category 1 improvements.

East approach: One left-turn, two through lanes, and one shared through/right-turn lane instead of one left-turn lane, one through lane, and one shared through/right-turn lane (add second through lane).

South approach: One left-turn and one shared through/right-turn lane instead of one shared left-turn/through lane and one shared through/right-turn lane (convert shared left-turn/through lane to left-turn lane). This alternative appears to be feasible and provides a better LOS than the alternative to provide a separate right-turn lane to Admiralty Way as proposed under the MDR LIP Category 1 improvements.

- Washington Boulevard at Ocean Avenue/Via Marina

  Although no physical improvements are feasible at this intersection, the improvements recommended for the adjacent intersection of Washington Boulevard at Palawan Way will provide adequate mitigation.

- Washington Boulevard at Palawan Way

  South approach: Two northbound left-turn lanes and an exclusive right-turn lane (add two left-turn lanes).

  Install a new traffic signal and, as necessary, modify traffic signal at the intersection of Palawan Way at Admiralty Way. The project's prorata share is 3.8 percent which is $12,635 based on the total improvement cost estimated at $332,500. This improvement was reviewed and approved by the City of Los Angeles Department of Transportation (copy enclosed).

The project shall dedicate the necessary right of way for the future roadway widening along Admiralty Way and widening of sidewalk to 8 feet wide along the project frontage on Admiralty Way.

The project shall submit a 40-foot-scale site plan of the project showing access locations in relationship to adjacent intersections and driveways to our Land Development Division for review and approval.

MDR LCP Compliance

The project is well within the MDR LCP potential development entitlement of 2,750 p.m. peak-hour trips. The project's request to transfer the development potential of 114 hotel rooms and 5,000 square feet of office space from the Admiralty DZ 7 to Oxford DZ 6 will require an amendment to the LCP. We advise the project's representatives to consult with the Department of Regional Planning (DRP) to assess the requirements for obtaining the necessary approvals for this amendment.

Chapter 22.46 of the Los Angeles County Code (also known as the Marina del Rey Specific Plan) states for Parcel No. OT that development of uses other than public parking shall be conditioned to provide replacement public parking on-site or elsewhere in the marina on a one-to-one basis such that there is no net reduction on public parking spaces. The project's proposed relocation of 94 existing parking spaces from Parcel No. OT to Parcel No. 21 may conflict with the Department of Beaches and Harbors (DBH) pursuit for rights to relocate 260 other parking spaces to Parcel No. 21. We advise the project's representatives to consult with DRP and DBH to assess all parking lot redevelopment and parking space relocation for Parcel No. 21.

The Cities of Culver City and Los Angeles and Caltrans shall be consulted to obtain its written concurrence with the California Environmental Quality Act level of significance determination as soon as possible and/or before the public review period.

If you have any questions regarding the traffic analysis, please contact Mr. Suen Fei Lau of our Traffic Studies Section at (626) 300-4820.

Very truly yours,

DEAN D. EFSTATHIOU
Acting Director of Public Works

WILLIAM J. WINTER
Assistant Deputy Director
Traffic and Lighting Division

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Enc.

cc: Caltrans (Elmer Alvarez)
City of Culver City (Charles Herbertson)
City of Los Angeles (Eddie Guerrero)
County Counsel (Thomas Faughnan)
Department of Beaches and Harbors (Barry Kurtz)
Department of Regional Planning (Russell Fricano, Gina Natoli)

bc: Design (Chinn)
Land Development (Narag)
Programs Development (Dingman)
Traffic and Lighting (Quintana)

Goldrich & Kest Industries, LLC
LEADERS IN REAL ESTATE SINCE 1957

April 19, 2010

APR 20 2010

Mr. Michael Tripp
Department of Regional Planning
320 West Temple Street
Los Angeles, Ca. 90012

Re: Parcel 21 Marina del Rey

Dear Mr. Tripp

In pursuing entitlements for Parcel 21, we requested a Plan Amendment for adjusting the property line between Parcels 21 & GR. We have now determined that this Amendment is not necessary at this time. Thank you for making this adjustment.

Please let me know if you require any further documentation concerning this request.

Sincerely,

Frank Hickman
Director, Real Estate Development & Construction

cc: Andi Culbertson – Department of Beaches & Harbors
Travis Cullen – Envicom Corporation

5150 Overland Avenue ▪ Culver City, California 90230
310.204.2050 fax 310.204.1900 www.GKind.com

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

April 15, 2010

TO: Wayne Rew, Chair
Pat Modugno, Vice Chair
Esther L. Valadez, Commissioner
Leslie G. Bellamy, Commissioner
Harold V. Helsley, Commissioner

FROM: Samuel Dea, Section Head
Special Projects Section

SUBJECT: Oceana Retirement Facility and Holiday Harbor Courts. Project Nos. R2006-01510, R2006-02726 (Item Nos. 6 and 7)

Items 6 and 7 on the April 28, 2010 agenda are the Oceana Retirement Facility on Parcel OT and the Holiday Harbor Courts project on Parcel 21 located in the unincorporated community of Marina del Rey.

- Item 6 R2006-01510
  The project applicant is proposing, a 114-unit Active Seniors Accommodations Facility, which includes 3,500 square feet of retail space and 92 public parking spaces on Parcel OT
- Item 7 R2006-02726
  The applicant is proposing a 29,348 square foot commercial complex, which includes a health club, yacht club and 28 foot wide pedestrian promenade on parcel 21.

Public hearings on these projects were previously heard by your Commission on October 21, 2009, November 4, 2009, December 16, 2009, and April 7, 2010.

October 21, 2009 Public Hearing

On October 21, 2009, your commission conducted a public hearing on the above-mentioned items (Project). At that hearing, your commission heard the staff presentation and testimony from the project applicants and interested members of the public. Commissioners Bellamy, Rew, Valadez, Modugno and Helsley were present at the hearing.

Your commission continued the hearing to February 10, 2009 and directed staff and the project applicants to prepare responses to the issues raised during the hearing.

Prior to the February 10, 2010 public hearing, a letter was received from the Department of Beaches and Harbors requesting that an earlier hearing date be considered. You Commission considered the letter as a discussion item at the November 4, 2009 hearing and voted unanimously to change the continued hearing date to December 16, 2009. Commissioners Bellamy, Rew, Valadez and Helsley were present. Commissioner Modugno was absent.

December 16, 2009 Hearing

A continued public hearing on the above-mentioned projects was held before the Regional Planning Commission on December 16, 2009. At this hearing the Commission heard staff's presentation and additional testimony from the applicants and members of the public. During the hearing, Commissioner Valadez stated that the applicants had not adequately demonstrated how the proposed access for the Parcel OT project (Item No. 6) would function to separate the senior facility use from the Visitor-Serving/Convenience Commercial and public parking uses. Commissioner Valadez was concerned that there would be cross over use of the stairwells that would impact the safety of the residents. In addition, Commission Valadez did not think the facility had provided enough parking. Regarding Parcel 21 (Item No. 7), Commissioner Valadez additional public amenities provided on the pedestrian promenade. At the conclusion of the hearing, the applicants were instructed to return to the Marina del Rey Design Control Board (DCB) for further review of Parcel 21's pedestrian promenade and to enhance pedestrian interaction with the project on Parcel OT. The Commission then continued the hearing to April 7, 2010 and directed staff to prepare the Final Environmental Impact Report and complete the final findings and conditions of approval for the Commission's consideration. The applicants presented their revised projects to the Design Control Board on February 17, 2009. The projects were subsequently approved by the Design Control Board with conditions. A copy of the original Design Control submittal and the revised plans based on the Design Control Board's suggestions is attached **(Attachments).**

April 7, 2010 hearing

The Commission held a continued public hearing on April 7, 2010. At the hearing, staff informed the Commission that additional time was needed to prepare the Final Environmental Impact Report and other final documentation for the Commission's consideration. The Regional Planning Commission continued the public hearing to April 28, 2010.

Prior to the April 28, 2010, the applicant for the Holiday Harbor Courts Project on Parcel 21 requested to withdraw the Plan Amendment that was submitted with the project. The purpose of the Plan Amendment would adjust the boundary line between Parcel's 21 and GR. The Department of Beaches and Harbors has elected to request this change during

the Map and Text Amendment process rather than as part of the Parcel 21 project. The Parcel 21 project does not require a Plan Amendment to be constructed. For the Plan Amendment to be withdrawn, your Commission must accept that applicant's request for withdrawal so that the boundary adjustment may deferred.

At the request of the Commission, the proposed Active Seniors Accommodations land use category has been revised to include congregate care as a potential use. The new definition of the use will read as follows:

Active Seniors Accommodations: A specialized facility for the housing of active persons over age 60 who may or may not be retired. Units shall contain no more than two bedrooms and shall not provide a kitchen. However, communal dining facilities shall be available on-site. Mixed use services provided on-site for residents may include, but are not limited to, one or more of the following: concierge, dry cleaners, laundry, hair and beauty salon, spa (excluding massage), recreation room, lounge, shuttle/limousine, travel, maid, linen, and other similar personal services. The accommodations may be rented or leased on a monthly or yearly basis. Accommodations may be rented, for no more than seven (7) days, to relatives or friends who are visiting residents of the facility. Units within an Active Seniors Accommodations facility are not considered residential uses for purposes of allocating dwelling units, assessing affordable housing requirements, or assessing transient occupancy taxes or fees. Congregate care facilities are a use subject to permit in the Active Seniors Accommodations land use category.

STAFF RECOMMENDATION

Item 6 Project No. R2006-01510-(4)

Approval

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing.

Staff recommends APPROVAL of Coastal Development Permit No. 200600002-(4), Conditional Use Permit No. 200600115-(4) and Parking Permit No. 200600009-(4) subject to the attached conditions. Staff also recommends that the Regional Planning Commission adopt the resolution recommending approval of Plan Amendment No. 200600005-(4) to the Board of Supervisors.

<u>Suggested Motion</u>: "I move that the public hearing be closed and that Regional Planning Commission certify the Final Environmental Impact Report and adopt the Environmental Findings of Fact and Statement of Overriding Considerations for the project. I further move that the Regional Planning Commission approve Coastal Development Permit No. 200600002-(4), Conditional Use Permit No. 200600115-(4) and Parking No. 200600013-(4) with findings and conditions and recommend approval of Plan Amendment No. 200600005-(4) to the Board of Supervisors for its consideration."

<u>STAFF RECOMMENDATION</u>
Item 7 Project No. R2006-02726-(4)
Approval
The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing.

Staff recommends APPROVAL of Coastal Development Permit No. 200600003-(4), Conditional Use Permit No. 200600223-(4) and Parking Permit No. 200600015-(4) subject to the attached conditions.

<u>Suggested Motion</u>: "I move that the public hearing be closed and that Regional Planning Commission certify the Final Environmental Impact Report and adopt the Environmental Findings of Fact and Statement of Overriding Considerations for the project. I further move that the Regional Planning Commission approve Coastal Development Permit No. 200600003-(4), Conditional Use Permit No. 200600223-(4) and Parking Permit No. 200600015-(4) with findings and conditions.

<u>Attachments:</u>
Draft Findings
Draft Conditions
Resolution to the Board of Supervisors
Final Environmental Impact Report and Mitigation Monitoring Program
Environmental Findings of Fact and Statement of Overriding Considerations
Revised Design Control Board Packages

SZD:mrt
04/15/10

Project No. R2006-01510-(4)
Coastal Development Permit No. RCDP200600002
Conditional Use Permit No. RCUP200600115
Parking Permit Case No. 200600009

FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION COUNTY OF LOS ANGELES

REGIONAL PLANNING COMMISSION HEARING DATES: October 21, 2009; November 4, 2009; December 16, 2009; April 7, 2010; April 28, 2010

SYNOPSIS:
The applicant, MDR Oceana LLC, is requesting approval to demolish an existing public surface parking lot containing 186 parking spaces and appurtenant landscaping located on Marina del Rey Parcel OT, and to subsequently construct a 114-unit, maximum 75-foot-tall Senior Accommodations Facility with landscaping, hardscape, garage parking, and other site amenities and appurtenant facilities on the subject parcel. The building will also contain 3,500 square feet of visitor-serving/convenience commercial space and 92 public parking spaces. Parcel OT is located near the northeast corner of Palawan Way and Admiralty Way, with frontages on both Admiralty Way and Washington Boulevard. Associated land use entitlements for the project consist of a **Coastal Development Permit** to authorize demolition of all existing landside improvements and subsequent construction of the aforementioned landside improvements on Parcel OT; a **Conditional Use Permit** to authorize visitor-serving/convenience commercial uses on a parcel with a Mixed Use Overlay Zone; and a **Parking Permit** to authorize the transfer of public parking spaces from Parcel OT to an offsite location in Marina del Rey (Parcel 21).

The applicant is also requesting **amendments to the Marina del Rey Local Coastal Program** authorizing the transfer development potential between Development Zones (114 hotel units from the Admiralty DZ #7 and 3,500 square feet of Visitor-Serving/Convenience Commercial space from the Palawan/Beach DZ #5 to the Oxford DZ #6); the creation of an Active Seniors Accommodations Land Use Category in the LCP; the redesignation of Parcel OT's land use designation from "Parking" to the "Active Senior Accommodations Facility" designation with a Mixed Use Overlay Zone; the transfer 94 of the LCP required 186 public parking spaces on Parcel OT to Parcel 21; and the adjustment of the parcel boundary between Parcel OT (Currently designated as Parking in the LCP) and Parcel P (Currently designated as Open Space in the LCP), which would also necessitate adjustment to the land use categories of both parcels to the corresponding LCP maps. Parcel P currently has an area 10.72 acres and Parcel OT has an area 1.6 acres. If the proposed amendment to give 19,755 square feet of Parcel P to Parcel OT is approved, Parcel P will be reduced to 10.27 acres and Parcel OT will be increased to 2.10 acres. Associated approval findings for the associated Local Coastal Program amendment are included in a separate Regional Planning Commission Resolution concerning the Local Coastal Program Amendment requests.

PROCEEDINGS BEFORE THE COMMISSION:

October 21, 2009 Public Hearing

The Regional Planning Commission (Commission) held a duly noticed public hearing regarding the subject project on October 21, 2009. At this meeting (and at each of the Commission's public hearing meetings described below), the Commission conducted concurrent public hearings regarding the subject project and the following proposed Marina development project:

- Project No. R2006-02726, a request to a authorize a new 29,348 square foot commercial facility with an attached six-level parking structure containing 447 parking spaces and a 28 foot wide pedestrian promenade.

At the October 21, 2009 public hearing on the subject project and associated requested land use entitlements (and at each subsequent Commission hearing described below regarding the project), the Commission considered a single, comprehensive Environmental Impact Report evaluating the potential project-specific and cumulative environmental impacts associated with the subject project and the above-described proposed development project on Marina del Rey Parcel 21.

Proponent Testimony

The project applicants and two (2) members of the public testified in favor of the request. Proponent testified that the proposed project would modernize and improve services to marine businesses and boaters at the site.

Opposition Testimony

Seven (7) persons testified in opposition of the proposed development. Their testimony is summarized below:

a. The height of the proposed structure is out-of-character in relation to adjacent uses;
b. Public parking at the site should be preserved so that visitors may use the lot if they wish to visit the Oxford Basin after the Department of Public Works completes their planned enhancement of it;
c. The California Coastal Commission and the Marina del Rey Local Coastal Program (LCP) only allows public parking lots to be turned into parks;
d. The proposed project will result in a loss of public parking;
e. The Coastal Commission should approve all LCP plan amendments before they are considered by the Regional Planning Commission;

f. A Request for Proposals (RFP) was never released for Parcel OT;
g. The Marina del Rey Design Control Board did not approve this project with market rate housing or at its current location;
h. The County is preparing a Major LCP amendment that contains Cumulative Impact Assessment. No projects should be approved by the Regional Planning Commission until the LCP Amendment and Cumulative Impact Assessment have been heard.

At the conclusion of the October 21, 2009 hearing, the Commission directed staff to prepare a summary of the various concerns that were expressed by the testifiers and instructed the applicant to respond to the concerns raised by the opponents. The Commission continued the hearing to February 10, 2010.

November 4, 2009 Public Hearing

Prior to the February 10, 2010 hearing, a letter was received from the Department of Beaches and Harbors requesting that an earlier hearing date be considered. The Commission considered the letter as a discussion item at the November 4, 2009 hearing and voted unanimously to change the continued hearing date to December 16, 2009. Commissioners Bellamy, Rew, Valadez, and Helsely were present. Commissioner Modugno was absent.

December 16, 2009 Public Hearing

On December 16, 2009, a duly noticed public hearing was held. All Commissioners were present at this hearing. During the hearing, the Commission heard the staff presentation and testimony from the project applicant and interested members of the public. Commissioner Valadez stated her concern that the proposed project may not be providing a sufficient amount of parking. Commissioner Valadez was also concerned about the height of the proposed structure. At the conclusion of the hearing the applicants were directed to return to the Marina del Rey Design Control Board for further review of how the projects elevations interacted with pedestrians. The Commission then continued the hearing to April 7, 2010 and instructed staff to prepare the Final Environmental Impact Report, a resolution recommending the approval of the proposed Local Coastal Program (LCP) plan amendment to the Board of Supervisors and findings and conditions of approval. Commissioners Bellamy, Rew, Valadez, Helsley and Modugno were present.

Proponent Testimony

The applicants and one (1) member of the pubic testified in favor of the project.

Opposition Testimony

Six (6) individuals testified in opposition to the project at the hearing. Opposition testimony raised the following issues:

a. Everything in the Marina should be regulated by price control;
b. The proposed project is a low priority under the Coastal Act;
c. The Marina is underserved by recreation;
d. The proposed land use category is discriminatory;
e. The project does not have an adequate amount of parking;
f. The traffic trip generation rates for the project need to be reexamined;
g. The County does not belong in the luxury housing market;
h. Marina del Rey needs a master plan;
i. The proposed units should be subject to the Mello Act;

April 7, 2010 Public Hearing

The Commission held a continued public hearing on April 7, 2010. At the hearing, staff informed the Commission that additional time was needed to prepare the Final Environmental Impact Report and other final documentation for the Commission's consideration. The Regional Planning Commission continued the public hearing to April 28, 2010.

Findings

1. The applicant, MDR Oceana LLC, has requested approval of a **Coastal Development Permit** to authorize the demolition of an existing public surface parking lot containing 186 parking spaces and appurtenant landscaping located on Marina del Rey Parcel OT, and to subsequently construct one (1) 114-unit, maximum 75-foot-tall Senior Accommodations Facility with landscaping, hardscape, garage parking, and other site amenities and appurtenant facilities on the subject parcel. The building will also contain 3,500 square feet of visitor-serving/convenience commercial space and 92 public parking spaces. The applicant has also requested a **Conditional Use Permit** to authorize visitor-serving/convenience commercial uses on a parcel with a Mixed Use Overlay Zone, and a **Parking Permit** to authorize the transfer of public parking spaces from Parcel OT to an offsite location in Marina del Rey (Parcel 21). Collectively, the requested land use permits for the project are to referred herein as the "Project Permits."

   The Project Permits were considered by the Commission concurrently with the **Local Coastal Program Amendment No. RPA200600005**. On April 28, 2010, the Commission recommended approval of the project-related, plan amendment. The Project Permits will not become effective unless and until Local Coastal Program Amendment No. RPA200600005 has been adopted and certified by the Board of Supervisors and the California Coastal Commission.

2. The 2.08-acre subject property, known as Marina del Rey "Parcel OT," is located in the Playa del Rey Zoned District near the northeast corner of the intersection of Admiralty Way and Palawan Way in the County of Los Angeles unincorporated community of Marina del Rey. Washington Boulevard fronts the subject property to the north; Admiralty Way fronts the subject property to the south; the Oxford Flood Control Basin adjoins the subject property to the east; and Marina del Rey Parcel 145 adjoins the subject property to the west.

4. The subject property is zoned "Specific Plan" within the Marina Del Rey Local Coastal Program (LCP). The subject parcel's existing land use designation per the LCP is Parking; however, the applicant is requesting an amendment to the LCP to change the subject parcel's land use designation to Active Senior Accommodations with a Mixed Use Overlay Zone designation to facilitate the proposed development.

5. Zoning designations on the surrounding properties consist of the following:

   North: Multifamily Residential (City of Los Angeles)

   South: Visitor-Serving/ Convenience Commercial/Water (per MDR Specific Plan)

   West: Hotel/Residential V (per MDR Specific Plan)

   East: Open Space (per MDR Specific Plan)

6. The subject property is currently developed with an underutilized surface parking lot containing 186 public parking spaces and appurtenant landscaping.

7. Land Use on surrounding properties consists of the following:

   North: Multi-family residential (City of Los Angeles)

   South: Restaurant and Marina del Rey Basin E

   West: Hotel

   East: Oxford flood control basin

8. In May of 1995, Coastal Development Permit 94-150 was approved to allow 93 public parking spaces on Parcel OT to be used for offsite parking related to a charter boat operation. No previous zoning enforcement actions were found for the subject property.

9. The site plans and elevations depict a 257,370 square foot structure on 2.10 acres of land. The proposed structure has a ground floor (level one) with 44 parking spaces, and a 3,500 square foot Visitor-Serving/Convenience Commercial area. The second level contains 117 parking spaces, the senior accommodation facility's lobby, reception area, staff offices and lounges for both staff and the seniors. The third level depicts 18 units, a screening room, beauty salon, card room, arts and crafts room, library, bathrooms, gym, three communal dining areas and the facility's kitchen. The fourth, fifth and sixth levels each consist of 32 units, a lounge, a sitting room and two laundry rooms. The proposed structure has a maximum roof height of 75' above grade on the Washington Blvd side and 67 feet in height on the Admiralty Way side.

10. The site plan depicts three vehicular entrances/exits into the building, one via the garage entrance on Washington Boulevard, one via a turn out on Admiralty way and one via a garage entrance accessed from an alley that connects to both Washington Boulevard and Admiralty Way. Two parking levels are provided. The lower level provides 30 spaces for the senior facility and 14 spaces for the Visitor-Serving/Convenience Commercial use. The upper level provides 92 public parking spaces, 22 spaces for the senior facility and 3 spaces for maintenance vehicles. Seven of the 161 parking spaces are allocated to persons with disabilities.

11. Prior to the public hearing on the Project Permits and associated Draft Environmental report (DEIR) before the Commission, a legal notice was published in the local newspaper, *The Argonaut* on September 3, 2009 and in *La Opinion* on September 2, 2009. Staff also mailed out 209 hearing notices on August 31, 2009 to property owners and tenants within 500 feet of the site and interested parties. The applicant posted a hearing notice sign on the subject property on September 1, 2009.

12. The subject parcel is currently designated "Parking" in the Marina del Rey Land Use Plan and Specific Plan. In order to facilitate development of the proposed project, the applicant is requesting amendments to the LCP (see Local Coastal Program Amendment No. RPA200600005) to transfer development potential between Development Zones (114 hotel units from the Admiralty DZ #7 and 3,500 square feet of Visitor-Serving/Convenience Commercial space from the Palawan/Beach DZ #5 to the Oxford DZ #6); the creation of an Active Seniors Accommodations Land Use Category in the LCP; the redesignation of Parcel OT's land use designation from "Parking" to the "Active Senior Accommodations Facility" designation with a Mixed Use Overlay Zone; the transfer 94 of the LCP required 186 public parking spaces on Parcel OT to Parcel 21; and the adjustment of the parcel boundary between Parcel OT (Currently designated as Parking in the LCP) and Parcel P (Currently designated as Open Space in the LCP), which would also necessitate adjustment to the land use categories of both parcels to the corresponding LCP maps. Parcel P currently has an area 10.72 acres and Parcel

OT has an area 1.6 acres. If the proposed amendment to give 19,755 square feet of Parcel P to Parcel OT is approved, Parcel P will be reduced to 10.27 acres and Parcel OT will be increased to 2.10 acres. The Commission finds there is clear precedent for the proposed inter-Development Zone transfer of development potential; reference Goldrich & Kest Industries' LCP amendment approval at Marina Parcel 20, certified by the California Coastal Commission, which authorized the transfer of 97 development units from the Bora Bora DZ into the Panay DZ (see approval for County Project No. 98-172-4). As with the Parcel 20 LCP amendment, a traffic analysis has been prepared for the subject project which has determined that the traffic and circulation impacts of the proposed inter-Development Zone transfer of excess development units will have no adverse impact on traffic circulation in the project vicinity.

13. The applicant is requesting the associated amendment to the certified LCP in order to amend the certified LCP in a manner that will accommodate the proposed development on the subject parcel. The Commission finds that the benefit of bringing the type of senior housing proposed by the applicant into the Marina and the transfer of 94 public parking spaces to a location nearer a visitor attraction, Marina Beach, justifies the conversion of a public parking lot into a senior accommodations facility.

14. The subject Parcel OT is currently improved with a surface parking lot, which, due to its relatively distant location from recreational uses or visitor attractions in the Marina, has been and continues to be highly underutilized by the public. This fact was confirmed by the California Coastal Commission staff in its Marina del Rey Periodic Review Staff Recommendation, dated May 25, 2005, in which staff writes (at page 104):

> "[T]here are a few public parking lots that the County provides that are not located adjacent to key visitor attractions and may be underutilized due to their location. Parcels FF and OT are examples of such parking lots.... Parcel OT, located on the northern side of Admiralty Way and northeast of Marina Beach, is approximately 600 feet from Marina Beach, but because of its location, the use of the lot may not be maximized."

15. The underutilization of the Parcel OT parking lot and the resulting contemplation for the parcel's conversion from parking to another use is further confirmed on Page 2-5 of Chapter A.2 of the LUP (Recreation & Visitor-Serving Facilities), which states, under the "Potential Conversion of Public Parking Lots" subsection: "Lots FF and OT, both on the west side of the Marina, are under utilized throughout most of the year. They are being contemplated for development as residential uses."

16. The Los Angeles County Department of Beaches & Harbors' comprehensive March 2009 Right-Sizing Study of Parking Lots in Marina del Rey, concludes the

public's use of Parcel OT parking is minimal. The County's Right-Sizing Study, which the Commission has reviewed and is included in the administrative file for this case, was based on field observations in 2005 and 2007. Moreover, the California Coastal Commission's April 2009 Revised Findings in support of its Periodic Review of the Marina del Rey LCP also found that the lot is underutilized by the public because it is not located near visitor-serving or recreational attractions.

17. Having considered the foregoing evidence demonstrating the public's historic and ongoing use of the public parking spaces located at Parcel OT is minimal, the Commission hereby finds that no temporary or permanent public parking shortage will occur as a result of the proposed conversion of Parcel OT from its current parking use to the applicant's proposed active senior accommodation facility. The Commission further finds that the County's proposal to relocate 94 of the 186 public parking spaces that currently exist on Parcel OT to Parcel 21, will serve to enhance the public's access to the Coast by providing the public parking at a more desirable location in direct proximity to visitor-serving or recreational attractions.

18. The Marina del Rey Local Coastal Program (LCP) provides development guidelines for the unincorporated community of Marina del Rey. The Marina del Rey LCP consists of two sets of inter-related requirements: the Marina del Rey Land Use Plan (land use policies) and the Local Implementation Program or Specific Plan (development-specific requirements).

19. Consistent with Marina del Rey Specific Plan requirements, the project has been reviewed and conceptually approved by the Department of Beaches & Harbors' Design Control Board ("DCB"). In rendering its conceptual approval for the project, the DCB found the proposed project to be in conformity with the various public access, height, circulation, building massing, visual impact and view requirements of the LCP.

20. The Applicant has submitted a preliminary geotechnical report to County Department of Public Works (a copy of this report is included in the EIR appendices) as part of its application filing, the content of which is compliant with LCP requirements; site development will be based on thorough site-specific geologic and soils studies, including specific geotechnical studies related to mitigation of liquefaction and lateral spreading. The project has also been designed to utilize earthquake resistant construction and engineering practices, in full compliance with applicable County and state regulations and ordinances.

21. The applicant has been conditioned to conduct site development in conformity with the archeological reporting requirements specified in Section 22.46.1190.2.a-c of the County Code.

22. To ensure project consistency with Section 22.46.1190.A.3 of the County Code, the applicant has been conditioned to implement a functional transportation systems management (TSM)/Transportation Demand Management (TDM) program.

23. The Commission hereby finds the proposed development project conforms to the phasing schedules in the LCP because:

    - With development of the project, there will be no significant, unmitigated peak-hour project-specific adverse traffic impacts created as a result of project development;

    - The County-approved traffic study for the project indicates there is sufficient traffic capacity in both the Marina del Rey internal system and the sub-regional highway system serving the Marina to accommodate the traffic generated by the modest planned development; and

    - As outlined in finding #20 above, with approval of the associated LCP amendment, the Commission hereby finds that the project will be in full conformity with the build-out limitations of the LCP specified for Development Zone 3.

24. With approval of the LCP amendment for the project, the Commission hereby finds project will be consistent with the newly created, "Active Senior Accommodations Facility" with a Mixed Use Overlay Zone land use designation for the parcel.

25. The proposed parking ratio of 0.484 spaces per unit will adequately serve the senior accommodations facility and will not result in traffic congestion, excessive off-site parking or unauthorized use of parking facilities developed to serve surrounding properties.

26. Sections 22.46.1090 and 22.46.1100 of the County Code and the LUP require, among other things, that the applicant demonstrate that there is sufficient traffic capacity in both the internal Marina del Rey road system and the subregional highway system serving the Marina to accommodate traffic generated by the development. The certified Environmental Impact Report for the project includes a traffic report that was prepared in accordance with the requirements of the LCP and LUP and which was reviewed and approved by the Traffic & Lighting Division of the County Department of Public Works. The approved traffic report for the project demonstrates there is adequate internal and subregional traffic capacity to support the project, and identifies specific traffic improvements intended to mitigate the project's potentially significant direct and cumulative impacts, which mitigation measures have been incorporated into the Mitigation Monitoring Program approved for the project in conjunction with certification of the Final Environmental

Impact Report. In accordance with LCP requirements, the applicant has been conditioned to pay traffic mitigation fees of $5,690 per p.m. peak hour trip generated by the project, to be allocated as follows:

a. $1,600 per p.m. peak hour trip will be paid by the applicant into the County-administered Transportation Improvement Program to offset project impacts to the internal Marina circulation system (Category 1 improvements identified in Appendix G to the LCP); and

b. $4,090 per p.m. peak hour trip will be paid by the applicant into the County-administered Transportation Improvement Program to offset the project's proportional share of the cumulative impacts of Marina development on the subregional transportation system (Category 3 improvements identified in Appendix G of the certified LCP).

27. The applicants for the combined projects on Parcels OT and 21 shall be required to pay $170,700 in trip mitigation fees, based on the expected project trip generation of 30 net new PM peak hour trips.

28. Consistent with LCP requirements, the Commission finds more than 10 percent of the net lot area will be landscaped and building coverage is less than 90 percent of the net lot area.

29. With the approval of the Plan Amendment, parking for the project will be consistent with the parking standards of the County Zoning Ordinance. The applicant has been conditioned to provide at least 161 on-site parking spaces. Of the 161 on-site parking spaces provided in the project, 55 are allocated to senior accommodations facility, 14 are for the Visitor-Serving/Convenience Commercial use and 92 are dedicated to public parking. Seven (7) spaces are allocated to persons with disabilities.

30. The building will be sprinklered, in conformance with County Fire Department requirements. Emergency access to all structures and common areas of the project will be provided to the satisfaction of the County Fire Department. The applicant has been conditioned to secure Fire Department approval of a "Fire Safety Plan" prior to issuance of a building permit.

31. The project landscaping along site perimeters will maintain a minimum width of eight feet and will allow visual access into the lot, as required by the LCP.

32. The project infrastructure has been designed, and will be constructed by the applicant, in an environmentally sensitive manner, and will follow design policies of the LCP, including landscaping standards required by the DCB. The project will be

subject to the County's newly-enacted Green Building and Drought-Tolerant Landscape ordinances.

33. Consistent with Shoreline Access Policy #1 of the LUP (Public Access to Shoreline a Priority), the project enhances public access to the shoreline by transferring 94 public parking spaces from the subject parcel to Parcel 21. The subject Parcel, OT does not have a water frontage. By transferring the parking spaces from Parcel OT to Parcel 21, the public is provided parking spaces that are closer to the shoreline and closer to Marina Beach.

34. Consistent with Shoreline Access Policy #11 of the LUP, the project has been conditioned to participate in its proportionate share (through the County's appropriation of the Applicant's paid Category 3 traffic mitigation fees), if and when such a shuttle system is established in the future.

35. Consistent with Shoreline Access Policy #13 of the LUP, the project will provide an outdoor map showing locations of public waterfront access ways and parks located in Marina del Rey and will have a kiosk within the senior accommodations facility that will provide information on visitor-serving activities in Marina del Rey.

36. Consistent with Shoreline Access Policy #14 of the LUP, the applicant's development of a new 28-foot-wide public pedestrian promenade and amenities along the parcel's entire waterfront will allow the public substantial viewing opportunities of the small craft harbor water areas.

37. Consistent with Recreation & Visitor-Serving Facilities Policy #2 of the LUP, the project will provide a walking path between Parcel OT and the Oxford Basin.

38. Consistent with Marine Resources Policy #2 of the LUP ("*Reduce contaminated run-off into Marina waters*"), the applicant has completed a drainage concept, which has been approved by the County Department of Public Works. To avoid adverse impacts on the local Marina and greater ocean waters, the applicant has been conditioned to comply with National Pollution Discharge Elimination System requirements of the California Regional Water Quality Control Board, as well as all pertinent stormwater quality management programs of the Federal, State and County agencies.

39. Consistent with Cultural Heritage Resources Policy #1 of the LUP, the project was reviewed during the environmental review/CEQA review process to determine potential impacts on cultural resources; no such impacts were identified.

40. Consistent with Cultural Heritage Resources Policy #3 of the LUP, the applicant has been conditioned to notify the County Department of Regional Planning and the State Historic Preservation Office in the event a significant cultural resource is

discovered during any construction phase. A halt-work condition will be instituted in the event of such a cultural resource discovery during construction.

41. Consistent with Land Use Plan Policy #1 of the LUP ("Preservation of the small craft harbor as a recreational facility shall be a priority") the project enhances public access to the shoreline by transferring 94 public parking spaces from the subject parcel to Parcel 21. The public parking lot currently develop on Parcel OT is underutilized most of the year. By moving public parking spaces from the location on Parcel OT to Parcel 21 the public is provided more convenient access to the Marina harbor and Marina Beach.

42. The project implements Land Use Plan Policy #2 of the LUP ("Maintenance of the physical and economic viability of the marina is a priority") through redeveloping Parcel OT, which is currently developed with a 186 space public parking lot that is underutilized for most of the year. The conversion of the parking lot to a senior accommodations facility with 3,500 square feet of Visitor-Serving/Convenience Commercial space will increase the economic viability of the Marina.

43. Consistent with Land Use Plan Policy #6 of the LUP, the project has received conceptual design approval from the DCB, as prescribed in the LCP. This DCB's review included review for consistency with the *Manual for Specifications and Minimum Standards of Architectural Treatment and Construction* and applicable policies of the certified LCP.

44. The approved project is consistent with Coastal Visual Resources Policy #9 of the LUP (Evaluation of wind impacts). Rowan, Williams, Davies and Irwin, Inc. (RWDI), a licensed engineering firm, performed a detailed assessment of the proposed Parcel OT development. The analysis studied the projects potential impacts on winds coming from the east, west, southwest and west-southwest directions. The analysis concluded that winds coming from the east, southwest and west-south west direction that come in contact with the proposed Parcel OT building would likely stay on land, rather than enter the Marina basins, and thus would not have an impact on sailing in the Marina. The analysis further concluded that due to the height of the hotel next to the project site and the condominium towers located southeast of the site, the projects impacts on winds from the west would also be insignificant.

45. The Commission has reviewed RWDI's wind report for the project and deems them to constitute credible evidence substantiating that development of the subject building on Parcel OT will not significantly increase infringements of wind access for boats in their berths, in the fairways, or in the Main Channel, nor adversely impact winds utilized by birds in flight.

46. Consistent with Hazards Policy #1 of the LUP, the applicant has obtained approval of Drainage Concept and SUSMP plans from the Department of Public Works. These plans are intended to mitigate flooding concerns relating to site drainage and to minimize runoff of polluted rainwater sheet-flow into the Marina and public storm drain system.

47. Consistent with Hazards Policy # 2 of the LUP, the applicant the applicant will be required to implement geotechnical engineering recommendations related to secondary geologic hazards (liquefaction, lateral spreading, and ground subsidence) that are recommended by the geotechnical engineer and the Department of Public Works. A geologic report approved by DPW will be required prior to any construction.

48. The traffic report prepared for the project, which has been reviewed and approved by the County Department of Public Works' Traffic & Lighting Division and has been included as an appendix to the EIR concluded that the proposed project will not cause in increase in traffic that will exceed the capacity of the internal Marina del Rey street system.

49. Consistent with Traffic Circulation Policy #3 of the LUP (Sub-regional Transportation Improvements), as outlined in the project traffic study, the applicant has been conditioned to make its fair share contribution, though payment of the prescribed traffic mitigation fee, to help fund construction of "Category 3" ("Sub-regional") transportation improvements, which are prescribed in the LCP. The applicant will be conditioned to pay traffic mitigation fees to fund Category 3 transportation improvements, as is required by the LCP. This requirement has been included in the draft conditions and also as part of the mitigation measures. The combined Parcels OT and 21 projects will be required to pay $170,700 in traffic mitigation fees.

50. In conformance with Public Works Policy #2 of the LUP (Public Works improvement phasing), the applicant's Coastal Development Permit has been conditioned to require that all necessary public works facilities/infrastructure will be provided for the project prior to the County's issuance of a Certificate of Occupancy for the project.

51. In conformance with Public Works Policy #6 of the LUP, the project has been conditioned to incorporate water-conserving technology consistent with local, state and/or federal regulations affecting same. Consistent with this Policy, the project has also been conditioned to ensure County Public Works will review the project plans to assure that water conservation measures and techniques are incorporated. Moreover, the project will be subject to the County's recently-enacted Green Building and Drought-Tolerant Landscaping ordinances.

52. Consistent with Public Works Policy #10 of the LUP, the project has been conditioned to require fire sprinklers in conformance with Fire Department requirements.

53. The DCB is charged with regulating the design of Marina del Rey signage through its "Revised Permanent Sign Controls and Regulations" (Section 22.46.1060 (D) (1)) of the County Code. Prior to installation of any signage on the subject property, the applicant will be required to submit its proposed signage package to the DCB for review and approval.

54. As directed by the Commission at the December 16, 2009 continued public hearing, the applicant updated the plans for the project to include additional conditions mandated by the Design Control Board.

55. The Commission held a duly notice public hearing on the Project Permits on October 21, 2009. At the conclusion of the hearing, the Commission directed staff to prepare a summary of the various concerns that were expressed by the testifiers and instructed the applicant to respond to the concerns raised by the opponents. The Commission continued the hearing to February 10, 2010.

56. Prior to the February 10, 2010 hearing, a letter was received from the Department of Beaches and Harbors requesting that an earlier hearing date be considered. The Commission considered the letter as a discussion item at the November 4, 2009 hearing and voted unanimously to change the continued hearing date to December 16, 2009.

57. The Commission held a duly noticed public hearing on the Project Permits and associated DEIR on December 16, 2009. At the conclusion of the hearing, the Commission continued the hearing to April 7, 2010, and directed the applicants to return to the Marina del Rey Design Control Board for further review of the project's pedestrian promenade. Staff was directed prepare final findings and conditions for the project and to prepare the Final Environmental Impact Report, for the Commission's consideration at the April 7, 2010 continued public hearing.

58. At the April 7, 2010 continued public hearing, staff informed the Commission that it needed additional time to prepare the Final Environmental Impact Report and other final documentation for the Commission's consideration. On a motion by Commissioner Modugno, seconded by Commissioner Helsley, the Regional Planning Commission continued the public hearing to April 28, 2010.

59. On April 28, 2010, the Commission voted to certify the FEIR for the project and approved the final findings and conditions for the Project Permits.

60. During the public hearings for the Project Permits, DEIR before the Commission, a number of persons spoke in opposition to the proposed project. The Commission also received a number of letters and emails in opposition to the project, each of which has been incorporated by staff into the administrative record for the subject case and has been responded to in the FEIR.

61. Written and verbal correspondence to the Commission in opposition to the project generally focused on the following issues and/or allegations:

    a. The height of the proposed structure is out-of-character in relation to adjacent uses;
    b. Public parking at the site should be preserved so that visitors may use the lot if they wish to visit the Oxford Basin after the Department of Public Works completes their planned enhancement of it;
    c. The California Coastal Commission and the Marina del Rey Local Coastal Program (LCP) only allows public parking lots to be turned into parks;
    d. The proposed project will result in a loss of public parking;
    e. The Coastal Commission should approve plan amendments before they are considered by the Regional Planning Commission;
    f. A Request for Proposals (RFP) was never released for Parcel OT;
    g. The Marina del Rey Design Control Board did not approve this project with market rate housing or at its current location;
    h. The County is preparing a Major LCP amendment that contains Cumulative Impact Assessment. No projects should be approved by the Regional Planning Commission until the LCP Amendment and Cumulative Impact Assessment have been heard.
    i. Everything in the Marina should be regulated by price control;
    j. The proposed project is a low priority under the Coastal Act;
    k. The Marina is underserved by recreation;
    l. The proposed land use category is discriminatory;
    m. The project does not have an adequate amount of parking;
    n. The trip generation rates for the project need to be reexamined;
    o. The County does not belong in the luxury housing market;
    p. Marina del Rey needs a master plan; and
    q. The proposed units should be subject to the Mello Act;

62. A Final Environmental Impact Report for the project has been prepared in accordance with the California Environmental Quality Act (CEQA), the State Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Final Environmental Impact Report consists of the Draft EIR, the Technical Appendices to the Draft EIR and the Final EIR, including responses to comments. A Mitigation Monitoring Program consistent with the conclusions and recommendations of the FEIR has been prepared, and its requirements have been incorporated into the conditions of

approval for this project. On April 28, 2010, the Commission certified the FEIR prepared for the project pursuant to Public Resources Code Section 21082.1(c)(3) and CEQA Guidelines, finding that (1) the FEIR has been completed in compliance with CEQA, (2) that the Commission had reviewed and considered the information contained in the FEIR prior to approving the project, and (3) that the FEIR reflected the Commission's independent judgment and analysis. Except for potentially significant noise impacts at the project level, and impacts related to traffic and visual quality when the project is viewed cumulatively with other projects in the area, identified significant impacts can be reduced to acceptable levels with mitigation measures identified in the FEIR. As stated in the FEIR and Statement of Overriding Considerations, the project will result in the unavoidable potentially significant impacts mentioned above. Such impacts have been reduced to the extent feasible, and the Commission found that the benefits of the proposed project outweigh these unavoidable adverse impacts. Such unavoidable adverse impacts have been determined to be acceptable based upon the overriding considerations set forth in the Statement of Overriding Considerations for the project.

63. The Commission has duly considered all of the issues and information contained in all of the oral testimony and written correspondence made in opposition to the proposed project during the public hearing process on the Project Permits, and DEIR as well as all of the oral testimony and written correspondence provided to the Commission in response thereto by staff and the project applicant. For the reasons set forth in the following findings, and explained in the County's detailed responses to all public written comments received by the Commission regarding the proposed project, all of which have been incorporated into the Final Environmental Impact Report (FEIR), the Commission finds the allegations made against the project in the opposition testimony and correspondence fail to identify any substantial evidence that the FEIR does not meet the requirements of CEQA, and fail to identity any substantial evidence requiring recirculation of the FEIR pursuant to CEQA Guidelines section 15088.5. The Commission finds that there is no credible evidence in the record that the supposed environmental impacts set forth in the project opponents' testimony and correspondence will in fact occur, but there is credible evidence in the administrative record for this case rebutting such testimony and correspondence. The Commission further finds that the opponents' oral testimony and written correspondence do not constitute substantial evidence, but instead consist entirely of argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment and do not constitute substantial evidence.

BASED ON THE FOREGOING, REGARDING THE CONDITIONAL USE PERMIT BURDEN OF PROOF, THE REGIONAL PLANNING COMMISSION CONCLUDES:

Regarding the Coastal Development Permit:

A. That the proposed project is in conformity with the certified local coastal program and, where applicable; and

Regarding the Conditional Use Permit:

A. The proposed use is consistent with the adopted general plan for the area;

B. The requested use at the proposed location will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare;

C. The proposed site is adequate in size and shape to accommodate the development features prescribed in Title 22 of the County Code, or as otherwise required in order to integrate said uses with the uses in the surrounding area; and

D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

Regarding the Parking Permit:

That off-site facilities, leases of less than 20 years, rear lot transitional parking lots and uncovered residential parking spaces will provide the required parking for uses because:

A. That off-site facilities will provide the required parking for the uses because such off-site facilities will be controlled through ownership, leasing or other arrangement by the owner of the use for which the site serves, and are conveniently accessible to the main use, and such leases will be written in such a way as to prevent multiple leasing of the same spaces or cancellation without providing alternate spaces and will contain other guarantees assuring continued availability of the spaces.

B. That the requested parking permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding property.

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Coastal Development Permit as set forth in Section 22.56.2410 of the Los Angeles County Code (Zoning Ordinance), for a Conditional Use Permit as set forth in Section 22.56.090 of the Zoning Ordinance and for a Parking Permit as set forth in Section 22.56.1020 of the Zoning Ordinance.

REGIONAL PLANNING COMMISSION ACTION:

1. The Regional Planning Commission certifies that it has independently reviewed and considered the information contained in the Final Environmental Impact Report prepared by Los Angeles County Department of Regional Planning as lead agency prior to approving the project; certifies the EIR; adopts the Mitigation Monitoring Plan (MMP) which is appended to and included in the attached conditions of approval, finding that, pursuant to California Public Resources Code Section 21081.6, the MMP is adequately designed to ensure compliance with the mitigation measures during project implementation; determines that the conditions of approval attached hereto are the only mitigation measures for the project which are feasible and that the unavoidable significant effects of the project after adoption of said mitigation measures are as described in these findings; determines that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social and/or environmental benefits of the project as stated in the findings and in the Environmental Findings of Fact and Statement of Overriding Considerations adopted for the project, which findings and statement are incorporated herein by reference.

2. In view of the findings of fact and conclusions presented above, Coastal Development Permit No. RCDP200600002, Conditional Use Permit No. RCUP200600115 and Parking Permit No. RPKP200600009 are approved subject to the attached conditions.

VOTE

Concurring:

Dissenting:

Abstaining:

Absent:

Action Date: April 28, 2010

This grant authorizes a **Coastal Development Permit** for the demolition of an existing public surface parking lot containing 186 parking spaces and appurtenant landscaping located on Marina del Rey Parcel OT; the subsequent construction of one (1) 114-unit, maximum 75-foot-tall (excluding rooftop appurtenant structures) senior accommodations facility 3,500 square foot Visitor-Serving/Convenience Commercial space and landscaping, hardscape, garage parking, and other site amenities and appurtenant facilities on Parcel OT in Marina del Rey. This grant also authorizes a **Conditional Use Permit** for retail uses on a parcel with a proposed Mixed Use Overlay Zone. This grant further authorizes a **Parking Permit** to authorize the transfer of public parking spaces from Parcel OT to an offsite location in Marina del Rey (Parcel 21), as all such improvements are depicted on the approved site plans, building elevations, parking plan, building cross-sections, and other approved plans, marked Exhibit "A" on file, subject to all of the following conditions of approval:

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.

2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant, and until all required monies have been paid pursuant to Condition Nos. 8, 10 and 11.

3. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of California Government Code section 65009, or any other applicable limitation period. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.

4. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing pay Regional Planning an initial deposit of $5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:

    a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to

the number of supplemental deposits that may be required prior to completion of the litigation; and

b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents shall be paid by the permittee in accordance with County Code section 2.170.010.

5. This grant shall expire unless used on the date that is two (2) years after the Final Approval Date (defined below). The "Final Approval Date" means the later of (a) the last date on which any party may file any legal challenge or appeal the approval action for this grant, provided no such legal challenge or appeal has been filed; or (b) if any legal challenge or appeal of the approval action for this grant is made by any party, then the date on which such legal challenge or appeal is fully and finally resolved, such that no further legal challenge may be made. No less than six (6) months prior to the permit expiration date, the permittee may request in writing a one-year time extension, and pay the applicable extension fee. This grant shall not become effective unless the Coastal Commission has approved Local Coastal Program Amendment No. RPA200600005 and until the Board of Supervisors adopted a resolution or take necessary actions effecting said amendment request.

6. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.

7. Upon any transfer or lease of the property during the term of this grant, the property owner or permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.

8. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. The permittee shall deposit with the County the sum of **$6,000**. These monies shall be placed in a performance fund which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including adherence to development in accordance with the approved site plan on file. The fund provides for **30** annual inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment (currently **$200** per inspection).

9. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a hearing officer may, after conducting a public hearing and giving notice thereof to permittee, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.

10. Within five (5) days of the final approval date of this grant, the permittee shall cause a Notice of Determination to be posted in the office of the County Registrar/Recorder in compliance with Section 21152 of the Public Resources Code. Permittee shall remit applicable processing fees, payable to the County of Los Angeles, in connection with such filing. The project is not *de minimus* in its effect on fish and wildlife and is not exempt from payment of a fee to the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current total fee amount is **$2,867.25** ($2,792.25 plus $75.00 processing fee).

11. Within 30 days of the approval date of this grant, the permittee shall deposit the sum of **$3,000** with Regional Planning to defray the cost of reviewing the required mitigation monitoring reports and verifying compliance with the Mitigation Monitoring Program ("MMP") adopted in conjunction with the certified Final Environmental Impact Report for the project.

12. The conditions and/or changes in the project, set forth in the Final Environmental Impact Report, necessary in order to assure that the proposed project will not have a significant effect on the environment, are incorporated herein by this reference and made conditions of approval of this grant. The permittee shall comply with all such conditions/changes in accordance with the attached MMP. As a means of ensuring the effectiveness of such conditions and/or changes to the project, the permittee shall submit mitigation monitoring reports to Regional Planning for review and approval as frequently as may be required by Regional Planning. The reports shall describe the status of the permittee's compliance with the required project

conditions/changes.

13. The subject apartment building shall be limited to 114 Senior Accommodations Facility Units.

14. Units of the proposed facility are age restricted for active seniors age 60 and up.

15. The development shall provide housing only to senior citizen households by at all times complying with the federal fair housing statutes and regulations under 42 United States Code section 3601, et seq.; the California fair housing statutes and regulations under California Government Code section 12955, et seq.; and California Civil Code section 51, et seq., for "housing for older persons," as defined in those federal and state statutes and regulations.

16. Individual Kitchens are not permitted within the units of the facility.

17. Front yards and rear yards (Yards fronting Admiralty Way and Washington Boulevard) shall be maintained at a minimum of ten (10) feet in width and side yards shall be maintained at a minimum of five (5) feet in width.

18. The permittee shall refrain from restricting the rental or lease of the site or any portion thereof on the basis of race, color, creed, religion, gender, marital status, sexual orientation, national origin, or ancestry of any person. All such leases or contracts shall contain or be subject to substantially the following non-discrimination or non-segregation clauses.

19. There shall be no discrimination against or segregation of any person, or group of persons, on account of race, color, creed, religion, gender, marital status, sexual orientation, national origin, or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of the site, nor shall the permittee itself or any person claiming under or through it establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees, or vendees of the site or any portion thereof. The non-discrimination and non-segregation provisions set forth herein shall remain in effect in perpetuity.

20. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided as may be required by said department.

21. All requirements of Title 22 of the County Code and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as

set forth in these conditions, or shown on the approved plans.

27. The subject property shall be maintained in substantial conformance with the plans marked Exhibit "A." In the event that subsequent revised plans are submitted, the permittee shall submit four (4) copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner.

28. All structures shall comply with the requirements of the Division of Building and Safety of the County Department of Public Works ("Public Works").

22. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not provide pertinent information about said premises. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

23. Within sixty (60) days of the Design Control Board's ("DCB") final design approval, permittee shall submit to the Director for review and approval three (3) copies of a revised Exhibit "A", similar to that presented at the public hearing. This Revised Exhibit "A" submittal shall contain a full set of the approved site plan, floor plans, parking plan, roof plan, building elevations, building cross-sections, landscaping plan, and signage plan.

24. Within sixty (60) days of the DCB's final design approval, the permittee shall submit to the Director for review and approval three copies of a landscape plan, which may be incorporated into the revised Exhibit "A" described herein. The landscape plan shall show the size, type, and location of all plants, trees, and watering facilities. The permittee shall maintain all landscaping in a neat, clean, and healthful condition, including proper pruning, weeding, removal of litter, fertilizing, and replacement of plants when necessary for the life of this grant.

25. Within sixty (60) days of the DCB's final design approval, the permittee shall submit to the Director and Director of DBH for review and approval three copies of a signage plan, including elevations, proposed lettering, colors, and locations of signage on the subject property, which may be incorporated into the revised Exhibit "A," described herein. All renderings of said signage shall be drawn to scale and shall be in conformity with those approved by the DCB.

26. Prior to development of the project, the applicant must replace 94 of the public

parking spaces located onsite to an offsite location known as Marina del Rey Parcel 21.

27. The proposed facility must include 92 public parking spaces. These spaces must be separated from the spaces required for the retail and senior accommodations facility parking. Signage must be provided and approved by the Marina del Rey Design Control Board that direct the public to the public parking spaces.

28. Prior to issuance of a building permit for the project, the permittee shall secure approval from the County Fire Department of a Fire Safety Plan meeting the specifications for same outlined in Section 22.46.1180.15 of he County Code. The permittee shall conduct site development in conformance with the approved Fire Safety Plan, and shall provide a copy of such approved plan to Regional Planning staff for inclusion in the subject case file.

29. The permittee shall contact the Fire Prevention Bureau of the County Fire Department to determine what facilities may be necessary to protect the property from fire hazard. The permittee shall provide fire flow, hydrants, gated access width, emergency access, and any other facilities as may be required by said Department.

30. The applicant shall provide fire sprinklers in all structures in accordance with County Building Code, Chapter 38, sections 3802(b) 5 and 3802 (h) to the satisfaction of the County Fire Department.

31. The following conditions shall apply to project construction activities:

    a. Construction activity shall be restricted between the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday and 8:00 a.m. to 5:00 p.m. Saturday. Written permission from the Department of Beaches and Harbors is required prior to any construction on Saturdays. No construction shall occur on Sundays and legal holidays;

    b. Pile driving shall be restricted to the hours between 8:00 a.m. to 4:30 p.m., Monday through Friday. No pile driving activity shall be conducted on Saturdays or Sundays. The permittee shall provide adjacent property owners and tenants with a pile-driving schedule 10 days in advance of such activities, and a three-day notice of any re-tapping activities that may occur. The permittee shall submit a copy of the schedule and mailing list to the Director and to Public Works prior to the initiation of construction activities. In addition, at least 10 days in advance of any construction activities on the subject parcel, the permittee shall conspicuously post a construction schedule at the subject parcel's Admiralty Way and Washington Blvd. street

frontages. The schedule shall also include information where individuals may register questions, concerns, or complaints regarding noise issues. The permittee shall take appropriate action to minimize any reported noise problems;

c. All material graded shall be sufficiently watered to prevent excessive amounts of dust during the construction phase. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after work is done for the day. All clearing, grading, earth moving, or excavation activities shall cease during periods of high winds (i.e., greater than 20 mph averaged over one hour) to prevent excessive amounts of dust. Any materials transported off site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust;

d. All fixed and mobile construction equipment shall be in proper operating condition and be fitted with standard silencing devices; engineering noise controls shall be implemented on fixed equipment to minimize adverse effects on nearby properties. Generators and pneumatic compressors shall be noise protected in a manner that will minimize noise inconvenience to adjacent properties. All construction equipment, fixed or mobile, that is utilized on the site for more than two working days shall be in proper operating condition and fitted with standard factory silencing features. To ensure that mobile and stationary equipment is properly maintained and meets all federal, state, and local standards, the permittee shall maintain an equipment log. Said log shall document the condition of equipment relative to factory specifications and identify the measures taken to ensure that all construction equipment is in proper tune and fitted with an adequate muffling device. Said log shall be submitted to the Director and to Public Works for review and approval on a quarterly basis. In areas where construction equipment (such as generators and air compressors) is left stationary and operating for more than one day within 100 feet of residential land uses, temporary portable noise structures shall be built. These barriers shall be located between the piece of equipment and sensitive land uses;

e. Parking of construction worker vehicles and storage of construction equipment/materials shall be on-site;

f. All project-related truck hauling shall be restricted to a route approved by the Director of Public Works, a map of which shall be provided to the Director upon approval. The permittee shall post a notice at the construction site and along the proposed truck haul route. The notice shall contain information on the type of project, anticipated duration of construction activity, and provide a phone number where people can register questions and complaints. The

permittee shall keep a record of all complaints and take appropriate action to minimize noise generated by the offending activity where feasible. A monthly log of noise complaints shall be maintained by the permittee and submitted to the County Department of Public Health;

g. The permittee shall develop and implement a construction management plan, as approved by the Director of Public Works, which includes all of the following measures as recommended by the South Coast Air Quality Management District ("SCAQMD"), or other measures of equivalent effectiveness approved by the SCAQMD:

   i. Configure construction parking to minimize traffic interference;

   ii. Provide temporary traffic controls during all phases of construction activities to maintain traffic flow (e.g., flag person);

   iii. Schedule construction activities that affect traffic flow on the arterial system to off-peak hours to the degree practicable as determined by the Director of Public Works;

   iv. Consolidate truck deliveries when possible;

   v. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site;

   vi. Suspend use of all construction equipment operations during second stage smog alerts. Contact the SCAQMD for daily forecasts;

   vii. Use electricity from power poles rather than temporary diesel- or gasoline-powered generators, except as approved by the Director of Public Works;

   viii. Use methanol- or natural gas-powered mobile equipment and pile drivers instead of diesel if readily available at competitive prices; and

   ix. Use propane- or butane-powered on-site mobile equipment instead of gasoline if readily available at competitive prices;

h. The permittee shall develop and implement a dust control plan, as approved by the Director of Public Works, and the County Local Enforcement Agency ("LEA"), which includes the following measures recommended by the SCAQMD, or other measures of equivalent effectiveness approved by the SCAQMD:

i. Apply approved non-toxic chemical soil stabilizers according to the manufacturer's specification to all inactive construction areas (previously graded areas inactive for four days or more);

ii. Replace ground cover in disturbed areas as quickly as possible;

iii. Enclose, cover, water twice daily, or apply approved soil binders to exposed piles (i.e., gravel, sand, dirt) according to manufacturers' specifications;

iv. Provide temporary wind fencing consisting of three- to five-foot barriers with 50 percent or less porosity along the perimeter of sites that have been cleared or are being graded;

v. Sweep streets at the end of the day if visible soil material is carried over to adjacent roads (recommend water sweepers using reclaimed water if readily available);

vi. Install wheel washers where vehicles enter and exit unpaved areas onto paved roads, or wash-off trucks and any equipment leaving the site each trip; and

vii. Apply water three times daily or chemical soil stabilizers according to manufacturers' specifications to all unpaved parking or staging areas or unpaved road surfaces.

j. All construction and development on the subject property shall comply with the applicable provisions of the California Building Code and the various related mechanical, electrical, plumbing, fire, grading, and excavation codes as currently adopted by the County; and

k. The permittee shall demonstrate that all construction and demolition debris, to the maximum extent feasible as determined by the Director of Public Works, will be salvaged and recycled in a practical, available, and accessible manner during the construction phase. Documentation of this recycling program shall be provided to the Director of Public Works, prior to building permit issuance.

32. In conformance with the approved parking plans on file, the permittee shall provide a minimum of 161 parking spaces on-site, of which 92 shall be reserved for public parking, 55 shall be used exclusively for the senior accommodations facility and 14 shall be used in conjunction with the project's 3,500 square feet of Visitor-

Serving/Convenience Commercial space. All designated spaces shall be clearly marked.

33. ADA compliant sidewalks and driveways shall be constructed to the satisfaction of Public Works.

34. The permittee shall design and construct driveways to the satisfaction of Public Works.

35. Site development shall be conducted in conformance with the archeological reporting requirements specified in Section 22.46.1190.2.a-c of the County Code.

36. The permittee shall establish a functional Transportation Demand Management (TDM) program or shall participate in an existing TDM program. Viable TDM components may include, but shall not be limited to:
    - -- Carpools;
    - -- Ridesharing;
    - -- Vanpools;
    - -- Increase use of bicycles for transportation;
    - -- Bicycle racks;
    - -- Preferential parking for TDM participants;
    - -- Incentives for TDM participants;
    - -- Disincentives.

    Said TDM program shall follow the guidelines in the Transportation Improvement Program contained in Appendix G of the Marina del Rey Local Coastal Program. An annual report on the effectiveness of the TDM program shall be submitted to the Director.

37. As outlined in the attached MMP, prior to issuance of a building permit for the project, the permittee shall pay the LCP-prescribed Category 1 and Category 3 traffic mitigation fees for the project, to the satisfaction of the Director Public Works.

38. The permittee shall install conspicuous signage, as reflected on the final signage plans to be approved by the DCB prior to issuance of a building permit for the project, at each entrance to the pedestrian path between Washington Blvd and Admiralty Way identifying it as a public access way.

39. All necessary Public Works facilities and infrastructure shall be provided for the project prior to the County's issuance of a Certificate of Occupancy for the project, to the satisfaction of the Director of the Department of Public Works. All project

infrastructure shall be designed and constructed in an environmentally sensitive manner, in full conformance with County Department of Public Works' requirements to the satisfaction of said Department, and shall follow the design and recreation policies of the certified Local Coastal Program, including landscaping standards required by the DCB.

40. The permittee shall obtain all necessary permits from the Los Angeles County Department of Public Works and shall maintain all such permits in full force and effect throughout the life of this grant.

41. Prior to issuance of a building permit, the Department of Public Works shall approve a flood control, runoff and storm drain plan submitted by the permittee, which plan shall be consistent with the Santa Monica Bay Recovery Plan.

42. Permittee shall comply with the NPDES (National Pollution Discharge Elimination System) requirements of the California Regional Water Quality Control Board and the Los Angeles County Department of Public Works. Prior to issuance of a building permit, the permittee shall obtain any necessary permit or approval from the Department of Public Works.

43. The subject facility shall be developed and maintained in compliance with the requirements of the Los Angeles County Department of Health Services. Adequate water and sewage disposal facilities shall be provided to the satisfaction of said Department.

44. The building shall be designed and constructed utilizing earthquake resistant construction and engineering practices and shall be designed to withstand a seismic event. All earthquake studies shall comply with the latest recommendations of the state Department of Conservation and the Seismic Safety Board for seismic safety.

45. In the event of discovery of Native American remains or of grave goods, §7050.5 of the Health and Safety Code, and §5097.94, §5097.98 and §5097.99 of the Public Resources Code (all attached) shall apply and govern the permittee's development activities.

46. Prior to commencement of grading, the permittee shall provide evidence that it has notified the Office of State Historic Preservation and the Native American Heritage Commission of the location of the proposed grading, the proposed extent of the grading and the dates on which the work is expected to take place.

47. The permittee shall maintain the subject property in a neat and orderly fashion and free of litter. Yard areas that are visible from the street shall be free of debris, trash,

lumber, overgrown or dead vegetation, broken or discarded furniture, and household equipment such as refrigerators, stoves, and freezers.

48. All ground- and roof-mounted equipment shall be fully screened from public view. All roof-mounted facility screening materials shall be constructed of high quality building materials and shall be fully integrated into the building architecture.

49. Outside lighting shall be so arranged to prevent glare or direct illumination onto any adjacent properties and shall be subject to the requirements of the DCB.

50. Project development shall conform to the phasing schedules in the certified Local Coastal Program. The phasing schedules include requirements for the existing Marina, circulation and public recreation improvements and infrastructure.

51. The permittee shall incorporate water-conserving devices and technologies into the project, in compliance with local, state and/or federal regulations controlling same, to the satisfaction of the Director of the Department of Public Works.

52. The permittee shall comply with all recommended conditions listed in the attached letter from the Department of Public Works dated June 25, 2009 except as otherwise required by said department.

53. The permittee shall comply with all recommended conditions listed in the attached letter from the Los Angeles County Fire Department dated March 25, 2009, except as otherwise required by said department.

54. The aforementioned conditions shall run with the land and shall be binding on all lessees and sublessees of Parcel No. OT.

Attachment:
Department of Public Works letter dated June 25, 2009
Los Angeles County Fire Department letter dated March 25, 2009

SD:MT
4/14/10

Project No. R2006-02726-(4)
Coastal Development Permit No. RCDP200600003
Conditional Use Permit No. RCUP200600223
Parking Permit No. RPKP200600015

FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES

REGIONAL PLANNING COMMISSION HEARING DATES: October 21, 2009; November 4, 2009; December 16, 2009; April 7, 2010; April 28, 2010

SYNOPSIS:
The applicant, Holiday-Panay Way Marina L.P., is requesting approval to demolish an existing commercial facility on Marina del Rey Parcel 21, and to subsequently construct a new 29,348 square foot commercial facility with an attached six-level parking structure containing 447 parking spaces and a 28 foot wide pedestrian promenade. The facility consists of two 56 foot tall buildings, the commercial building, and the attached parking structure. The subject Parcel 21 is located on Panay Way east of the intersection of Via Marina and Panay Way, with a frontage on Panay Way. Associated land use entitlements for the project consist of a **Coastal Development Permit** to authorize demolition of all existing landside improvements and subsequent construction of the aforementioned landside improvements on Parcel 21; a **Conditional Use Permit** to authorize a parking structure, a yacht club, 2,916 square feet of Visitor Serving/ Convenience Commercial uses and a 10,000 square foot health club on a parcel with a Marine Commercial Land Use Category and a Waterfront Overlay Zone; and a **Parking Permit** to authorize the transfer of 94 of the required public parking spaces on Parcel OT to Parcel 21.

PROCEEDINGS BEFORE THE COMMISSION:

<u>October 21, 2009 Public Hearing</u>

The Regional Planning Commission (Commission) held a duly noticed public hearing regarding the subject project on October 21, 2009. At this hearing (and at each of the Commission's public hearing meetings described below), the Commission conducted concurrent public hearings regarding the subject project and the following proposed Marina development project:

- Project No. R2006-01510, a request to develop a 114-unit senior accommodations facility on Parcel OT. The six level building would also contain 3,500 square feet of Visitor-Serving/Convenience Commercial space and 161 parking spaces, 92 of which would be reserved for public use.

At the October 21, 2009 public hearing on the subject project and associated requested land use entitlements (and at each subsequent Commission hearing described below regarding the project), the Commission considered a single, comprehensive Environmental Impact Report evaluating the potential project-specific and cumulative environmental impacts

associated with the subject project and the above-described proposed development project on Marina del Rey Parcel OT.

Proponent Testimony

The project applicants and three (3) members of the public testified in favor of the request. Proponent testified that the proposed project would modernize and improve services to marine businesses and boaters at the site.

Opposition Testimony

Six (6) persons testified in opposition. Opposition testimony raised the following issues:

- The County is piecemealing development projects and needs to create a master plan for the Marina;
- The Marina del Rey Design Control Board was against this project and did not approve it; and
- The County is preparing a Major LCP amendment that contains Cumulative Impact Assessment. No projects should be approved by the Regional Planning Commission until the LCP Amendment and Cumulative Impact Assessment have been heard;

At the conclusion of the October 21, 2009 hearing, the Commission directed staff to prepare a summary of the various concerns that were expressed by the testifiers and instructed the applicant to respond to the concerns raised by the opponents. The Commission continued the hearing to February 10, 2010.

November 4, 2009 Public Hearing

Prior to the February 10, 2010 hearing, a letter was received from the Department of Beaches and Harbors requesting that an earlier hearing date be considered. The Commission considered the letter as a discussion item at the November 4, 2009 hearing and voted unanimously to change the continued hearing date to December 16, 2009. Commissioners Bellamy, Rew, Valadez, and Helsely were present. Commissioner Modugno was absent.

December 16, 2009 Public Hearing

On December 16, 2009, a duly noticed public hearing was held. All Commissioners were present at this hearing. During the hearing, the Commission heard the staff presentation and testimony from the project applicant and interested members of the public. Commissioner Valadez stated that additional public amenities be provided on the proposed pedestrian promenade redesign. At the conclusion of the hearing the applicants were directed to return to the Marina del Rey Design Control Board for further review of the project's pedestrian

promenade. The Commission then continued the hearing to April 7, 2010. Commissioners Bellamy, Rew, Valadez, Helsley and Modugno were present.

Proponent Testimony

The applicants and one (1) member of the pubic testified in favor of the project.

Opposition Testimony

Six (6) individuals testified in opposition to the project at the hearing. Opposition testimony raised the following issues:

- The DEIR underestimated the impact of truck trips related to grading and debris removal; and
- The project in its current form was not reviewed by the Marina del Rey Design Control Board.

April 7, 2010 Public Hearing

The Commission held a continued public hearing on April 7, 2010. At the hearing, staff informed the Commission that additional time was needed to prepare the Final Environmental Impact Report and other final documentation for the Commission's consideration. The Regional Planning Commission continued the public hearing to April 28, 2010 and instructed the applicant to present the new promenade designs at the continued hearing.

Findings

1. The applicant, Holiday-Panay Way Marina L.P., is requesting approval to demolish an existing commercial facility on Marina del Rey Parcel 21, and to subsequently construct a new 29,348 commercial facility with an attached six-level parking structure containing 447 parking spaces and a 28 foot wide pedestrian promenade. The facility consists of two 56 foot tall buildings, the commercial building, and the attached parking structure. The subject Parcel 21 is located on Panay Way east of the intersection of Via Marina and Panay Way, with a frontage on Panay Way. Associated land use entitlements for the project consist of a **Coastal Development Permit** to authorize demolition of all existing landside improvements and subsequent construction of the aforementioned landside improvements on Parcel 21; a **Conditional Use Permit** to authorize a parking structure, a yacht club, 2,916 square feet of Visitor Serving/ Convenience Commercial uses and a 10,000 square foot health club; and a **Parking Permit** to authorize the transfer of 94 of the required public parking spaces on Parcel OT to Parcel 21. Collectively, the requested land use permits for the project are to referred herein as the "Project Permits."

2. The 2.55-acre subject property, known as Marina del Rey "Parcel 21," is located in the Playa del Rey Zoned District near the northeast corner of the intersection of Via Marina and Panay Way in the County of Los Angeles unincorporated community of Marina del Rey. Panay Way fronts the subject property to the south; Marina del Rey Parcel GR adjoins the subject to the west; Marina del Rey Parcel 18 adjoins the subject parcel to the east; and Marina Basin D adjoins the subject property to the north;

4. The subject property is zoned "Specific Plan" within the Marina Del Rey Local Coastal Program (LCP). The subject parcel's existing land use designation per the LCP is Marine Commercial with a Waterfront Overlay Zone.

5. Zoning designations on the surrounding properties consist of the following:

   North: Water (per MDR Specific Plan)

   South: Residential IV (WOZ) (per MDR Specific Plan)

   West: Parking (per MDR Specific Plan)

   East: Marine Commercial and Residential III (per MDR Specific Plan)

6. The subject property is currently developed with two commercial buildings that are two stories in height, two boater serving buildings that are one story in height and a paved at grade parking area with 192 parking spaces.

7. Land Use on surrounding properties consists of the following:

   North: Marina del Rey Basin D, Marina Beach, boat storage, and Multi-family residential (rental apartments)

   South: Multi-family residential (rental apartments)

   West: Public Parking Multi-family residential (rental apartments)

   East: Multi-family residential (rental apartments)

8. No zoning enforcement actions or zoning permit cases were found for the subject property. In April of 1967, Plot Plan 16015 was approved for a 4,056 square foot administration building, two boater serving buildings, a 226 space parking lot and 28,848 square feet of dock space.

9. The site plan depicts the two proposed structures which consist of a 29,348 square foot commercial center on the western side of the parcel and a six-level parking structure

containing 447 spaces located on the eastern portion of the parcel the 28 foot wide pedestrian promenade. The two structures are connected by a ramp on the third level which is dedicated to parking. The proposed structures have a maximum roof height of 56' above grade. The façade extends to a maximum height of 59 feet. The proposed commercial building is comprised of four levels with the first two levels containing the health club, Visitor-Serving/Convenience Commercial and marine commercial uses, a third floor dedicated to parking, with 49 parking spaces, and the fourth floor containing a yacht club. The first floor of the commercial building also depicts the proposed boater restrooms and showers. The plan depicts the yacht club comprising a large dining room, commercial kitchen, office, food storage area, public and employee restrooms, and a large deck which extends along the entire fourth floor.

10. The site plan depicts a vehicular entrance/exit into the building garage, via the 26-foot wide driveway provided on the southerly portion of the parcel on Panay Way.

11. The Marina del Rey Local Coastal Program (LCP) provides development guidelines for the unincorporated community of Marina del Rey. The Marina del Rey LCP consists of two sets of inter-related requirements: the Marina del Rey Land Use Plan (land use policies) and the Local Implementation Program or Specific Plan (development-specific requirements).

12. Consistent with Marina del Rey Specific Plan requirements, the project has been reviewed and conceptually approved by the Department of Beaches & Harbors' Design Control Board ("DCB"). In rendering its conceptual approval for the project, the DCB found the proposed project to be in conformity with the various public access, height, circulation, building massing, visual impact and view requirements of the LCP.

13. The Applicant has submitted a preliminary geotechnical report to County Department of Public Works (a copy of this report is included in the EIR appendices) as part of its application filing, the content of which is compliant with LCP requirements; site development will be based on thorough site-specific geologic and soils studies, including specific geotechnical studies related to mitigation of liquefaction and lateral spreading. The project has also been designed to utilize earthquake resistant construction and engineering practices, in compliance with applicable County and state regulations and ordinances.

14. The applicant has been conditioned to conduct site development in conformity with the archeological reporting requirements specified in Section 22.46.1190.2.a-c of the County Code.

15. To ensure project consistency with Section 22.46.1190.A.3 of the County Code, the applicant has been conditioned to implement a functional transportation systems management (TSM)/Transportation Demand Management (TDM) program.

16. The Commission hereby finds the proposed development project conforms to the phasing schedules in the LCP because:

    - With development of the project, there will be no significant, unmitigated peak-hour project-specific adverse traffic impacts created as a result of project development;

    - The County-approved traffic study for the project indicates there is sufficient traffic capacity in both the Marina del Rey internal system and the sub-regional highway system serving the Marina to accommodate the traffic generated by the modest planned development; and

    - The project will be in full conformity with the build-out limitations of the LCP specified for Panay Development Zone.

17. Sections 22.46.1090 and 22.46.1100 of the County Code and the LUP require, among other things, that the applicant demonstrate that there is sufficient traffic capacity in both the internal Marina del Rey road system and the subregional highway system serving the Marina to accommodate traffic generated by the development. The certified Environmental Impact Report for the project includes a traffic report that was prepared in accordance with the requirements of the LCP and LUP and which was reviewed and approved by the Traffic & Lighting Division of the County Department of Public Works. The approved traffic report for the project demonstrates there is adequate internal and subregional traffic capacity to support the project, and identifies specific traffic improvements intended to mitigate the project's potentially significant direct and cumulative impacts, which mitigation measures have been incorporated into the Mitigation Monitoring Program approved for the project in conjunction with certification of the Final Environmental Impact Report. In accordance with LCP requirements, the applicant has been conditioned to pay traffic mitigation fees of $5,690 per p.m. peak hour trip generated by the project, to be allocated as follows:

    a. $1,600 per p.m. peak hour trip will be paid by the applicant into the County-administered Transportation Improvement Program to offset project impacts to the internal Marina circulation system (Category 1 improvements identified in Appendix G to the LCP); and

    b. $4,090 per p.m. peak hour trip will be paid by the applicant into the County-administered Transportation Improvement Program to offset the project's proportional share of the cumulative impacts of Marina development on the subregional transportation system (Category 3 improvements identified in Appendix G of the certified LCP).

18. Pursuant to the LCP, parcels located between the water and the first public road must provide a view corridor allowing uninterrupted views of the harbor from the road to the

waterside, at ground level. As depicted on the view corridor exhibit submitted by the applicant, the Commission finds the applicant has provided view corridors consistent with LCP requirements--i.e., a view corridor comprising 28.5% of the parcel's water frontage is being provided, consistent with LCP view corridor requirements for the proposed 56-foot-tall apartment building.

19. The project is consistent with LCP standards calling for the provision of a continuous 28-foot-wide pedestrian promenade along the parcel's bulkhead. Seating, landscaping, lighting, trash receptacles, and bicycle racks have been provided along the parcel's bulkhead, consistent with LCP requirements.

20. Consistent with LCP requirements, the Commission finds more than 10 percent of the net lot area will be landscaped and building coverage is less than 90 percent of the net lot area.

21. On-site parking has been programmed for the project consistent with the parking standards of the County Zoning Ordinance. The applicant has been conditioned to provide at least 447 on-site parking spaces. Consistent with County Code parking requirements, 170 of these spaces are for the uses on Parcel 21, 183 spaces are dedicated to boater parking and 94 are public parking spaces that are a replacement for the spaces that were formerly and Parcel OT.

22. The buildings will be sprinklered, in conformance with County Fire Department requirements. Emergency access to all structures and common areas of the project will be provided to the satisfaction of the County Fire Department. The applicant has been conditioned to secure Fire Department approval of a "Fire Safety Plan" prior to issuance of a building permit.

23. The project landscaping along site perimeters will maintain a minimum width of eight feet and will allow visual access into the lot, as required by the LCP.

24. The project infrastructure has been designed, and will be constructed by the applicant, in an environmentally sensitive manner, and will follow design policies of the LCP, including landscaping standards required by the DCB. The project will be subject to the County's newly-enacted Green Building and Drought-Tolerant Landscape ordinances.

25. Consistent with Shoreline Access Policy #1 of the LUP (Public Access to Shoreline a Priority), the project provides public pedestrian access and ensures passive recreational use to and along all portions of the Parcel 21 bulkhead, in conformance with Sections 30210-30212 of the California Coastal Act and Chapter 1 ("Shoreline Access") of the Marina del Rey Land Use Plan. The project implements this key Public Shoreline Access policy through provision of 28-foot-wide public pedestrian promenade along the parcel bulkhead; through provision of public views to the water from the public street fronting the project (Panay Way), consistent with LCP view corridor requirements; In

furtherance of these important shoreline access policies, the applicant has been conditioned to provide signage at the project's entrances and at each bulkhead entrance of each public lateral access way identifying these as public access ways. The applicant has also been conditioned to provide signage at conspicuous locations along the length of the bulkhead public access ways (public promenade) identifying the access ways as public.

26. Consistent with Shoreline Access Policy #2 of the LUP, the project enhances public access to the waterfront by constructing a 28-foot-wide public pedestrian promenade along the entire water frontage of Parcel 21.

27. Consistent with Shoreline Access Policy #3 of the LUP, the project design will provide public access to and along the shoreline through provision of a 28-footwide waterfront pedestrian promenade and public lateral access ways across the site from Panay Way to the public waterfront promenade. Development adjacent to the bulkhead (i.e., public promenade) will provide pedestrian access ways, benches and rest areas along the bulkhead.

28. Consistent with Shoreline Access Policy #4 of the LUP, the project provides for public access from public roads fronting the project to the shoreline along all fire roads and across all dedicated project open space areas; such access ways will be conspicuously signed at entrances from the public street (i.e., from Panay Way).

29. Consistent with Shoreline Access Policy #11 of the LUP, the project has been conditioned to require the applicant to pay a proportional share of the funding of the potential shuttle system through collection of Category 3 traffic mitigation fees. The combined traffic mitigation fees for the projects on Parcels OT and 21 are estimated to be $122,940.

30. Consistent with Shoreline Access Policy #12 of the LUP, the project applicant has been conditioned to pay all required Category 3 traffic mitigation fees. The County Department of Public Works, which administers the fees, may use a portion of the fees to fund establishment of a public shuttle service in the Marina.

31. Consistent with Shoreline Access Policy #13 of the LUP, the project has been conditioned to incorporate directional signage, outdoor exhibits and brochures to enhance public awareness of shoreline access ways and public areas, to include: i) conspicuous signage regarding public waterside access (public promenade and nearby wetland park on Parcel 9U); ii) outdoor map indicating the location and type of public access ways and parks located in Marina del Rey; and iii) kiosk within the commercial complex containing information on visitor-serving activities in the Marina.

32. Consistent with Shoreline Access Policy #14 of the LUP, the applicant's development of a new 28-foot-wide public pedestrian promenade and amenities along the parcel's

entire waterfront will allow the public substantial viewing opportunities of the small craft harbor water areas.

33. Consistent with Recreation & Visitor-Serving Facilities Policy #2 of the LUP, the project provides enhanced recreational opportunities through its development of a new 28-foot-wide public pedestrian promenade along the entire waterfront of the parcel.

34. Consistent with Recreation & Visitor-Serving Facilities Policy #6 of the LUP, the project satisfies County parking requirements for all proposed uses.

35. The applicant will fulfill Recreational Boating Policy #1 of the LUP ("Recreational boating is a top priority of the LCP") through its development of restrooms and showers for boaters utilizing the nearby anchorage and through development of 11,342 square feet of marine commercial uses and a 5,000 square foot yacht club.

36. Consistent with Marine Resources Policy #2 of the LUP ("*Reduce contaminated run-off into Marina waters*"), the applicant has completed a drainage concept, which has been approved by the County Department of Public Works. To avoid adverse impacts on the local Marina and greater ocean waters, the applicant has been conditioned to comply with National Pollution Discharge Elimination System requirements of the California Regional Water Quality Control Board, as well as all pertinent stormwater quality management programs of the Federal, State and County agencies.

37. Consistent with Cultural Heritage Resources Policy #1 of the LUP, the project was reviewed during the environmental review/CEQA review process to determine potential impacts on cultural resources; no such impacts were identified.

38. Consistent with Cultural Heritage Resources Policy #3 of the LUP, the applicant has been conditioned to notify the County Department of Regional Planning and the State Historic Preservation Office in the event a significant cultural resource is discovered during any construction phase. A halt-work condition will be instituted in the event of such a cultural resource discovery during construction.

39. The project implements Land Use Plan Policy #1 of the LUP ("Preservation of the small craft harbor as a recreational facility shall be a priority") through the applicant's development of a 28 foot wide pedestrian promenade, boater showers and bathrooms, boater parking, 94 public parking spaces and a yacht club.

40. The project implements Land Use Plan Policy #2 of the LUP ("Maintenance of the physical and economic viability of the marina is a priority") through redeveloping Parcel 21 with a modern commercial center that will provide a 28 foot wide pedestrian promenade, covered parking spaces, improved boater restrooms and showers. The project development will help to ensure maintenance of the physical and economic viability of the marina.

41. Consistent with Land Use Plan Policy #6 of the LUP, the project has received conceptual design approval from the DCB, as prescribed in the LCP. This DCB's review included review for consistency with the *Manual for Specifications and Minimum Standards of Architectural Treatment and Construction* and applicable policies of the certified LCP.

42. The project implements Coastal Visual Resources Policy #1 of the LUP (Views of the Harbor are a Priority) through its provision of an LCP-compliant view corridor across the parcel from the adjacent public street (Panay Way) to Marina Basin D. The public viewing of the harbor will be further enhanced through the project's development of a 28-foot-wide public pedestrian promenade along the parcel's entire water frontage. 100% of the property's water frontage has been made available for public viewing of the waterfront. The most valuable, visible, desirable area of the site—the waterfront—will be fully enhanced for public use.

43. The project implements the view protection policies outlined in Coastal Visual Resources Policy #6 of the LUP by incorporating harbor views from streets and pedestrian access ways consistent with security and safety considerations. As noted, the project provides view corridors from public streets to the Marina waters consistent with LCP requirements.

44. The approved project is consistent with Coastal Visual Resources Policy #9 of the LUP (Evaluation of wind impacts). An assessment of the proposed Parcel 21 development was conducted by the engineering firm Rowen, Williams, Davies and Irwin. The analysis studied the projects potential impacts on winds coming from the east, west, southwest and west-southwest directions. The analysis concluded that the Parcel 21 project will have an insignificant impact in either Basins C or D on winds coming from the east and west directions. The analysis further concluded that due to the similar height of the approved development directly south of Parcel 21, the project will have only a minimal impact on winds from the southwest and west-southwest in Basins C and D.

45. The Commission has reviewed RWDI's wind reports for the project and deems them to constitute credible evidence substantiating that development of the commercial complex on Parcel 21 will not significantly increase infringements of wind access for boats in their berths, in the fairways, or in the Main Channel, nor adversely impact winds utilized by birds in flight.

46. Consistent with Hazards Policy #1 of the LUP, the applicant has obtained approval of Drainage Concept and SUSMP plans from the Department of Public Works. These plans are intended to mitigate flooding concerns relating to site drainage and to minimize runoff of polluted rainwater sheet-flow into the Marina and public storm drain system.

47. Consistent with Hazards Policy # 2 of the LUP, the applicant the applicant will be required to implement geotechnical engineering recommendations related to secondary geologic hazards (liquefaction, lateral spreading, and ground subsidence) that are recommended by the geotechnical engineer and the Department of Public Works. A preliminary geotechnical report was reviewed and approved by the Department of Public Works.

48. The traffic report prepared for the project, which has been reviewed and approved by the County Department of Public Works' Traffic & Lighting Division and has been included as an appendix to the EIR concluded that the proposed project will not cause in increase in traffic that will exceed the capacity of the internal Marina del Rey street system.

49. Consistent with Traffic Circulation Policy #3 of the LUP (Sub-regional Transportation Improvements), as outlined in the project traffic study, the applicant has been conditioned to make its fair share contribution, though payment of the prescribed traffic mitigation fee, to help fund construction of "Category 3" ("Sub-regional") transportation improvements, which are prescribed in the LCP. The applicant will be conditioned to pay traffic mitigation fees to fund Category 3 transportation improvements, as is required by the LCP. This requirement has been included in the draft conditions and also as part of the mitigation measures. The combined Parcels OT and 21 projects will be required to pay $170,700 in traffic mitigation fees.

50. In conformance with Public Works Policy #2 of the LUP (Public Works improvement phasing), the applicant's Coastal Development Permit has been conditioned to require that all necessary public works facilities/infrastructure will be provided for the project prior to the County's issuance of a Certificate of Occupancy for the project.

51. In conformance with Public Works Policy #6 of the LUP, the project has been conditioned to incorporate water-conserving technology consistent with local, state and/or federal regulations affecting same. Consistent with this Policy, the project has also been conditioned to ensure County Public Works will review the project plans to assure that water conservation measures and techniques are incorporated. Moreover, the project will be subject to the County's recently-enacted Green Building and Drought-Tolerant Landscaping ordinances.

52. Consistent with Public Works Policy #10 of the LUP, the project has been conditioned to require fire sprinklers in conformance with Fire Department requirements.

53. The DCB is charged with regulating the design of Marina del Rey signage through its "Revised Permanent Sign Controls and Regulations" (Section 22.46.1060 (D) (1)) of the County Code. Prior to installation of any signage on the subject property, the applicant

will be required to submit its proposed signage package to the DCB for review and approval.

54. As directed by the Commission at the December 16, 2009 continued public hearing, the applicant updated its promenade amenity plans for the project to include additional pedestrian-oriented details as conditioned by the Design Control Board.

55. The Commission held a duly notice public hearing on the Project Permits on October 21, 2009. At the conclusion of the hearing, the Commission directed staff to prepare a summary of the various concerns that were expressed by the testifiers and instructed the applicant to respond to the concerns raised by the opponents. The Commission continued the hearing to February 10, 2010.

56. Prior to the February 10, 2010 hearing, a letter was received from the Department of Beaches and Harbors requesting that an earlier hearing date be considered. The Commission considered the letter as a discussion item at the November 4, 2009 hearing and voted unanimously to change the continued hearing date to December 16, 2009.

57. The Commission held a duly noticed public hearing on the Project Permits and associated DEIR on December 16, 2009. At the conclusion of the hearing, the Commission continued the hearing to April 7, 2010, and directed the applicants to return to the Marina del Rey Design Control Board for further review of the project's pedestrian promenade. Staff was directed prepare final findings and conditions for the project and to prepare the Final Environmental Impact Report, for the Commission's consideration at the April 7, 2010 continued public hearing.

58. At the April 7, 2010 continued public hearing, staff informed the Commission that it needed additional time to prepare the Final Environmental Impact Report and other final documentation for the Commission's consideration. On a motion by Commissioner Modugno, seconded by Commissioner Helsley, the Regional Planning Commission continued the public hearing to April 28, 2010.

59. On April 28, 2010, the Commission voted to certify the FEIR for the facility and approved the final findings and conditions for the Project Permits.

60. During the public hearings for the Project Permits and DEIR before the Commission, a number of persons spoke in opposition to the proposed project. The Commission also received a number of letters and emails in opposition to the project, each of which has been incorporated by staff into the administrative record for the subject case and has been responded to in the FEIR.

61. Written and verbal correspondence to the Commission in opposition to the project generally focused on the following issues and/or allegations:

a. The County is piecemealing development and needs to create a master plan for the Marina;
b. The Marina del Rey Design Control Board was against this project and did not approve it;
c. The County is preparing a Major LCP amendment that contains Cumulative Impact Assessment. No projects should be approved by the Regional Planning Commission until the LCP Amendment and Cumulative Impact Assessment have been heard;
d. The DEIR underestimated the impact of truck trips related to grading and debris removal;
e. The project in its current form was not reviewed by the Marina del Rey Design Control Board;

62. The Commission has duly considered all of the issues and information contained in all of the oral testimony and written correspondence made in opposition to the proposed project during the public hearing process on the Project Permits, and DEIR as well as all of the oral testimony and written correspondence provided to the Commission in response thereto by staff and the project applicant. For the reasons set forth in the findings, and explained in the County's detailed responses to all public written comments received by the Commission regarding the proposed project, all of which have been incorporated into the Final Environmental Impact Report (FEIR), the Commission finds in the opposition testimony and correspondence inadequately identify any substantial evidence that the FEIR does not meet the requirements of CEQA. The Commission finds that there is no credible evidence in the record that the supposed environmental impacts set forth in the project opponents' testimony and correspondence will in fact occur, but there is credible evidence in the administrative record for this case rebutting such testimony and correspondence.

BASED ON THE FOREGOING, REGARDING THE CONDITIONAL USE PERMIT BURDEN OF PROOF, THE REGIONAL PLANNING COMMISSION CONCLUDES:

Regarding the Coastal Development Permit:

A. That the proposed project is in conformity with the certified local coastal program and, where applicable; and

B. That any development, located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone, is in conformity with the public access and public recreation policies of Chapter 3 of Division 20 of the Public Resources Code."

Regarding the Conditional Use Permit:

A. The proposed use is consistent with the adopted general plan for the area;

B. The requested use at the proposed location will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare;

C. The proposed site is adequate in size and shape to accommodate the development features prescribed in Title 22 of the County Code, or as otherwise required in order to integrate said uses with the uses in the surrounding area; and

D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

Regarding the Parking Permit:

That off-site facilities, leases of less than 20 years, rear lot transitional parking lots and uncovered residential parking spaces will provide the required parking for uses because:

A. That off-site facilities will provide the required parking for the uses because such off-site facilities will be controlled through ownership, leasing or other arrangement by the owner of the use for which the site serves, and are conveniently accessible to the main use, and such leases will be written in such a way as to prevent multiple leasing of the same spaces or cancellation without providing alternate spaces and will contain other guarantees assuring continued availability of the spaces.

B. That the requested parking permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding property.

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Coastal Development Permit as set forth in Section 22.56.2410 of the Los Angeles County Code (Zoning Ordinance), for a Conditional Use Permit as set forth in Section 22.56.090 of the Zoning Ordinance and for a Parking Permit as set forth in Section 22.56.1020 of the Zoning Ordinance.

REGIONAL PLANNING COMMISSION ACTION:

1. The Regional Planning Commission certifies that it has independently reviewed and considered the information contained in the Final Environmental Impact Report prepared by Los Angeles County Department of Regional Planning as lead agency prior to approving the project; certifies the EIR; adopts the Mitigation Monitoring Plan

(MMP) which is appended to and included in the attached conditions of approval, finding that, pursuant to California Public Resources Code Section 21081.6, the MMP is adequately designed to ensure compliance with the mitigation measures during project implementation; determines that the conditions of approval attached hereto are the only mitigation measures for the project which are feasible and that the unavoidable significant effects of the project after adoption of said mitigation measures are as described in these findings; determines that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social and/or environmental benefits of the project as stated in the findings and in the Environmental Findings of Fact and Statement of Overriding Considerations adopted for the project, which findings and statement are incorporated herein by reference.

2. In view of the findings of fact and conclusions presented above, Coastal Development Permit No. RCDP200600003, Conditional Use Permit No. RCUP200600223 and Parking Permit No. RPKP200600015 are approved subject to the attached conditions.

VOTE

Concurring:

Dissenting:

Abstaining:

Absent:

Action Date: April 28, 2010

This grant authorizes a **Coastal Development Permit** for demolition of all existing landside improvements and the construction of a structure with 2,916 square feet of Visitor-Serving/Convenience Commercial uses, 11,432 square feet of marine commercial uses, a 5,000 square foot yacht club, 6,000 square foot health club, a 447 space 6-level parking structure, an adjacent waterfront public pedestrian promenade, and other site amenities and facilities. This grant further authorizes a **Conditional Use Permit** for a parking structure; a yacht club; 2,916 square feet of Visitor Serving/ Convenience Commercial uses; and a 10,000 square foot health club on a parcel with a Marine Commercial land use category and a Waterfront Overlay Zone.; and a **Parking Permit** authorizing transfer of public parking spaces from Parcel OT to an offsite location, the subject parcel, as all such improvements are depicted on the approved site plans, building elevations, parking plan, building cross-sections, and other approved plans, marked Exhibit "A" on file, subject to all of the following conditions of approval:

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.

2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant, and until all required monies have been paid pursuant to Condition Nos. 8, 9 and 31.

3. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitation period. The County shall notify the permittee of any such claim, action, or proceeding and the County shall reasonably cooperate in the defense.

4. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of $5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:

    a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Los Angeles County Code Section 2.170.010.

5. This grant shall expire unless used on the date that is two (2) years after the Final Approval Date (defined below). The "Final Approval Date" means the later of (a) the last date on which any party may file any legal challenge or appeal the approval action for this grant, provided no such legal challenge or appeal has been filed; or (b) if any legal challenge or appeal of the approval action for this grant is made by any party, then the date on which such legal challenge or appeal is fully and finally resolved, such that no further legal challenge may be made. No less than six (6) months prior to the permit expiration date, the permittee may request in writing a one-year time extension, and pay the applicable extension fee.

6. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.

7. Upon any transfer or lease of the property during the term of this grant, the permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee, as applicable, of the subject property.

8. The subject property shall be developed, maintained and operated in full compliance with the conditions of this grant and any law, statue, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of **$6,000.00**. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including adherence to development in accordance with the approved site plan on file. The fund provides for **30** annual inspections. Inspections shall be unannounced.

   If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file.

The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment (currently **$200** per inspection).

9. Within five (5) days of the approval date of this grant, the permittee shall cause a Notice of Determination to be posted in the office of the County Registrar/Recorder in compliance with Section 21152 of the Public Resources Code. Permittee shall remit applicable processing fees, payable to the County of Los Angeles, in connection with such filing. The project is not *de minimus* in its effect on fish and wildlife and is not exempt from payment of a fee to the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current total fee amount is **$2,867.25** ($2,792.25 plus $75.00 processing fee). No land use project subject to this requirement is final, vested, or operative if said fee is unpaid.

10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or so as to be a nuisance. If this grant is modified, the permittee shall reimburse the County all costs associated with the proceeding.

11. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided to the satisfaction of and within the time periods established by said Department.

12. At all times the promenade shall maintain a minimum fire lane width of 20' clear to the sky as determined by the Los Angeles County Fire Department.

13. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.

14. The subject property shall be maintained in substantial conformance with the plans marked Exhibit "A." In the event that subsequent revised plans are submitted, the permittee shall submit four (4) copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner.

15. All structures shall comply with the requirements of the Division of Building and Safety of the Department of Public Works.

16. Prior to issuance of a building permit, the Department of Public Works shall approve a flood control, runoff and storm drain plan submitted by the permittee, which plan shall be consistent with the Santa Monica Bay Recovery Plan.

17. Permittee shall comply with the NPDES (National Pollution Discharge Elimination System) requirements of the California Regional Water Quality Control Board and the Los Angeles County Department of Public Works. Prior to issuance of a building permit, the permittee shall obtain any necessary permit or approval from the Department of Public Works.

18. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the use of the property or provide pertinent information about the premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

19. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

20. The subject facility shall be developed and maintained in compliance with the requirements of the Los Angeles County Department of Health Services. Adequate water and sewage disposal facilities shall be provided to the satisfaction of said Department.

21. Within sixty (60) days of the Design Control Board's ("DCB") final design approval, permittee shall submit to the Director for review and approval three (3) copies of a revised Exhibit "A", similar to that presented at the public hearing. This Revised Exhibit "A" submittal shall contain a full set of the approved site plan, floor plans, parking plan, roof plan, building elevations, building cross-sections, landscaping plan, and signage plan.

22. Within sixty (60) days of the DCB's final design approval, the permittee shall submit to the Director for review and approval three (3) copies of signage plans depicting the location, size and height of all proposed signage, which signage shall be installed on the subject property in accordance with the requirements of Part 10 of Chapter 22.52 of the County Code. Review and approval of the DCB shall also be required and the Director shall not approve signage plans until the plans have been first approved by the DCB.

23. A minimum of 447 standard parking spaces shall be provided on-site, of which 94 shall be reserved for public parking. A minimum of 183 of the required parking spaces shall be maintained for boater usage at all times, developed in compliance with

Chapter 22.52, Part 11 of the County Code and no inoperable vehicles shall be parked, stored or otherwise allowed to remain in the required parking spaces. On-street parking shall be prohibited, as shall parking in unmarked spaces and in access driveways. Public, boater and commercial center parking spaces shall be clearly marked as such.

24. The permittee shall post signs conspicuously at the subject property's frontage on Panay Way notifying members of the public about the availability of the Project's ninety-four (94) public-access parking spaces, which the permittee shall continually maintain for the public's use within the parking structure. The permittee shall clearly paint "Public Parking Space" on each of the 94 public parking stalls and shall ensure that the parking management and staff are aware that said spaces are to be reserved for exclusive use by the visiting public. These 94 public parking spaces shall be sited within the parking garage in a location that is convenient to the visiting public (i.e., proximate to the parking garage entrance). The permittee shall include the public parking signs required by this condition in the signage plan package that is required to be submitted for approval by the DCB pursuant to condition No. 21 of this grant.

25. Within (60) days of the DCB's final design approval, the permittee shall submit to the Director for review and approval three (3) copies of landscaping plans, which may be incorporated into the Exhibit "A," depicting the size, type and location of all proposed landscaping on the site as well as all proposed irrigation. Said plans shall also include details for the waterfront public pedestrian promenade, including surfacing materials, lighting, benches and other facilities proposed for the public promenade, and a planting plan that prohibits the use of exotic invasive plants [or that requires the use of plants compatible with the restored wetland and upland park]. The Director shall not approve landscaping plans until the plans have been first approved by the DCB.

26. The following conditions shall apply to project construction activities:

    a. All graded material shall be sufficiently watered to prevent excessive amounts of dust during the construction phase. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after work is done for the day. All clearing, grading, earth moving or excavation activities shall cease during periods of high winds (i.e. greater than 20 mph averaged over one hour) to prevent excessive amounts of dust. Any materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.

    b. Construction activity shall be restricted between the hours of 8:00 a.m. to 5:00 p.m., Monday through Saturday. Written permission from the Department of Beaches and Harbors is required prior to any construction on Saturdays. No construction shall occur on Sundays and legal holidays. Grading, hauling and pile

driving shall not commence before 8:00 a.m., Monday through Friday and shall not occur on Saturdays, Sundays or legal holidays.

c. During demolition and construction, the permittee and its contractor shall comply with Sections 12.12.010 – 12.12.100 of the Los Angeles County Code regarding building construction noise.

d. All stationary construction noise sources shall be sheltered or enclosed to minimize adverse effect on nearby properties. Generators and pneumatic compressors shall be noise protected in a manner that will minimize noise inconvenience to adjacent properties. Parking of construction worker vehicles shall be on-site or at an adjacent off-site location approved by the Director and agreed to by the lessee of said property and restricted to areas buffered from residences located in the vicinity of the subject property, as approved by the Director. If the permittee chooses to provide parking for construction workers off-site, the permittee shall submit to the Director for review and approval plans for temporary construction worker parking and shall demonstrate that the use of the off-site parking spaces shall not interfere with parking spaces required for operation of any use or uses on the property to be used for temporary parking. All construction equipment, fixed or mobile, that is utilized on the site for more than two working days shall be in proper operating condition and fitted with standard factory silencing features. To ensure that mobile and stationary equipment is properly maintained and meets all federal, state, and local standards, the permittee shall maintain an equipment log. Said log shall document the condition of equipment relative to factory specifications and identify the measures taken to ensure that all construction equipment is in proper tune and fitted with an adequate muffling device. Said log shall be submitted to the Director and the Department of Public Works for review and approval on a quarterly basis. In areas where construction equipment (such as generators and air compressors) is left stationary and operating for more than one day within 100-feet of residential land uses, temporary portable noise structures shall be built. These barriers shall be located between the piece of equipment and sensitive land uses.

e. Pile driving shall be restricted to the hours between 8:00 a.m. to 4:30 p.m., Monday through Friday. No pile driving activity shall be conducted on Saturdays or Sundays. The permittee shall provide adjacent property owners and tenants with a pile-driving schedule 10 days in advance of such activities, and a three-day notice of any re-tapping activities that may occur. The permittee shall submit a copy of the schedule and mailing list to the Director and to Public Works prior to the initiation of construction activities. In addition, at least 10 days in advance of any construction activities on the subject parcel, the permittee shall conspicuously post a construction schedule at the subject parcel's Via Marina and Marquesas Way street frontages. The schedule shall also include information where individuals may register questions, concerns, or complaints regarding noise

issues. The permittee shall take appropriate action to minimize any reported noise problems.

f. All project-related truck hauling shall be restricted to a route approved by the Department of Public Works, a map of which shall be provided to the Director upon approval. The permittee shall post a notice at the construction site and along the proposed truck haul route. The notice shall contain information on the type of project, anticipated duration of construction activity, and provide a phone number where people can register questions and complaints. The permittee shall keep record of all complaints and take appropriate action to minimize noise generated by the offending activity where feasible. A monthly log of noise complaints shall be maintained by the permittee and submitted to the County of Los Angeles Department of Health Services.

g. Prior to any project construction activities, the permittee shall submit a site plan to the Director of Planning for approval, that depicts the following:
   - The location of the staging area;
   - Location and content of the required notice;
   - The expected duration of construction activities.

   The permittee shall post a notice in a conspicuous location at the staging site. The notice shall contain information on the type of project, anticipated duration of construction activity, and provide a phone number where people can register questions and complaints. The permittee shall keep record of all complaints and take appropriate action to minimize noise generated by the offending activity where feasible. A monthly log of noise complaints shall be maintained by the permittee and submitted to the Department of Regional Planning upon request.

h. The permittee shall develop and implement a construction management plan, as approved by the Director of Planning and the Director of Public Works, which includes all of the following measures as recommended by the South Coast Air Quality Management District (SCAQMD), or other measures of equivalent effectiveness approved by the SCAQMD:

   i. Configure construction parking to minimize traffic interference.

   ii. Provide temporary traffic controls during all phases of construction activities to maintain traffic flow (e.g., flag person).

   iii. Schedule construction activities that affect traffic flow on the arterial system to off-peak hours to the degree practicable as determined by the Director of Public Works.

   iv. Consolidate truck deliveries when possible.

v. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.

vi. Suspend use of all construction equipment operations during second stage smog alerts. Contact the SCAQMD at (800) 242-4022 for daily forecasts.

vii. Use electricity from power poles rather than temporary diesel- or gasoline-powered generators, except as approved by the Director.

viii. Use methanol- or natural gas-powered mobile equipment and pile drivers instead of diesel if readily available at competitive prices.

ix. Use propane- or butane-powered on-site mobile equipment instead of gasoline if readily available at competitive prices.

i. The permittee shall develop and implement a dust control plan, as approved by the Director of Planning and the Director of Public Works, which includes the following measures recommended by the SCAQMD, or other measures of equivalent effectiveness approved by the SCAQMD:

i. Apply approved non-toxic chemical soil stabilizers according to the manufacturer's specification to all inactive construction areas (previously graded areas inactive for four days or more).

ii. Replace ground cover in disturbed areas as quickly as possible.

iii. Enclose, cover, water twice daily, or apply approved soil binders to exposed piles (i.e., gravel, sand, dirt) according to manufacturers' specifications.

iv. Provide temporary wind fencing consisting of three- to five-foot barriers with 50 percent or less porosity along the perimeter of sites that have been cleared or are being graded.

v. Sweep streets at the end of the day if visible soil material is carried over to adjacent roads (recommend water sweepers using reclaimed water if readily available).

vi. Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip.

vii. Apply water three times daily or chemical soil stabilizers according to manufacturers' specifications to all unpaved parking or staging areas or unpaved road surfaces.

viii. Require construction vehicles to observe traffic speed limits of 15 mph or less on all unpaved roads.

j. All construction and development on the subject property shall comply with the applicable provisions of the Uniform Building Code and the various related mechanical, electrical, plumbing, fire, grading and excavation codes as currently adopted by the County of Los Angeles.

k. The permittee shall demonstrate that all construction and demolition debris, to the maximum extent feasible as determined by the Director, will be salvaged and recycled in a practical, available, and accessible manner during the construction phase. Documentation of this recycling program shall be provided to the Director and the County of Los Angeles Department of Public Works, prior to building permit issuance.

27. The subject building shall not exceed a height of 56 feet.

28. Front and side yards shall be maintained at a minimum of five (5) feet in width.

29. Prior to the issuance of a building permit for the project, the permittee shall return to the DCB for said Board's approval of final project signage, landscaping, and public amenities plans (concerning final design details of the waterfront promenade seating with shade structures, drinking fountains, promenade light standards and decorative paving), and building colors and materials palette.

30. The building shall be designed and constructed utilizing earthquake resistant construction and engineering practices and shall be designed to withstand a seismic event. All earthquake studies shall comply with the latest recommendations of the state Department of Conservation and the Seismic Safety Board for seismic safety.

31. The conditions and/or changes in the project, set forth in the Final Environmental Impact Report as necessary in order to assure the project will not have a significant effect on the environment, are incorporated herein by this reference and made conditions of approval of this grant. The permittee shall comply with all of the mitigation measures included in the attached Mitigation Monitoring Program and Project Changes/Conditions due to Environmental Evaluation including submittal of a Mitigation Monitoring deposit in the amount of **$3,000** which shall be required prior to use of the grant and shall be utilized to defray costs associated with staff review and verification of the required mitigation monitoring reports. The mitigation monitoring reports shall be submitted to the Director as follows:

a. At the time of building permit issuance, including verification of payment of applicable fees;

b. Annually; and

c. Additional reports as deemed necessary by the Department of Regional Planning.

32. In the event of discovery of Native American remains or of grave goods, §7050.5 of the Health and Safety Code, and §5097.94, §5097.98 and §5097.99 of the Public Resources Code (all attached) shall apply and govern the permittee's development activities.

33. Prior to commencement of grading, the permittee shall provide evidence that it has notified the Office of State Historic Preservation and the Native American Heritage Commission of the location of the proposed grading, the proposed extent of the grading and the dates on which the work is expected to take place.

34. The permittee shall maintain the subject property in a neat and orderly fashion and free of litter. Yard areas that are visible from the street shall be free of debris, trash, lumber, overgrown or dead vegetation, broken or discarded furniture, and household equipment such as refrigerators, stoves, and freezers.

35. All ground- and roof-mounted equipment shall be fully screened from public view. All roof-mounted facility screening materials shall be constructed of high quality building materials and shall be fully integrated into the building architecture.

36. The applicant shall provide signage at the bulkhead entrance and at conspicuous locations along the length of the promenade identifying the access ways as public. Benches shall be provided along the promenade.

37. Outside lighting shall be so arranged to prevent glare or direct illumination onto any adjacent properties and shall be subject to the requirements of the DCB.

38. All necessary Public Works facilities and infrastructure shall be provided for the project prior to the County's issuance of a Certificate of Occupancy for the project, to the satisfaction of the Director of the Department of Public Works. All project infrastructure shall be designed and constructed in an environmentally sensitive manner, in full conformance with County Department of Public Works' requirements to the satisfaction of said Department, and shall follow the design and recreation policies of the certified Local Coastal Program, including landscaping standards required by the DCB.

39. The permittee shall obtain all necessary permits from the Los Angeles County Department of Public Works and shall maintain all such permits in full force and effect throughout the life of this grant.

40. The applicant shall prepare a Fire Safety Plan in accordance with Section 22.46.1180.A.15 of the County Code and obtain approval by the Fire Department prior to issuance of any building permits.

41. The permittee shall provide fire sprinklers and smoke detectors in the subject building to the satisfaction of the Los Angeles County Fire Department.

42. The permittee shall establish a functional Transportation Demand Management (TDM) program or shall participate in an existing TDM program. Viable TDM components may include, but shall not be limited to:
    - -- Carpools;
    - -- Ridesharing;
    - -- Vanpools;
    - -- Increase use of bicycles for transportation;
    - -- Bicycle racks;
    - -- Preferential parking for TDM participants;
    - -- Incentives for TDM participants;
    - -- Disincentives.

    Said TDM program shall follow the guidelines in the Transportation Improvement Program contained in Appendix G of the Marina del Rey Local Coastal Program. An annual report on the effectiveness of the TDM program shall be submitted to the Director.

43. Project development shall conform to the phasing schedules in the certified Local Coastal Program. The phasing schedules include requirements for the existing Marina, circulation and public recreation improvements and infrastructure.

44. The permittee shall incorporate water-conserving devices and technologies into the project, in compliance with local, state and/or federal regulations controlling same, to the satisfaction of the Director of the Department of Public Works.

45. As outlined in the attached MMP, prior to issuance of a building permit for the project, the permittee shall pay applicable LCP-prescribed Category 1 and Category 3 traffic mitigation fees for the project, to the satisfaction of the Director of the Department of Public Works, which Department administers said fees.

46. The permittee shall comply with all recommended conditions listed in the attached letter from the Department of Public Works dated June 25, 2009 except as otherwise required by said department.

47. The permittee shall comply with all recommended conditions listed in the attached letter from the Los Angeles County Fire Department dated March 25, 2009, except as otherwise required by said department.

48. The aforementioned conditions shall run with the land and shall be binding on all lessees and sublessees of Parcel No. 21.

Attachments:
Department of Public Works letter dated June 25, 2009
Los Angeles County Fire Department letter dated March 25, 2009

SZD:MRT
4/14/10

RESOLUTION OF THE REGIONAL PLANNING COMMISSION OF THE COUNTY OF LOS ANGELES RELATING TO THE ADOPTION OF AN AMENDMENT TO THE MARINA DEL REY LOCAL COASTAL PROGRAM FOR PROJECT NO. R2006-01510

WHEREAS, Article 6 of Chapter 3 of Division 1 of Title 7 of the Government Code of the State of California (commencing with Section 65350) provides for the adoption of amendments to county general plans; and

WHEREAS, the petitioner, MDR Oceana LLC, has requested a Local Coastal Program (LCP) Amendment No. RPA200600005 to authorize the transfer of development potential between Development Zones (114 hotel units from the Admiralty DZ #7 and 3,500 square feet of Visitor-Serving/Convenience space from the Palawan/Beach DZ #5 to the Oxford DZ #6); the creation of an Active Seniors Accommodations Land Use Category in the LCP; the redesignation of Parcel OT's land use designation from "Parking" to the "Active Senior Accommodations Facility" designation with a Mixed Use Overlay Zone; the transfer 94 of the LCP required 186 public parking spaces on Parcel OT to Parcel 21; and the adjustment of the parcel boundary between Parcel OT (Currently designated as Parking in the LCP) and Parcel P (Currently designated as Open Space in the LCP), which would also necessitate adjustment to the land use categories of both parcels to the corresponding LCP maps. Parcel P currently has an area 10.72 acres and Parcel OT has an area 1.6 acres. If the proposed amendment to give 19,755 square feet of Parcel P to Parcel OT is approved, Parcel P will be reduced to 10.27 acres and Parcel OT will be increased to 2.10 acres.; and

WHEREAS, the Regional Planning Commission of the County of Los Angeles conducted concurrent public hearings regarding Coastal Development Permit No. RCDP200600002, Conditional Use Permit No. RCUP200600115, and Parking Permit No. RPKP200600009 on October 21, 2009, November 4, 2009, December 16, 2009, April 7, 2010, and April 28, 2010; and

WHEREAS, in compliance with the California Coastal Act of 1976, as amended to date, the County of Los Angeles has prepared an amendment to the certified Local Coastal Program for Marina del Rey; and

WHEREAS, the Local Coastal Program for Marina del Rey consists of a Land Use Plan and Local Implementation Program, which includes a specific plan, a Transportation Improvement Program and related appendices (collectively referred to herein as the "certified LCP"); and

WHEREAS, an amendment to the certified LCP element of the Los Angeles County General Plan is necessary at this time to address unique circumstances in the unincorporated territory of Marina del Rey; and

WHEREAS, the amendment to the certified LCP includes modifications to the Land Use Plan and Local Implementation Program and related text, for the unincorporated area of Marina del Rey commonly known as Parcel "OT"; and

WHEREAS, an Environmental Impact Report for the project has been completed and certified by the Commission in compliance with the California Environmental Quality Act (CEQA) and the State and County guidelines relating thereto; and

WHEREAS, the Regional Planning Commission has considered the public testimony, the recommendations and testimony of the Regional Planning Department staff, and the Environmental Impact Report, including the documentation within each case file; and

WHEREAS, the Regional Planning Commission finds as follows:

1. The subject property is located near the northeast corner of the intersection of Admiralty Way and Palawan Way, in Marina del Rey and in the Playa Vista Zoned District., also known as Marina del Rey Parcel OT.

2. The 2.08-acre subject property is located on gently sloping terrain in a highly urbanized area devoted primarily to recreational boating, visitor serving uses and multi-family residential uses. Washington Blvd fronts the subject property to the north; Admiralty Way fronts the subject property to the south; the Oxford Flood Control Basin adjoins the subject property to the east; and Marina del Rey Parcel 145 adjoins the subject property to the west. The County of Los Angeles owns fee title to the subject property, and will enter into a long-term lease agreement with the applicant regarding the parcel prior to the applicant's development of the proposed project.

3. The subject property is zoned "Specific Plan" within the Marina Del Rey Local Coastal Program (LCP). The subject parcel's existing land use designation per the LCP is Parking; however, the applicant is requesting an amendment to the LCP to change the subject parcel's land use designation to Active Senior Accommodations Facility

4. Zoning designations on the surrounding properties consist of the following:

   North: Multifamily Residential (City of Los Angeles)

   South: Visitor-Serving/ Convenience Commercial/Water (per MDR Specific Plan)

   West: Hotel/Residential V (per MDR Specific Plan)

   East: Open Space (per MDR Specific Plan)

5. The subject property is currently developed with a surface parking lot containing 186 public parking spaces and appurtenant landscaping.

6. Land Use on surrounding properties consist of the following:

   North: Multi-family residential (apartments) and Marina Basin C

   South: Multi-family residential (apartments)

   West: Multi-family residential (condominiums in City of Los Angeles)

   East: Multi-family residential (apartments)

7. In May of 1995, Coastal Development Permit 94-150 was approved to allow 93 public parking spaces on Parcel OT to be used for offsite parking related to a charter boat operation. No previous zoning enforcement cases were found for the subject property.

8. The site plans and elevations depict one (1) 257,370 square foot structure on 2.10 acres of land. The proposed structure has a ground floor (level one) with 44 parking spaces, and a 3,500 square foot Visitor-Serving/Convenience Commercial space. The second level contains 117 parking spaces, the senior accommodation facility's lobby, reception area, staff offices and lounges for both staff and the seniors. The third level depicts 18 units, a screening room, beauty salon, card room, arts and crafts room, library, bathrooms, gym, three communal dining areas and the facility's kitchen. The fourth, fifth and sixth levels each consist of 32 units, a lounge, a sitting room and two laundry rooms. The proposed structure has a maximum roof height of 75 feet above grade on the Washington Boulevard side and 67 feet in height on the Admiralty Way side.

9. The site plan depicts three vehicular entrances/exits into the building, one via the garage entrance on Washington Boulevard, one via a turn out on Admiralty Way and one via a garage entrance accessed from an alley that connects to both Washington Boulevard and Admiralty Way. Two parking levels are provided. The lower level provides 30 spaces for the senior facility and 14 spaces for the Visitor-Serving/Convenience Commercial use. The upper level provides 92 public parking spaces, 22 spaces for the senior facility and 3 spaces for maintenance vehicles. Seven of the 161 parking spaces are allocated to persons with disabilities.

10. The subject parcel is currently designated "Parking" in the Marina del Rey Land Use Plan and Specific Plan. In order to facilitate development of the proposed project, the applicant is requesting amendments to the LCP (see

Local Coastal Program Amendment No. RPA200600005) to transfer development potential between Development Zones (114 hotel units from the Admiralty DZ #7 and 3,500 square feet of Visitor-Serving/Convenience Commercial space from the Palawan/Beach DZ #5 to the Oxford DZ #6); the creation of an Active Seniors Accommodations Land Use Category in the LCP; the redesignation of Parcel OT's land use designation from "Parking" to the "Active Senior Accommodations Facility" designation with a Mixed Use Overlay Zone; the transfer 94 of the LCP required 186 public parking spaces on Parcel OT to Parcel 21; and the adjustment of the parcel boundary between Parcel OT (Currently designated as Parking in the LCP) and Parcel P (Currently designated as Open Space in the LCP), which would also necessitate adjustment to the land use categories of both parcels to the corresponding LCP maps. Parcel P currently has an area 10.72 acres and Parcel OT has an area 1.6 acres. If the proposed amendment to give 19,755 square feet of Parcel P to Parcel OT is approved, Parcel P will be reduced to 10.27 acres and Parcel OT will be increased to 2.10 acres.

11. The proposed transfer of 114 Hotel development units and 3,500 square feet of Visitor-Serving/Convenience Commercial space into the subject Oxford Development Zone is necessary because there no existing Hotel or Visitor-Serving/Convenience Commercial development potential in the Oxford Development Zone.

12. During the public hearing conducted by the Commission regarding the subject amendment to the certified LCP and associated project permits and Draft Environmental Impact Report, speakers testified in opposition to approval of the subject amendment to the certified LCP, alleging, among other things, that the movement/transfer of development units between Development Zones is not permitted in the certified LCP and should not be authorized in the instant case.

13. The Commission finds there is clear precedent for the proposed inter-Development Zone transfer of development units; a previous LCP amendment approval for Marina Parcel 20, certified by the California Coastal Commission, authorized the transfer of 97 development units from the Bora Bora DZ into the Panay DZ (see approval for County Project No. 98-172-4). A traffic analysis has been prepared for the subject project which has determined that the traffic and circulation impacts of the proposed inter-Development Zone transfer, within the LCP study area, of excess development units will have no adverse impact on traffic circulation in the project vicinity. The County Department of Public Works' Traffic & Lighting Division has reviewed and approved the project traffic study and concurs with the traffic report's finding that the proposed transfer of dwelling units will not impact traffic or circulation patterns within or outside of the Marina. The Commission finds that the proposed transfer of the development

allocation among different Development Zones is consistent with the goals and policies of the certified LCP inasmuch as it will neither result in additional development as contemplated in the certified LCP nor result in additional traffic impacts as contemplated in the certified LCP.

14. During the public hearing before the Commission regarding the subject amendment to the certified LCP and associated project permits and Draft Environmental Impact Report, persons testified in opposition to approval of the subject LCP amendment, stating that, pursuant to the certified LCP, Parcel OT may only be converted to a public park, and no other land use.

15. The applicant is requesting the associated amendment to the certified LCP in order to amend the certified LCP in a manner that will accommodate the proposed development on the subject parcel. The Commission finds that the benefit of bringing the type of senior housing proposed by the petitioner (A specialized facility where units shall not provide a kitchen. However, communal dining facilities shall be available on-site. Mixed use services provided on-site for residents may include, but are not limited to the following: concierge, dry cleaners, laundry, hair and beauty salon, spa, recreation room, lounge, shuttle/limousine, travel, maid, linen, and other similar personal services) into the Marina and the transfer of 94 public parking spaces to a location nearer a visitor attraction, Marina Beach, justifies the conversion of a public parking lot into a senior accommodations facility.

16. A qualified engineering firm performed Rowan, Williams, Davies and Irwin, Inc. (RWDI), a licensed engineering firm, performed a detailed assessment of the proposed development. The analysis studied the projects potential impacts on winds coming from the east, west, southwest and west-southwest directions. The analysis concluded that winds coming from the east, southwest and west-south west direction that come in contact with the proposed Parcel OT building would likely stay on land, rather than enter the Marina basins, and thus would not have an impact on sailing in the Marina. The analysis further concluded that due to the height of the hotel next to the project site and the condominium towers located southeast of the site, the projects impacts on winds from the west would also be insignificant.

17. The Commission has reviewed RWDI's wind report for the project and deems them to constitute credible evidence substantiating that development of the subject building on Parcel OT will not significantly increase infringements of wind access for boats in their berths, in the fairways, or in the Main Channel, nor adversely impact winds utilized by birds in flight.

18. The Commission finds that the subject Parcel OT is currently improved with a public surface parking lot, which, due to its relatively distant location from

recreational uses or visitor attractions in the Marina, has been and continues to be underutilized by the public.

19. The underutilization of the Parcel OT parking lot and the resulting contemplation for the parcel's conversion from parking to another use is further confirmed on Page 2-5 of Chapter A.2 of the LUP (Recreation & Visitor-Serving Facilities), which states, under the "Potential Conversion of Public Parking Lots" subsection: "Lots FF and OT, both on the west side of the Marina, are under utilized throughout most of the year. They are being contemplated for development as residential uses."

20. The Los Angeles County Department of Beaches & Harbors' comprehensive March 2009 Right-Sizing Study of Parking Lots in Marina del Rey, concludes the public's use of Parcel OT parking is minimal. The County's Right-Sizing Study, which the Commission has reviewed and is included in the administrative file for this case, was based on field observations in 2005 and 2007. Moreover, the California Coastal Commission's April 2009 Revised Findings in support of its Periodic Review of the Marina del Rey LCP also found that the lot is underutilized by the public because it is not located near visitor-serving or recreational attractions.

21. Having considered the foregoing evidence demonstrating the public's historic and ongoing use of the public parking spaces located at Parcel OT is minimal, the Commission hereby finds that no public parking shortage will occur as a result of the proposed conversion of Parcel OT from its current parking use to the applicant's proposed active senior accommodation facility. The Commission further finds that the County's proposal to relocate 94 of the 186 public parking spaces that currently exist on Parcel OT to Parcel 21, will serve to enhance the public's access to the Coast by providing the public parking at a more desirable location in direct proximity to visitor-serving or recreational attractions.

22. During the public hearing before the Commission regarding the subject amendment to the certified LCP and associated project permits and Draft Environmental Impact Report, speakers testified in opposition to approval of the subject amendment to the certified LCP, stating that approval of the LCP amendment and associated project permits would constitute piecemealing in violation of CEQA.

23. The Commission finds that adoption of the subject amendment to the certified LCP, approval of the Project Permits and certification of the Final Environmental Impact Report does not constitute piecemealing pursuant to CEQA or other applicable laws. Under the CEQA guidelines, the County has overseen preparation of a single, comprehensive Environmental Impact Report in order to evaluate the potential project-specific and cumulative

environmental impacts associated with the subject project on Parcel OT and another proposed development project on nearby Marina del Rey Parcel 21 (located south of Parcel OT on Panay Way). The Parcel 21 project (reference County Project No. R2006-02726-(4)) is a request to demolish all existing landside improvements and subsequently construct a structure with 2,916 square feet of Visitor-Serving/Convenience Commercial uses, 11,432 square feet of marine commercial uses, a 5,000 square foot yacht club, 6,000 square foot health club, a 447 space six-level parking structure, an adjacent waterfront public pedestrian promenade, and other site amenities and facilities. The EIR also considered potential cumulative impacts associated with reasonably foreseeable related projects located within and outside of the Marina.

24. The Commission finds that this comprehensive EIR processing approach for the above-referenced development projects, while being fully compliant with CEQA and other applicable laws, has afforded the public and the Commission an enhanced understanding of the numerous land use planning and environmental issues associated with developing the subject property and nearby Marina Parcel 21.

25. Concurrently with the above-mentioned local coastal program plan amendment, the applicant is requesting a Coastal Development Permit to authorize the demolition of an existing public surface parking lot containing 186 parking spaces and appurtenant landscaping located on Marina del Rey Parcel OT, and to subsequently construct a 114-unit, maximum 75-foot-tall Senior Accommodations Facility with landscaping, hardscape, garage parking, and other site amenities and appurtenant facilities on the subject parcel. The building will also contain 3,500 square feet of visitor-serving/convenience commercial space and 92 public parking spaces. Collectively, the requested discretionary land use permits for the project are referred to herein as the "Project Permits."

26. The Commission finds the applicant has submitted substantial evidence, in the form of detailed written findings and other written correspondence to the Commission and verbal testimony during the public hearing before the Commission, which satisfies the burden of proof for approval of the subject amendment to the certified Local Coastal Program, which evidence addresses the need for the development, the appropriateness of the subject LCP amendment, and how the subject amendment will be in the interest of the public health, safety and general welfare, an in conformity with good planning practices. Based on the evidence submitted into the record during the Commission's consideration of this case, the Commission finds the subject amendment to the certified LCP is consistent with the goals, policies and programs of the Los Angeles County General Plan and the certified LCP, and that there is a need for the adoption of the subject LCP amendment in order to facilitate the construction and operation of the

proposed use. Based on the evidence considered by the Commission, the Commission further finds that the proposed project will not be materially detrimental to the use, enjoyment, or valuation of property or other persons located in the vicinity of the site.

27. The Commission finds the subject property is presently underutilized. In addition, the Commission finds the proposed use of the parcel would be consistent with development in the vicinity of the project site and has been designed to be compatible with the surrounding area in terms of land use patterns, design, and established community character. The Commission finds that the project's compatibility with surrounding land uses will be ensured through the numerous conditions imposed on the associated project Coastal Development Permit, Conditional Use Permit, Parking Permit, and mitigation measures.

28. The Commission finds the project will be reasonably proximate to public transit and necessary services and facilities.

29. The Commission finds the project to be consistent with the goal of the certified LCP to encourage controlled changed in the Marina over the next 30 years. The project is also consistent with the certified LCP's goal to encourage private lessees within the Marina to replace and update facilities to maintain the physical and economic viability of the Marina.

30. The subject amendment to the certified LCP constitutes an amendment to the Los Angeles County General Plan and a change to the County Zoning Ordinance.

31. The proposed project, in summary:

    a. Avoids premature conversion of undeveloped land to urban uses;

    b. Promotes the distribution of population consistent with service system capacity, resource availability, environmental limitations, and accessibility;

    c. Directs urban development and revitalization efforts to protect natural and man-made amenities and to avoid severe hazard areas, such as active fault zones, steep hillside areas, and high fire hazard area;

    d. Encourages the efficient use of land through a more concentrated pattern of urban development, including the focusing of a new urban growth in the areas of suitable land;

e. Ensures that new development and urban expansion areas will occur in a manner consistent with stated plan policies and will pay for marginal and public costs that it generates;

f. Focuses intensive urban uses in inter-dependent systems of activity centers located to effectively provide services throughout the urban area, including adequate transportation facilities; and

32. In connection with its approval of the Project Permits, The Commission, certified that it has independently reviewed and considered the information contained in the Final Environmental Impact Report prepared by Los Angeles County Department of Regional Planning as lead agency prior to approving the project; certified the EIR; adopted the Mitigation Monitoring Plan (MMP) which is appended to and included in the attached conditions of approval for the associated Project Permits, finding that, pursuant to California Public Resources Code Section 21081.6, the MMP is adequately designed to ensure compliance with the mitigation measures during project implementation; determined that the conditions of approval attached to the Project Permits are the only mitigation measures for the project which are feasible and that the unavoidable significant effects of the project after adoption of said mitigation measures are as described in these findings; determined that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social and/or environmental benefits of the project as stated in the findings and in the Environmental Findings of Fact and Statement of Overriding Considerations adopted for the project, which findings and statement are incorporated herein by reference.

33. A Final Environmental Impact Report for the project has been prepared in accordance with the California Environmental Quality Act (CEQA), the State Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Final Environmental Impact Report consists of the Draft EIR, the Technical Appendices to the Draft EIR and the Final EIR, including responses to comments. A Mitigation Monitoring Program consistent with the conclusions and recommendations of the FEIR has been prepared, and its requirements have been incorporated into the conditions of approval for this project. On April 28, 2010, the Commission certified the FEIR prepared for the project pursuant to Public Resources Code Section 21082.1(c)(3) and CEQA Guidelines, finding that (1) the FEIR has been completed in compliance with CEQA, (2) that the Commission had reviewed and considered the information contained in the FEIR prior to approving the project, and (3) that the FEIR reflected the Commission's independent judgment and analysis. Except for potentially significant noise impacts at the project level, and impacts related to traffic and visual quality when the project is viewed cumulatively with other projects in the area, identified significant impacts can be reduced to

acceptable levels with mitigation measures identified in the FEIR. As stated in the FEIR and Statement of Overriding Considerations, the project will result in the unavoidable potentially significant impacts mentioned above. Such impacts have been reduced to the extent feasible, and the Commission found that the benefits of the proposed project outweigh these unavoidable adverse impacts. Such unavoidable adverse impacts have been determined to be acceptable based upon the overriding considerations set forth in the Statement of Overriding Considerations for the project.

34. The Commission finds the recommended plan amendment will not place an undue burden upon the community's ability to provide necessary facilities and services, as outlined in the preceding findings of fact, the findings of fact for the associated Project Permits and the certified Final Environmental Impact Report prepared for the project.

WHEREAS, based upon the findings of fact described above, the Regional Planning Commission, having completed an independent review and analysis of the project, concludes that:

1. The site is suitable for the proposed use and intensity.

2. The recommended Local Coastal Program Amendment will not place an undue burden on the community's ability to provide necessary facilities and services.

3. The recommended Local Coastal Program Amendment is consistent with the goals, policies, and programs of the General Plan and will help implement the various objectives identified with respect to the Site.

4. The recommended Local Coastal Program Amendment is in the interest of public health, safety, and general welfare and is in conformity with good planning practice.

NOW, THEREFORE, BE IT RESOLVED: That the Regional Planning Commission of the County of Los Angeles hereby recommends that the Board of Supervisors:

1. Hold a public hearing to consider the above-recommended Local Coastal Program Amendment; and

2. Rely on the certified EIR in connection with its approval of the above-recommended Local Coastal Program Amendment;

3. Find that the recommended Local Coastal Program Amendment is consistent with the goals, policies and programs of the Los Angeles County General Plan and the Marina Del Rey Specific Plan; and

4. Adopt Local Coastal Program Amendment No. RPA200600005, amending the Land Use Map of the Marina Del Rey Specific Plan and the Land Use Policy Map of the Marina Del Rey Land Use Plan (and related text) regarding the 2.08-acre subject parcel as follows:

   - Authorizing the creation of an Active Seniors Accommodations Land Use Category in the LCP;

   - Amending the subject parcel's LCP-designated land use designation from "Parking" to the "Active Senior Accommodations Facility" designation with a Mixed Use Overlay Zone;

   - Authorizing the transfer of development potential between Development Zones (114 hotel units from the Admiralty Development Zone #7 and 3,500 square feet of Visitor-Serving/Convenience Commercial space from the Palawan/Beach Development Zone #5 to the Oxford Development Zone #6;

   - Authorizing the transfer 94 of the LCP required 186 public parking spaces on Parcel OT to Parcel 21;

   - Authorizing the adjustment of the parcel boundary between Parcel OT (Currently designated as Parking in the LCP) and Parcel P (Currently designated as Open Space in the LCP), which would also necessitate adjustment to the land use categories of both parcels to the corresponding LCP maps. Parcel P currently has an area 10.72 acres and Parcel OT has an area 1.6 acres. If the proposed amendment to give 19,755 square feet of Parcel P to Parcel OT is approved, Parcel P will be reduced to 10.27 acres and Parcel OT will be increased to 2.10 acres.

I hereby certify that the foregoing was adopted by a majority of the voting members of the Regional Planning Commission of the County of Los Angeles on April 28, 2010.

_____

Rosie O. Ruiz, Secretary
County of Los Angeles
Regional Planning Commission

FINDINGS OF FACT and
STATEMENT of OVERRIDING CONSIDERATIONS
Regarding OCEANA RETIREMENT FACILITY AND HOLIDAY HARBOR COURTS

PROJECT NUMBERS: R2006-01510/R2006-02726

COASTAL DEVELOPMENT PERMIT: RCDP 200600002/200600003

CONDITIONAL USE PERMIT: 200600115/200600223

RENV: 200600109/200600177

PLAN AMENDMENT RPA: 200600005

PARKING PERMIT: RPKP 200600009/200600015

STATE CLEARINGHOUSE NUMBER: 2007021133

COUNTY OF LOS ANGELES

DEPARTMENT OF REGIONAL PLANNING

320 WEST TEMPLE STREET

LOS ANGELES, CALIFORNIA 90012

April 2010

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS REGARDING THE FINAL ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NUMBER 2007021133) FOR "OCEANA RETIREMENT FACILITY AND HOLIDAY HARBOR COURTS" (COUNTY PROJECT NUMBERS R2006-01510/R2006-02726)

The Regional Planning Commission ("Commission") of the County of Los Angeles ("County") hereby certifies "Marina del Rey Oceana Retirement Facility & Holiday Harbor Courts" Project Final Environmental Impact Report, State Clearinghouse Number 2007021133, which consists of the Draft Environmental Impact Report ("DEIR") dated August 2009, Technical Appendices to the DEIR dated August 2009, and the Final Environmental Impact Report dated April 2010, including Responses to Comments and revisions to the DEIR, collectively referred to as the "FEIR," and finds that the FEIR has been completed in compliance with the California Environmental Quality Act (Public Resources Code §§ 21000, et seq.) ("CEQA"). The Commission further hereby certifies that it has received, reviewed and considered the information contained in the FEIR, the applications: Permit No. RCPD 200600002, Permit No. RCUP200600115, Permit No. RENV200600109, RPA200600109, and Permit No. RPKP200600009 for Parcel OT (Oceana Retirement Facility); and Permit No. R2006-02726, Permit No. RCDP200600003, Permit No. RENV200600177, Permit No. RPA200600010 and Permit No. RPKP200600009 for Parcel 21 (Holiday Harbor Courts), collectively, the "project," to permit the redevelopment of uses in the Marina del Rey Local Coastal Program (the "LCP"), consisting of a 114-unit active seniors accommodations facility, ancillary facilities, 3,500 square feet of retail space, and 161 parking spaces on Parcel OT and 29,348 square feet of replacement marine commercial, yacht club, and health club uses, as well as a public park plaza, promenade, and 447 parking spaces on Parcel 21; all hearings, and submissions of testimony from officials and departments of the County; the Applicant (as defined below); the public and other municipalities and agencies; and all other pertinent information in the record of proceedings.

Concurrently with the adoption of these findings, the Commission adopts the Mitigation Monitoring Plan attached as Exhibit A to these findings.

Having received, reviewed and considered the foregoing information, as well as any and all other information in the record, the Commission hereby makes findings pursuant to and in accordance with Section 21081 of the Public Resources Code as follows:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

(b) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency,

(c) Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the environmental impact report.

BACKGROUND

The Environmental Impact Report Process

The Applicants initially filed applications for the Oceana Retirement Facility on May 16, 2006 and on September 13, 2006 for the Holiday Harbor Courts project. The County completed an Initial Study of the project and determined that an Environmental Impact Report was required. A Notice of Preparation (NOP) was therefore issued for the project on March 1, 2007 and publicly circulated until March 30, 2007 to solicit comments on the proposed content of the EIR. Additionally, a public scoping meeting was held on August 9, 2007, and the opportunity for the public to comment further was extended from August 9, 2007 through August 23, 2007. Potential environmental impact areas addressed in the DEIR include geotechnical hazards, noise, water quality, air quality, biota, cultural resources, visual qualities, traffic/access, water supply, environmental safety, land use, and global climate change. The DEIR analyzed both project-specific and potential cumulative effects and identified mitigation measures to reduce or avoid the potential adverse effects of the proposed project. With respect to impacts, the DEIR found no impact would occur in several issue areas and that the

majority of impacts would be less than significant (with and without mitigation). Based on the analysis provided in Section VI of the DEIR, significant unavoidable impacts would occur with respect to Noise (outdoor on Parcel OT), Visual Qualities (height and massing on Parcel 21 and cumulative impact Parcels OT 21), and Traffic (cumulative impacts).

The DEIR also discussed seven potential alternatives to the proposed project, including (1) No Project; (2) No Change in Type of Land Use Development Potential in the Marina del Rey LCP; (3) Alternative Land Use – Public Park on Parcel OT and Boat Storage on Parcel 21; (4) Reduced Height Alternative; (5) No Lease Parcel Boundary Adjustment Alternative; and (6) No Retail Use on Parcel OT Alternative. Potential environmental impacts of each of these alternatives were discussed at the appropriate level of detail and comparisons were made to the proposed project. This range of reasonable alternatives has permitted a reasoned choice to be made by the Commission in directing specific changes to the Project. The Commission has reviewed each of the alternatives and recommends approval of the project, as revised during the public hearing process.

After conducting its own internal departmental review and analysis of the proposed project through the screencheck process, the Department of Regional Planning circulated copies of the preliminary DEIR to all affected County agencies. Interested County agencies provided written comments on the document, and those comments were incorporated within, and made a part of the Draft EIR.

The Draft EIR was made available for public comment and input for the period set forth by State law. Specifically, the public review period commenced September 3, 2009, when a Notice of Completion (NOC) was sent to the State Clearinghouse. The public review period lasted 45 days. A Notice of Availability (NOA) for Draft EIR was published in *The Argonaut* newspaper and a public hearing notice was sent to property owners within a 500-foot radius of the proposed Project site and to known interested individuals and organizations. Copies of the Draft EIR were also made available at Department of Regional Planning and in the following local public libraries, Lloyd Taber-Marina del Rey County Library, Culver City Julian Dixon Library, and Venice-Abbot Kinney Memorial Library.

The Commission held duly noticed public hearings on October 21, 2009, and December 16, 2009, when the public hearing before the Commission was closed.

Detailed responses to the comments received regarding the project and the analyses of the Draft EIR were prepared with assistance by a private consultant, reviewed, and revised as necessary to reflect the County's independent judgment on issues raised. These Responses to Comments are embodied in the FEIR.

On April 28, 2010, the Commission made environmental findings, certified the FEIR and adopted orders approving the Coastal Development Permits, Conditional Use Permits, and Parking Permits for both the Ocean Retirement Facility and the Holiday Harbor Courts projects. Additionally, the Commission recommended approval of the Local Coastal Plan Amendment for the Oceana Retirement Facility to the County Board of Supervisors.

The FEIR has been prepared by the County in accordance with CEQA, as amended, State CEQA Guidelines and County Environmental Document Reporting Procedures and Guidelines for the implementation of CEQA. More specifically, the County has relied on Section 15084(d)(3) of the State CEQA Guidelines, which allows acceptance of drafts prepared by the applicant, a consultant retained by the applicant, or any other person. The Department of Regional Planning, acting for the County, has reviewed and edited as necessary the submitted drafts to reflect its own independent judgment, including reliance on County technical personnel from other departments.

Section 1 of these findings discusses the potential environmental effects of the Project which are not significant or which have been mitigated to a less than significant level. Section 2 discusses the significant environmental effects of the Project, which cannot be feasibly mitigated to a level of insignificance. Section 3 discusses the growth-inducing impacts of the Project. Section 4 discusses the alternatives to the Project discussed in the FEIR. Section 5 discusses the mitigation-monitoring program for the Project. Section 6 contains the Statement of Overriding Considerations. Section 7 contains the Section 15091 and 15092 findings. Section 8 contains the Section 21082.1(c)(3) findings. Section 9 identifies the custodian of the record upon which these findings are based. Section 10 discusses *de minimis* impacts on fish and wildlife. Section 11 discusses the relationship between these findings and the DEIR and FEIR.

The findings set forth in each section are supported by substantial evidence in the administrative record of the Project.

Project Description; Minor Changes

Holiday-Panay Way Marina, L.P. and MDR Oceana, LLC, (individually, referred to as an "Applicant" and collectively, the "Applicants") propose redevelopment of existing uses located on two parcels, which the Applicants lease from the County within Marina del Rey. MDR Oceana, LLC proposes the Oceana Retirement Facility for a 2.08-acre site consisting of Parcel OT and a portion of Parcel P (19,755 square feet (s.f.)). Holiday-Panay Way Marina, L.P. proposes the Holiday Harbor Courts commercial development for Parcel 21, which is a 2.55-acre site on Panay Way.

The Applicant's initial development proposal, reflected in its initial development application to the County of Los Angeles Department of Regional Planning ("DRP"), for Parcel OT was to replace an existing 186-space parking lot with a 114-unit active seniors accommodations facility and ancillary facilities, 5,000 square feet of retail space, and on-site parking. The original development proposal contemplated development of Parcel OT to include a total of 154 spaces, 42 spaces for the active seniors accommodations (a ratio of 0.36 spaces per unit), 92 public parking spaces and 20 spaces for the retail use. The resident parking spaces would be designated and gated in the structure.

In response to comments raised during the Regional Planning Commission hearings and the EIR process, the applicant compared parking at a similar facility, the Palm Court facility in Culver City. Based on the results of the study, a more conservative ratio of 0.484 parking spaces per unit, was imposed. The increased ratio resulted in a need for 55 spaces for the 114 unit active senior living accommodations instead of the 42 spaces previously planned. In order to accommodate the additional spaces, the project design was revised to reduce the 5,000 square feet of retail space to 3,500 square feet and 14 retail parking spaces. The number of public parking spaces to be provided remains unchanged at 92. There has been no net change to the square footage of the active seniors accommodation building. A corresponding change

to the request to transfer retail space from the Palawan/Beach Development Zone has been made as well.

As a result of these changes, the project would reduce the intensity of development on Parcel OT because it would replace 1,500 square feet of proposed retail space with additional parking spaces for the proposed senior facility; reducing retail associated traffic at this site by 67 trips. However, since the retail uses were transferred from another site along Washington Boulevard, the impacts to Washington Boulevard remain approximately the same as anticipated in the Marina del Rey LCP. Overall, the project would be substantially similar to the project described in the EIR and the changes to the proposed would not have the potential to have increased adverse environmental impacts over the scenario that was analyzed in the DEIR. This project revision is a variant of Alternative 6, which proposed the elimination of retail uses. In proposing a reduction, the proposed project represents a modification that, while not reaching the extent of impact reduction in Alternative 6, does somewhat reduce impacts.

The proposed project was presented to the DCB for reconsideration of the public amenity improvements on Parcel OT and the promenade improvements on Parcel 21 and was granted conceptual approval on February 17, 2010. The following minor changes and enhancements do not constitute substantial changes to the project and would not alter the impact conclusions for the environmental impact areas analyzed; all changes have been incorporated and are reflected in the revised project plans provided in Section II of the FEIR:

Parcel OT

- Planting and landscaping along Washington Boulevard was expanded to further define the seating area in the retail plaza.
- Improvements were made along Admiralty Way consisting of: a) lower, more adrift planters, b) additional trees in the landscaped area, c) wider sidewalk along the drop off to six feet, and d) connection of the color of sidewalk paving crossing the drop off driveway.
- Security gates were added at the entrance of the senior facility, public and retail parking (on both levels).

- Fences were placed between adjacent parking uses to prevent movement between public and private parking areas: retail parking was separated from senior facility parking on the lower level; public parking was separated from senior facility parking on the upper level.

Parcel 21

- Improvements were made to the promenade including: the modification of hardscape to be more compatible with the existing promenade (on Parcel 20), the addition of drinking water fountain, the addition of shade structures over selected seating benches along with additional landscaping, and additional landscaping along the building.
- Improvements were made to the community plaza including: the modification of hardscape to be more compatible with the design of the promenade and the rearrangement of some of the seating to partially face each other.

Subsequent to circulation of the Draft EIR, the Department of Beaches and Harbors reviewed the requested project approvals as described in the Draft EIR and identified the following corrections with regard to Parcel 21. Specifically, Parcel 21 does not require a LCP amendment since it is currently designated marine commercial, and all uses proposed are permitted subject to a conditional use permit or as a matter of right.

- Development of the proposed parking spaces on Parcel 21 does not require a transfer of parking from Parcel OT, as the proposal to relocate public parking to an area of greater demand (the Marina Beach area) is addressed by the LCPA for Parcel OT. In any event, parking is permitted on the Parcel 21 site. The proposal does require a Parking Permit.
- Transfer of yacht club and marine commercial uses from Parcel 20 to Parcel 21 does not require a Local Coastal Plan (LCP) amendment, as yacht clubs are a permitted use in the Marina Commercial district subject to a conditional use permit.

The enlargement of Parcel GR by 207 feet of frontage or 31,050 square feet with a corresponding reduction in Parcel 21 through a parcel lease termination is a result of the lease negotiations on Parcel 21, and is not formally a part of the proposed Parcel 21 project. The County of Los Angeles will consider the implementation of the parking opportunity in

connection with the Pipeline Projects Local Coastal Program amendment intended to address all of the currently proposed projects requiring LCP amendments in Marina del Rey.

Therefore, the correct list of approvals required for the Parcel 21 project is:

- Conditional Use Permit (CUP), Coastal Development Permit (CDP), and Parking Permit.

Section 15088.5(a) of the *State CEQA Guidelines* states that a "lead agency is required to re-circulate an EIR when significant new information is added after public notice is given of the availability of the Draft EIR for public review under Section 15087 but before circulation." Section 15088.5 also states that:

> "New information added to an EIR is not "Significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant information" requiring recirculation includes, for example, a disclosure showing that:
>
> (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
>
> (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
>
> (3) A feasible project alternative of mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.
>
> (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

The above project design revisions were evaluated in the FEIR, where it was determined that the revisions would not increase the severity of any significant impact nor create a new significant impact or otherwise require recirculation of the DEIR.

SECTION 1

POTENTIAL ENVIRONMENTAL EFFECTS WHICH ARE NOT SIGNIFICANT OR WHICH HAVE BEEN MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

All FEIR mitigation measures (as set forth in the Mitigation Monitoring Plan attached as Exhibit A to these findings) have been incorporated by reference into the conditions of approval for the Coastal Development Permits, Conditional Use Permits, Plan Amendments, and Parking Permits. In addition, the other conditions of approval for the requested discretionary actions further mitigate the potential effects of the proposed Parcel OT and Parcel 21 projects.

The Commission has determined, based on the FEIR, that project design features, mitigation measures, and conditions of approval will reduce project-specific impacts concerning geotechnical hazards, noise (construction), water quality, air quality, biota, cultural resources, visual qualities (lighting and glare) traffic/access (operational), water supply, environmental safety, land use, and global climate change to less than significant levels associated with each of the respective project sites, Parcel OT and Parcel 21, as appropriate. The Commission has further determined, based on the FEIR, that there are no significant cumulative impacts, or that project design features, mitigation measures and conditions of approval will reduce the proposed Parcel OT and Parcel 21 projects' contribution to less than significant levels, concerning geotechnical hazards, noise, water quality, air quality, biota, cultural resources, visual qualities (lighting and glare), water supply, environmental safety, land use, and global climate change.

(1) Geotechnical Hazards

Oceana Retirement Facility and Holiday Harbor Courts Project

Potential Effect

Geologic hazards that may affect the proposed development on Parcels OT and 21 include seismic shaking and other earthquake-related hazards. Secondary seismic hazards related to ground shaking include liquefaction, seismic induced ground subsidence and ground damage, lateral spreading, seiches, and tsunamis could also occur.

As groundwater may occur at depths as shallow as five feet below grade, and subterranean parking is proposed for both Parcels OT and 21 deeper than the groundwater table, the effects of groundwater during both the construction and operation phases of the respective project sites may have a significant impact.

Finding

With implementation of the measures identified in this section, conditions of approval, and the incorporation of design features for the respective project sites, potential geotechnical hazards impacts will be reduced to a less than significant level on Parcel OT and Parcel 21 by designing and constructing the structures in conformance with the most stringent safety standards consistent with all applicable local, state and federal regulations, such as the Uniform Building Code and Los Angeles County Building Code for seismic safety. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Geotechnical Hazards impacts are discussed on in Section IV. A of the DEIR. Required conformance to the Uniform Building Code and County of Los Angeles Building Code requirements renders potential impacts related to fault rupture and seismic shaking less than significant on Parcel OT and Parcel 21. The above finding is made in that the following

mitigation measures will be made conditions of approval so as to mitigate the identified impacts:

Groundwater:

GEO-1 The applicant shall implement the geotechnical engineering recommendations related to groundwater of the geotechnical engineer and/or others, as well as conform to all subsequent conditions that are imposed on the project and are deemed appropriate and necessary during grading, construction, and/or operation of the proposed developments at Parcel OT and Parcel 21.

Soil Conditions:

GEO-2 The applicant shall implement the geotechnical engineering recommendations related to soil condition improvement of the geotechnical engineer and/or others, as well as conform to all subsequent conditions that are imposed on the project and are deemed appropriate and necessary during grading, construction, and/or operation of the proposed developments at Parcel OT and Parcel 21.

Secondary Seismic Hazards:

GEO-3 The applicant shall implement the geotechnical engineering recommendations related to secondary seismic hazards (liquefaction, ground subsidence, and lateral spreading) of the geotechnical engineer and/or others, as well as conform to all subsequent conditions that are imposed on the project and are deemed appropriate and necessary during grading, construction, and/or operation of the proposed developments at Parcel OT and Parcel 21.

Seiches and Tsunamis:

GEO-4 The applicant shall prepare emergency evacuation plans for both Parcel OT and Parcel 21, subject to the review and approval of the Fire Department.

Parcel OT Project

Potential Effect

Geologic hazards that may affect the proposed development on Parcel OT include seismic shaking and other earthquake-related hazards. Secondary seismic hazards related to ground shaking include liquefaction, seismic induced ground subsidence and ground damage, lateral spreading, seiches, and tsunamis could also occur.

As groundwater may occur at depths as shallow as five feet below grade, and subterranean parking is proposed for both Parcels OT deeper than the groundwater table, the effects of groundwater during both the construction and operation phases may result in a significant impact. Since the fill material of Parcel OT is poorly compacted and contains significant amounts of debris and other foreign matter, it is not suitable in its current condition for supporting foundations.

Finding

With implementation of the measures identified in this section, conditions of approval, and the incorporation of design features, potential geotechnical hazards impacts will be reduced to a less than significant level on Parcel OT by designing and constructing the structures in conformance with the most stringent safety standards consistent with all applicable local, state and federal regulations, such as the Uniform Building Code and Los Angeles County Building Code for seismic safety. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Geotechnical Hazards impacts are discussed on in Section IV. A of the DEIR. Required conformance to the Uniform Building Code and County of Los Angeles Building Code requirements renders potential impacts related to fault rupture and seismic shaking less than significant on Parcel OT. The above finding is made in that the following mitigation measures will be made conditions of approval so as to mitigate the identified impacts for the Parcel OT project:

Groundwater:

GEO-1 The applicant shall implement the geotechnical engineering recommendations related to groundwater of the geotechnical engineer and/or others, as well as conform to all subsequent conditions that are imposed on the project and are deemed appropriate and necessary during grading, construction, and/or operation of the proposed developments at Parcel OT and Parcel 21.

Soil Conditions:

GEO-2 The applicant shall implement the geotechnical engineering recommendations related to soil condition improvement of the geotechnical engineer and/or others, as well as conform to all subsequent conditions that are imposed on the project and are deemed appropriate and necessary during grading, construction, and/or operation of the proposed developments at Parcel OT and Parcel 21.

Secondary Seismic Hazards:

GEO-3 The applicant shall implement the geotechnical engineering recommendations related to secondary seismic hazards (liquefaction, ground subsidence, and lateral spreading) of the geotechnical engineer and/or others, as well as conform to all subsequent conditions that are imposed on the project and are deemed appropriate and necessary during grading, construction, and/or operation of the proposed developments at Parcel OT and Parcel 21.

Seiches and Tsunamis:

GEO-4 The applicant shall prepare emergency evacuation plans for both Parcel OT and Parcel 21, subject to the review and approval of the Fire Department.

Parcel 21 Project

Potential Effect

Geologic hazards that may affect the proposed development on Parcel 21 include seismic shaking and other earthquake-related hazards. Secondary seismic hazards related to ground shaking include liquefaction, seismic induced ground subsidence and ground damage, lateral spreading, seiches, and tsunamis could also occur.

As groundwater may occur at depths as shallow as five feet below grade, and subterranean parking is proposed deeper than the groundwater table, the effects of groundwater during both the construction and operation phases may result in significant impacts. Impacts could occur related to significant amounts of debris, including large chunks of concrete, that were encountered during drilling and during construction of the structure on Parcel 20, which is adjacent to the east. Extensive debris removal should therefore be anticipated during grading for Parcel 21. Excavation bottoms at or below the groundwater level may not be firm and there may be a need to stabilize the excavation bottoms to provide a trafficable surface for pile driving and to construct the proposed pile caps and structural decks. Further, if the existing quay wall were to fail, the upper liquefied soils and the overlying soil crust under Parcel 21 would be subject to lateral spreading. Potential impacts involving development on Parcel 21 related unsuitable soils could be significant.

Finding

With implementation of the measures identified in this section, conditions of approval, and the incorporation of design features, potential geotechnical hazards impacts will be reduced to a less than significant level on Parcel 21 by designing and constructing the structures in conformance with the most stringent safety standards consistent with all applicable local, state and federal regulations, such as the Uniform Building Code and Los Angeles County Building Code for seismic safety. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Geotechnical Hazards impacts are discussed on in Section IV. A of the DEIR. Required conformance to the Uniform Building Code and County of Los Angeles Building Code requirements renders potential impacts related to fault rupture and seismic shaking less than significant on Parcel 21. The above finding is made in that the following mitigation measures will be made conditions of approval so as to mitigate the identified impacts for Parcel 21:

Groundwater:

GEO-1 The applicant shall implement the geotechnical engineering recommendations related to groundwater of the geotechnical engineer and/or others, as well as conform to all subsequent conditions that are imposed on the project and are deemed appropriate and necessary during grading, construction, and/or operation of the proposed developments at Parcel OT and Parcel 21.

Soil Conditions:

GEO-2 The applicant shall implement the geotechnical engineering recommendations related to soil condition improvement of the geotechnical engineer and/or others, as well as conform to all subsequent conditions that are imposed on the project and are deemed appropriate and necessary during grading, construction, and/or operation of the proposed developments at Parcel OT and Parcel 21.

Secondary Seismic Hazards:

GEO-3 The applicant shall implement the geotechnical engineering recommendations related to secondary seismic hazards (liquefaction, ground subsidence, and lateral spreading) of the geotechnical engineer and/or others, as well as conform to all subsequent conditions that are imposed on the project and are deemed appropriate and necessary during grading, construction, and/or operation of the proposed developments at Parcel OT and Parcel 21.

Seiches and Tsunamis:

GEO-4 The applicant shall prepare emergency evacuation plans for both Parcel OT and Parcel 21, subject to the review and approval of the Fire Department.

(2) Noise

Oceana Retirement Facility and Holiday Harbor Courts Project

Potential Effect (Construction)

There are residential uses within the potential noise impact zone that could experience pile driving and construction noise in excess of noise ordinance standards at both the Parcel OT and 21 sites. If heavy equipment operations were to occur on Parcel OT or Parcel 21 during designated quiet periods, standards would be substantially exceeded, which could result in significant impacts from development on the respective project sites prior to mitigation. The County of Los Angeles Ordinances requires that construction noise from mobile noise sources not exceed 75 dB measured at nearby single-family residential property lines. The construction noise standard for multi-family uses is 80 dB, and 85 dB for hotel uses.

Construction noise from the project has the potential to have a temporary effect on wildlife. Construction noise impacts to wildlife are discussed in Section IV.E of the DEIR and (5) Biota below.

Potential Effect (Operation)

A significant impact associated with interior noise at Parcel OT resulting from adjacent roadway noise as well as from structural noise could occur. A significant and unavoidable impact from outdoor balconies would occur on Parcel OT (discussed in Section 2 below). It is anticipated that HVAC equipment, for Parcel 21 would be sited on the roof of the office/yacht club portion of the building. The apartments to the south of the project site, which are across Panay Way and are approximately 70 feet from the property line of Parcel 21, could experience a noise nuisance from this equipment. Cars driving and turning as well as accidental car alarm

initiation in parking structures could produce tire squeal and could have an impact on noise receptors.

Finding

With implementation of the conditions of approval and the incorporation of design features, potential noise impacts from construction of the proposed project will be reduced to a less than significant level. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Noise impacts are discussed in Section IV.B of the DEIR. All construction activities would be subject to the requirements of the "County of Los Angeles Construction Equipment Noise Standards" and the Noise Control Ordinance of the County of Los Angeles (LACC 12.08.440) or similar ordinances in other jurisdictions. Compliance with the County's Noise Ordinance, along with incorporation of mitigation recommended, would adequately mitigate construction-related noise impacts, interior noise and structural noise at Parcel OT, and off-site noise at Parcel 21.

The above finding is made in that the following mitigation measures will be made conditions of approval so as to mitigate the identified impacts:

General Construction Noise:

N-1 Noise monitoring shall be performed by a qualified acoustician, who shall be responsible for posting notices at the construction sites describing the nature of the project and the duration and hours of construction, providing a phone number at which noise complaints may be registered, and responding to such complaints. If any violations occur, the equipment in question or barriers/shields shall be modified before pile driving or construction activities continue.

Pile Driving:

N-2 The pile driver shall be shielded through noise blankets or a temporary barrier sufficiently to meet the Los Angeles County noise ordinance levels.

N-3 Because the repetitive noise of pile driving may be intrusive even if ordinance standards are not exceeded, the allowable hours of pile driving shall be restricted from 8 a.m. to 4:30 p.m. from Monday through Friday.

Non-pile Driving:

N-4 All construction and general maintenance activities, except in an emergency, shall be limited to the hours of 8 a.m. to 5 p.m. Monday through Saturday and shall utilize the quietest equipment available.

N-5 All on-site construction equipment shall have properly operating mufflers. Other measures shall be implemented wherever necessary to further reduce construction equipment noise. These may include, but are not limited to, utilizing ¾-inch plywood screening on semi-stationary equipment operating under full power for more than 60 minutes within a direct line of sight to any residential bedroom window.

Interior Noise:

N-7 In order for the County interior standard of 45 dB CNEL to be met with a reasonable margin of safety, the applicant shall incorporate the use of dual-paned windows (STC=30 rated windows and/or sliding glass doors) and supplemental ventilation that includes a fresh air supply of 30 cubic feet per minute in the active seniors accommodations on Parcel OT.

Structural Noise:

N-8 The applicant shall implement structural noise attenuation measures as required by the California Building Code.

Off-Site Noise Exposure:

N-9 Heating, ventilation, or air conditioning (HVAC) equipment on Parcel 21 shall not operate between the hours of 10 p.m. and 7 a.m., unless it is demonstrated by noise measurement that the noise level from such operation does not exceed a Leq_{50} of 45 dB at the closest residential property line.

N-10 Although noise from the Parcel 21 parking structure is not expected to be any greater than what sensitive receivers currently experience in the project area, the applicant shall incorporate into the parking structure a design that coats the floor with a treatment or provides a swirled concrete texture that reduces tire squeal.

N-11 Signage shall be posted that notifies parking structure users on Parcel 21 of possible penalties (such as reporting to the Sheriff's Department that may result in towing) for false alarms if their alarm does not comply with limits on frequency or duration of triggering an alarm.

Parcel OT Project

Potential Effect (Construction)

There are residential uses within the potential noise impact zone that could experience pile driving and construction noise in excess of noise ordinance standards. If heavy equipment operations were to occur on Parcel OT during designated quiet periods, standards would be substantially exceeded.

Construction noise from Parcel OT has the potential to have a temporary effect on wildlife. Construction noise impacts to wildlife are discussed in Section IV.E of the DEIR and (5) Biota below.

Potential Effect (Operation)

A significant impact associated with interior noise at Parcel OT resulting from adjacent roadway noise as well as from structural noise could occur. A significant and unavoidable impact from outdoor balconies would occur on Parcel OT (discussed in Section 2 below). Cars driving and turning as well as accidental car alarm initiation in parking structures could produce

tire squeal and could have an impact on noise receptors.

Finding

With implementation of the conditions of approval and the incorporation of design features, potential noise impacts from construction of the proposed project will be reduced to a less than significant level on Parcel OT. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Noise impacts are discussed in Section IV.B of the DEIR. All construction activities on Parcel OT would be subject to the requirements of the "County of Los Angeles Construction Equipment Noise Standards" and the Noise Control Ordinance of the County of Los Angeles (LACC 12.08.440) or similar ordinances in other jurisdictions. Compliance with the County's Noise Ordinance, along with incorporation of mitigation recommended, would adequately mitigate construction-related noise impacts and interior noise and structural noise at Parcel OT.

The above finding is made in that the following mitigation measures will be made conditions of approval so as to mitigate the identified impacts for the Parcel OT project:

General Construction Noise:

N-1 Noise monitoring shall be performed by a qualified acoustician, who shall be responsible for posting notices at the construction sites describing the nature of the project and the duration and hours of construction, providing a phone number at which noise complaints may be registered, and responding to such complaints. If any violations occur, the equipment in question or barriers/shields shall be modified before pile driving or construction activities continue.

Pile Driving:

N-2 The pile driver shall be shielded through noise blankets or a temporary barrier sufficiently to meet the Los Angeles County noise ordinance levels.

N-3 Because the repetitive noise of pile driving may be intrusive even if ordinance standards are not exceeded, the allowable hours of pile driving shall be restricted from 8 a.m. to 4:30 p.m. from Monday through Friday.

Non-pile Driving:

N-4 All construction and general maintenance activities, except in an emergency, shall be limited to the hours of 8 a.m. to 5 p.m. Monday through Saturday and shall utilize the quietest equipment available.

N-5 All on-site construction equipment shall have properly operating mufflers. Other measures shall be implemented wherever necessary to further reduce construction equipment noise. These may include, but are not limited to, utilizing ¾-inch plywood screening on semi-stationary equipment operating under full power for more than 60 minutes within a direct line of sight to any residential bedroom window.

Interior Noise:

N-7 In order for the County interior standard of 45 dB CNEL to be met with a reasonable margin of safety, the applicant shall incorporate the use of dual-paned windows (STC=30 rated windows and/or sliding glass doors) and supplemental ventilation that includes a fresh air supply of 30 cubic feet per minute in the active seniors accommodations on Parcel OT.

Structural Noise:

N-8 The applicant shall implement structural noise attenuation measures as required by the California Building Code.

N-11 Signage shall be posted that notifies parking structure users on Parcel 21 of possible penalties (such as reporting to the Sheriff's Department that may result in towing) for false alarms if their alarm does not comply with limits on frequency or duration of triggering an alarm.

Parcel 21 Project

Potential Effect (Construction)

There are residential uses within the potential noise impact zone that could experience pile driving and construction noise in excess of noise ordinance standards. If heavy equipment operations were to occur on Parcel 21 during designated quiet periods, standards would be substantially exceeded.

Potential Effect (Operation)

It is anticipated that HVAC equipment, for Parcel 21 would be sited on the roof of the office/yacht club portion of the building. The apartments to the south of the project site, which are across Panay Way and are approximately 70 feet from the property line of Parcel 21, could experience a noise nuisance from this equipment. Therefore, the proposed project on Parcel 21 could result in a significant impact to noise-sensitive receivers related to HVAC equipment. Cars driving and turning as well as accidental car alarm initiation in parking structures could produce tire squeal and could have an impact on noise receptors.

Finding

With implementation of the conditions of approval and the incorporation of design features, potential noise impacts from construction of the proposed project will be reduced to a less than significant level on Parcel 21. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Noise impacts are discussed in Section IV.B of the DEIR. All construction activities on Parcel 21 would be subject to the requirements of the "County of Los Angeles Construction Equipment Noise Standards" and the Noise Control Ordinance of the County of Los Angeles (LACC 12.08.440) or similar ordinances in other jurisdictions. Compliance with the County's Noise Ordinance, along with incorporation of mitigation recommended, would adequately mitigate construction-related noise impacts and off-site noise at Parcel 21.

The above finding is made in that the following mitigation measures will be made conditions of approval so as to mitigate the identified impacts for Parcel 21:

General Construction Noise:

N-1 Noise monitoring shall be performed by a qualified acoustician, who shall be responsible for posting notices at the construction sites describing the nature of the project and the duration and hours of construction, providing a phone number at which noise complaints may be registered, and responding to such complaints. If any violations occur, the equipment in question or barriers/shields shall be modified before pile driving or construction activities continue.

Pile Driving:

N-2 The pile driver shall be shielded through noise blankets or a temporary barrier sufficiently to meet the Los Angeles County noise ordinance levels.

N-3 Because the repetitive noise of pile driving may be intrusive even if ordinance standards are not exceeded, the allowable hours of pile driving shall be restricted from 8 a.m. to 4:30 p.m. from Monday through Friday.

Non-pile Driving:

N-4 All construction and general maintenance activities, except in an emergency, shall be limited to the hours of 8 a.m. to 5 p.m. Monday through Saturday and shall utilize the quietest equipment available.

N-5 All on-site construction equipment shall have properly operating mufflers. Other measures shall be implemented wherever necessary to further reduce construction equipment noise. These may include, but are not limited to, utilizing ¾-inch plywood screening on semi-stationary equipment operating under full power for more than 60 minutes within a direct line of sight to any residential bedroom window.

Off-Site Noise Exposure:

N-9 Heating, ventilation, or air conditioning (HVAC) equipment on Parcel 21 shall not operate between the hours of 10 p.m. and 7 a.m., unless it is demonstrated by noise measurement that the noise level from such operation does not exceed a Leq_{50} of 45 dB at the closest residential property line.

N-10 Although noise from the Parcel 21 parking structure is not expected to be any greater than what sensitive receivers currently experience in the project area, the applicant shall incorporate into the parking structure a design that coats the floor with a treatment or provides a swirled concrete texture that reduces tire squeal.

N-11 Signage shall be posted that notifies parking structure users on Parcel 21 of possible penalties (such as reporting to the Sheriff's Department that may result in towing) for false alarms if their alarm does not comply with limits on frequency or duration of triggering an alarm.

(3) Water Quality

Oceana Retirement Facility and Holiday Harbor Courts Project

Potential Effect

If urban pollutants were to leave Parcel OT or Parcel 21 untreated, resulting in a change in water quality that violates Federal or State regulations, project development could create significant impacts on surface water quality. The potential effects on surface water quality in the area may in turn result in potential impacts on groundwater quality due to infiltration. Although there are no known uses of this groundwater, the indirect impacts on groundwater quality in this area from the development proposed are considered significant.

Finding

With implementation of the mitigations measures, conditions of approval, and the incorporation of design features, potential water quality impacts from the proposed developments will be reduced to a less than significant level. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Water quality impacts are discussed in Section IV.C of the DEIR. During construction, the applicant is required to implement a Storm Water Pollution Prevention Plan (SWPPP) to be prepared by a qualified engineer and subject to review and approval by the LADPW. In addition, the project is subject to the General Permit/NPDES if it disturbs one acre or more of soil, or if the project results in the disturbance of less than one acre but is part of a larger common plan of development or sale of one or more acres. Construction on the project would result in soil disturbance of one acre or greater on each site and will require the preparation and implementation of a SWPPP meeting the requirements of the General Permit. This is achieved through the selection and implementation of structural and non-structural Best Management Practices (BMPs) specific to Parcel OT and Parcel 21.

The Los Angeles County Standard Urban Storm water Mitigation Plan (SUSMP) requires Best Management Practices (BMPs) to avoid water quality impacts during the operational phase, including measures to assure that urban pollutants do not leave the project sites without treatment during 24-hour rainfall events that produce a specific volume of runoff from each site. A variety of filter treatment BMPs are available to meet regulatory requirements. Collection and treatment/filtering measures during operations on Parcel OT and Parcel 21 to control runoff and minimize possible contaminated runoff reaching the Oxford Retention Basin, Marina del Rey waters, Ballona Creek, or Pacific Ocean are anticipated as for each site part of the proposed project, along with implementation of other BMPs as required to comply with existing State and Federal water quality regulations.

The above finding is made in that the following mitigation measures will be made conditions of project approval so as to mitigate the identified impacts:

WQ-1 Grading activities shall be planned during the Southern California dry season (April through October) to the extent feasible and practicable.

WQ-2 The applicant shall prepare a Storm water Pollution Prevention Plan (SWPPP) and submit it with the grading plan to the County of Los Angeles Department of Public Works' Land Development Division for review and approval and apply the appropriate

BMPs identified. These may contain at a minimum the following items:

- During construction, contractors shall be required to utilize sandbags and berms to control runoff during on-site watering and periods of rain in order to minimize erosion, sedimentation, and surface water contamination.
- In order to intercept sediment-laden runoff generated during construction activities and trap and retain sediment, sediment basins shall be employed within the project site.
- Filter fences designed to intercept and detain sediment and trash while decreasing the velocity of runoff shall be employed within project sites.

WQ-3 The applicant shall prepare a Drainage Concept and Standard Urban Storm water Mitigation Plan (SUSMP) for both Parcels OT and 21, subject to review and approval by the County of Los Angeles Department of Public Works' Land Development Division. The SUSMP shall include best management practices for controlling and treating polluted runoff and removing floating solids from runoff. Any such best management practices or devices shall be incorporated as shown on the Drainage Concept as approved by the County of Los Angeles Department of Public Works, if necessary, for compliance with applicable Total Maximum Daily Loads under the Los Angeles Regional Water Quality Control Board.

Parcel OT Project

Potential Effect

If urban pollutants were to leave Parcel OT untreated, resulting in a change in water quality that violates Federal or State regulations, development of the site could create significant impacts on surface water quality. The potential effects on surface water quality in the area from the development proposed on Parcel OT may in turn result in potential impacts on groundwater quality due to infiltration. Although there are no known uses of this groundwater on Parcel OT, the indirect impacts on groundwater quality in this area from the proposed development may be significant.

Finding

With implementation of the mitigations measures, conditions of approval, and the incorporation of design features, potential water quality impacts will be reduced to a less than significant level on Parcel. Therefore, the following finding is made for Parcel OT:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Water quality impacts are discussed in Section IV.C of the DEIR. During construction, the applicant is required to implement a Storm water Pollution Prevention Plan (SWPPP) to be prepared by a qualified engineer and subject to review and approval by the LADPW. In addition, construction on Parcel OT is subject to the General Permit/NPDES as it disturbs one acre or more of soil. This is achieved through the selection and implementation of structural and non-structural Best Management Practices (BMPs) specific to Parcel OT.

The Los Angeles County Standard Urban Storm water Mitigation Plan (SUSMP) requires Best Management Practices (BMPs) to avoid water quality impacts during the operational phase on Parcel OT, including measures to assure that urban pollutants do not leave the project site without treatment during 24-hour rainfall events that produce a specific volume of runoff. A variety of filter treatment BMPs are available to meet regulatory requirements. Collection and treatment/filtering measures during operations on Parcel OT to control runoff and minimize possible contaminated runoff reaching the Oxford Retention Basin, Marina del Rey waters, Ballona Creek, or Pacific Ocean are anticipated along with implementation of other BMPs as required to comply with existing State and Federal water quality regulations.

The above finding is made in that the following mitigation measures will be made conditions of project approval so as to mitigate the identified impacts on Parcel OT:

WQ-1 Grading activities shall be planned during the Southern California dry season (April through October) to the extent feasible and practicable.

WQ-2 The applicant shall prepare a Storm water Pollution Prevention Plan (SWPPP) and

submit it with the grading plan to the County of Los Angeles Department of Public Works' Land Development Division for review and approval and apply the appropriate BMPs identified. These may contain at a minimum the following items:

- During construction, contractors shall be required to utilize sandbags and berms to control runoff during on-site watering and periods of rain in order to minimize erosion, sedimentation, and surface water contamination.
- In order to intercept sediment-laden runoff generated during construction activities and trap and retain sediment, sediment basins shall be employed within the project site.
- Filter fences designed to intercept and detain sediment and trash while decreasing the velocity of runoff shall be employed within project sites.

WQ-3 The applicant shall prepare a Drainage Concept and Standard Urban Storm water Mitigation Plan (SUSMP) for both Parcels OT and 21, subject to review and approval by the County of Los Angeles Department of Public Works' Land Development Division. The SUSMP shall include best management practices for controlling and treating polluted runoff and removing floating solids from runoff. Any such best management practices or devices shall be incorporated as shown on the Drainage Concept as approved by the County of Los Angeles Department of Public Works, if necessary, for compliance with applicable Total Maximum Daily Loads under the Los Angeles Regional Water Quality Control Board.

Parcel 21 Project

Potential Effect

If urban pollutants were to leave Parcel 21 untreated, resulting in a change in water quality that violates Federal or State regulations, development could create significant impacts on surface water quality. The potential effects on surface water quality in the area may in turn result in potential impacts on groundwater quality due to infiltration. Although there are no known uses of this groundwater on Parcel 21, the indirect impacts on groundwater quality in

this area from the development may be significant.

Finding

With implementation of the mitigations measures, conditions of approval, and the incorporation of design features, potential water quality impacts from the proposed development will be reduced to a less than significant level on Parcel 21. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Water quality impacts are discussed in Section IV.C of the DEIR. During construction, the Applicant is required to implement a Storm water Pollution Prevention Plan (SWPPP) to be prepared by a qualified engineer and subject to review and approval by the LADPW. Construction on the Parcel 21 site would result in soil disturbance of one acre or greater and will require the preparation and implementation of a SWPPP meeting the requirements of the General Permit. This is achieved through the selection and implementation of structural and non-structural Best Management Practices (BMPs) specific to Parcel 21.

The Los Angeles County Standard Urban Storm water Mitigation Plan (SUSMP) requires Best Management Practices (BMPs) to avoid water quality impacts during the operational phase on Parcel 21, including measures to assure that urban pollutants do not leave the project sites without treatment during 24-hour rainfall events that produce a specific volume of runoff from each site. A variety of filter treatment BMPs are available for Parcel 21 to meet regulatory requirements. Collection and treatment/filtering measures during operations on Parcel 21 to control runoff and minimize possible contaminated runoff reaching the Oxford Retention Basin, Marina del Rey waters, Ballona Creek, or Pacific Ocean are anticipated along with implementation of other BMPs as required to comply with existing State and Federal water quality regulations.

The above finding is made in that the following mitigation measures will be made conditions of project approval so as to mitigate the identified impacts on Parcel 21:

WQ-1 Grading activities shall be planned during the Southern California dry season (April through October) to the extent feasible and practicable.

WQ-2 The applicant shall prepare a Storm water Pollution Prevention Plan (SWPPP) and submit it with the grading plan to the County of Los Angeles Department of Public Works' Land Development Division for review and approval and apply the appropriate BMPs identified. These may contain at a minimum the following items:

- During construction, contractors shall be required to utilize sandbags and berms to control runoff during on-site watering and periods of rain in order to minimize erosion, sedimentation, and surface water contamination.
- In order to intercept sediment-laden runoff generated during construction activities and trap and retain sediment, sediment basins shall be employed within the project site.
- Filter fences designed to intercept and detain sediment and trash while decreasing the velocity of runoff shall be employed within project sites.

WQ-3 The applicant shall prepare a Drainage Concept and Standard Urban Storm water Mitigation Plan (SUSMP) for both Parcels OT and 21, subject to review and approval by the County of Los Angeles Department of Public Works' Land Development Division. The SUSMP shall include best management practices for controlling and treating polluted runoff and removing floating solids from runoff. Any such best management practices or devices shall be incorporated as shown on the Drainage Concept as approved by the County of Los Angeles Department of Public Works, if necessary, for compliance with applicable Total Maximum Daily Loads under the Los Angeles Regional Water Quality Control Board.

(4) Air Quality

Oceana Retirement Facility and Holiday Harbor Courts Project

Potential Effect

Temporary construction activity emissions associated with development would include the generation of dust and equipment exhaust from demolition, grading and construction activities, and off-site emissions from construction employee commuting and/or trucks delivering building materials. During construction, could exceed Local Significance Thresholds for PM-10 and PM-2.5 emissions.

Finding

With implementation of the measures identified in this section, conditions of approval and the incorporation of design features, the potential impacts on air quality will be reduced to a less than significant level. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Air quality impacts are discussed in Section IV.D of the DEIR. As with PM-10 emissions, the non-attainment status of the air basin and the cumulative impact of all regional construction suggest that all reasonably available control measures for diesel exhaust should be implemented even if individual thresholds are not exceeded. The above finding is made in that the following mitigation measures will be made conditions of approval so as to mitigate the identified impacts:

AQ-1 The applicant shall prepare a Construction Management Plan to control fugitive dust. At a minimum, the Plan shall include the following dust control measures:

- The simultaneous disturbance site should be minimized as much as possible.
- The proposed project shall comply with SCAQMD established minimum requirements for construction activities to reduce fugitive dust and PM-10 emissions. A plan to control fugitive dust through the implementation of best available control measures shall be prepared and submitted to the County for

approval prior to the issuance of grading permits. The plan shall specify the dust control measures to be implemented. Such measures may include but are not limited to:

a) Application of soil stabilizers to inactive areas;

b) Preparation of a high wind dust control plan and implement plan elements and terminate soil disturbance when winds exceed 25 mph;

c) Stabilization of previously disturbed areas if subsequent construction is delayed; and

d) Covering all stockpiles with tarps.

- The project proponent shall comply with all applicable SCAQMD Rules and Regulations including Rule 403 insuring the clean up of construction-related dirt on approach routes to the site. Rule 403 prohibits the release of fugitive dust emissions from any active operation, open storage pile or disturbed surface area visible beyond the property line of the emission source. Particulate matter on public roadways is also prohibited.
- Adequate watering techniques shall be employed to mitigate the impact of construction-related dust particulates. Portions of the site that are undergoing surface earth moving operations shall be watered such that a crust will be formed on the ground surface, and then watered again at the end of each day. Watering of exposed surfaces and haul roads three times/day is recommended.
- Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.
- Any construction access roads (other than temporary access roads) shall be paved as soon as possible and cleaned after each workday. The maximum vehicle speed on unpaved roads shall be 15 mph.
- Grading operations shall be suspended during any first stage ozone episodes.

AQ-2 The applicant shall prepare a Construction Management Plan to control vehicle and equipment emissions during construction. At a minimum, the Plan shall incorporate the following mitigation measures:

- Construction parking shall be configured to minimize the potential for traffic interference and vehicle idling.
- Any construction equipment using direct internal combustion engines shall use a diesel fuel with a maximum of 0.05 percent sulfur and a four-degree retard.
- Equipment and vehicle engines shall be maintained in good condition and in proper tune, according to manufacturer's specifications and per SCAQMD rules, to minimize exhaust emissions. 90 day Low Nox tune-ups shall be required for off-road equipment.
- Tier 3 rated engines shall be used for all equipment during site grading, if available.
- Equipment whose engines are equipped with diesel oxidation catalysts shall be utilized, if available.
- Construction operations affecting off-site roadways shall be scheduled by implementing traffic hours and shall minimize obstruction of through-traffic lanes. Construction operations that may affect traffic flow on the arterial system shall be limited to off-peak hours, as permitted.
- Truck deliveries occurring during construction shall be consolidated to the extent feasible.
- Idling trucks or heavy equipment shall turn off their engines if the expected duration of idling exceeds five (5) minutes as required by law.
- On-site heavy equipment used during grading and construction shall be equipped with diesel particulate filters unless it is demonstrated that such equipment is not available or its use is not cost-competitive.
- All building construction shall comply with energy use guidelines in Title 24 of the California Code of Regulations.

- To the extent that such measures are economically feasible/cost competitive, the applicant shall incorporate the following practices:
  - Utilizing electricity from power poles in place of temporary diesel or gasoline-powered generators;
  - Utilizing methanol or natural gas-powered mobile equipment and pile drivers in place of diesel; and
  - Utilizing propane or butane-powered on-site mobile equipment in place of gasoline.
- Construction equipment operations shall be suspended during any second stage smog alert.

Parcel OT Project

Potential Effect

Temporary construction activity emissions associated with development on Parcel OT would include the generation of dust and equipment exhaust from demolition, grading and construction activities, and off-site emissions from construction employee commuting and/or trucks delivering building materials. During construction, could exceed Local Significance Thresholds for PM-10 and PM-2.5 emissions.

Finding

With implementation of the measure identified in this section, conditions of approval and the incorporation of design features, the potential impacts on air quality will be reduced to a less than significant level. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Air quality impacts are discussed in Section IV.D of the DEIR. As with PM-10 emissions, the non-attainment status of the air basin and the cumulative impact of all regional

construction suggest that all reasonably available control measures for diesel exhaust should be implemented even if individual thresholds are not exceeded. The above finding is made in that the following mitigation measures will be made conditions of approval so as to mitigate the identified impacts:

AQ-1 The applicant shall prepare a Construction Management Plan to control fugitive dust. At a minimum, the Plan shall include the following dust control measures:

- The simultaneous disturbance site should be minimized as much as possible.
- The proposed project shall comply with SCAQMD established minimum requirements for construction activities to reduce fugitive dust and PM-10 emissions. A plan to control fugitive dust through the implementation of best available control measures shall be prepared and submitted to the County for approval prior to the issuance of grading permits. The plan shall specify the dust control measures to be implemented. Such measures may include but are not limited to:

  e) Application of soil stabilizers to inactive areas;

  f) Preparation of a high wind dust control plan and implement plan elements and terminate soil disturbance when winds exceed 25 mph;

  g) Stabilization of previously disturbed areas if subsequent construction is delayed; and

  h) Covering all stockpiles with tarps.
- The project proponent shall comply with all applicable SCAQMD Rules and Regulations including Rule 403 insuring the clean up of construction-related dirt on approach routes to the site. Rule 403 prohibits the release of fugitive dust emissions from any active operation, open storage pile or disturbed surface area visible beyond the property line of the emission source. Particulate matter on public roadways is also prohibited.
- Adequate watering techniques shall be employed to mitigate the impact of

construction-related dust particulates. Portions of the site that are undergoing surface earth moving operations shall be watered such that a crust will be formed on the ground surface, and then watered again at the end of each day. Watering of exposed surfaces and haul roads three times/day is recommended.

- Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.
- Any construction access roads (other than temporary access roads) shall be paved as soon as possible and cleaned after each workday. The maximum vehicle speed on unpaved roads shall be 15 mph.
- Grading operations shall be suspended during any first stage ozone episodes.

AQ-2 The applicant shall prepare a Construction Management Plan to control vehicle and equipment emissions during construction. At a minimum, the Plan shall incorporate the following mitigation measures:

- Construction parking shall be configured to minimize the potential for traffic interference and vehicle idling.
- Any construction equipment using direct internal combustion engines shall use a diesel fuel with a maximum of 0.05 percent sulfur and a four-degree retard.
- Equipment and vehicle engines shall be maintained in good condition and in proper tune, according to manufacturer's specifications and per SCAQMD rules, to minimize exhaust emissions. 90 day Low Nox tune-ups shall be required for off-road equipment.
- Tier 3 rated engines shall be used for all equipment during site grading, if available.
- Equipment whose engines are equipped with diesel oxidation catalysts shall be utilized, if available.
- Construction operations affecting off-site roadways shall be scheduled by

implementing traffic hours and shall minimize obstruction of through-traffic lanes. Construction operations that may affect traffic flow on the arterial system shall be limited to off-peak hours, as permitted.

- Truck deliveries occurring during construction shall be consolidated to the extent feasible.
- Idling trucks or heavy equipment shall turn off their engines if the expected duration of idling exceeds five (5) minutes as required by law.
- On-site heavy equipment used during grading and construction shall be equipped with diesel particulate filters unless it is demonstrated that such equipment is not available or its use is not cost-competitive.
- All building construction shall comply with energy use guidelines in Title 24 of the California Code of Regulations.
- To the extent that such measures are economically feasible/cost competitive, the applicant shall incorporate the following practices:
  - Utilizing electricity from power poles in place of temporary diesel or gasoline-powered generators;
  - Utilizing methanol or natural gas-powered mobile equipment and pile drivers in place of diesel; and
  - Utilizing propane or butane-powered on-site mobile equipment in place of gasoline.
- Construction equipment operations shall be suspended during any second stage smog alert.

Parcel 21 Project

Potential Effect

Temporary construction activity emissions associated with development on Parcel 21 would include the generation of dust and equipment exhaust from demolition, grading and construction activities, and off-site emissions from construction employee commuting and/or

trucks delivering building materials. During construction, could exceed Local Significance Thresholds for PM-10 and PM-2.5 emissions.

Finding

With implementation of the measure identified in this section, conditions of approval and the incorporation of design features, the potential impacts on air quality will be reduced to a less than significant level. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Air quality impacts are discussed in Section IV.D of the DEIR. As with PM-10 emissions, the non-attainment status of the air basin and the cumulative impact of all regional construction suggest that all reasonably available control measures for diesel exhaust should be implemented even if individual thresholds are not exceeded. The above finding is made in that the following mitigation measures will be made conditions of approval so as to mitigate the identified impacts:

AQ-1 The applicant shall prepare a Construction Management Plan to control fugitive dust. At a minimum, the Plan shall include the following dust control measures:

- The simultaneous disturbance site should be minimized as much as possible.
- The proposed project shall comply with SCAQMD established minimum requirements for construction activities to reduce fugitive dust and PM-10 emissions. A plan to control fugitive dust through the implementation of best available control measures shall be prepared and submitted to the County for approval prior to the issuance of grading permits. The plan shall specify the dust control measures to be implemented. Such measures may include but are not limited to:

  i) Application of soil stabilizers to inactive areas;

j) Preparation of a high wind dust control plan and implement plan elements and terminate soil disturbance when winds exceed 25 mph;

k) Stabilization of previously disturbed areas if subsequent construction is delayed; and

l) Covering all stockpiles with tarps.

- The project proponent shall comply with all applicable SCAQMD Rules and Regulations including Rule 403 insuring the clean up of construction-related dirt on approach routes to the site. Rule 403 prohibits the release of fugitive dust emissions from any active operation, open storage pile or disturbed surface area visible beyond the property line of the emission source. Particulate matter on public roadways is also prohibited.
- Adequate watering techniques shall be employed to mitigate the impact of construction-related dust particulates. Portions of the site that are undergoing surface earth moving operations shall be watered such that a crust will be formed on the ground surface, and then watered again at the end of each day. Watering of exposed surfaces and haul roads three times/day is recommended.
- Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.
- Any construction access roads (other than temporary access roads) shall be paved as soon as possible and cleaned after each workday. The maximum vehicle speed on unpaved roads shall be 15 mph.
- Grading operations shall be suspended during any first stage ozone episodes.

AQ-2 The applicant shall prepare a Construction Management Plan to control vehicle and equipment emissions during construction. At a minimum, the Plan shall incorporate the following mitigation measures:

- Construction parking shall be configured to minimize the potential for traffic

interference and vehicle idling.

- Any construction equipment using direct internal combustion engines shall use a diesel fuel with a maximum of 0.05 percent sulfur and a four-degree retard.
- Equipment and vehicle engines shall be maintained in good condition and in proper tune, according to manufacturer's specifications and per SCAQMD rules, to minimize exhaust emissions. 90 day Low Nox tune-ups shall be required for off-road equipment.
- Tier 3 rated engines shall be used for all equipment during site grading, if available.
- Equipment whose engines are equipped with diesel oxidation catalysts shall be utilized, if available.
- Construction operations affecting off-site roadways shall be scheduled by implementing traffic hours and shall minimize obstruction of through-traffic lanes. Construction operations that may affect traffic flow on the arterial system shall be limited to off-peak hours, as permitted.
- Truck deliveries occurring during construction shall be consolidated to the extent feasible.
- Idling trucks or heavy equipment shall turn off their engines if the expected duration of idling exceeds five (5) minutes as required by law.
- On-site heavy equipment used during grading and construction shall be equipped with diesel particulate filters unless it is demonstrated that such equipment is not available or its use is not cost-competitive.
- All building construction shall comply with energy use guidelines in Title 24 of the California Code of Regulations.
- To the extent that such measures are economically feasible/cost competitive, the applicant shall incorporate the following practices:
  - Utilizing electricity from power poles in place of temporary diesel or gasoline-powered generators;

- Utilizing methanol or natural gas-powered mobile equipment and pile drivers in place of diesel; and
- Utilizing propane or butane-powered on-site mobile equipment in place of gasoline.

- Construction equipment operations shall be suspended during any second stage smog alert.

(5) Biota

Oceana Retirement Facility and Holiday Harbor Courts Project

Potential Effect

Surveys have shown no evidence of active bird nesting within on-site trees. However, there remains the potential for nesting to occur prior to construction and the removal of trees. Per the Migratory Bird Treaty, it is illegal to destroy any active nests. Removal of trees for construction of the proposed project and/or construction of the County's 24-inch water main along the northern portion of the Parcel OT would result in a potentially significant impact to nesting birds, if active nests are present and harmed. Additionally, project construction noise has the potential to have a temporary effect on herons nesting on or off-site adjacent to the proposed project.

Finding

Implementation of the measures identified in this section, conditions of approval and the incorporation of design features will reduce the project's potential impacts with respect to biota a less than significant level. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Biota impacts are discussed in Section IV.E of the DEIR. The Cooper's hawk and the sharp-shinned hawk can be expected to occur on both Parcels OT and 21. Specifically, Cooper's hawk is a year round resident that nests in the region and may forage on Parcels OT and 21, but

the presence of sharp-shinned hawk would be limited to the winter. Due to the low density of tree canopy on Parcels OT and 21, nesting by the Cooper's hawk is likely precluded. Although no nests have been observed on-site, nesting could occur prior to initiation of construction activity. If nesting were to occur, impacts to nesting birds would result in a violation of both the CDFG Code Section 3500 et seq. and the Migratory Bird Treaty Act. Therefore, impacts to nesting birds resulting from tree removal would be considered a significant impact prior to mitigation.

Based upon focused heron surveys conducted by Dr. Jeffrey Froke on July 21, 2009 and August 1, 2009, herons do not occupy and are not expected to nest or forage within the project. Nesting of herons is expected to occur within the aquatic habitat and heavier cover that exists in the central portions of the Oxford Basin, which is in excess of 300 feet north east of the Parcel OT project. Based on Dr. Froke's experience, construction of the proposed project would not result in a significant disturbance to present or future heron resources within the Marina del Rey heronry, and specifically the Oxford Basin. Additionally, the Department of Beaches and Harbors has been monitoring effects on nesting birds from construction noise in connection with the concrete demolition at Burton Chace Park. Sound levels in excess of the County Code were recorded, with no noticeable effect on birds. Therefore, it is presumed that implementation of the County Code alone will avoid significant effects. Also, in connection with the approval of a Coastal Development Permit for the Oxford Basin (5-07-417), the California Coastal Commission found that no significant impact from these noise levels would occur if a buffer of 300 feet could be maintained.

The above finding is made in that the following mitigation measures will be made conditions of approval so as to mitigate the identified potential impacts:

BIO-1 Tree removal shall be performed between the dates of August 1 through January 31 to avoid the nesting bird season. Should this not be feasible, a qualified biologist shall conduct a thorough examination of the tree to determine whether nesting birds are present, and if found, the status of the nest shall be noted. The nest survey shall take

place not more than three days (72 hours) prior to the planned removal. If nesting birds are present, the biologist shall prepare a recommendation, which may include a delay of the removal until such time that nesting has been completed. The recommendation of the biologist shall be communicated to the local CDFG Agent for approval and consent prior to removal of the tree(s).

Parcel OT Project

Potential Effect

Removal of trees for construction of the proposed project and/or construction of the County's 24-inch water main along the northern portion of the Parcel OT could result in a potentially significant impact to nesting birds, if active nests are present and harmed. Additionally, project construction noise has the potential to have a temporary effect on wildlife including herons nesting in the Oxford Basin.

Finding

Implementation of the measures identified in this section, conditions of approval and the incorporation of design features will reduce the project's potential impacts with respect to biota a less than significant level. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Biota impacts are discussed in Section IV.E of the DEIR. The Cooper's hawk and the sharp-shinned hawk can be expected to occur on Parcel OT. Specifically, Cooper's hawk is a year round resident that nests in the region and may forage on Parcel OT, but the presence of sharp-shinned hawk would be limited to the winter. Due to the low density of tree canopy on Parcels OT, nesting by the Cooper's hawk is likely precluded. Although no nests have been observed on-site, nesting could occur prior to initiation of construction activity. If nesting were to occur, impacts to nesting birds would result in a violation of both the CDFG Code Section 3500 et seq. and the Migratory Bird Treaty Act. Therefore, impacts to nesting birds resulting

from tree removal would be considered a significant impact prior to mitigation.

Based upon focused heron surveys conducted by Dr. Jeffrey Froke on July 21, 2009 and August 1, 2009, herons do not occupy and are not expected to nest or forage within the project. Nesting of herons is expected to occur within the aquatic habitat and heavier cover that exists in the central portions of the Oxford Basin, which is in excess of 300 feet north east of the Parcel OT project. Based on experience, construction of the proposed project would not result in a significant disturbance to present or future heron resources within the Marina del Rey heronry, and specifically the Oxford Basin. Additionally, the Department of Beaches and Harbors has been monitoring effects on nesting birds from construction noise in connection with the concrete demolition at Burton Chace Park. Sound levels in excess of the County Code were recorded, with no noticeable effect on birds. Therefore, it is presumed that implementation of the County Code alone will avoid significant effects. Also, in connection with the approval of a Coastal Development Permit for the Oxford Basin (5-07-417), the California Coastal Commission found that no significant impact from these noise levels would occur if a buffer of 300 feet could be maintained. This information is incorporated herein by reference. The Department of Beaches and Harbors and the Department of Public Works maintain the files for public inspection regarding the above information.

The above finding is made in that the following mitigation measures will be made conditions of approval so as to mitigate the identified potential impacts for the Parcel OT:

BIO-1 Tree removal shall be performed between the dates of August 1 through January 31 to avoid the nesting bird season. Should this not be feasible, a qualified biologist shall conduct a thorough examination of the tree to determine whether nesting birds are present, and if found, the status of the nest shall be noted. The nest survey shall take place not more than three days (72 hours) prior to the planned removal. If nesting birds are present, the biologist shall prepare a recommendation, which may include a delay of the removal until such time that nesting has been completed. The recommendation of the biologist shall be communicated to the local CDFG Agent for approval and consent prior to removal of the tree(s).

Parcel 21 Project

Potential Effect

Potential impacts to nesting birds on Parcel 21 may occur due to construction of the project on-site and/or construction of improvements to the Panay Way water main infrastructure.

Finding

Implementation of the measures identified in this section, conditions of approval and the incorporation of design features will reduce the project's potential impacts with respect to biota a less than significant level. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Biota impacts are discussed in Section IV.E of the DEIR. The Cooper's hawk and the sharp-shinned hawk can be expected to occur. Specifically, Cooper's hawk is a year round resident that nests in the region and may forage on Parcel 21, but the presence of sharp-shinned hawk would be limited to the winter. Due to the low density of tree canopy on Parcel 21, nesting by the Cooper's hawk is likely precluded. Although no nests have been observed on-site, nesting could occur prior to initiation of construction activity. If nesting were to occur, impacts to nesting birds would result in a violation of both the CDFG Code Section 3500 et seq. and the Migratory Bird Treaty Act, if any active nests were to be removed. Therefore, impacts to any nesting raptor resulting from tree removal would be considered a significant impact prior to mitigation.

The above finding is made in that the following mitigation measures will be made conditions of approval so as to mitigate the identified potential impacts for Parcel 21:

BIO-1 Tree removal shall be performed between the dates of August 1 through January 31 to avoid the nesting bird season. Should this not be feasible, a qualified biologist shall

conduct a thorough examination of the tree to determine whether nesting birds are present, and if found, the status of the nest shall be noted. The nest survey shall take place not more than three days (72 hours) prior to the planned removal. If nesting birds are present, the biologist shall prepare a recommendation, which may include a delay of the removal until such time that nesting has been completed. The recommendation of the biologist shall be communicated to the local CDFG Agent for approval and consent prior to removal of the tree(s).

(6) Cultural Resources

Oceana Retirement Facility and Holiday Harbor Courts Project

Potential Effect

The potential exists for prehistoric or historic resources to be uncovered during grading and excavation activities for the proposed development and may result in a significant impact.

Finding

Implementation of the measures identified in this section, conditions of approval and the incorporation of design features for the respective project sites will reduce the project's potential impacts with respect to cultural resources a less than significant level. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Cultural resources impacts are discussed in Section IV.F of the DEIR. While no prehistoric or historic resources have been recorded within one-half mile of the respective project sites, the identification of the historic Venice Landfill as being located near both Parcel OT and Parcel 21 and recent investigations in nearby Ballona Creek resulting in the discovery of hundreds of

native American burials and numerous prehistoric features indicates a sensitivity of the project area for prehistoric and historic archaeological resources.

The above finding is made in that the following mitigation measures will be made conditions of approval so as to mitigate the identified potential impacts:

CUL-1 During the removal of asphalt paving and subsequent grading of the sites, the sites shall be monitored by a qualified archaeological monitor. The archaeological monitor shall also be accompanied by a Native American Monitor to be selected from the Native American Heritage Commission approved list for this area. Should evidence of any prehistoric or historic resources be uncovered, including Native American resources, the archeologist must be notified and work in the find area shall cease until the monitor arrives. The State Historic Preservation Office and Los Angeles County Department of Regional Planning shall also be notified if such resources are uncovered. The archeological monitor shall have the authority to halt any activities adversely impacting potentially significant archeological resources, while the find is evaluated in accordance with CEQA criteria for significance.

CUL-2 Should evidence of any prehistoric or historic archaeological resources be uncovered, a Phase II evaluation must be conducted in accordance with Section 15064.5(f) of the CEQA Guidelines.

CUL-3 Following §30116(d) of the Coastal Act, any cultural resource found in the portion of the LCP study area planned for development shall be collected and maintained at the Los Angeles County Museum of Natural History or other appropriate location as otherwise provided by State law.

CUL-4 Should human remains be discovered during the removal of asphalt paving and subsequent grading of the sites, the County Coroner shall be contacted and permitted access to the site for preliminary identification of the remains. Preservation and disposition of the remains shall be conducted in accordance with Public Resources

Code Section 5097.98 and Health and Safety Code Section 7050.5. If the remains are found to be of Native American origin, the Native American Heritage Commission must be notified and permitted to identify the Most Likely Descendant (MLD), and, in consultation with the proponent and archaeological monitor, determine the appropriate disposition of the remains, as stated in Section 15064.5(d) of the CEQA Guidelines.

CUL-5 As part of the Coastal Development Permit application involving disturbance of native soils or vegetation, including but not limited to excavation, pile driving or grading, the applicant shall provide evidence that they have notified the Office of State Historic Preservation and the Native American Heritage Commission of the location of the proposed grading, the proposed extent of the grading, and the dates on which the work is expected to occur.

CUL-6 Should an Archaeological Recovery Program be warranted, it shall require a Coastal Development Permit consistent with the provisions of the certified Marina del Rey LCP.

Parcel OT Project

Potential Effect

The potential exists for prehistoric or historic resources to be uncovered during grading and excavation activities for the proposed development on Parcel OT and may result in a significant impact.

Finding

Implementation of the measures identified in this section, conditions of approval and the incorporation of design features for the respective project sites will reduce the project's potential impacts on Parcel OT with respect to cultural resources a less than significant level. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Cultural resources impacts are discussed in Section IV.F of the DEIR. While no prehistoric or historic resources have been recorded within one-half mile of Parcel OT, the identification of the historic Venice Landfill as being located near Parcel OT and recent investigations in nearby Ballona Creek resulting in the discovery of hundreds of native American burials and numerous prehistoric features indicates a sensitivity of the project area for prehistoric and historic archaeological resources.

The above finding is made in that the following mitigation measures will be made conditions of approval so as to mitigate the identified potential impacts:

CUL-1 During the removal of asphalt paving and subsequent grading of the sites, the sites shall be monitored by a qualified archaeological monitor. The archaeological monitor shall also be accompanied by a Native American Monitor to be selected from the Native American Heritage Commission approved list for this area. Should evidence of any prehistoric or historic resources be uncovered, including Native American resources, the archeologist must be notified and work in the find area shall cease until the monitor arrives. The State Historic Preservation Office and Los Angeles County Department of Regional Planning shall also be notified if such resources are uncovered. The archeological monitor shall have the authority to halt any activities adversely impacting potentially significant archeological resources, while the find is evaluated in accordance with CEQA criteria for significance.

CUL-2 Should evidence of any prehistoric or historic archaeological resources be uncovered, a Phase II evaluation must be conducted in accordance with Section 15064.5(f) of the CEQA Guidelines.

CUL-3 Following §30116(d) of the Coastal Act, any cultural resource found in the portion of

the LCP study area planned for development shall be collected and maintained at the Los Angeles County Museum of Natural History or other appropriate location as otherwise provided by State law.

CUL-4 Should human remains be discovered during the removal of asphalt paving and subsequent grading of the sites, the County Coroner shall be contacted and permitted access to the site for preliminary identification of the remains. Preservation and disposition of the remains shall be conducted in accordance with Public Resources Code Section 5097.98 and Health and Safety Code Section 7050.5. If the remains are found to be of Native American origin, the Native American Heritage Commission must be notified and permitted to identify the Most Likely Descendant (MLD), and, in consultation with the proponent and archaeological monitor, determine the appropriate disposition of the remains, as stated in Section 15064.5(d) of the CEQA Guidelines.

CUL-5 As part of the Coastal Development Permit application involving disturbance of native soils or vegetation, including but not limited to excavation, pile driving or grading, the applicant shall provide evidence that they have notified the Office of State Historic Preservation and the Native American Heritage Commission of the location of the proposed grading, the proposed extent of the grading, and the dates on which the work is expected to occur.

CUL-6 Should an Archaeological Recovery Program be warranted, it shall require a Coastal Development Permit consistent with the provisions of the certified Marina del Rey LCP.

Parcel 21 Project

Potential Effect

The potential exists for prehistoric or historic resources to be uncovered during grading and excavation activities for the proposed development on Parcel 21 and may result in a significant impact.

Finding

Implementation of the measures identified in this section, conditions of approval and the incorporation of design features for Parcel 21 will reduce the project's potential impacts with respect to cultural resources a less than significant level. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Cultural resources impacts are discussed in Section IV.F of the DEIR. While no prehistoric or historic resources have been recorded within one-half mile of the respective project sites, the identification of the historic Venice Landfill as being located near Parcel 21 and recent investigations in nearby Ballona Creek resulting in the discovery of hundreds of native American burials and numerous prehistoric features indicates a sensitivity of the project area for prehistoric and historic archaeological resources.

The above finding is made in that the following mitigation measures will be made conditions of approval so as to mitigate the identified potential impacts:

CUL-1 During the removal of asphalt paving and subsequent grading of the sites, the sites shall be monitored by a qualified archaeological monitor. The archaeological monitor shall also be accompanied by a Native American Monitor to be selected from the Native American Heritage Commission approved list for this area. Should evidence of any prehistoric or historic resources be uncovered, including Native American

resources, the archeologist must be notified and work in the find area shall cease until the monitor arrives. The State Historic Preservation Office and Los Angeles County Department of Regional Planning shall also be notified if such resources are uncovered. The archeological monitor shall have the authority to halt any activities adversely impacting potentially significant archeological resources, while the find is evaluated in accordance with CEQA criteria for significance.

CUL-2 Should evidence of any prehistoric or historic archaeological resources be uncovered, a Phase II evaluation must be conducted in accordance with Section 15064.5(f) of the CEQA Guidelines.

CUL-3 Following §30116(d) of the Coastal Act, any cultural resource found in the portion of the LCP study area planned for development shall be collected and maintained at the Los Angeles County Museum of Natural History or other appropriate location as otherwise provided by State law.

CUL-4 Should human remains be discovered during the removal of asphalt paving and subsequent grading of the sites, the County Coroner shall be contacted and permitted access to the site for preliminary identification of the remains. Preservation and disposition of the remains shall be conducted in accordance with Public Resources Code Section 5097.98 and Health and Safety Code Section 7050.5. If the remains are found to be of Native American origin, the Native American Heritage Commission must be notified and permitted to identify the Most Likely Descendant (MLD), and, in consultation with the proponent and archaeological monitor, determine the appropriate disposition of the remains, as stated in Section 15064.5(d) of the CEQA Guidelines.

CUL-5 As part of the Coastal Development Permit application involving disturbance of native soils or vegetation, including but not limited to excavation, pile driving or grading, the

applicant shall provide evidence that they have notified the Office of State Historic Preservation and the Native American Heritage Commission of the location of the proposed grading, the proposed extent of the grading, and the dates on which the work is expected to occur.

CUL-6 Should an Archaeological Recovery Program be warranted, it shall require a Coastal Development Permit consistent with the provisions of the certified Marina del Rey LCP.

(7) Visual Qualities (Lighting and Glare)

Oceana Retirement Facility and Holiday Harbor Courts Project

Potential Effect

The project could result in nighttime glare and lighting impacts, as new light sources would be introduced into the project area. The proposed project would introduce light sources as well, such as from windows at heights above the ground where none now exist, from exterior landscape and walkway accent lighting placed to enhance pedestrian safety, and from inadvertent ambient light introduced by indirect, hooded and directed pedestrian lighting.

Findings

Implementation of the measures identified in this section, conditions of approval, and the incorporation of design features will reduce the potential nighttime lighting and glare impacts to a less than significant level. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Visual Qualities impacts are discussed in Section IV.G of the DEIR. The proposed parking facilities would be subterranean, eliminating views of headlights and taillights of moving vehicles onsite as a potentially significant source of glare and spill over light. Exterior building

lighting marking building entry/exit doorways would be hooded to prevent lighting of the nighttime sky. All exterior lighting used for such purposes would be carefully directed to prevent spillover lighting into neighboring properties. Lighting on the project would be used to provide for public safety along exterior pedestrian walkways along the waterfront, as required by the County to provide for public safety and Marina security. This lighting would consist of low level positioned lights that are specifically aimed at key walkway points and screened by lens-covering light grills to eliminate potential glare effects. The above finding is made in that the following mitigation measures will be made conditions of project approval so as to mitigate the identified impacts:

VIS-1 The applicant shall develop and submit a Lighting Plan for the proposed project for County of Los Angeles review and approval. The Lighting Plan shall include the following features, at a minimum:

- Exterior lighting shall consist of low intensity, shielded, hooded fixtures and shall be directed downward or toward the area to be illuminated, so that backscatter to the nighttime sky is minimized and light trespass outside the project boundary is prevented.
- Outdoor flood lamps shall not be used to provide architectural highlight or accent lighting.
- Lighting used to provide for public safety along exterior pedestrian walkways shall consist of low level positioned lights that are specifically aimed at key walkway points and screened by lens-covering light grills to eliminate potential glare effects.

Parcel OT Project

Potential Effect

The project on Parcel OT could result in nighttime glare and lighting impacts, as new light sources would be introduced into the project area. The completion of the Oceana Retirement Facility on Parcel OT would transform the night lighting of this site from that of a

parking lot to that introduced by an occupied retirement structure and subterranean parking. Glare associated with the use of the Parcel OT site as an open surface parking lot with minimal perimeter shielding of vehicle lights would come to an end, as would any incidental glare effects of spillover lighting that may cross the site from off-site sources. The proposed project on Parcel OT would introduce light sources as well, such as from windows at heights above the ground where none now exist, from exterior landscape and walkway accent lighting placed to enhance pedestrian safety, and from inadvertent ambient light introduced by indirect, hooded and directed pedestrian lighting.

Findings

Implementation of the measures identified in this section, conditions of approval, and the incorporation of design features will reduce the potential nighttime lighting and glare impacts to a less than significant level on Parcel OT. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Visual Qualities impacts are discussed in Section IV.G of the DEIR. The proposed parking facilities on Parcel OT would be subterranean, eliminating views of headlights and taillights of moving vehicles onsite as a potentially significant source of glare and spill over light. Exterior building lighting marking building entry/exit doorways would be hooded to prevent lighting of the nighttime sky on Parcel OT.

The above finding is made in that the following mitigation measures will be made conditions of project approval so as to mitigate the identified impacts on Parcel OT:

VIS-1 The applicant shall develop and submit a Lighting Plan for the proposed project for County of Los Angeles review and approval. The Lighting Plan shall include the following features, at a minimum:

- Exterior lighting shall consist of low intensity, shielded, hooded fixtures and shall be directed downward or toward the area to be illuminated, so that backscatter to the nighttime sky is minimized and light trespass outside the project boundary is prevented.
- Outdoor flood lamps shall not be used to provide architectural highlight or accent lighting.
- Lighting used to provide for public safety along exterior pedestrian walkways shall consist of low level positioned lights that are specifically aimed at key walkway points and screened by lens-covering light grills to eliminate potential glare effects.

Parcel 21 Project

Potential Effect

The project on Parcel 21 could result in nighttime glare and lighting impacts, as new light sources would be introduced into the project area. The proposed waterfront structures on Parcel 21 would introduce additional light sources (from windows at heights above the ground where none now exist, from exterior landscape and walkway accent lighting placed to enhance pedestrian safety, and from inadvertent ambient light introduced by indirect, hooded and directed pedestrian lighting used along the southern side of Basin D at night).

Findings

Implementation of the measures identified in this section, conditions of approval, and the incorporation of design features will reduce the potential nighttime lighting and glare impacts to a less than significant level on Parcel 21. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Visual Qualities impacts are discussed in Section IV.G of the DEIR. The proposed parking facilities on Parcel 21 would be subterranean, eliminating views of headlights and taillights of moving vehicles onsite as a potentially significant source of glare and spill over light. Exterior building lighting marking building entry/exit doorways would be hooded to prevent lighting of the nighttime sky on Parcel 21. All exterior lighting on Parcel 21 used for such purposes would be carefully directed to prevent spillover lighting into neighboring properties

The parking facility on Parcel 21 would be enclosed within a parking structure whose exterior wall panels would consist of pre-stressed concrete panels that would not allow for the passage of vehicle lights. Where ventilation gaps exist in the exterior shell of the parking structure, they would be covered by grills that are configured to contain interior light. The proposed waterfront structures on Parcel 21 would introduce additional light sources (from windows at heights above the ground where none now exist, from exterior landscape and walkway accent lighting placed to enhance pedestrian safety, and from inadvertent ambient light introduced by indirect, hooded and directed pedestrian lighting used along the southern side of Basin D at night). Exterior building lighting marking entry/exit doorways would be located and hooded to prevent upward lighting of the nighttime sky. All exterior lighting used for such purposes would be carefully directed to prevent spillover lighting into neighboring properties.

Lighting on Parcel 21 would be used to provide for public safety along exterior pedestrian walkways along the waterfront, as required by the County to provide for public safety and Marina security. This lighting on Parcel 21 would consist of low level positioned lights that are specifically aimed at key walkway points and screened by lens-covering light grills to eliminate potential glare effects.

The above finding is made in that the following mitigation measures will be made conditions of project approval so as to mitigate the identified impacts on Parcel 21:

VIS-1 The applicant shall develop and submit a Lighting Plan for the proposed project for

County of Los Angeles review and approval. The Lighting Plan shall include the following features, at a minimum:

- Exterior lighting shall consist of low intensity, shielded, hooded fixtures and shall be directed downward or toward the area to be illuminated, so that backscatter to the nighttime sky is minimized and light trespass outside the project boundary is prevented.
- Outdoor flood lamps shall not be used to provide architectural highlight or accent lighting.
- Lighting used to provide for public safety along exterior pedestrian walkways shall consist of low level positioned lights that are specifically aimed at key walkway points and screened by lens-covering light grills to eliminate potential glare effects.

(8) Traffic/Access

Oceana Retirement Facility and Holiday Harbor Courts Project

Potential Effect (Construction)

Construction of the proposed project, as well as the upsized sewer and water main projects, would require the designation of construction vehicle and haul routes and construction period management of roadways, sidewalks, and public transportation routes. During the construction period, parking on Parcel OT and Parcel 21 would become temporarily unavailable.

Potential Effect (Operation)

Potential impacts could occur with respect to access due to new access points along Washington Boulevard and Admiralty Way to Parcel OT and on Panay Way to Parcel 21. Potential impacts could occur with respect to parking on Parcel OT as the project would increase parking demand and replace an existing parking lot. Potential impacts could occur to traffic congestion that would result from the development proposed on Parcel OT and Parcel 21 would add vehicle trips to the project area.

Findings

Implementation of the measure identified in this section, conditions of approval, and the incorporation of design features will reduce the potential construction traffic impacts identified in the FEIR to a less than significant level. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Traffic/Access impacts are discussed in Section IV.H of the DEIR. Construction and tenant parking during construction would be provided by the Applicant via a valet system, with the spaces being provided on Parcel 76 for the Parcel OT project and Parcel 18 for the Parcel 21 project, which are both under lease to the Applicant. Although the proposed project would result in the temporary loss of both public and private parking on the sites during the construction period, the proposed provision for private parking and the availability of underutilized public parking throughout the Marina is anticipated to accommodate the parking demand.

During the operational phase, the proposed projects would provide adequate vehicular access according to existing regulations and a less than significant impact related to site access would occur. Further, adequate access during an emergency is provided and the proposed project is not expected to result in problems for emergency vehicles or residents/employees, as access would be designed to satisfy Los Angeles County Fire Department requirements. Thus, adequate access during an emergency is provided and the proposed project is not expected to result in problems for emergency vehicles or residents/employees in the area.

For all proposed land uses, the required amount of parking spaces is met by the project site plans and the proposed project would result in a less than significant impact related to site parking.

The proposed project site was initially estimated to generate a total of approximately 278 net new daily trips, including 12 trips occurring during the morning peak hour and 30 trips

occurring during the evening peak hour. However, the 1,500 square foot reduction in retail space would result in 67 fewer daily trips. This net project trip generation will be added to the project area roadway network once the proposed project is completed and fully occupied. The incremental project traffic would result in a less than significant impact on the level of service (LOS) forecasts at the study intersections. The proposed project would also result in a less than significant traffic impact at any of the study intersections.

The above finding is made in that the following mitigation measure will be made conditions of approval so as to further reduce the identified impact:

TA-1 Traffic Control Plans for both Parcel OT and Parcel 21 shall be submitted to the County of Los Angeles Department of Beaches and Harbors and the County of Los Angeles Department of Public Works Traffic and Lighting Division for review and approval. The Traffic Control Plans shall designate haul routes for construction-related vehicles, the location of access to the construction site, and staging and parking areas for workers and equipment. The Plans shall also specify the permitted hours of construction, methods of safeguarding traffic flow, methods of re-routing or detouring traffic if necessary, and the placement/utilization of traffic control devices (including signs, flashing arrows, traffic cones and delineators, barricades, flaggers, temporary modifications to existing signals and signal timing, etc.), as necessary. Further, the Plans shall address the provision of signage for alternative pedestrian and bicycle access routes where affected, coordination with emergency service providers, and coordination with public transit providers (such as the MTA, LADOT Commuter Express, and Culver City Bus). The Plans shall include the MTA telephone number (213-922-4632) of the Metro Bus Operations Control Special Events Coordinator that the contractor shall contact for construction coordination outreach efforts.

Parcel OT Project

Potential Effect (Construction)

Construction of the proposed project on Parcel OT would require the designation of

construction vehicle and haul routes and construction period management of roadways, sidewalks, and public transportation routes. During the construction period, parking on Parcel OT would become temporarily unavailable.

Potential Effect (Operation)

Potential impacts could occur with respect to access due to new access points along Washington Boulevard and Admiralty Way to Parcel OT. Potential impacts could occur with respect to parking on Parcel OT as the project would increase parking demand and replace an existing parking lot. Potential impacts could occur to traffic congestion, as the increase in development that would result from the development proposed on Parcel OT would add vehicle trips to the project area.

Findings

Implementation of the measure identified in this section, conditions of approval, and the incorporation of design features will reduce the potential construction traffic impacts identified in the FEIR to a less than significant level for Parcel 21. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Traffic/Access impacts are discussed in Section IV.H of the DEIR. Construction and tenant parking during construction on Parcel OT would be provided by the Applicant via a valet system, with the spaces being provided on Parcel 76 for the Parcel OT project, which is under lease to the Applicant. Although the proposed project on Parcel OT would result in the temporary loss of both public and private parking during the construction period, the proposed provision for private parking and the availability of underutilized public parking throughout the Marina is anticipated to accommodate the parking demand.

The proposed project would provide adequate vehicular access according to existing regulations and a less than significant impact related to site access for Parcel OT would occur. Further, adequate access during an emergency is provided and the proposed project are not expected to result in problems for emergency vehicles or residents/employees as access would be designed to satisfy Los Angeles County Fire Department requirements on Parcel OT. Thus, adequate access during an emergency is provided for Parcel OT and is not expected to result in problems for emergency vehicles or residents/employees in the area.

Based on the results of a parking study of the Palm Court facility in Culver City, a conservative worst-case estimate of 0.484 parking spaces per unit was derived for the project. The ratio results in a need for 55 spaces for the 114 unit active senior living accommodations on Parcel OT. A detailed discussion of the parking analysis is provided in Section IV.H of the FEIR. For all proposed land uses, the required amount of parking spaces is met by the project site plans on Parcel OT and a less than significant impact would occur. The Parcel OT component of the proposed project was initially expected to generate approximately 387 net new trips per day, including about ten trips occurring during the morning peak hour and 41 trips occurring during the evening peak hour. However, the 1,500 square foot reduction in retail space would result in 67 fewer daily trips. This net project trip generation will be added to the project area roadway network once the proposed facility is completed and fully occupied. The incremental project traffic would result in a less than significant impact on the level of service (LOS) forecasts at the study intersections. The proposed project would also result in a less than significant traffic impact at any of the study intersections.

The above finding is made in that the following mitigation measure will be made conditions of approval so as to mitigate the identified impact:

TA-1 Traffic Control Plans for both Parcel OT and Parcel 21 shall be submitted to the County of Los Angeles Department of Beaches and Harbors and the County of Los Angeles Department of Public Works Traffic and Lighting Division for review and approval. The Traffic Control Plans shall designate haul routes for construction-related vehicles, the location of access to the construction site, and staging and parking areas for workers

and equipment. The Plans shall also specify the permitted hours of construction, methods of safeguarding traffic flow, methods of re-routing or detouring traffic if necessary, and the placement/utilization of traffic control devices (including signs, flashing arrows, traffic cones and delineators, barricades, flaggers, temporary modifications to existing signals and signal timing, etc.), as necessary. Further, the Plans shall address the provision of signage for alternative pedestrian and bicycle access routes where affected, coordination with emergency service providers, and coordination with public transit providers (such as the MTA, LADOT Commuter Express, and Culver City Bus). The Plans shall include the MTA telephone number (213-922-4632) of the Metro Bus Operations Control Special Events Coordinator that the contractor shall contact for construction coordination outreach efforts.

Parcel 21 Project

Potential Effect (Construction)

Construction of the proposed project on Parcel 21, including the upsized sewer and water main, would require the designation of construction vehicle and haul routes and construction period management of roadways, sidewalks, and public transportation routes. During the construction period, parking on Parcel 21 would become temporarily unavailable.

Potential Effect (Operation)

Potential impacts could occur with respect to access due to new access points on Panay Way to Parcel 21. Potential impacts could occur to traffic congestion as a result of redevelopment proposed on Parcel 21 if it would add vehicle trips to the project area.

Findings

Implementation of the measure identified in this section, conditions of approval, and the incorporation of design features for the respective project sites will reduce the potential construction traffic impacts identified in the FEIR to a less than significant level for Parcel OT and Parcel 21. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Traffic/Access impacts are discussed in Section IV.H of the DEIR. Construction and tenant parking during construction would be provided by the Applicant via a valet system, with the spaces being provided on Parcel 18 for the Parcel 21 project, which is under lease to the Applicant. Although the proposed project on Parcel 21 would result in the temporary loss of both public and private parking on the sites during the construction period, the proposed provision for private parking and the availability of underutilized public parking throughout the Marina is anticipated to accommodate the parking demand and result in a less than significant impact.

The proposed projects would provide adequate vehicular access according to existing regulations and a less than significant impact related to site access for Parcel 21 would occur. Further, adequate access during an emergency is provided and the proposed project is not expected to result in problems for emergency vehicles or residents/employees, as access would be designed to satisfy Los Angeles County Fire Department requirements on Parcel 21. Thus, adequate access during an emergency is provided for Parcel 21 and is not expected to result in problems for emergency vehicles or residents/employees in the area.

The proposed redevelopment on Parcel 21 would result in a net decrease of approximately 109 trips per day, including a net increase of about two trips occurring during the morning peak hour and a net decrease of about 11 trips occurring during the evening peak hour. The proposed Parcel 21 project would result in a less than significant traffic impact at the study intersections.

The above finding is made in that the following mitigation measures will be made conditions of approval so as to mitigate the identified impacts:

TA-1 Traffic Control Plans for both Parcel OT and Parcel 21 shall be submitted to the County

of Los Angeles Department of Beaches and Harbors and the County of Los Angeles Department of Public Works Traffic and Lighting Division for review and approval. The Traffic Control Plans shall designate haul routes for construction-related vehicles, the location of access to the construction site, and staging and parking areas for workers and equipment. The Plans shall also specify the permitted hours of construction, methods of safeguarding traffic flow, methods of re-routing or detouring traffic if necessary, and the placement/utilization of traffic control devices (including signs, flashing arrows, traffic cones and delineators, barricades, flaggers, temporary modifications to existing signals and signal timing, etc.), as necessary. Further, the Plans shall address the provision of signage for alternative pedestrian and bicycle access routes where affected, coordination with emergency service providers, and coordination with public transit providers (such as the MTA, LADOT Commuter Express, and Culver City Bus). The Plans shall include the MTA telephone number (213-922-4632) of the Metro Bus Operations Control Special Events Coordinator that the contractor shall contact for construction coordination outreach efforts.

(9) Utilities (Water Supply)

Oceana Retirement Facility and Holiday Harbor Courts Project

Potential Effect

The proposed project would result in an increase of water usage over existing uses. Construction of the proposed project would require relocation of an existing water main. The conflict between the location of the proposed building and the water main on Parcel OT could result in a potentially significant impact to local water infrastructure. Based on available fire flow data, inadequate water infrastructure for firefighting demand at Parcel 21 could result in a potentially significant impact.

Findings

Implementation of the measures identified in this section, conditions of approval, and the incorporation of design features will reduce the potential water supply impacts to a less than significant level. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Water Supply impacts are discussed in Section IV.I of the DEIR. The proposed project would result in an increase of approximately 22,253 gallons per day (gpd) over the existing uses. As the proposed project represents implementation of development potential included within the Marina del Rey Land Use Plan, the proposed project is considered to be included within countywide growth projections and accounted for in the 2005 Urban Water Management Plan. Therefore, the proposed project would result in a less than significant impact on water supply.

The water district currently has plans to upsize the 14-inch water main that currently traverses Parcel OT to a 24-inch water main within the same alignment. The existing and approved water mains are located within the footprint of the proposed Parcel OT building, and thus construction of the proposed building would require relocation of the water main. The conflict between the location of the proposed building and the water main would result in a potentially significant impact prior to mitigation. The applicant has identified a proposed alignment approximately 36 feet to the northeast of the existing alignment that would accommodate both the upsized water main and the proposed Parcel OT project. The project includes replacing the existing 10-inch water main along Panay Way water main infrastructure with a water line that is up to 18 inches in diameter to provide the required fire flow accommodate the proposed project on Parcel 21. The conflicts between the location of the proposed building on Parcel OT and the on-site water main and upgrading the inadequate off-site water main in Panay Way associated with Parcel 21 would result in potentially significant impacts to local water infrastructure prior to mitigation.

The above finding is made in that the following mitigation measures will be made conditions of project approval so as to mitigate the identified impacts:

WS-1 The applicant shall prepare a landscape plan that meets all provisions of Title 26 of the Los Angeles County Code, Chapter 71, Water Efficient Landscaping.

WS-2 The applicant shall incorporate into the building plans water conservation measures as outlined in the following:

- State of California Health and Safety Code Section 17921.3, requiring low-flow toilets and urinals;
- Title 24, California Administrative Code, which establishes efficiency standards for shower heads, lavatory faucets, and sink faucets, as well as requirements for pipe insulation that can reduce water used before hot water reaches equipment or fixtures; and
- Government Code Section 7800, which requires that lavatories in public facilities be equipped with self-closing faucets that limit the flow of hot water.

WS-3 The applicant shall adhere to the conditions of the Los Angeles County Waterworks District "will serve" letters issued for Parcel OT and Parcel 21, including, but not limited to, the payment of connection fees and implementation of water system improvements, if necessary.

WS-4 The construction of on-site facilities shall meet all health and safety codes, and all domestic water service meter and fire protection connections shall have a backflow device to prevent contamination of the public water system.

WS-5 The District has prepared a water main relocation and expansion plan for the 14-inch water main that currently traverses Parcel OT. Prior to issuance of the grading permit for the proposed project, the upsized water main shall be installed and operational on

Parcel OT, unless the water main upsizing is to be constructed and made operational as a part of the proposed project. The applicant shall be responsible for costs associated with relocating the water main on Parcel OT or compensating the District for such incurred costs.

WS-6 The applicant shall complete the following tasks, for review and approval by the County of Los Angeles Fire Department:

Parcel OT

- Prepare a Fire Safety Plan;
- Verify and perform Fire Flow Availability tests on 1) the nearest existing public fire hydrant on Admiralty Way (Los Angeles County Waterworks), and 2) the nearest existing public fire hydrant on Washington Boulevard (District);
- Submit architectural plans to the Fire Prevention Engineering Division in Hawthorne; and
- Submit an original Fire Flow Availability Form (196).

Parcel 21

- Prepare a Fire Safety Plan;
- Verify the nearest existing public fire hydrant to the property;
- Submit architectural plans to the Fire Prevention Engineering Division in Hawthorne; and
- Submit an original Fire Flow Availability Form (196).

W-7 Prior to issuance of the grading permit for the proposed project, the water main infrastructure in Panay Way shall be replaced with a water main that is up to 18 inches in diameter and operational in order to meet the fire flow demand of the project on Parcel 21.

Parcel OT Project

Potential Effect

The proposed project would result in an increase of water usage over existing uses at Parcel OT. Construction of the proposed Parcel OT building would require relocation of an existing water main. The conflict between the location of the proposed building and the water main on Parcel OT could result in a potentially significant impact to local water infrastructure.

Findings

Implementation of the measures identified in this section, conditions of approval, and the incorporation of design features will reduce the potential water supply impacts to a less than significant level. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Water Supply impacts are discussed in Section IV.I of the DEIR. Proposed development on this Parcel is expected to demand approximately 15,960 gallons of water per day. This is a conservative estimate as it does not account for any water use that may currently be demanded of the parking lot on Parcel OT nor does it include the decrease in water demand that would occur as a result of the 1,500 square-foot reduction in retail uses.

As the proposed project represents implementation of development potential included within the Marina del Rey Land Use Plan, the proposed project is considered to be included in countywide growth projections and accounted for in the 2005 Urban Water Management Plan. Therefore, the proposed project on Parcel OT would result in a less than significant impact on water supply.

The water district currently has plans to upsize the 14-inch water main that currently traverses Parcel OT to a 24-inch water main within the same alignment. The existing and approved water mains are located within the footprint of the proposed Parcel OT building, and thus construction of the proposed building would require relocation of the water main. The applicant has identified a proposed alignment approximately 36 feet to the northeast of the

existing alignment that would accommodate both the upsized water main and the proposed Parcel OT project. The conflicts between the location of the proposed building on Parcel OT and the on-site water main would result in potentially significant impacts to local water infrastructure prior to mitigation.

The above finding is made in that the following mitigation measures will be made conditions of project approval so as to mitigate the identified impacts:

WS-1 The applicant shall prepare a landscape plan that meets all provisions of Title 26 of the Los Angeles County Code, Chapter 71, Water Efficient Landscaping.

WS-2 The applicant shall incorporate into the building plans water conservation measures as outlined in the following:

- State of California Health and Safety Code Section 17921.3, requiring low-flow toilets and urinals;
- Title 24, California Administrative Code, which establishes efficiency standards for shower heads, lavatory faucets, and sink faucets, as well as requirements for pipe insulation that can reduce water used before hot water reaches equipment or fixtures; and
- Government Code Section 7800, which requires that lavatories in public facilities be equipped with self-closing faucets that limit the flow of hot water.

WS-3 The applicant shall adhere to the conditions of the Los Angeles County Waterworks District "will serve" letters issued for Parcel OT and Parcel 21, including, but not limited to, the payment of connection fees and implementation of water system improvements, if necessary.

WS-4 The construction of on-site facilities shall meet all health and safety codes, and all domestic water service meter and fire protection connections shall have a backflow device to prevent contamination of the public water system.

WS-5 The District has prepared a water main relocation and expansion plan for the 14-inch water main that currently traverses Parcel OT. Prior to issuance of the grading permit for the proposed project, the upsized water main shall be installed and operational on Parcel OT, unless the water main upsizing is to be constructed and made operational as a part of the proposed project. The applicant shall be responsible for costs associated with relocating the water main on Parcel OT or compensating the District for such incurred costs.

WS-6 The applicant shall complete the following tasks, for review and approval by the County of Los Angeles Fire Department:

Parcel OT

- Prepare a Fire Safety Plan;
- Verify and perform Fire Flow Availability tests on 1) the nearest existing public fire hydrant on Admiralty Way (Los Angeles County Waterworks), and 2) the nearest existing public fire hydrant on Washington Boulevard (District);
- Submit architectural plans to the Fire Prevention Engineering Division in Hawthorne; and
- Submit an original Fire Flow Availability Form (196).

Parcel 21 Project

Potential Effect

The proposed project would result in an increase of water usage over existing uses at the Parcel 21 project site. Based on available fire flow data, inadequate water infrastructure for firefighting demand at Parcel 21 could result in a potentially significant impact.

Findings

Implementation of the measures identified in this section, conditions of approval, and the incorporation of design features will reduce the potential water supply impacts to a less than significant level. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Water Supply impacts are discussed in Section IV.I of the DEIR. The proposed project would result in an increase of approximately 22,253 gallons per day (gpd) over the existing uses, which translates to 1.5 percent of the Marina del Rey Water System water use (demand). Of this combined total, the proposed project on Parcel 21 is expected to demand 6,292.70 gallons of water per day more than the existing uses on Parcel 21. As the proposed Parcel 21 project would represent a replacement of existing uses and development of uses approved for Parcel 20 but not yet built, it is considered to be included in countywide growth projections and accounted for in the 2005 Urban Water Management Plan. Therefore, the proposed project on Parcel 21 would result in a less than significant impact on water supply.

The project includes replacing the existing 10-inch water main along Panay Way water main infrastructure with a water line that is up to 18 inches in diameter to provide the required fire flow accommodate the proposed project on Parcel 21. The conflicts between the location of the proposed building on Parcel OT and the on-site water main and upgrading the inadequate off-site water main in Panay Way associated with Parcel 21 would result in potentially significant impacts to local water infrastructure.

The above finding is made in that the following mitigation measures will be made conditions of project approval so as to mitigate the identified impacts:

WS-1 The applicant shall prepare a landscape plan that meets all provisions of Title 26 of the Los Angeles County Code, Chapter 71, Water Efficient Landscaping.

WS-2 The applicant shall incorporate into the building plans water conservation measures as outlined in the following:

- State of California Health and Safety Code Section 17921.3, requiring low-flow toilets and urinals;

- Title 24, California Administrative Code, which establishes efficiency standards for shower heads, lavatory faucets, and sink faucets, as well as requirements for pipe insulation that can reduce water used before hot water reaches equipment or fixtures; and
- Government Code Section 7800, which requires that lavatories in public facilities be equipped with self-closing faucets that limit the flow of hot water.

WS-3 The applicant shall adhere to the conditions of the Los Angeles County Waterworks District "will serve" letters issued for Parcel OT and Parcel 21, including, but not limited to, the payment of connection fees and implementation of water system improvements, if necessary.

WS-4 The construction of on-site facilities shall meet all health and safety codes, and all domestic water service meter and fire protection connections shall have a backflow device to prevent contamination of the public water system.

WS-6 The applicant shall complete the following tasks, for review and approval by the County of Los Angeles Fire Department:

Parcel 21

- Prepare a Fire Safety Plan;
- Verify the nearest existing public fire hydrant to the property;
- Submit architectural plans to the Fire Prevention Engineering Division in Hawthorne; and
- Submit an original Fire Flow Availability Form (196).

W-7 Prior to issuance of the grading permit for the proposed project, the water main infrastructure in Panay Way shall be replaced with a water main that is up to 18 inches in diameter and operational in order to meet the fire flow demand of the project on Parcel 21.

(11) Environmental Safety

Oceana Retirement Facility and Holiday Harbor Courts Project

Potential Effect

Some of the soils on Parcel OT would be classified as hazardous, if excavated. As such, development of the project on Parcel OT could result in a significant impact associated with soil toxicity. As methane concentrations as high as 28,000 ppm were measured during the investigation of Parcel OT, and development of the site would require grading and result in the construction of a facility, this is identified as a significant impact. Several samples had detectable levels of certain regulated metals on Parcel 21; however, these concentrations may be attributed to naturally occurring metals, and if they are part of an artificial fill, the levels are very low and below any regulatory criteria. Development of Parcel 21 is therefore expected to result in a less than significant impact associated with soil toxicity.

Findings

Implementation of the measures identified in this section, conditions of approval and the incorporation of design features will reduce the potential environmental safety impacts to a less than significant level. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Environmental Safety impacts are discussed in Section IV.J of the DEIR. The analytical results show that several samples had detectable levels of certain metals, volatile organic compounds, pesticides, and petroleum-based compounds considered as regulated contaminants, and the primary contaminants of concern included elevated levels of lead and copper on Parcel OT. Levels of lead on Parcel OT were above the residential preliminary remediation goal (PRG). Additionally, several sample test results exceeded a figure of ten times their respective soluble threshold limit concentration (STLC) on Parcel OT. Where subsurface methane concentrations exceed 5,000 ppm, mitigation improvements are typically required by

the oversight agency (such as the Department of Public Works Building and Safety Division). The project would comply with all applicable County, State, and Federal guidelines regarding the handling, excavation, disposal, and/or remediation of soils classified as hazardous waste, as appropriate for the respective sites. It should be noted that impacts related to Parcel 21 are expected to be less than significant; as such, only Mitigation Measure ES-2 would potentially be implemented, as it would be applicable only in the event that any previously unidentified hazardous soils conditions are discovered during grading activities at the site.

The above finding is made in that the following mitigation measures will be made conditions of approval so as to mitigate the identified or potential impacts:

ES-1 The applicant shall adhere to all applicable County, State, and Federal guidelines regarding the handling, excavation, disposal, and/or remediation of soils classified as hazardous waste, which may include, but not be limited to, the development and implementation of a Soil Management Work Plan (SMWP) for the project, as well as correspondence with the Regional Water Quality Control Board (RWQCB) and Department of Toxic Substances Control (DTSC) to determine the level of any necessary remediation efforts.

ES-2 In the event that previously unidentified waste or debris is discovered during construction/grading activities, and the waste or debris is believed to involve hazardous waste or materials, the contractor shall: immediately stop work in the vicinity of the suspected contaminant; remove workers and the public from the area; notify the resident inspector; secure the area as directed by the resident inspector; and notify the County of Los Angeles Hazardous Waste/Materials Coordinator and the Fire Department. Work in the affected area shall cease until the proper approval is granted by the appropriate governmental oversight agency and a work plan is implemented, if necessary.

ES-3 The applicant shall install a passive ventilation system beneath the building foundation

system on Parcel OT. The sub-slab vent system typically consists of four-inch diameter perforated polyethylene piping installed within 12-inch deep gravel-filled trenches beneath the building. These vent lines are normally spaced no more than 20 to 30 feet apart in order to effectively ventilate the subgrade beneath the building. The sub-slab vent lines are connected to vent risers installed within the building walls. As with typical sanitary sewer vent lines, the methane vent risers terminate above the roofline of the building. A dewatering system shall be required if the methane vent lines are less than one foot above the historic high groundwater level at the site.

ES-4 The applicant shall install a gas membrane beneath the building foundation system of Parcel OT. The sub-slab gas barrier typically consists of a continuous Liquid Boot™ membrane installed beneath the floor slab of the building. This membrane has a minimum required thickness of 100-mills (0.10 inch). Gas tight seals are required at all locations where utilities or conduits penetrate the membrane. At the completion of the installation, the membrane is smoke tested using a procedure developed by GeoKinetics in order to confirm its integrity.

ES-5 The applicant shall install conduit seals on dry utilities servicing the building the Parcel OT. Conduit seals shall be installed on dry utility conduits (e.g. electrical, telephone, cable T.V.) that terminate on the interior of the building. These seals are intended to prevent the migration of methane through the conduits to interior areas. Also, in order to reduce the potential for methane to migrate through the sand backfill of any utility trenches, which extend up to and/or beneath the building, "dams" consisting of a lean sand/cement/bentonite slurry shall be installed within the trench lines at the perimeter of the building.

ES-6 Upon finalization of the foundation and/or architectural plans for the structure on Parcel OT, and prior to issuance of the Grading Permit, the project subsurface methane gas consultant shall review such plans and provide further recommendations for

methane gas mitigation measures, if necessary. Any additional recommendations by the subsurface methane gas consultant shall be adhered to by the applicant.

Parcel OT Project

Potential Effect

Some of the soils on Parcel OT would be classified as hazardous, if excavated. As such, development of the project on Parcel OT could result in a significant impact associated with soil toxicity. As methane concentrations as high as 28,000 ppm were measured during the investigation of Parcel OT, and development of the site would require grading and result in the construction of a facility, this could result in a significant impact.

Findings

Implementation of the measures identified in this section, conditions of approval and the incorporation of design features will reduce the potential environmental safety impacts to a less than significant level. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Environmental Safety impacts are discussed in Section IV.J of the DEIR. The analytical results show that several samples had detectable levels of certain metals, volatile organic compounds, pesticides, and petroleum-based compounds considered as regulated contaminants, and the primary contaminants of concern included elevated levels of lead and copper on Parcel OT. Levels of lead on Parcel OT were above the residential preliminary remediation goal (PRG). Additionally, several sample test results exceeded a figure of ten times their respective soluble threshold limit concentration (STLC) on Parcel OT. Where subsurface methane concentrations exceed 5,000 ppm, mitigation improvements are typically required by the oversight agency (such as the Department of Public Works Building and Safety Division). The Parcel OT project would comply with all applicable County, State, and Federal guidelines

regarding the handling, excavation, disposal, and/or remediation of soils classified as hazardous waste.

The above finding is made in that the following mitigation measures will be made conditions of approval so as to mitigate the identified impacts:

ES-1 The applicant shall adhere to all applicable County, State, and Federal guidelines regarding the handling, excavation, disposal, and/or remediation of soils classified as hazardous waste, which may include, but not be limited to, the development and implementation of a Soil Management Work Plan (SMWP) for the project, as well as correspondence with the Regional Water Quality Control Board (RWQCB) and Department of Toxic Substances Control (DTSC) to determine the level of any necessary remediation efforts.

ES-2 In the event that previously unidentified waste or debris is discovered during construction/grading activities, and the waste or debris is believed to involve hazardous waste or materials, the contractor shall: immediately stop work in the vicinity of the suspected contaminant; remove workers and the public from the area; notify the resident inspector; secure the area as directed by the resident inspector; and notify the County of Los Angeles Hazardous Waste/Materials Coordinator and the Fire Department. Work in the affected area shall cease until the proper approval is granted by the appropriate governmental oversight agency and a work plan is implemented, if necessary.

ES-3 The applicant shall install a passive ventilation system beneath the building foundation system on Parcel OT. The sub-slab vent system typically consists of four-inch diameter perforated polyethylene piping installed within 12-inch deep gravel-filled trenches beneath the building. These vent lines are normally spaced no more than 20 to 30 feet apart in order to effectively ventilate the subgrade beneath the building. The sub-slab vent lines are connected to vent risers installed within the building walls. As with typical

sanitary sewer vent lines, the methane vent risers terminate above the roofline of the building. A dewatering system shall be required if the methane vent lines are less than one foot above the historic high groundwater level at the site.

ES-4 The applicant shall install a gas membrane beneath the building foundation system of Parcel OT. The sub-slab gas barrier typically consists of a continuous Liquid Boot™ membrane installed beneath the floor slab of the building. This membrane has a minimum required thickness of 100-mills (0.10 inch). Gas tight seals are required at all locations where utilities or conduits penetrate the membrane. At the completion of the installation, the membrane is smoke tested using a procedure developed by GeoKinetics in order to confirm its integrity.

ES-5 The applicant shall install conduit seals on dry utilities servicing the building the Parcel OT. Conduit seals shall be installed on dry utility conduits (e.g. electrical, telephone, cable T.V.) that terminate on the interior of the building. These seals are intended to prevent the migration of methane through the conduits to interior areas. Also, in order to reduce the potential for methane to migrate through the sand backfill of any utility trenches, which extend up to and/or beneath the building, "dams" consisting of a lean sand/cement/bentonite slurry shall be installed within the trench lines at the perimeter of the building.

ES-6 Upon finalization of the foundation and/or architectural plans for the structure on Parcel OT, and prior to issuance of the Grading Permit, the project subsurface methane gas consultant shall review such plans and provide further recommendations for methane gas mitigation measures, if necessary. Any additional recommendations by the subsurface methane gas consultant shall be adhered to by the applicant.

Parcel 21 Project

Potential Effect

The presence of residual soil toxicity due to prior uses of the site could present a significant hazard to the occupants of the project, the public or the environment.

Findings

Implementation of the measure identified in this section, conditions of approval and the incorporation of design features will reduce the potential environmental safety impacts to a less than significant level. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Environmental Safety impacts are discussed in Section IV.J of the DEIR. The results of soil samples collected on Parcel 21 were not high enough to conclude the presence of hazardous materials. Development of Parcel 21 is therefore expected to result in a less than significant impact associated with soil toxicity. However, in the event that previously unidentified hazardous soil conditions are discovered during site grading activities, implementation of Mitigation Measure ES-2 would reduce the impact to a less than significant level.

The above finding is made in that the following mitigation measure will be made conditions of approval so as to mitigate the potential impact:

ES-2 In the event that previously unidentified waste or debris is discovered during construction/grading activities, and the waste or debris is believed to involve hazardous waste or materials, the contractor shall: immediately stop work in the vicinity of the suspected contaminant; remove workers and the public from the area; notify the resident inspector; secure the area as directed by the resident inspector; and notify the County of Los Angeles Hazardous Waste/Materials Coordinator and the Fire Department. Work in the affected area shall cease until the proper approval is granted

by the appropriate governmental oversight agency and a work plan is implemented, if necessary.

(12) Land Use

Oceana Retirement Facility and Holiday Harbor Courts Project

Potential Effect

The project could be incompatibility with the existing land uses in the project area, and conflict with applicable governing land use plans, policies or regulation of an agency with jurisdiction over the project.

Findings

The proposed Project would require an amendment to the Marina del Rey Local Coastal Program (LCP) to create an Active Seniors Accommodations Land Use Category, adjust the lease parcel boundary between Parcel OT and Parcel P redesignate the land use on Parcel OT and a portion of Parcel P to be added to Parcel OT, as well as transfer development potential from other Development Zones to the Parcel OT. The LCP amendment also recognizes the relocation of public parking to Parcel 21, an area of higher demand due to its proximity to Marina Beach. The project would be consistent with the LCP land use designation for Parcel 21. With the California Coastal Commission's certification of the requested amendment, the project would be consistent with the Certified LCP. The components of the project would require implementation of mitigation measures to ensure consistency with the Marina del Rey Land Use Plan. The individual components of the project would also require approval of Coastal Development Permits, Conditional Use Permits and parking permits. Implementation of applicable regulations, consistency with land use plans, and approval of requested discretionary actions, to address the impacts of the project would reduce impacts to a less than significant level. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Land Use impacts are discussed in Section IV.K of the DEIR. The project would require issuance of a Conditional Use Permit (CUP), Coastal Development Permit (CDP), and Parking Permit and amendments to the LCP for Parcel OT for the creation of a new land use category in the LCP; re-designation of the Parcel OT land use category; adjustment to the lease parcel boundary between Parcels OT and P; and transfer of development potential, and parking. As provided in the policy consistency analysis, certain aspects of the project would require implementation of mitigation measures to ensure consistency. Without the LCP Amendments, CUP, CDP, and Parking Permit, the proposed Parcel OT development would not be consistent with the current LCP. However, as the proposed project includes these approval requests, which would assure that the land uses are consistent with the proposed land use designation, proposed Mixed Use Overlay Zone, and LCP and Specific Plan policies, the proposed development would result in less than significant impacts relative to land use policies and zoning consistency. Further, mitigation measures have been provided for potential impacts related to geotechnical hazards, noise, water quality, air quality, biota, cultural resources, visual qualities, traffic/access, utilities (water supply), environmental safety, and global climate change. Thus, no further mitigation measures are warranted to render potential land use impacts less than significant.

Parcel OT Project

Potential Effect

The Oceana Retirement Facility project could be incompatible with the existing land uses in the project area, and conflict with applicable governing land use plans, policies or regulation of an agency with jurisdiction over the project.

Findings

The Parcel OT Project would require an amendment to the Marina del Rey Local Coastal Program (LCP) to create an Active Seniors Accommodations Land Use Category, adjust the lease parcel boundary between Parcel OT and Parcel P redesignate the land use on Parcel OT and a

portion of Parcel P to be added to Parcel OT, as well as transfer development potential from other Development Zones to the Parcel OT. With the California Coastal Commission's certification of the requested amendments, the project would be consistent with the Certified LCP. The Parcel OT project would require implementation of mitigation measures to ensure consistency with the Marina del Rey Land Use Plan. The project would also require approval of a Coastal Development Permit, Conditional Use Permit and parking permit. Implementation of applicable regulations, consistency with land use plans, and approval of requested discretionary actions, to address the impacts of the project would reduce impacts to a less than significant level. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Land Use impacts are discussed in Section IV.K of the DEIR. The project would require issuance of a Conditional Use Permit (CUP), Coastal Development Permit (CDP), and Parking Permit and amendments to the LCP for Parcel OT for the creation of a new land use category in the LCP; re-designation of the Parcel OT land use category; adjustment to the lease parcel boundary between Parcels OT and P; and transfer of development potential, and parking. The proposed active seniors accommodations would provide overnight accommodations and attendant visitor-serving services, including dining and entertainment areas. There is development potential as well as associated trip allowances available in the Admiralty DZ #7 and Palawan/Beach DZ #5 (114 hotel rooms and 3,500 square feet of retail space, respectively) that can be transferred to the Oxford DZ #6 for the proposed project. Therefore, the proposed amendment would relocate, but not add, development potential and trips between Marina del Rey Parcels. Additionally, operation of active seniors accommodations would also reduce the amount of daily trips planned for in Marina del Rey, as the 114-room hotel land use (development potential in the Admiralty DZ #7) would be expected to generate 931 daily trips, 64 AM peak hour trips, and 40 PM peak hour trips, as compared to the proposed active seniors accommodations (transferred hotel land use to Parcel OT in the Oxford DZ #6 with the MUZ

overlay to operate as active seniors accommodations) that would generate 387 daily trips, 10 AM peak hour trips, and 41 PM peak hour trips.

As provided in the policy consistency analysis, certain aspects of the project would require implementation of mitigation measures to ensure consistency. Without the LCP Amendments, CUP, CDP, and Parking Permit, the proposed Parcel OT development would not be consistent with the current LCP. However, as the proposed project includes these approval requests, which would assure that the land uses are consistent with the proposed land use designation, proposed Mixed Use Overlay Zone, and LCP and Specific Plan policies, the proposed development would result in less than significant impacts relative to land use policies and zoning consistency. Further, mitigation measures have been provided for potential impacts related to geotechnical hazards, noise, water quality, air quality, biota, cultural resources, visual qualities, traffic/access, utilities (water supply), environmental safety, and global climate change. Thus, no further mitigation measures are warranted to render potential land use impacts less than significant.

Parcel 21 Project

Potential Effect

The project could be incompatibility with the existing land uses in the project area, and conflict with applicable governing land use plans, policies or regulation of an agency with jurisdiction over the project.

Findings

The Parcel 21 project would be consistent with the LCP land use designation. With the approval of the Coastal Development Permit, Conditional Use Permit and parking permit, the project would be consistent with the Certified LCP. The components of the project would require implementation of mitigation measures to ensure consistency with the Marina del Rey Land Use Plan. Conformance with applicable regulations, consistency with land use plans, and approval of requested discretionary actions, to address the impacts of the project would reduce impacts to a less than significant level. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Land Use impacts are discussed in Section IV.K of the DEIR. The LCP currently designates Parcel 21 as marine commercial. The marine commercial designation allows for coastal-related or coastal-dependent uses associated with operation, sales, storage and repair of boats and marine support facilities. Uses include public boat launching (and associated launching ramp hoists), boat rentals, boating schools, dry boat storage, yacht club facilities (with associated dry storage and launch hoists), marine chandleries, boat repair yards, yacht brokerages, charter boat operations, parking and associated ancillary retail and office uses.

Under the proposed project, the marine commercial designation would be maintained for the proposed development on Parcel 21. Certain aspects of the proposed development on Parcel 21 would require implementation of mitigation measures to ensure consistency with LCP and Specific Plan policies. Without the CDP, CUP, and Parking Permit, the proposed Parcel 21 development would not be consistent with the current LCP. However, as the proposed project includes these approval requests, assuring that the proposed land uses on Parcel 21 are consistent with the LCP and Specific Plan policies. The Parcel 21 project largely represents a replacement of existing on-site land uses, and the proposed development on Parcel 21 would result in less than significant impacts relative to land use policies and zoning consistency. As with Parcel OT, mitigation measures have been provided for potential impacts related to geotechnical hazards, noise, water quality, air quality, biota, cultural resources, visual qualities, traffic/access, utilities (water supply), environmental safety, and global climate change. Thus, no further mitigation measures are warranted to render potential land use impacts less than significant.

(13) Global Climate Change

Oceana Retirement Facility and Holiday Harbor Courts Project

Potential Effect

Potentially significant impacts could occur with respect to the project's contribution to global climate change through the generation of both short and long-term increases in greenhouse gases. During grading and construction, greenhouse gas emissions would result mainly from trip generation (mobile sources) and the use of heavy equipment and trucks. The proposed project would also result in operational increases in greenhouse gas emissions as a result of trip generation, area sources (mainly natural gas combustion), and from generating electricity to meet project-related increases in energy demand. While mobile sources, area sources, and construction diesel trucks and equipment are considered direct sources of greenhouse gas emissions, the emissions resulting from the electrical demands of the project is considered indirect and also include emissions resulting from generating electricity used to provide water to the project, to process solid waste generated, and wastewater treatment generated by the project.

Findings

The project's impacts to global climate change would not be significant. Therefore, the following finding is made:

(a) The record of proceedings does not expressly identify, or contain substantial evidence identifying, potentially significant environmental effects of the project with respect to this impact area.

Facts

Global climate change impacts are discussed in Section IV.L of the DEIR. The proposed projects on Parcel OT and Parcel 21 combined would result in the CO_2 equivalent of nearly 4,500 metric tons of greenhouse emissions per year. However, as greenhouse gas emissions from several sources were not considered for existing land uses at Parcel OT, this is considered to be a conservative estimate. Given the grand scope of global climate change, it is not anticipated that development on the scale of the proposed projects on Parcel OT and Parcel 21

would have a discernable effect on global climate change. Therefore, this issue is discussed as a cumulative impact under Cumulative Global Climate Change below.

Parcel OT Project

Potential Effect

Potentially significant impacts could occur with respect to the project's contribution to global climate change through the generation of both short and long-term increases in greenhouse gases on Parcel OT. During grading and construction on Parcel OT, greenhouse gas emissions would result mainly from trip generation (mobile sources) and the use of heavy equipment and trucks. The proposed project would also result in operational increases in greenhouse gas emissions as a result of trip generation, area sources (mainly natural gas combustion), and from generating electricity to meet project-related increases in energy demand on Parcel OT. While mobile sources, area sources, and construction diesel trucks and equipment are considered direct sources of greenhouse gas emissions, the emissions resulting from the electrical demands of the projects are considered indirect and also include emissions resulting from generating electricity used to provide water to the project, to process solid waste generated by the project, and to process wastewater treatment generated by the project.

Findings

The Parcel OT project impacts to global climate change would not be significant. Therefore, the following finding is made:

(a) The record of proceedings does not expressly identify, or contain substantial evidence identifying, potentially significant environmental effects of the project with respect to this impact area.

Facts

Global climate change impacts are discussed in Section IV.L of the DEIR. The proposed project on Parcel OT could result in an increase in greenhouse gas emissions as compared to

the existing uses. Given the grand scope of global climate change, it is not anticipated that development on the scale of the proposed project on Parcel OT would have a discernable effect on global climate change. Therefore, this issue is discussed as a cumulative impact under Cumulative Global Climate Change below.

Parcel 21 Project

Potential Effect

Potentially significant impacts could occur with respect to the project's contribution to global climate change through the generation of both short and long-term increases in greenhouse gases on Parcel 21. During grading and construction on Parcel 21, greenhouse gas emissions would result mainly from trip generation (mobile sources) and the use of heavy equipment and trucks. The proposed project would also result in operational increases in greenhouse gas emissions as a result of trip generation, area sources (mainly natural gas combustion), and from generating electricity to meet project-related increases in energy demand on Parcel 21. While mobile sources, area sources, and construction diesel trucks and equipment are considered direct sources of greenhouse gas emissions, the emissions resulting from the electrical demands of the projects are considered indirect and also include emissions resulting from generating electricity used to provide water to the project, to process solid waste generated by the project, and to process wastewater treatment generated on Parcel 21.

Findings

The Parcel 21 project impacts to global climate change would not be significant. Therefore, the following finding is made:

(a) The record of proceedings does not expressly identify, or contain substantial evidence identifying, potentially significant environmental effects of the project with respect to this impact area.

Facts

Global climate change impacts are discussed in Section IV.L of the DEIR. The proposed project on Parcel 21 could result in increased greenhouse emissions over existing uses. Given the grand scope of global climate change, it is not anticipated that development on the scale of the proposed project on Parcel 21 would have a discernable effect on global climate change. Therefore, this issue is discussed as a cumulative impact under Cumulative Global Climate Change below.

Cumulative Impacts

(1) Cumulative Geotechnical Impacts

Potential Effect

Several related projects are proposed for development within the general study area encompassing the project sites and significant cumulative grading and geotechnical impacts could occur.

Finding

Following proper implementation of project design measures and compliance with all applicable regulations and permit conditions (Mitigation Measures GEO-1 through GEO-4 identified above) the project and related projects would not result in significant cumulative geotechnical impacts. Additionally, related projects would require municipal government approvals of grading plans, design, and mitigation. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Cumulative geotechnical and soil resource impacts are discussed on page IV.A-13 of the DEIR. Significant cumulative grading and geotechnical impacts resulting from the potentially

concurrent construction of the related projects are not anticipated. The proposed projects on Parcel OT and Parcel 21 and related projects would be subject to potentially severe ground shaking during an earthquake. Related projects would require municipal government approvals of grading plans, design, and mitigation. Assuming adherence to the building codes and other locally imposed plans, cumulative impacts would be reduced, but not eliminated. Related projects would not be exposed to a greater than normal seismic risk than other areas in Southern California. In addition, related projects would not compound the specific effects that could occur on the Parcel OT and Parcel 21 project sites. Therefore, cumulative impacts are considered less than significant.

(2) Cumulative Noise

Potential Effect

Significant cumulative noise impacts could occur as a result of construction activity taking place within Marina del Rey, as well as increased vehicle traffic generated by cumulative development, once the related projects are constructed and operational.

Finding

Following proper implementation of project design measures and compliance with all applicable regulations and permit conditions (Mitigation Measures N-1 through N-12 identified above), the project and the related projects would not result in significant cumulative noise impacts. . Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Cumulative noise impacts are discussed on page IV.B-4 of the DEIR. All construction activities on Parcel OT and Parcel 21, as well as on related project sites, would be subject to the requirements of the "County of Los Angeles Construction Equipment Noise Standards" and the Noise Control Ordinance of the County of Los Angeles (LACC 12.08.440) or similar ordinances in

other jurisdictions. Compliance with the County's Noise Ordinance, along with incorporation of mitigation recommended as part of each project's environmental review, would adequately mitigate cumulative construction-related noise impacts for the Parcel OT and Parcel 21 projects.

Cumulative traffic noise (comparing existing noise to 2014 "with project and other developments" in Table IV.B-8 of the DEIR) shows the largest cumulative traffic noise increase on any segment to be +2.9 dB CNEL. This segment is Panay Way west of Via Marina. Not only is this increase less than the adopted +3 dB CNEL threshold, but the proposed Parcel OT and Parcel 21 projects themselves do not contribute substantially to the noise increase. Noise levels are identical or nearly identical for the 2014 "no project" and 2014 "with project" scenarios (refer to Table IV.B-8). The next largest increase is +1.4 dB CNEL on Via Marina between Admiralty and Panay Way. Again, the Parcel OT and Parcel 21 projects contribute negligibly to this growth in cumulative traffic noise. Therefore, the proposed Parcel OT and Parcel 21 project's traffic noise impacts associated with forecast area growth are not cumulatively significant along any analyzed roadway segment.

(3) Cumulative Water Quality

Potential Effect

A number of development projects are pending or approved in the vicinity of the project. These projects, in conjunction with the Parcel OT and Parcel 21 projects, could have a cumulative impact on water quality.

Finding

Following proper implementation of project design measures and compliance with all applicable regulations and permit conditions (Mitigation Measures WQ-1 through WQ-3 identified above), the project and the related projects would meet the local jurisdiction and Regional Water Quality Control Board requirements. The cumulative water quality impacts of the project and related project would be less than significant. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Cumulative and water quality impacts are discussed on IV.C-12 of the DEIR. Urbanization (i.e., the development of related projects) of the Marina del Rey, Ballona Creek, and Santa Monica Mountains Watersheds is expected to have significant cumulative water quality impacts to Santa Monica Bay, of which the proposed Parcel OT and Parcel 21 projects are a part. The proposed Parcel OT and Parcel 21 projects' contribution to this cumulative condition is considered significant prior to implementation of mitigation measures. The project and related projects are required to meet water quality requirements as with the Parcel OT and Parcel 21 projects. The requirements will be identified by the local jurisdiction and the Regional Water Quality Control Board and will generally include prohibitions on significant increases in post-development storm water flows and storm water velocities into the small craft harbor. Following proper implementation of project design measures and compliance with all applicable regulations and permit conditions (Mitigation Measures WQ-1 through WQ-3 identified above) for the respective sites, this impact would be less than significant.

(4) Cumulative Air Quality

Potential Effect

Significant cumulative air quality impacts could occur as a result of construction activity taking place within Marina del Rey, as well as increased vehicle traffic generated by cumulative development, once these projects are constructed and operational.

Finding

Following proper implementation of project design measures and compliance with all applicable regulations and permit conditions (Mitigation Measures AQ-1 and AQ-2 identified above), the project and the related projects would not result in significant cumulative air quality impacts Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Cumulative air quality impacts are discussed on IV.D-14 of the DEIR. Regionally, air pollutant emission impacts would fall below the significance level with attainment of air quality planning goals. In the interim, the cumulative condition is significant. Operationally, the Parcel OT and Parcel 21 projects' emissions would not exceed adopted significance thresholds. The Parcel OT and Parcel 21 projects' air quality impacts during construction would similarly not exceed significance thresholds. However, as the SCAB is in non-attainment for smog and PM-10 impacts from all Basin-wide construction activities (including diesel exhaust from construction vehicles) are cumulatively considerable, including the Parcel OT and Parcel 21 projects. However, implementation of Mitigation Measures AQ-1 and AQ-2 (Best Available Control Measures) would reduce the proposed project's contribution to this cumulative condition to less than significant.

(5) Cumulative Biota

Potential Effect

Development of the project in conjunction with other related projects would increase the potential impacts to naturally occurring plants and animals, resulting in a potentially significant cumulative impact to biota.

Finding

Following proper implementation of project mitigation and compliance with all applicable regulations and permit conditions (Mitigation Measure BIO-1 identified above) for the respective sites, the project and the related projects would not result in significant cumulative biota impacts. The Parcel OT and Parcel 21 projects and the related projects must be in compliance with current applicable laws and regulations and include mitigation as necessary. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Cumulative biota impacts are discussed on page IV.E-8 and 9 of the DEIR. Several related projects are proposed for development within the general study area (Marina del Rey, Los Angeles County, and the City of Los Angeles). As Marina del Rey and the immediate areas are largely urbanized, the proposed project's contribution to the cumulative condition after proper implementation of the specified mitigation measure at the respective sites is not cumulatively considerable. Therefore, the proposed Parcel OT and Parcel 21 projects would result in a less than significant cumulative impact on biota.

(6) Cumulative Cultural Resources

Potential Effect

Development of the project in conjunction with other related projects would increase the potential impacts to prehistoric or historic, resulting in a potentially significant cumulative impact to cultural resources.

Finding

Through implementation of feasible mitigation measures and compliance with current applicable laws and regulations, the project and the related projects would not result in significant cumulative impacts to cultural resources. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Cultural resources impacts are discussed in Section IV.F of the DEIR. The potential of the proposed Parcel OT and Parcel 21 projects constitute Phase II development of Marina del Rey and any prehistoric and historic archaeological resources on Marina land already altered or designated for development have been already impacted, according to the Marina del Rey LCP. If for some reason this is not the case, and grading and/or excavation of Phase II development

uncovers such resources, the development of the Parcel OT and Parcel 21 projects would be considered cumulatively considerable contribution to this effect. Implementation of mitigation measures would reduce the project's contribution to cumulative project impacts to a less than significant level.

(5) Cumulative Visual Quality

Potential Effect

The potential exists that, when all Phase II development is viewed cumulatively, impacts to visual quality within the Marina del Rey community could be considered significant.

Finding

The Parcel OT and Parcel 21 projects have received conceptual approval from the Design Control Board (DCB) and will meet height and massing requirements specified in the LCP. Related projects are expected to also conform to height requirements and to be reviewed and approved by the DCB. The Parcel OT and Parcel 21 projects in combination with the related projects will not result in any cumulative impacts with respect to nighttime glare and lighting. Therefore, the following finding is made:

(a) The record of proceedings does not expressly identify, or contain substantial evidence identifying, potentially significant environmental effects of the Project with respect to this impact area.

Facts

Cumulative visual quality impacts are discussed on pages IV.G-19 and 21 of the DEIR. Implementation of Phase II Marina del Rey development would gradually result in the alteration of the existing visual character of the Marina del Rey. However, regulations are in place to assure that proposed projects in Marina del Rey do not adversely affect visual resources in the area. The proposed Parcel OT and Parcel 21 projects have received conceptual approval from the DCB, and it would be constructed so as to comply with the Marina del Rey LCP height, density, and view corridor requirements. Similarly, related projects must also comply with the Marina del Rey LCP policies and be approved by the DCB.

Development of the proposed Parcel OT and Parcel 21 projects and related projects would introduce new or expanded sources of light and glare into Marina del Rey. As the Marina and the surrounding area are highly urbanized, however, the additional light sources created by these projects are not of a substantial magnitude to alter the existing daytime glare or evening lighting environment, especially given the fact that building materials require approval by the Marina del Rey Design Control Board and Lighting Plans must be submitted to and approved by the County of Los Angeles. Cumulative daytime glare and night lighting impacts are therefore concluded to be less than significant.

(9) Cumulative Utilities (Water Supply)

Potential Effect

Development of the Parcel OT and Parcel 21 projects, in conjunction with other approved and pending projects within Marina del Rey, would increase water demand, resulting in a potentially significant cumulative impact to water services.

Findings

Feasible mitigation measures such as constructing waterline improvements; implementation of water efficient landscaping and water conservation measures to address the impact of the Parcel OT and Parcel 21 projects and the related projects would reduce cumulative those impacts to a less than significant level. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Cumulative water supply impacts are discussed on page IV.I-9 of the DEIR. Generally, developments outside of planned conditions need to be assessed for adequate local and regional water supplies. To meet future domestic water demands and fire protection water demands in the community, the water district prepared a master plan to upgrade the domestic

water distribution network in Marina del Rey, which is based on the existing demand and growth projections, as well as redevelopment land uses proposed in the Marina del Rey Land Use Plan. Phase I of the improvement plan was completed in 2002, which resulted in the replacement of a 14-inch line with a new 24-inch line from the Water Works District No. 29 metered connection in Venice Boulevard to Marina del Rey. Phase II will consist of installing approximately 9,500 linear feet of water main along Via Marina, Admiralty Way, and a portion of Fiji Way, while Phase III will consist of installing approximately 9,800 linear feet of water main along Via Marina, Bora Bora Way, and Fiji Way.

Although the proposed Parcel OT project requires amendment to the Marina del Rey LCP, the preceding analysis demonstrates that it is not expected to demand a significant water supply in relation to the overall capacity of the Marina del Rey Water System. However, until completion of Phases II and III of the system upgrade described above, fire flow water capacity may be insufficient for new development within the community, as indicated by the District. However, this is determined on a case-by-case basis through the execution of a flow analysis for the lines that would serve proposed projects. Where flow capacity would be inadequate, developers may choose to finance required improvements, as with the proposed project on Parcel 21. As both short and long-term strategies have been developed to manage potential water supply/fire protection water demand deficiencies, the proposed Parcel OT and Parcel 21 projects would not result in a significant adverse cumulative impact on water supply.

(11) Cumulative Environmental Safety

Potential Effect

Several related projects are proposed for development within the general study area (Marina del Rey, Los Angeles County, and the City of Los Angeles) and combined with the Parcel OT and Parcel 21 projects could result in significant cumulative impacts.

Findings

Implementation of feasible mitigation measures and applicable regulations to address the potential impact of the Parcel OT and Parcel 21 projects, as appropriate to the respective

sites and the related projects, would reduce cumulative those impacts to a less than significant level. Therefore, the following finding is made:

(a) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Facts

Environmental Safety impacts are discussed on page IV.J-4 of the DEIR. Cumulative, or related, projects, as they are developed, would be subject to the same law/code requirements as the proposed Parcel OT and Parcel 21 projects. Thus, when related projects undergo the CEQA process, they would be individually evaluated on the same criteria as the proposed Parcel OT and Parcel 21 projects relative to environmental safety. The proposed project's contribution to the cumulative condition after proper implementation of mitigation measures and compliance with all applicable regulations and permit conditions therefore results in a less than significant cumulative impact.

(12) Cumulative Land Use

Potential Effect

Potentially significant cumulative land use impacts could arise from increasing development intensity throughout Marina del Rey, and conflicts with applicable governing land use plans, policies or regulation of an agency with jurisdiction over the project.

Findings

Implementation applicable regulations, consistency with land use plans, and approval of requested discretionary actions, to address the impacts of the project and the related projects would reduce cumulative those impacts to a less than significant level. Therefore, the following finding is made:

(a) The record of proceedings does not expressly identify, or contain substantial evidence identifying, potentially significant environmental effects of the project with respect to this impact area.

Facts

Land Use impacts are discussed on page IV.K-31 and 32 of the DEIR. Development potential in the LCP is based on trip generation. The traffic analysis for the proposed Parcel OT and Parcel 21 projects discussed in Section IV.H, Traffic/Access determined that the project level traffic impacts are all mitigable to less than significant, as are cumulative traffic impacts expected to occur during the construction periods of the proposed Parcel OT and Parcel 21 projects in combination with related projects and public infrastructure projects. However, following build-out of the proposed Parcel OT and Parcel 21 projects and related projects, the proposed project's incremental contribution to the cumulative impacts at the intersections of Lincoln Boulevard at Washington Boulevard, Lincoln Boulevard at SR-90, Lincoln Boulevard at Bali Way, Lincoln Boulevard at Mindanao Way, and Lincoln Boulevard at Fiji Way remain significant and unmitigable. As this has already been identified as a cumulative traffic impact, it is not also considered to be a cumulative land use impact.

With regard to the transfer of development potential for Parcel OT, the proposed project would be consistent with the LCP upon approval of the requested LCP Amendment, CUP, CDP and parking permit. Parcel 21 is consistent with the LCP and would require a CUP, CDP and parking permit. The project requires an adjustment to the lease parcel boundary between Parcels OT and P in exchange for the developer of Parcel OT creating a pedestrian pathway linking Venice and Marina del Rey, and maintaining same at no cost to the County. To compensate for the loss of the square footage of Parcel P designated as open space, the County is already expanding Chace Park by approximately 8 acres. The small amount of square footage (19,755 sq. ft.) taken from Parcel P and not used for pedestrian pathway use can easily be subsumed in the expansion of Chace Park. Therefore, the adjustment of the parcel line remains consistent with the LCP. In addition, the area of Parcel P being occupied by the Parcel OT building is now used for parking. Finally, all of the public parking on Parcel OT is being accommodated on both Parcel OT and Parcel 21. Therefore, no net loss of open space or area devoted to parking will occur as a result of this proposal.

The County of Los Angeles is pursuing a LCPA that aggregates all LCPAs currently contemplated by the County into one amendment. This effort was commenced well after this project EIR began for Parcels OT and 21. Parcel OT is a part of this larger amendment as well. The Parcel OT/21 EIR therefore considered the cumulative effect of all of these approvals taking place, irrespective of the County's effort. Related projects that may request similar approvals are reviewed for compliance with County land use plans and ordinances, as is the proposed projects. Since the County's effort would include these parcels, this LCPA would consider the aggregate effect of all amendments that the County is considering

Because the proposed Parcels OT and 21 projects utilizes existing entitlements, and no adverse effects from relocating those existing entitlements has been shown, the proposed Parcels OT and 21 projects are not considered to contribute a significant impact that is cumulatively significant with regard to land use and planning impacts.

(13) Global Climate Change

Potential Effect

Potentially significant cumulative impacts could occur with respect to the Parcel OT and Parcel 21 projects' and related project's contributions to global climate change through the generation of greenhouse gases.

Findings

Through implementation of feasible mitigation measures and compliance with current applicable laws and regulations, the project and the related projects would not result in significant cumulative impacts to global climate change. Therefore, the following finding is made:

(a) The record of proceedings does not expressly identify, or contain substantial evidence identifying, potentially significant environmental effects of the Project with respect to this impact area.

Facts

Cumulative global climate change impacts are discussed in Section IV.L of the DEIR. While not likely to be an individually substantial source of greenhouse gas emissions, the emissions from the proposed project would combine with emissions from throughout the Earth to cumulatively contribute to global climate change. As no threshold of significance exists for this issue, a determination of significance cannot be made at this time.

It should be noted that the project, in mitigating for traffic and air quality impacts, has been designed to incorporate many of the mitigation measures to reduce greenhouse gas emissions recommended by the scientific community, and therefore, the project is considered to be consistent with the goals of AB 32 and other policies and plans associated with this global climate change. Additionally, the applicant has incorporated several measures into the project design that exceed minimum Title 24 energy conservation requirements. Among these measures are:

- Installation of low NOx (nitrogen oxide) residential water heaters and space heaters;
- Installation of Energy Star labeled furnaces, equipment, and appliances;
- Use of water-based paint on exterior surfaces;
- Use solar-assisted water heating and/or tankless hot water on demand systems if their energy efficiency is demonstrated to exceed that of a central storage tank water heating system;
- Use of improved insulation and ducting;
- Use of natural lighting;
- Installation of energy efficient lighting and/or maximize use of low pressure sodium and/or fluorescent lighting;
- Use of drought-tolerant landscaping subject to County review;
- Encouragement of the use of transit, bicycling and walking by providing infrastructure to promote their use (bike paths and sidewalks);
- Prohibition against the installation and use of wood burning fireplaces; and
- Use of low volatile organic compound (VOC) coatings for painted surfaces.

The project is also required to and will comply with the Drought-Tolerant Landscaping and Green Building Ordinances. The proposed developments on both Parcel OT and Parcel 21 will be built to Los Angeles County Green Building Standards, which include guidelines for energy conservation, outdoor water conservation, indoor water conservation, resource conservation, and tree planting. Should the applicant file the building permit application on or after January 1, 2010, the proposed project would also be required to and would incorporate building design and materials so as to earn the LEED Silver Certification.

In addition, Marina del Rey is a developed urban community that is well served by public transportation, including the Metropolitan Transit Authority (MTA or Metro), the Santa Monica Blue Bus, and the Culver City Bus. These three bus lines pass through major corridors in the project area that offer recreational, cultural, dining, and business services for residents. The Culver City Bus connects to the MTA Green Line and the Santa Monica Blue Bus, while the Santa Monica Blue Bus connects to Los Angeles International Airport (LAX), the Santa Monica Airport, Greyhound Bus Line, Union Station in Los Angeles, and all MTA Rail Lines. Further, the proposed Parcel OT project would include shuttle services for its senior residents. Such services reduce the project's contribution to vehicle trips in the region as compared to a proposed development sited on the fringe of suburban development (the County of Los Angeles General Plan Housing Element recognizes the transportation and infrastructure constraints of more remote locations).

As the SCAG's SCS for the Los Angeles region has not yet been formulated per SB 375 requirements, it cannot be concluded with certainty whether the proposed project would be consistent with SB 375. However, based on the above actions to be taken by the project applicant and the fact that the proposed project would be located in a developed urban community that is well served by public transportation and established amenities and services, it appears that the proposed project would be consistent with the goals of SB 375.

SECTION 2

SIGNIFICANT UNAVOIDABLE ENVIRONMENTAL EFFECTS WHICH CANNOT BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

The County has determined that, although FEIR mitigation measures, design features included as part of the project, and conditions of approval imposed on the project will reduce the following effects, these effects cannot be feasibly or effectively mitigated to less than significant levels. Consequently, in accordance with Section 15093 of the State CEQA Guidelines, a Statement of Overriding Considerations has been prepared (see Section 6).

(1) Visual Qualities

Parcel 21 Project

Potential Impact (Project)

The building to be developed on Parcel 21 would represent an increase in height and massing from the current condition on this segment of the Panay Way mole road. This proposed increase in building mass and height on Parcel 21 is conservatively considered to be a potentially significant and unavoidable visual quality impact.

Findings

Implementation of measures identified in this section, conditions of approval, and design features incorporated into the Parcel 21 project will reduce the project's impact to visual quality. However, a residual significant adverse impact to visual will occur due to the increase in building height and massing of the Holiday Harbor Courts site along the Panay Way mole road.

Facts

Visual impacts are discussed in Section IV.G of the DEIR. The proposed Parcel OT and Parcel 21 projects have received conceptual approval from the Marina del Rey Design Control Board, and would be constructed so as to comply with the Marina del Rey LCP height, density, and view corridor requirements. The allowable height for Parcel 21, designated marine commercial on a mole road, is 45 feet. Per the LUP, a maximum height of 75 is permitted when a 40 percent view corridor is provided. The effective height of the project on this site would be 56 feet, and would provide the required view corridor. Notwithstanding, the building to be developed on Parcel 21 would represent an increase in height and massing from the current condition on this segment of the Panay Way mole road and the proposed increase in building mass and height on Parcel 21 is conservatively considered to be a potentially significant and unavoidable visual quality impact.

Oceana Retirement Facility and Holiday Harbor Courts Project

Potential Impact (Cumulative)

Implementation of the development envisioned under Marina del Rey Phase II would result in the gradual alteration of the visual character of the project area, especially as parcels are redeveloped with larger and taller structures (greater massing). The project and related projects are subject to the Marina del Rey LCP policies and approval by the Marina del Rey Design Control Board. Notwithstanding, the buildings to be developed on Parcel OT and Parcel 21 would incrementally contribute to the intensification of development occurring in Marina del Rey. Therefore, the proposed project could have a significant and unavoidable contribution to a cumulative impact on visual quality.

Finding

Implementation of measures identified in this section, conditions of approval, and design features incorporated into the project and related projects will reduce the cumulative impact to visual quality. However, a residual significant

cumulative adverse impact to visual qualities will occur due to the increase in project and related project building heights and massing within the Marina.

Facts

Cumulative visual impacts are discussed in Section IV.G of the DEIR on pages 19 and 21.

The proposed Parcel OT and Parcel 21 projects and related projects must comply with the Marina del Rey LCP policies and be approved by the Marina del Rey Design Control Board. However, the proposed Parcel OT and Parcel 21 projects would incrementally contribute to the intensification of development occurring in Marina del Rey. Therefore, the proposed Parcel OT and Parcel 21 projects are conservatively considered to have a significant and unavoidable contribution to a cumulative impact on visual quality associated with the increase in building height and massing on both project sites.

The above finding is made in conjunction with a Statement of Overriding Considerations, which is simultaneously being adopted for the project (see Section 6).

(2) Noise

Parcel OT Project

Potential Impact

During project operation noise experienced at individual private outdoor balconies proposed for the seniors accommodations facility on Parcel OT, the project would exceed the established noise standard and, therefore, a significant and unavoidable impact could occur.

Finding

Compliance with local noise ordinances and implementation of measures identified in this section, conditions of approval, and design features incorporated into the project and related projects will reduce the noise impacts to the project. However, a residual significant cumulative adverse impact from noise impacts will occur due to noise levels anticipated to occur on individual balconies of the units.

Facts

Exterior recreational use noise impacts are discussed in on pages 13 and 17 in Section IV.B on of the DEIR. Individual balconies facing Washington Blvd. or Admiralty Way would have outside noise levels exceeding the 65 dB CNEL goal for usable outdoor space. No feasible mitigation exists to reduce this impact to less than significant, as a six-foot wall composed of a combination of a solid base and 3/8-inch glass would be required to reduce the noise exposure to below 65 dB CNEL. Although the interior terrace, rear spa and terraces would provide substantial outdoor recreational space with noise levels well within the 65 dB CNEL goal, noise in excess of this standard on individual balconies on the proposed Parcel OT project would be conservatively considered a significant and unavoidable impact.

The above finding is made in conjunction with a Statement of Overriding Considerations, which is simultaneously being adopted for the project (see Section 6).

(3) Cumulative Traffic

Oceana Retirement Facility and Holiday Harbor Courts Project

Potential Impact

Traffic generated by the Parcel OT and Parcel 21 projects and the related projects have the potential to add congestion to area streets and regional transportation facilities. The proposed Parcel OT and Parcel 21 projects' incremental contribution to the cumulative impacts at the intersections of Lincoln Boulevard at Washington Boulevard, Lincoln Boulevard at SR-90, Lincoln Boulevard at Bali Way, Lincoln Boulevard at Mindanao Way, and Lincoln Boulevard at Fiji Way could be significant and unavoidable.

Finding

The proposed Parcel OT and Parcel 21 projects' incremental contribution to the cumulative impacts at the intersections of Lincoln Boulevard at Washington Boulevard, Lincoln Boulevard at SR-90, Lincoln Boulevard at Bali Way, Lincoln Boulevard at Mindanao Way, and Lincoln Boulevard at Fiji Way remain significant and unmitigable as no feasible mitigation currently exists.

Facts

Cumulative traffic impacts are discussed on pages 33 to 45 and in Section IV.H of the DEIR and pages 33 to 47 in Section IV.H of the FEIR. The Parcel OT and Parcel 21 projects would contribute incrementally to the cumulative impacts expected to occur at five intersections, including Lincoln Boulevard at Washington Boulevard, Lincoln Boulevard at SR-90, Lincoln Boulevard at Bali Way, Lincoln Boulevard at Mindanao Way, and Lincoln Boulevard at Fiji Way. For these intersections, there is currently no feasible physical improvement available to mitigate the Parcel OT and Parcel 21 projects' contribution to these cumulative impacts. The Marina del Rey Local Implementation Program (LIP) list of Category 3 improvements includes several regional transportation circulation improvements, one of which is the proposed extension of SR-90 (the Marina Expressway) to connect to Admiralty Way. According to the County of Los Angeles Department of Public Works Traffic and Lighting Division, the five intersections listed above will be subject to cumulative impacts until the SR-90 extension or another project of equal effectiveness is built. At this point, the SR-90 extension is not a programmed project. Therefore, this cumulative analysis conservatively assumes that the SR-90 extension will not be constructed before the proposed Parcel OT and Parcel 21 projects are operational. As such, the proposed Parcel OT and Parcel 21 projects' incremental contribution to the cumulative impacts at these intersections would be significant and unmitigable.

The above finding is made in conjunction with a Statement of Overriding Considerations, which is simultaneously being adopted for the project (see Section 6). The following measure would reduce the identified impacts:

TA-2 Pursuant to the Marina del Rey Specific Plan Transportation Improvement Program (TIP), the applicant shall provide a "fair share" contribution toward the funding of Category 1 (local Marina) and Category 3 (regional) roadway improvements, based on the amount of project PM peak hour trips. [As the County's traffic mitigation fee structure is currently $5,690 per PM peak hour trip, the Applicant shall be required to pay $170,700 in trip mitigation fees, based on the expected trip generation of 30 net new PM peak hour trips for

both Parcel OT and Parcel 21 projects, with a portion of these fees being designated toward the Category 3 (regional) transportation improvements].

SECTION 3

GROWTH INDUCING IMPACTS OF THE PROJECT

Potential Effect

Development of the Project has the potential to induce growth by fostering economic or population growth or construction of additional housing either directly or indirectly.

Finding

The proposed Parcel OT and Parcel 21 projects do not meet a growth-inducing criterion specified under State CEQA Guidelines (Section 15126.2(d)), and, therefore, the proposed project is not considered to be growth inducing.

Facts

Growth inducing impacts are discussed in Section VII of the DEIR. The following facts support the above finding:

(1) Removal of an Impediment to Growth

Generally, growth in an area may result from the removal of physical impediments or other restrictions to growth. Due to the project's location in an urbanized area, a network of electricity, water, sewer, storm water, communication, roads and other supporting infrastructure is already in place. Improvements to the electrical and sewer line infrastructure on Parcel OT as well as upgrading the inadequate off-site water main in Panay Way for Parcel 21 are necessary to meet project demands are included as a part of the proposed project for the respective sites. No new service lines (e.g., storm drain, electricity, telephone, roadways, etc.) other than those required to serve the proposed uses on Parcel OT and Parcel 21 are to be constructed. Therefore, the Parcel OT and Parcel 21 projects would not induce growth through introduction or expansion of infrastructure.

Infrastructure improvements planned for the Marina del Rey area, including the County of Los Angeles Department of Public Works Oxford Retention Basin Flood Protection Multiuse Enhancement Project, the City of Los Angeles Department of Public Works Bureau of Engineering Venice Pumping Plant Dual Force Main Sewer Project, and the City of Los Angeles

Department of Public Works Waterworks District plans to upsize the water main on Parcel OT from 14 inches to 24 inches, are not a direct result of the proposed Parcel OT and Parcel 21 projects and would occur in response to general cumulative growth with or without project development.

The addition of an Active Seniors Accommodations Land Use Category to the Marina del Rey LCP could result in the re-designation of other parcels to the new land use category. However, the number and location of parcels that may be re-designated cannot be determined. In addition, given the overall developmental constraints imposed by the land use plan (e.g., trip limits), it is assumed that the re-designation of parcels would not increase the total development or population level but rather could cause an increase in the relative proportion of senior citizens in Marina del Rey.

(2) Urbanization of Land in Remote Locations

The Parcel OT and Parcel 21 projects would consist of the redevelopment of two improved properties that are situated in an existing developed urban community. As a result, the proposed Parcel OT and Parcel 21 projects will not "leapfrog" over any undeveloped area or introduce development into a previously undeveloped area.

(3) Economic Growth

The proposed Parcel OT and Parcel 21 projects would not cumulatively exceed official regional or local population projections, nor would it induce substantial direct or indirect growth in the area. Accordingly, the Parcel OT and Parcel 21 projects are not considered growth inducing.

(4) Precedent Setting Action

The Parcel OT and Parcel 21 projects require a number of discretionary actions on the part of the Los Angeles County Department of Regional Planning, and the Regional Planning Commission. One such action is the addition of an Active Seniors Accommodations Land Use Category to the Marina del Rey LCP. The approval of this project and adoption of the

new land use category would not necessarily mean that development approvals in the area will increase or that projects would request re-designation to the new land use category. The Active Seniors Accommodations represents a unique and specific use type; further, independent determinations must be made for each project. Thus, the Parcel OT and Parcel 21 projects are not considered growth inducing under this criterion.

SECTION 4

FINDINGS REGARDING ALTERNATIVES

Several alternatives to the proposed Parcel OT and Parcel 21 projects described in the DEIR were analyzed and considered. The alternatives discussed in the DEIR constitute a reasonable range of alternatives necessary to permit a reasoned choice. The DEIR concluded that the "No Project" Alternative was the environmentally superior alternative. However, as specified in the *State CEQA Guidelines* (Section 15126.6(e)(2)) if the No Project Alternative is the environmentally superior alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives. Of the alternatives considered, Alternative 3, the "Alternative Land Use" alternative was considered the environmentally superior alternative. However, the alternatives analyzed in the DEIR are rejected as infeasible for the specific economic, legal, social, technological or other considerations set forth below. In addition to the alternatives analyzed in the DEIR, additional alternatives were suggested during the public comment period. These suggestions are addressed in the responses to comments in FEIR.

Alternatives Considered But Not Evaluated

The County Department of Regional Planning, as lead agency, considered a number of potential alternatives that the Department rejected as infeasible and therefore did not analyze in the EIR. The rejected potential alternatives included alternative sites, a reduced scale alternative, and a transfer of alternative development potential alternative. The Commission rejects these potential alternatives as infeasible for the reasons set forth on Pages V-3 and V-4 of the Draft EIR.

Alternative 1 - No Project Alternative

Description of Alternative

The No Project Alternative assumes the continuation of existing conditions at the project sites, although renovation/redevelopment of existing facilities may occur.

Comparison of Effects

Parcel OT is designated for parking in the Marina del Rey LCP and it would remain so under this alternative. Nonetheless, the site could be redeveloped pursuant to the conditions of Phase II development of the Marina del Rey LCP. In such case, Parcel OT could be redeveloped into a parking structure that is 90 feet in height (taller than the proposed retirement facility) pursuant to existing regulations. With respect to Parcel 21, as one of the current Marina del Rey redevelopment projects includes the development of an administrative building on Parcel 20 Phase II/Parcel 19 for the L.A. County Department of Beaches and Harbors, this remaining development potential would be transferred elsewhere (to another parcel in the Panay DZ #4 or to another DZ), if an alternate site is not selected for the County's administrative building.

Finding

The "No Project" alternative is rejected as infeasible because it fails to meet any of the objectives identified in the DEIR, would not provide any of the project benefits as set forth herein.

Facts

The No Project Alternative, if Parcels OT and 21 remain in their existing condition, would avoid all potential impacts of the proposed project related to geotechnical hazards, noise, water quality, air quality, biota, cultural resources, visual qualities, traffic/access, utilities, environmental safety, land use, and global climate change. If the parcels are redeveloped, construction-related impacts in each of these issue areas may occur. Under this alterative, development permitted under the LCP may occur elsewhere in the LCP area. However, the specific location and type of development that could occur cannot be known at this time and therefore the impacts of this development cannot be assessed.

The No Project Alternative would not provide any of the benefits that would occur under the project associated with the proposed mixed-use retail and seniors accommodations facility, whereas senior housing is encouraged as part of Phase II development; the park plaza and promenade, which would provide direct views of the marina, as well as, direct public access to the waterfront on Parcel 21; the updated parking and marine commercial facilities; the

improved landscaped pedestrian access way between Admiralty Way and Washington Boulevard along the eastern boundary of Parcel OT with viewing opportunities of the lagoon to the west; the preservation of public parking in Marina del Rey in a more appropriate location for the demand (including transferring parking spaces from Parcel OT to Parcel 21); or the improved parking access to the Mother's Beach Activity Area.

<u>Alternative 2</u> – No Change in Type of Land Use Development Potential in the Marina del Rey LCP

Description of Alternative

This alternative would re-designate Parcel OT for hotel uses in the LCP and allows for the requested transfer of permitted land uses (development potential) within the Marina del Rey LCP area. The hotel considered for Parcel OT under this alternative would be structurally and aesthetically similar to the active seniors accommodations proposed with the project, and no changes would occur to the development on Parcel 21.

Comparison of Effects

Alternative 2 would result in similar impacts to the proposed project associated with geotechnical hazards, water quality, air quality (though slightly greater due to traffic trips), biota, cultural resources, visual qualities, utilities, and environmental safety. Impacts related to demolition, grading, and construction and operational activities necessary for development of the proposed project would be similar under Alternative 2. The hotel would have a lesser impact with respect to noise as it would not include balconies or permanent residential units; therefore, the proposed project's significant and unavoidable noise impact would be avoided under this alternative. Hotel uses on Parcel OT would generate substantially more traffic trips and concomitant emissions and, thus, would have greater impacts than the proposed project. This would have a greater impact with respect to traffic and would contribute to a greater portion of the significant cumulative traffic congestion impact than the proposed project. This alternative would have a lesser impact with respect to land use as it would not necessitate the

creation of a new land use category nor would it necessitate a Mixed Use Overlay Zone (MUZ) for Parcel OT.

Finding

This alternative is rejected as infeasible because it fails to meet any of the objectives identified for Parcel OT in the DEIR and it would not provide any of the associated public benefits on that property. It is also rejected on environmental grounds as it would generate substantially more traffic trips and, thus, would have a greater cumulative traffic impact than proposed project's significant and unavoidable impact.

Facts

The environmental effects of Alternative 2 would be greater with respect to traffic; therefore, it would represent an increase over the proposed project's significant and unavoidable cumulative traffic impact. The proposed project's significant and unavoidable noise impact would be avoided under this alternative. Other impacts would be similar to or less than (e.g., land use) the proposed project.

This alternative would not provide any of the benefits that would occur under the project associated with the mixed-use retail and seniors accommodations facility, whereas senior housing is encouraged as part of Phase II development, or an improved landscaped pedestrian access way between Admiralty Way and Washington Boulevard along the eastern boundary of Parcel OT with viewing opportunities of the lagoon to the west.

<u>Alternative 3:</u> Alternative Land Use – Public Park on Parcel OT and Boat Storage on Parcel 21

Description of Alternative

This alternative would develop a public park on Parcel OT and a boat storage facility on Parcel 21.

Comparison of Effects

This alternative would result in lesser impacts as compared to the proposed project with respect to air quality, traffic/access, global climate change (fewer average daily trips than the proposed project), land use (fewer discretionary actions for Parcel OT), biota (by providing a park with landscaping adjacent to the Marina Lagoon rather than the active seniors accommodations), geotechnical hazards (no residential population would be generated), utilities (no relocation of the County water line on Parcel OT would not be necessary), noise (this alternative would expose park visitors to outdoor noise, but not permanent residents), cultural resources (no subterranean parking on Parcel OT), and environmental safety (not developing active seniors accommodations facility within a methane buffer zone). Compared to the project, impacts associated with construction duration (e.g., traffic, noise, air quality) would also be reduced under this alternative. The park proposed for Parcel OT may potentially provide wildlife habitat, which would be a beneficial result of this alternative.

Alternative 3 would have lesser impacts with respect to height and massing as the proposed facility would not be constructed on Parcel OT. Though visual impacts at the site would be reduced, the visual impacts associated with dry boat storage on Parcel 21 cannot be ascertained, as the building height has not been determined. Thus, the significant visual impact of the proposed project on Parcel 21 may also apply to this alternative. It cannot be definitively stated that this alternative would avoid the proposed project's significant and unavoidable visual qualities impacts. The park and storage uses under this alternative would generate notably fewer peak hour traffic trips than the proposed project; thus, the contribution to cumulative traffic impacts would be less than that of the proposed project. Additionally, this alternative would avoid the significant and unmitigable noise impact of the proposed project involving the exposure of residents to outdoor noise levels in excess of the noise standards for outdoor usable space, which also avoids the associated land use compatibility issue.

Finding

This alternative is rejected as infeasible because it fails to meet the primary objectives identified for Parcel OT in the DEIR, does not provide the project's benefits in terms of the

provision of mixed-use retail and seniors accommodations, and because it is economically infeasible for the Applicant.

Facts

The visual impacts associated with the proposed project for Parcel 21 cannot be definitively stated and this alternative may not avoid the proposed project's significant and unavoidable visual qualities impacts. This alternative would not necessarily avoid the project's significant and unavoidable impacts related to cumulative traffic as it would still add cumulative traffic impacts to the project area; although fewer than the proposed project. The proposed project's significant and unavoidable noise impact would be avoided under this alternative. Other impacts would be similar to or less than the proposed project.

This alternative would not provide the benefits that would occur under the project associated with the mixed-use retail and seniors accommodations facility on Parcel OT, whereas senior housing is encouraged as part of Phase II development; nor would it provide the public benefit on Parcel 21 of a park plaza and promenade, which would provide direct views of the marina, as well as, direct public access to the waterfront from Parcel 21.

<u>Alternative 4:</u> Reduced Height Alternative

Description of Alternative

This alternative would include development of a 50-unit retirement facility, retail uses, and parking on Parcel OT and marine commercial uses and parking on Parcel 21. The retirement facility would reach a maximum height of 47 feet and seven inches on Admiralty Way and 55 feet on Washington Boulevard. The retirement facility proposed for Parcel OT under this alternative is expected to be approximately 20 feet shorter in height than the structure of the proposed project, but structurally and aesthetically similar, and no changes would occur to the development on Parcel 21 with this alternative.

Comparison of Effects

The retirement facility proposed for Parcel OT under this alternative is expected to be approximately 20 feet shorter in height than the structure of the proposed Parcel OT project, but structurally and aesthetically similar and, as such, would result in similar impacts associated with geotechnical hazards, water quality, air quality, biota, cultural resources, utilities, and environmental safety as the proposed Parcel OT project. The construction period may occur over a shorter duration due to the reduced height of the senior facility; in such case, impacts associated with construction duration (e.g., noise, air quality) would be reduced on Parcel OT. However, the environmental effects of Alternative 4 would have lesser impacts related to visual qualities, traffic, and global climate change as it would construct a smaller retirement facility on Parcel OT than that of the proposed project. Under Alternative 4, visual impacts related to shading, height, and massing of the retirement facility on Parcel OT would be less than under the project. Though visual impacts at the site would be reduced, it is likely that the project's cumulative impact would still occur with the combined development of Parcel 21. A significant and unavoidable impact related to individual balconies facing Washington Blvd. or Admiralty Way on Parcel OT is anticipated to occur under this alternative; however, the noise impact would affect a smaller population, as the senior facility would be reduced by 64 units with this alternative.

Finding

This alternative is rejected because it would not meet the objectives identified for Parcel OT in the DEIR to the extent that the project would.

Facts

While certain impacts would be reduced under this alternative, none of the significant and unavoidable impacts of the proposed projects would be wholly avoided. This alternative would reduce but not avoid the proposed Parcel 21 project's significant and unavoidable visual qualities impacts. This alternative would not necessarily avoid the project's significant and unavoidable impacts related to cumulative traffic as it would still add cumulative traffic impacts

to the project area; although fewer than the proposed project. The proposed Parcel OT project's significant and unavoidable noise impact would be reduced but not avoided under this alternative. Other impacts would be similar to or less than the proposed projects.

Alternative 5: No Lease Parcel Boundary Adjustment Alternative

Description of Alternative

This alternative would develop the retirement facility, retail uses, and parking within the existing limits of Parcel OT. The retirement facility proposed for Parcel OT under this alternative is expected to be approximately 20 feet taller in height than the structure of the proposed project, but structurally and aesthetically similar, and no changes would occur to the development on Parcel 21 with this alternative.

Comparison of Effects

Alternative 5 would result in similar impacts associated with geotechnical hazards, water quality, air quality, cultural resources, utilities, and environmental safety as the proposed projects. This alternative would result in lesser impacts as compared to the proposed project with respect to biota on Parcel OT (additional landscape 35-foot buffer. It would not require an adjustment to the lease parcel boundary between Parcels OT and P or land use re-designation of the portion of Parcel P. This alternative would have similar overall impacts related to demolition, grading, and operational activities necessary for development of the proposed project; however, certain construction impacts would differ on Parcel OT due to the increased height of the structure and the Applicant would not be required to extend the water line through Admiralty Way. Visually, the increased height of the retirement facility (approximately 88 to 95 feet) on Parcel OT under Alternative 5 would contribute to the significant and unavoidable cumulative visual qualities impact to a greater degree than the project. In addition, the increased height may create shadows for a longer duration on shade-sensitive land uses in the Parcel OT vicinity than with the proposed project and this impact would be greater.

Finding

This alternative is rejected as infeasible because it would not reduce or avoid the project's significant and unavoidable impacts related to operational noise on Parcel OT, cumulative traffic, or visual qualities on Parcel 21. It is also rejected on the grounds that it would increase significant and unavoidable cumulative impact related to visual qualities. Finally, this alternative does not acquire a valuable public asset in the pedestrian circulation in and around Marina del Rey, which is being incorporated partnered with an increase in land area devoted to public parking, which is what the area proposed to be used for the structure is developed with now.

Facts

The retirement facility proposed for Parcel OT under this alternative is expected to be approximately 20 feet taller in height than the structure of the proposed project, which would represent a substantially greater visual change related to height and massing. With this alternative, the approximately 88 to 95 feet facility would have greater site-specific impacts and would be out of scale with the adjacent uses to a greater extent than the project. Additionally, the taller structure would notably increase the building's visibility in Marina del Rey and shading impacts would be increased in comparison to the project. Because the total square footage and type of use that would occur on Parcel OT would be the same as for the project, it would not avoid the significant and unavoidable impacts related to operational noise on Parcel OT, cumulative traffic, or visual qualities on Parcel 21. Other impacts would be similar to or less than the proposed project.

<u>Alternative 6:</u> No Retail Use on Parcel OT Alternative

Description of Alternative

This alternative would include development of a 114-unit retirement facility and parking on Parcel OT and marine commercial uses and parking on Parcel 21. No retail spaces would be provided on Parcel OT. The developments included in this alternative on Parcel OT and Parcel

21 would be similar to the proposed project; however, the Parcel OT project would not include 3,500 s.f. of retail space. The retail space would instead be dedicated to providing additional space for amenities for the project's residents. The proposed development on Parcel 21 under this alternative would remain the same as that proposed with the project. It should be noted that a reduction in the amount of retail space from 5,000 square feet to 3,500 square feet was made to the proposed Parcel OT project to accommodate for additional parking; thus, a variation of this alternative has been considered via the proposed project.

Comparison of Effects

Alternative 6 would result in similar impacts associated with geotechnical hazards, water quality, air quality, biota, cultural resources, utilities, and environmental safety as the proposed project. Land use impacts would be slightly less under this alternative, as it would not require the transfer of development potential for retail space from the Palawan/Beach DZ #5 to the Oxford DZ #6 for the Parcel OT project. Impacts related to demolition, grading, and construction and operational activities necessary for development of the proposed project would be similar under Alternative 6. The project's traffic impacts and its contribution to cumulative traffic impacts would be lesser under Alternative 6 as Parcel OT would generate 222 fewer daily trips than the proposed project. The proposed project's significant and unavoidable visual impact associated with redevelopment of Parcel 21 would be the same under this alternative as with the proposed project, as would the project's contribution to cumulative visual quality impacts associated with Marina del Rey Phase II development. With this alternative, the significant and avoidable operational noise impacts on Parcel OT would be similar to the project.

Finding

This alternative is rejected as infeasible because it would not reduce or avoid the project's significant and unavoidable impacts related to operational noise on Parcel OT or visual qualities (cumulative and on Parcel 21). It is also rejected as it would not meet the

project's objectives related to creating a mixed-use development or the provision of retail uses on Parcel OT.

Facts

Because the total square footage and number of residential units that would occur on Parcel OT would be the same as the project, it would not avoid the significant and unavoidable impacts related to operational noise on Parcel OT or visual qualities on Parcel 21. Other impacts would be similar to or less than the proposed project.

SECTION 5

FINDINGS REGARDING MITIGATION MONITORING PROGRAM

Section 21081.6 of the Public Resources Code requires that when a public agency is making the findings required by State CEQA Guidelines Section 15091(a)(1), codified as Section 21081(a) of the Public Resources Code, the public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval, in order to mitigate or avoid significant effects on the environment.

The County hereby finds that the Mitigation Monitoring Program, which is attached as Exhibit A to these Findings and incorporated in the Project's Coastal Development Permit, meets the requirements of Section 21081.6 of the Public Resources Code by providing for the implementation and monitoring of Project conditions intended to mitigate potential environmental effects.

SECTION 6

STATEMENT OF OVERRIDING CONSIDERATIONS

The FEIR identified and discussed significant effects that will occur as a result of the Project. With the implementation of the mitigation measures discussed in the FEIR, these effects can be mitigated to levels of insignificance except for unavoidable significant project impacts on operational noise on Parcel OT, the unavoidable significant cumulative impacts on traffic, the unavoidable significant impacts on visual qualities for Parcel 21, and the unavoidable significant cumulative impacts on visual qualities, as identified in Section 2 of these findings.

Having reduced the significant adverse environmental effects of the proposed project by approving the project and adopting the conditions of approval and the mitigation measures identified in the FEIR, and having balanced the benefits of the project against the project's potential unavoidable significant adverse impacts, the Commission hereby determines that the benefits of the project outweigh the potential unavoidable significant adverse impacts, and that the unavoidable significant adverse impacts are nonetheless acceptable, based on the following overriding considerations:

(1) The Project will increase coastal senior accommodations opportunities that meet projected needs in Marina del Rey as called for in the Marina del Rey Specific Plan.

(2) The Project will provide public benefits to include: a park plaza and promenade, which would provide direct views of the marina, direct public access to the waterfront on Parcel 21, , at no expense to the County; an improved landscaped pedestrian access way between Admiralty Way and Washington Boulevard along the eastern boundary of Parcel OT with viewing opportunities of the lagoon to the west; such public benefits are encouraged in Marina del Rey.

(3) The Project will provide updated parking and marine commercial facilities, which is consistent with goals and policies for Marina del Rey.

(4) The Project will preserve public parking in Marina del Rey in a more appropriate location for the demand (including transferring parking spaces from Parcel OT to Parcel 21) and improve parking access to the Mother's Beach Activity Area.

(5) During the construction of the Project, construction related employment would be created. Permanent employment will also be created by the senior facility and retail uses.

(6) The Project will result in increased revenues in the form of additional ground rents for the County as the underlying landowner of the property and lessor of the property to the Applicant.

SECTION 7

SECTION 15091 AND 15092 FINDINGS

Based on the foregoing findings and the information contained in the record, the Commission has made one or more of the following findings with respect to each of the significant adverse effects of the Project:

a. Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid many of the significant environmental effects identified in the FEIR.

b. Some changes or alterations are within the responsibility and jurisdiction of another public agency and such changes have been adopted by such other agency, or can and should be adopted by such other agency.

c. Specific economic, legal, social, technological or other considerations make infeasible the mitigation measures or alternatives identified in the FEIR.

Based on the foregoing findings and the information contained in the record, and as conditioned by the foregoing:

a. All significant effects on the environment due to the project have been eliminated or substantially lessened where feasible.

b. Any remaining significant effects on the environment found to be unavoidable are acceptable due to the overriding considerations set forth in the foregoing Statement of Overriding Considerations.

SECTION 8

SECTION 21082.1(c)(3) FINDINGS

Pursuant to Public Resource Code § 21082.1(c)(3), the Commission hereby finds that the FEIR reflects the independent judgment of the lead agency.

SECTION 9

CUSTODIAN OF RECORDS

The custodian of the documents or other material which constitute the record of proceedings upon which the Regional Planning Commission's decision is based is the County of Los Angeles Department of Regional Planning located at 320 West Temple Street, Los Angeles, California 90012.

SECTION 10

DE MINIMUS IMPACT ON FISH AND WILDLIFE

The EIR evaluated the project's potential for adverse environmental impacts. When considering the record as a whole, there is no evidence before the Regional Planning Commission that the project will have a potential for an adverse effect on wildlife resources or the habitat upon which wildlife depends. Based on the record of proceedings, the presumption of adverse effect set forth in 14 California Code of Regulations, Section 753.5(d), does not apply in this case. Therefore, the Regional Planning Commission finds that the Project would be de minimis in its impact on fish and wildlife.

SECTION 11

RELATIONSHIP OF FINDINGS TO EIR

These findings are based on the most current information available. Accordingly, to the extent there are any apparent conflicts or inconsistencies between the DEIR and the FEIR, on

the one hand, and these findings, on the other, these findings shall control, and the DEIR, FEIR, or both, as the case may be, are hereby amended as set forth in these findings.

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

March 25, 2010

TO: Wayne Rew, Chair
Pat Modugno, Vice Chair
Esther L. Valadez, Commissioner
Leslie G. Bellamy, Commissioner
Harold V. Helsley, Commissioner

FROM: Samuel Dea, Section Head
Special Projects Section

SUBJECT: Oceana Retirement Facility and Holiday Harbor Courts. Project Nos. R2006-01510, R2006-02726 (Item Nos. 6 and 7)

Items 6 and 7 on the April 7, 2010 agenda are the Oceana Retirement Facility on Parcel OT and the Holiday Harbor Courts project on Parcel 21 located in the unincorporated community of Marina del Rey. The project applicants are proposing, a 114-unit Senior Accommodations Facility, which includes 3,500 square feet of retail space and 92 public parking spaces on Parcel OT and a 29,348 square foot commercial complex, which includes a health club, yacht club and 28 foot wide pedestrian promenade on parcel 21. Public hearings on these projects were previously heard by your Commission on October 21, 2009, November 4, 2009 and December 16, 2009.

October 21, 2009 Public Hearing

On October 21, 2009, your commission conducted a public hearing on the above-mentioned projects (Project). At that hearing, your commission heard the staff presentation and testimony from the project applicants and interested members of the public. Commissioners Bellamy, Rew, Valadez, Modugno and Helsley were present at the hearing.

Your commission continued the hearing to February 10, 2009 and directed staff and the project applicants to prepare responses to the issues raised during the hearing.

Prior to the February 10, 2010 public hearing, a letter was received from the Department of Beaches and Harbors requesting that an earlier hearing date be considered. You Commission considered the letter as a discussion item at the November 4, 2009 hearing and voted unanimously to change the continued hearing date to December 16, 2009.

Commissioners Bellamy, Rew, Valadez and Helsley were present. Commissioner Modugno was absent.

December 16, 2009 Hearing

A continued public hearing on the above-mentioned projects was held before the Regional Planning Commission on December 16, 2009. At this hearing the Commission heard staff's presentation and additional testimony from the applicants and members of the public. During the hearing, Commissioner Valadez stated that the applicants had not adequately demonstrated how the stairways for the Parcel OT project (Item No. 6) would function to separate the senior facility use from the retail and public parking uses. Commissioner Valadez was concerned that there would be cross over use of the stairwells that would impact the safety of the seniors. In addition, Commission Valadez did not think the facility had provided enough parking. Regarding Parcel 21 (Item No. 7), Commissioner Valadez wanted to see more public amenities provided on the pedestrian promenade. At the conclusion of the hearing, the applicants were instructed to return to the Marina del Rey Design Control Board (DCB) for further review of Parcel 21's pedestrian promenade and to evaluate the way that the Parcel OT project's elevations interacted with pedestrians. The Commission then continued the hearing to April 7, 2010 and directed staff to prepare the Final Environmental Impact Report and complete the final findings and conditions of approval for the Commission's consideration. The applicants presented their revised projects to the Design Control Board on February 17, 2009. The projects were subsequently approved by the Design Control Board with conditions **(Attachment).**

Final Environment Impact Report

The environmental consultant was not able to complete the Final Environmental Impact Report on time for the April 7th continued hearing. In order to have sufficient time to prepare the Final EIR, findings and conditions for your commission's consideration, staff is requesting that the hearing be continued to a date certain.

STAFF RECOMMENDATION

Staff recommends that the Regional Planning Commission continue the public hearing to a date certain.

Suggested Motion: "I move that the Regional Planning Commission continue the public hearing to a date certain so that the Final Environmental Impact Report and associated documents may be completed"

Attachment

SZD:mrt
03/25/10

To enrich lives through effective and caring service

Los Angeles County
Department of Beaches & Harbors
Caring for Your Coast

Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

DESIGN CONTROL BOARD REVIEW
DCB #05-015-B

PARCEL NAME: Oceana Retirement Facility

PARCEL NUMBER: OT

REQUEST: Consideration of Washington Boulevard and Admiralty Way elevations and the interface with pedestrian and streetscape improvements

ACTION: Approved with revisions to plans

CONDITIONS: The project should include the following:

1) Increased planting areas and more programmed space on the Washington Boulevard elevation and pedestrian plaza. Planters shall be low enough for pedestrians to use for seating purposes;
2) The curved sidewalks around the drop-off area should be widened and paved surfaces for street sidewalks differentiated where they cross the drop-off drive lanes;
3) Demarcate the proposed new path of travel on the new public walkway alongside the Oxford Retention Basin;
4) Reduced planter height around drop-off zone, facing Admiralty Way;
5) Encouraged to plant Washingtonian palms along Washington Boulevard and Admiralty Way elevations due to their iconographic value in this location; and
6) Return to the DCB for post-entitlement review and approval.

MEETING DATE: February 17, 2010

13837 Fiji Way • Marina del Rey • CA 90292 • 310.305.9503 • fax 310.821.6345 • internet: http://marinadelrey.lacounty.gov

To enrich lives through effective and caring service

Los Angeles County
Department of Beaches & Harbors
Caring for Your Coast

Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

DESIGN CONTROL BOARD REVIEW
DCB #05-016-B

PARCEL NAME: Holiday Harbor Court

PARCEL NUMBER: 21

REQUEST: Consideration of promenade improvements

ACTION: Approved with revisions to plans

CONDITIONS: The project should include the following:

1) Extend paving around the community park out to the seawall;
2) Enhanced lighting plans on the promenade at key points;
3) Reconfigured seating areas with varied groupings around the park area;
4) Provide plants and planters that can absorb seasonal rain;
5) Punctuate the linearity of the promenade with at least five shade structures designed to occupy the 8'-wide space along the seawall that is outside of the 20'-wide fire lane. The upper portions of the promenade shading devices should be allowed to extend over the seawall;
6) Shading structures should make use of innovative, interesting designs that may be curvilinear or rectangular in shape;
7) Recommended box size for trees (e.g., sycamores) is 36" minimum and brown-trunk height for palm trees is 18'-20' minimum; and
8) Return to the DCB for post-entitlement review and approval.

MEETING DATE: February 17, 2010

13837 Fiji Way • Marina del Rey • CA 90292 • 310.305.9503 • fax 310.821.6345 • internet: http://marinadelrey.lacounty.gov

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Jon Sanabria
Acting Director of Planning

December 10, 2009

TO: Leslie G. Bellamy, Chair
Wayne Rew, Vice Chair
Esther L. Valadez, Commissioner
Harold V. Helsley, Commissioner
Pat Modugno, Commissioner

FROM: Samuel Dea
Section Head
Special Projects Section

SUBJECT: Additional responses to questions on the Oceana Retirement Facility and Holiday Harbor Courts. Project Nos. R2006-01510, R2006-02726 (Item Nos. 7 and 8) Hearing Date December 16, 2009

A public hearing on the above-mentioned projects was held before the Regional Planning Commission on October 21, 2009. At that hearing, your commission instructed staff and the project applicant to address questions and issues that were raised by the public and the Commission. A response by County Staff and the project applicant was mailed to your commission on December 3, 2009. This memo is to further clarify the proposed parking requirements of the Oceana Retirement facility on Parcel OT.

The proposed parking for the retirement facility is based on a similar facility owned and operated by the project applicant (Palm Court) located in Culver City. Pages 41-43 of the Traffic Study found in the Draft Environmental Impact Report (DEIR) provide further details on this facility **(Attachment 2)**. Staff reviewed Culver City's current parking standards. The use most similar to the proposed use that was found in their code was a Senior Congregate Care Facility. Culver City requires one space per each two residential units, plus one space for each four units for guests and employees.

Attached to this memo, staff has also provided a map illustrating existing heights of structures surrounding Parcel OT and revised responses to questions that were prepared by the project applicant.

SZD:mrt

Attachments:

1. Map illustrating the heights of surrounding structures
2. Pages 41-43 of the Traffic Study found in the DEIR
3. Parking standards for Culver City
4. Revised responses to comments submitted by the project applicant

320 West Temple Street ▪ Los Angeles, CA 90012 ▪ 213-974-6411 ▪ Fax: 213-626-0434 ▪ TDD: 213-617-2292

gisNET department of regional planning

Output from GIS-NET

ATTACHMENT 1

Printed On: Nov 24, 2009

Legend

- Parcel Boundary
- Arterial Street
- Highway
- Freeway

Master Plan of Highways
- Expressway - (e)
- Expressway - (p)
- Ltd. Secondary Highway - (e)
- Ltd. Secondary Highway - (p)
- Parkway - (e)
- Parkway - (p)
- Major Highway - (e)
- Major Highway - (p)
- Secondary Highway - (e)
- Secondary Highway - (p)
- (e)-Existing (p)-Proposed

Railroad or Rapid Transit
- Railroad
- Rapid Transit
- Underground Rapid Transit

Significant Ridgelines
- Castaic CSD Primary
- Castaic CSD Secondary
- SMMNA Significant

- Census Tract (2000)
- Assessor Map Book (AMB) Bdy
- Zoning Index Map Grid
- Zoning Map Grid
- USGS Quad Sheet Grid
- The Thomas Guide Grid
- TB Internal Page Grid
- Very High Fire Hazard Serverity Zone
- Community Standards District (CSD)
- CSD Area Specific Boundary
- ESHA (Coast Only)
- Significant Ecological Area (SEA)
- Section Line
- Township and Range
- National Forest
- Equestrian District (EQD)
- Transit Oriented District (TOD)
- Setback District
- Zoned District (ZD)
- Supervisorial District Boundary

Safety Related Stations (From TB)
- Fire Station
- Highway Patrol
- Police Station
- Ranger Station
- Sheriff Station

- Zoning (Boundary)

Zoning
- Zone A-1
- Zone A-2
- Zone B-1
- Zone B-2
- Zone C-1
- Zone C-2
- Zone C-3
- Zone C-H
- Zone C-M
- Zone CPD
- Zone C-R
- Zone D-2
- Zone IT
- Zone M-1
- Zone M-1.5
- Zone M-2
- Zone M-3
- Zone MPD
- Zone MXD
- Zone O-S
- Zone P-R
- Zone R-1
- Zone R-2
- Zone R-3-()U
- Zone R-4-()U
- Zone R-A
- Zone RPD
- Zone R-R
- Zone SP
- Zone SR-D
- Zone W

Landuse Policy (Not in Comm/ Area Plan)
- 1 - Low Density Residential (1 to 6 du/ac)
- 2 - Low/Medium Density Residential (6 to 12 du/ac)
- 3 - Medium Density Residential (12 to 22 du/ac)
- 4 - High Density Residential (22 or more du/ac)
- C - Major Commercial
- I - Major Industrial
- O - Open Space
- P - Public and Semi-Public Facilities
- RC - Rural Communities
- R - Non-Urban
- TC - Transportation Corridor

Inland Waterbody
- Perennial
- Intermittent
- Dry

Note: This is a static legend, which includes only a portion of layers. To get full legend, please use "Display Map Legend tab" on the top left side of screen.

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Note: This map represents a quick representation of spatial imagery or vector layers using GIS-NET. The map should be interpreted in accordance with the disclaimer statement of GIS-NET.

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0 250 500 ft.

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ATTACHMENT 2

Project Parking

Parking for the proposed project will be available on both Parcel OT and Parcel 21. Parcel OT will provide a total of 157 spaces, including 116 spaces on an upper ground parking level and 41 spaces on a lower ground parking level. The upper ground parking level will provide 43 spaces for the congregate-care retirement facility. These resident parking spaces will be designated and gated in the structure. The lower ground parking level will provide 22 spaces for the retail use. Table 8(a) shows a summary of the number of parking spaces that will be provided on Parcel OT. In addition to providing parking for the proposed residential and retail uses on Parcel OT, the proposed project would involve the replacement of existing public parking spaces. Parcel OT is currently occupied by a 186-space public parking lot. This public lot will be removed in anticipation of the proposed development on this parcel. The project proposes to replace 92 of the 186 existing parking spaces on Parcel OT. These 92 spaces will be clearly marked with appropriate signage for easy access. The remaining 94 public spaces to be removed will be relocated to Parcel 21, which is located to the south of Parcel OT on Panay Way. Thus, all of the existing 186 spaces will be replaced and located on either of these parcels. It should be noted that while all of the existing 186 spaces may be used for occasional special events, Mothers Beach represents the only regular use for these spaces. The relocation of 94 spaces to Parcel 21 is expected to provide safer and more convenient parking for Mothers Beach as visitors will no longer have to cross two public streets, as is currently the case with the public parking on Parcel OT.

Parking for Parcel 21 will be available in an attached multi-level parking structure located on this parcel. The parking structure will have a total of approximately 447 spaces, including the 94 replacement parking spaces from Parcel OT, as noted previously. Table 8(b) summarizes the amount of parking that will be provided for each project land use on Parcel 21.

Table 8(a)
Project Parking Summary for Parcel OT

Size	Component	Parking Ratio	Spaces Required	Spaces Provided
114 unit	Congregate-Care Retirement Facility	0.36 spaces per unit□	41	43
5 ksf	Retail	4 spaces per ksf	20	22
	Replacement Parking Spaces□□		92	92
	Total Spaces to be Provided		153	157

□Parking rate based on parking demand observed at Palm Court, a retirement facility site located in Culver City, that is similar to the proposed congregate-care retirement facility.

□□ The existing 186-space public parking lot will be removed in anticipation of the project. Approximately 92 spaces will be replaced on Parcel OT and the remaining 94 spaces will be relocated to Parcel 21.

The parking requirement for the proposed project is based on the rates from the Los Angeles County parking code. For Parcel OT, the project will provide 22 spaces for the retail use, or 2 spaces above the code requirement. For the proposed congregate-care retirement facility, this component is unique since it will provide transportation services to residents via limousines that will dramatically reduce the need to own and park a vehicle. As a result, the proposed retirement facility is not expected to operate like a traditional congregate-care retirement facility. Since no rates are set in the parking code for retirement facilities that provide this type of transportation service, the parking rate was based on parking observations at a similar retirement facility site located in Culver City that provides transportation services to residents. The Culver City site has 98 units and provides 35 parking spaces. Observation shows that there is sufficient parking at the Culver City site. To be conservative, it was assumed that the parking rate would equal the number of spaces provided divided by the number of units at the Culver City facility, or 0.36 spaces per unit. Based on the parking rate of 0.36 spaces per unit, the proposed congregate-care retirement facility would require approximately 41 spaces. The project proposes to provide 43 spaces for the retirement facility, or a

Table 8(b)
Project Parking Summary for Parcel 21

Component	Size		Parking Ratio	Spaces Required	Spaces Provided
Replacement for Parcel 21					
2,916	sf	Retail	4.0 spaces per ksf	12	12
3,132	sf	Marina Commercial Office	2.5 spaces per ksf	8	11
10,000	sf	Health Club Replacement	[1]	16	20
				36	43
Replacement from Parcel 20					
5,000	sf	Yacht Club	[2]	106	106
2,300	sf	Marina Commercial Office	2.5 spaces per ksf	6	6
				112	112
New Uses					
6,000	sf	Marina Commercial Office	2.5 spaces per ksf	15	15
Replacement Boaters Parking					
94	Slips	From Parcel 21	0.75 spaces per boat slip	71	71
149	Slips	From Parcel 20	0.75 spaces per boat slip	112	112
				183	183
Replacement Parking from Parcel OT				94	94
Total				**440**	**447**

[1] The 16 parking spaces that currently serve the existing 16,000 square feet health club will be replaced by 20 spaces for the reduced 10,000 square feet health club.

[2] The 106 parking spaces will serve as replacement spaces for the existing yacht club.

surplus of 2 parking spaces above the number of parking spaces required. Thus, sufficient parking will also be provided for the congregate-care retirement facility.

The amount of parking required for the Parcel 21 site is summarized in Table 8(b). This table shows that Parcel 21 will require a total of 163 spaces for the proposed uses, 183 spaces for the replacement of boater parking, and 94 replacement spaces from Parcel OT, for a total parking requirement of 440 spaces. As described previously, Parcel 21 will provide a total of approximately 447 on-site parking spaces. Thus, Parcel 21 will provide a surplus of approximately seven spaces above the number required. Therefore, no parking spillover or parking-related impacts are expected.

ATTACHMENT 3

Culver City Parking Requirements

§ 17.320.020 - NUMBER OF PARKING SPACES REQUIRED.
Each use shall provide at least the minimum number of parking spaces required by this Section.

A. Parking Requirements by Land Use. Each land use shall be provided the number of parking spaces required by Table 3-3 (Parking Requirements by Land Use), except where a greater number of spaces are required through a Conditional Use Permit or other permit approval; or where parking requirements are adjusted in compliance with § 17.320.025 (Alternative Parking Provisions).

B. Basis for Calculations. In any case where Table 3-3 (Parking Requirements by Land Use) establishes a parking requirement based on the floor area of a use in a specified number of square feet (e.g., 1 space per 350 square feet), the floor area shall be construed to mean gross floor area. When calculating the number of parking spaces required, fractional spaces equal to or greater than one half shall be rounded up to the nearest whole number.

.....

H. Table 3-3. Parking Requirements by Land Use.

1. Residential uses.

Table 3-3A

Land Use Type: Residential
Vehicle Spaces Required

Accessory dwelling units
1 uncovered space in addition to that required for the primary dwelling unit(s).

Mobile home parks
1 space in conjunction with each mobile home site, plus 1 space for each 2 mobile home sites for guest parking, located as approved by the City.

Live/work unit
Up to 900 square feet: 2 spaces.

Greater than 900 up to 1500 square feet: 3 spaces.

Greater than 1500 square feet: 4 spaces.

Table continues on next page.

Land Use Type: Residential
Vehicle Spaces Required

Multi-family dwellings and residential component of mixed-use development (1)
Studio and 1 bedroom, less than 900 square feet: 1 space.

Studio and 1 bedroom, greater than 900 square feet: 2 spaces.

2-3 bedroom units: 2 spaces.

4 bedroom units: 3 spaces.

1 space for every additional bedroom greater than 4.

Guest parking: 1 space for every 4 residential units.

Residential care facilities
1 space for each 3 patient beds.

Senior citizen congregate care housing
1 space per each 2 residential units, plus 1 space for each 4 units for guests and employees.

Senior housing
1 space per unit, plus 1 guest parking space for each 10 units.

Single-family, duplex and triplex units (1)
2 spaces per dwelling unit.

ATTACHMENT 4

ENVICOM
CORPORATION

Environmental Analysis & Compliance

Urban Planning & Design

Real Estate Development & Entitlement

Environmental Restoration

Real Estate Economics & Valuation

December 10, 2009

Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Attn: Mr. Michael Tripp

Subj: Responses to Comments – Marina Parcels OT/21

Dear Mr. Tripp:

Please find attached 1) responses to written comments received during the public review period for the Parcels OT/21 DEIR, as well as 2) a revised version of the response to comments received during testimonies provided in the October 21, 2009 Planning Commission hearing. The responses to comments received during the public testimonies have been updated from the prior version provided on November 24, 2009. The revised version attached herein provides responses where we had previously indicated that additional information would be provided at the December 16, 2009 Planning Commission hearing. Please let me know if you have any questions.

Sincerely,

Travis Cullen
Chief Operating Officer

Attachments: Responses to Written Public Comments
Revised Responses to Comments Received During Public Testimony from the October 21, 2009 Planning Commission hearing

28328 Agoura Road
Agoura Hills, California 91301

Tel. (818) 879-4700
Fax (818) 879-4711

www.envicomcorporation.com

COMMENT LETTERS and RESPONSES

PROPOSED PROJECT ON PARCELS OT & 21

StrategicCounsel PLC

523 West 6th Street • Suite 1128
Los Angeles, California 90014
tel 213.895.7010
fax 213.895.7020

555 Capitol Mall • Suite 645
Sacramento, California 95814
tel 916.325.4080
fax 916.325.4085

www.strategicounsel.com

October 20, 2009

VIA FACSIMILE AND HAND DELIVERY

Michael Tripp, Principal Planning Assistant
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012

Re: Oceana Retirement Facility/Holiday Harbor Courts Project
Los Angeles County Projects R2006-01510-(4)/R2006-02726-(4)

Dear Mr. Tripp

We are writing on behalf of our client, FantaSea Yachts and Yacht Club, to provide comments on the Draft Environmental Impact Report for the Oceana Retirement Facility ("the Project") with respect to the replacement parking associated with the retirement residence component of the Project.

FantaSea Yachts is celebrating its 30th year as a small family owned and operated enterprise (encompassing three generations) providing 20,000 visitors from throughout the County and beyond with high quality, affordable access to yachting in Marina del Rey. The company also takes particular pride in its ability to provide stable long term employment. More than half of its employees have been part of the FantaSea family for over a decade. The continued success of FantaSea's charter yacht business relies heavily on the visiting public - its customers - having convenient parking access adjacent to the launch area during peak operations, which consists primarily of week nights and weekends.

FantaSea does not have parking facilities of its own. The County and the California Coastal Commission established FantaSea's right to use public parking facilities adjacent to its operations in 1995 pursuant to a conditional use permit which protected the public's access to convenient parking when visiting the marina and FantaSea Yachts. In addition, the County inserted a term in its lease requiring the developer of the subject property to make parking facilities available to FantaSea. These parking facilities have been used continuously without interruption for the last 13 years. Specifically, FantaSea's customers have

used Lot OT as the primary parking lot facilitating their ability to easily access and enjoy the visitor-serving, coastal dependent uses offered by FantaSea.

Lot OT currently has 183 parking spaces that the public, including FantaSea customers, have used over the years. The Project as proposed would develop Lot OT into a 114-unit retirement hotel with full service amenities along with 5000 square feet of retail space. With respect to parking, 92 spaces on-site at Lot OT are to be retained and an additional 94 spaces would be relocated to Parcel 21 on Panay Way. In addition to the 92 on-site spaces, the developer will provide 42 parking spaces for the 114 residential units and another 20 spaces for retail customers for a total of 154 parking spaces on-site and 94 relocated to Parcel 21.

We understand that the foregoing represents the Project developer's effort to ensure sufficient parking and access for Marina del Rey visitors including FantaSea customers. However, it must be noted that as a practical matter it is unlikely that the 42 on-site spaces allocated for the residential portion of the Project will be adequate for the parking needs of the residents. As previously noted the plan calls for 114 residential units. Almost half of these units have two bedrooms and could house two or more occupants per unit, many of whom will have cars and will require parking. In addition, there will be guests, visitors and family members requiring daytime, weekend and overnight parking. Roughly calculated, the 42 spaces account for about 1 parking space for every 4 people using or residing at the property. Accordingly, our client is concerned that the lack of adequate parking for the residential component, unless properly conditioned and enforced, may have an adverse impact on the availability of parking for visitors seeking to take advantage of the opportunity provided by FantaSea Yachts to recreate in the marina.

We appreciate that the County has historically manifested its support and worked to facilitate FantaSea's ability to operate its coastal dependant visitor serving business as part of the Marina del Rey community. More specifically, FantaSea and the hundreds of thousand of visitors that have passed through its doors have benefited from the County's creativity and other efforts to balance the myriad of competing interests in the Marina in a manner that produces maximum benefit to property owners, leaseholders and the public at large. Our client also acknowledges and fully appreciates the current efforts to address the parking concerns that have been identified above.

Thank you for your consideration.

Yours truly,
Strategic Counsel PLC

Cynthia McClain-Hill

1284.2

Response to Comment Letter No.1

With respect to the comments on the provision of adequate parking for use by the public, the project's occupants, patrons, and visitors, as well as for FantaSea Yachts and Yacht Club, the proposed project would replace all of the parking spaces that would be removed with project development. The project would provide 92 spaces on Parcel OT, which would be clearly marked with appropriate signage for easy access by the public, and 94 public spaces on Parcel 21, which is located to the south of Parcel OT on Panay Way. It should be noted that, in addition to the use of these spaces for Mother's Beach and special events, the FantaSea Yachts and Yacht Club retains a Coastal Development Permit for the non-exclusive right to use up to 92 public parking spaces on Parcel OT after 6:00 pm and on weekends and holidays. The parking requirement for the proposed project is based on the rates from the Los Angeles County parking code. For Parcel OT, the project would provide 20 spaces for the retail use, or two spaces above the code requirement.

Regarding the commenter's concern about the amount of parking provided for the proposed active seniors accommodations, this component is unique since it would provide transportation services to occupants via limousines that would dramatically reduce the need to own and park a vehicle. Since no rates are set in the parking code for active seniors accommodations that provide this type of transportation service, the parking rate of 0.36 space per unit used in the parking analysis for the proposed project was based on parking observations at a similar retirement facility site. Based on the parking rate of 0.36 spaces per unit, the proposed active seniors accommodations on Parcel OT would require approximately 41 spaces. The project proposes to provide 42 spaces for the active seniors accommodations, or a surplus of two parking spaces above the number of parking spaces required. Thus, sufficient parking would be provided for the active seniors accommodations.

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Creating Community Through People, Parks and Programs"
Russ Guiney, Director

October 19, 2009 Sent via e-mail: mtripp@planning.lacounty.gov

TO: Michael Tripp
Department of Regional Planning
Special Projects Section

FROM: Julie Yom JY
Department of Parks and Recreation
Environmental Section

SUBJECT: **DRAFT ENVIRONMENTAL IMPACT REPORT (EIR)**
Project No's: R2006-01510 and R2006-02726
Oceana Retirements Facility and Holiday Harbor Courts
Marina Del Rey Parcels OT and 21
State Clearinghouse No. 2007021133

The Department of Parks and Recreation has reviewed the Draft EIR for the above project for potential impacts on the facilities under the jurisdiction of the Department. We have determined that the proposed project will not affect facilities under the jurisdiction of this Department.

Thank you for the opportunity to comment. If we may be of further assistance, please contact me at (213) 351-5128 or jyom@parks.lacounty.gov.

cc: Parks and Recreation (Norma E. Garcia, Larry Hensley, Joan Rupert)

Response to Comment Letter No. 2

The comment that the proposed project would not affect Los Angeles County parks and recreational facilities is acknowledged. As this comment does not address the adequacy of the Draft EIR, no further response is necessary.

Mr. Michael Tripp
Department of Regional Planning
Room 1362
320 West Temple Street
Los Angeles, CA 90012

October 18, 2009

Subject: Oceana Retirement Facility
Draft EIR for projects R2006-01510-(4) & R2006-02726-(4)

Dear Mr. Tripp:

The Board of Directors of the Del Rey Colony Homeowners Association wish to go on record in opposition to the retirement facility as proposed in the above referenced DEIR. Del Rey Colony is a gated community of 54 townhouses in the City of Los Angeles surrounding a private lagoon, fronting on Harbor Street from Wilson Ave. westerly for about 1,200 feet and extending southerly to the alley which parallels Washington Blvd. northerly by about 100 feet.

Located as we are, the proposed six story building on the south side of Washington Blvd. Extending from west of Wilson Ave. to east of that street will severely impact the visual quality and privacy now enjoyed by many of our owners. To make our position clear, we oppose only the impact of the height of the proposed building of sixty five feet above Washington Blvd., not the proposed facility as a whole.

From Lincoln Blvd. west to Clune Ave., a distance of two miles, an examination of both sides of Washington Blvd. discloses only one building of more than two stories: the International Hotel immediately adjacent to the proposed facility, which has a garage at street level and three stories above, somewhat set back from Washington Blvd.

Obviously the one story and two story buildings in this two mile stretch of Washington Blvd. and the bird sanctuary immediately adjacent to the proposed facility make the height of the proposed facility utterly incompatible with the small-scale residential and commercial land uses along this portion of Washington Blvd. The proposed six story building, if constructed, will most likely encourage other adjacent property to demand zoning changes to permit similar building heights in the city. In this manner a six story building at this location would tend to unravel existing zoning limitations in the city to the distinct disadvantage of the entire neighborhood.

The existing proposal is for a six story building adjacent to Washington Blvd. comprised of one level of parking at ground level, one level of parking above, and four levels of senior housing. If the developer is to provide two levels of parking they can be below ground, as has recently been accomplished at the adjacent corner of Admiralty and Palawan Way. Obviously other alternatives are available.

We therefore urge the Regional Planning Commission to reject the proposal now before it and to require the developer to amend its plan to be more compatible with the neighborhood by limiting the height of the building to no more than forty five feet above Washington Blvd.

Del Rey Colony Homeowners Association

By:Raylene Baron
Raylene Baron, President

cc: Councilman Bill Rosendahi

Response to Comment Letter No. 3

The comments address the proposed building height on Parcel OT, which has frontage along Washington Boulevard. Under current conditions, single-story and multi-story structures that border area roadways in the immediate project vicinity including the Marina International Hotel, which is 40 feet in height, are of sufficient height to block or confine views to nearby foreground public roadway locations and nearby buildings, such that the water surfaces of the Marina are not visible from public roadways.

The EIR analysis identifies a less than significant project impact as it would not be out of character with the visual surroundings, which include several low and high-rise structures on Admiralty Way including the Marina International Hotel (40 feet in height, but with a Local Coastal Program (LCP) allowable height of 225 feet), as well as the Marina City Club (three round, high-rise residential structures of varying heights ranging from 172 to 182 feet), Ritz Carlton Hotel (166 feet in height), New Admiralty Apartments (61 feet with a maximum height of 73 feet, and the Marriott Marina Beach (152 feet). While the proposed project building would be substantially taller than the residences across the street (north/northwest/northeast) of Washington Boulevard, the project design remains consistent with the "bowl concept" identified in the local plans. The current allowable height on Parcel OT for the parking designation is 90 feet. Therefore, while the proposed project would be greater in height than the neighboring hotel, existing Marina del Rey LCP policies for Parcel OT would allow for a taller structure than that represented by the proposed Oceana Retirement Facility. The project would be consistent with the height limitations on the Parcel OT project site, and compatible with the surrounding land uses and bowl concept.

Implementation of proposed project would contribute to the gradual alteration of the existing visual character of the Marina del Rey, as larger and taller structures (greater massing) are becoming more common in the community. As such, when viewed cumulatively, impacts to visual quality within the Marina del Rey community could be considered significant, given the intensification of development that is occurring. The County will take this impact into consideration when making a decision on the project.

Regarding the comment that the project would encourage adjacent development to request zone changes to allow for increased building height. It should be noted that projects within Marina del Rey that request discretionary approvals must undergo the environmental review and decision-making process. Decisions to this effect must be approved by the appropriate agencies (e.g., the County) and would be subject to input from the public whose comments will be considered by such agencies.

No feasible mitigation is identified to reduce the visual impacts associated with height and massing of proposed development on Parcel OT as any such measure would require the proposed project to considerably alter the approved conceptual design concept. It should be noted that these residual impacts have been conservatively identified as such, because the proposed project has received conceptual approval from the Marina del Rey Design Control Board and complied with and exceeded the view corridor requirement for the proposed height.

With respect to the comment suggesting that the proposed project provide parking in two subterranean levels as opposed to one aboveground level and one subterranean level of parking, hazards associated with soil and groundwater conditions at Parcel OT would be

increased if excavation activities were to occur at a depth sufficient to provide for two subterranean levels. Temporary excavations of up to 14 feet in depth to accommodate the one subterranean level proposed would bottom near or below the groundwater level, which requires Project mitigation to include dewatering, if necessary. In terms of soil conditions, the liquefaction, subsidence, and lateral spreading, which also requires Project mitigation. Deeper excavations would require increased mitigation to offset these potential increased geotechnical hazards.

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
AND
6262 VAN NUYS BLVD., SUITE 351
VAN NUYS, CA 91401

CITY PLANNING COMMISSION

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BARBARA ROMERO
MICHAEL K. WOO

JAMES WILLIAMS
COMMISSION EXECUTIVE ASSISTANT
(213) 978-1300

CITY OF LOS ANGELES

CALIFORNIA

ANTONIO R. VILLARAIGOSA
MAYOR

EXECUTIVE OFFICES

S. GAIL GOLDBERG, AICP
DIRECTOR
(213) 978-1271

VINCENT P. BERTONI, AICP
DEPUTY DIRECTOR
(213) 978-1272

EVA YUAN-MCDANIEL
DEPUTY DIRECTOR
(213) 978-1273

FAX: (213) 978-1275

INFORMATION
(213) 978-1270

www.planning.lacity.org

OCT 15 2009

October ~~September~~ 14, 2009

TO: Michael Tripp
County Los Angeles, Department of Regional Planning
Special Projects Section, Room 1362
320 West Temple Street
Los Angeles, CA 90012

FROM: Shana Bonstin, City Planner
Los Angeles Department of City Planning– Community Planning Bureau

SUBJECT: Proposed Developments in Marina Del Rey

The Los Angeles Department of City Planning recently reviewed several proposed developments for Marina Del Rey:

- Oceana Retirement Facility and Holiday Harbor Courts, which are currently undergoing the formal public review period for the Draft Environmental Impact Report.
- Boat Central
- Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort

We recognize that these projects will have an impact on the neighboring Venice community, and wish to ensure that quality, accessible public amenities are a part of the proposed developments, and that the extensive increase in development will provide benefit to Venice residents as well.

We acknowledge the inclusion of public amenities in several of the projects, including:

- Public park plaza and promenade at Holiday Harbor Courts
- Pedestrian promenade at Boat Central

- Restored public wetland and upland park project, waterfront pedestrian promenade, and public access to the ground floor uses of the Neptune Marina Apartments and Anchorage/Woodfin Suite Hotel and Timeshare Resort.

We appreciate these amenities, and want to ensure that residents of the surrounding communities are aware of them. Please ensure that final plans include designs that are pedestrian-friendly, easily publicly accessible, and well-advertised.

Response to Comment Letter No. 4

With respect to the Los Angeles Department of City Planning's comment on the public plaza and promenade proposed on Parcel 21, the project would direct public access to the waterfront (i.e. marina small craft water uses and Mother's Beach) as well as 5.5-foot wide sidewalk along the Panay Way Frontage. It should also be noted that the proposed development on Parcel OT would include an improved landscaped pedestrian access way between Admiralty Way and Washington Boulevard along the eastern boundary of the site and west of the lagoon. This would allow for better public access to the lagoon. With project implementation, open space in the Marina del Rey community would cumulatively increase and the proposed project would not adversely impact the supply of open space in the local area. It has not been determined that new additional exhibits or directional signs would be required as a result of the proposed project as the marina has necessary signs and outdoor exhibits and brochures to provide public awareness of the marinas access opportunities and coastal environment in place.

With respect to the Los Angeles Department of City Planning's comments on other development projects in Marina del Rey, the provision of public amenities is beyond the purview of the proposed project. It is anticipated that the referenced projects would be subject to environmental review and the provision of such amenities would be addressed by the appropriate Lead Agency.

Department of Toxic Substances Control

Linda S. Adams
Secretary for
Environmental Protection

Maziar Movassaghi
Acting Director
9211 Oakdale Avenue
Chatsworth, California 91311

Arnold Schwarzenegger
Governor

OCT 14 2009

October 12, 2009

Mr. Michael Tripp
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012

NOTICE OF COMPLETION OF DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE OCEANA RETIREMENT FACILITY AND HOLIDAY HARBOR COURTS, SCH NO. 2007021133

Dear Mr. Tripp:

The Department of Toxic Substances Control (DTSC) has received your Notice of Completion of draft Environmental Impact Report (EIR) for the project mentioned above.

Based on the review of the document, DTSC comments are as follows:

1. The draft EIR states the Project site (Site) has been identified as part of the former landfill area for the community of Venice and the development of the original Marina del Rey facilities. The draft EIR also states that the soil toxicity investigation conducted by Enviropro, Inc. at the Site show several soil samples had detectable levels of metals, volatile organic compounds, pesticides, and petroleum based compounds. The draft EIR should include the name of regulatory agency that provided oversight during the soil toxicity investigation. DTSC recommends additional environmental site investigation at the Site to evaluate whether conditions at the Site pose a threat to human health or the environment.

2. All environmental investigation and/or remediation should be conducted under a Work Plan which is approved by a regulatory agency who has jurisdiction to oversee hazardous waste cleanups. Proper investigation and remedial actions should be conducted at the Site prior to its development.

3. If during construction of the project, soil contamination is suspected, construction in the area should stop, and appropriate health and safety procedures should be implemented. If it is determined that contaminated soils exist, the draft EIR should identify how any required investigation and/or remediation will be conducted, and which government agency will provide regulatory oversight.

DTSC provides guidance for Preliminary Endangerment Assessment preparation and cleanup oversight through the Voluntary Cleanup Program (VCP). For additional information on the VCP please visit DTSC's web site at www.dtsc.ca.gov. If you would like to meet and discuss this matter further, please contact me at (818) 717-6550.

Sincerely,

Alberto T. Valmidiano
Project Manager
Brownfields and Environmental Restoration Program – Chatsworth Office

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044

Mr. Guenther W. Moskat, Chief
Office of Planning and Environmental Analysis
CEQA Tracking Center
Department of Toxic Substances Control
1001 "1" Street, P.O. Box 806
Sacramento, California 95812-0806

Response to Comment Letter No.5

With respect to regulatory oversight, Los Angeles County owns of the subject property. The County did not report of any known contamination. They reported that the site constitutes a building debris fill. The work was not performed under regulatory agency oversight since there was no such request or a known reason for such a request. The work was a due diligence initiated by the Applicant.

Enviropro, Inc. has performed all relevant tests for potential pollutants in soil. AS discussed in section IV.J, Environmental Safety, of the Draft EIR, the analytical results show that several samples had detectable levels of certain metals, volatile organic compounds, pesticides, and petroleum-based compounds considered as regulated contaminants, and the primary contaminants of concern included elevated levels of lead and copper. This result indicates that some of the soils would be classified as hazardous, if excavated. The implementation of Mitigation Measures ES-1 and ES-2 (see below) would reduce impacts to a les-than-significant level. As such, it was determined that further investigation is not necessary. The mitigation measures below also address the DTSC's comments.

ES-1: The applicant shall adhere to all applicable County, State, and Federal guidelines regarding the handling, excavation, disposal, and/or remediation of soils classified as hazardous waste, which may include, but not be limited to, the development and implementation of a Soil Management Work Plan (SMWP) for the project, as well as correspondence with the Regional Water Quality Control Board (RWQCB) and Department of Toxic Substances Control (DTSC) to determine the level of any necessary remediation efforts.

ES-2: In the event that previously unidentified waste or debris is discovered during construction/grading activities, and the waste or debris is believed to involve hazardous waste or materials, the contractor shall: immediately stop work in the vicinity of the suspected contaminant; remove workers and the public from the area; notify the resident inspector; secure the area as directed by the resident inspector; and notify the County of Los Angeles Hazardous Waste/Materials Coordinator and the Fire Department. Work in the affected area shall cease until the proper approval is granted by the appropriate governmental oversight agency and a work plan is implemented, if necessary.

It should be noted that lead is not volatile and the site will be almost completely covered by a building. Therefore, no future occupants or workers will be in contact or exposed to lead regardless of its concentration. The site will also have a methane mitigation system consisting of membrane and ventilation system. Therefore, the trace volatiles (that are below residential PRGs) will not be able to penetrate the structure.

October 6, 2009

TO: Dennis Hunter
Land Development Division

Attention Toan Duong

FROM: Gary Hildebrand
Watershed Management Division

OCEANA RETIREMENT FACILITY (PARCEL OT) – PROJECT NO. R2006-01510
HOLIDAY HARBOR COURTS (PARCEL 21) – PROJECT NO. R2006-02726

As requested, we have reviewed the Draft Environmental Impact Report, and have the following comments to offer:

- The County of Los Angeles is planning to enhance Parcel P and envisions a separate public walking path that would encircle the Oxford Retention Basin. We recommend continued coordination between the Department of Public Works, the Department of Beaches and Harbors, and the developer to establish a setback and negotiate other project details.

- Table IV K-2 – Land Use Consistency describes a proposed pedestrian and bicycle access way between Admiralty Way and Washington Boulevard. Given the space constraints, we do not believe it is feasible to include a separate bicycle path between the proposed building and the Oxford Retention Basin. We believe our proposal for a walking path is consistent with the goals of the Marina's Local Coastal Plan. Programs Development and Traffic and Lighting Divisions should be consulted on this matter.

- We have no comment on the Holiday Harbor Courts project.

If you have any questions, please call Greg Jaquez at Extension 5923.

GAJ:lm
P:\wmpub\Secretarial\2009 Documents\Memos\After 3_20_09\Parcels OT & 21 DEIR.doc\C09512

cc: Programs Development
Traffic and Lighting

Response to Comment Letter No.6

With respect to continued coordination between the Applicant, the Los Angeles County Department of Public Works, and the County Department of Beaches and Harbors, the project design and implementation requires approval from both County Departments. Additionally, the Department of Beaches and Harbors serves as co-applicant for the proposed Project. As such, coordination between all parties has been occurring and would continue to occur throughout the environmental review process.

The project is revised to limit the accessway between Admiralty Way and Washington Boulevard to pedestrian uses and, thus, no bicycle access would be provided as part of the proposed development. The EIR will be revised to reflect this.

Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012-2952
213.922.2000 Tel
metro.net

Metro

September 21, 2009

Mr. Michael Tripp
Los Angeles County
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Tripp:

Los Angeles County Metropolitan Transportation Authority (Metro) is in receipt of the Draft EIR for the Oceana Retirement Facility & Holiday Harbor Courts Project. This letter conveys recommendations concerning issues that are germane to Metro's statutory responsibilities in relation to the proposed project.

The Traffic Impact Analysis prepared for the Draft EIR satisfies the traffic and transit requirements of the proposed project. However, the following issue should be addressed for the Final EIR:

Several transit corridors with Metro bus service could be impacted by the project. Metro Bus Operations Control Special Events Coordinator should be contacted at 213-922-4632 regarding construction activities that may impact Metro bus lines. Other Municipal Bus Service Operators may also be impacted and therefore should be included in construction outreach efforts.

Metro looks forward to reviewing the Final EIR. If you have any questions regarding this response, please call me at 213-922-6908 or by email at chapmans@metro.net. Please send the Final EIR to the following address:

Metro CEQA Review Coordination
One Gateway Plaza MS 99-23-2
Los Angeles, CA 90012-2952
Attn: Susan Chapman

Sincerely,

Susan F. Chapman
Program Manager, Long Range Planning

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SEP 23 2009

Response to Comment Letter No. 7

With respect to Metro bus service during construction, the Applicant shall contact the Metro Bus Operations Control Special Event Coordinator as well as other municipal transit providers with bus lines that may be affected by Project implementation.

STATE OF CALIFORNIA Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net

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SEP 17 2009

September 15, 2009

Mr. Michael Tripp, Project Planner
LOS ANGELES COUNTY DEPARTMENT OF REGIONAL PLANNING
320 West Temple Street
Los Angeles, CA 90012

Re: SCH#2007021133; CEQA Notice of Completion; draft Environmental Impat Report (DEIR) for the **Oceana Retirement Facility and Holiday Harbor Court Project;** located in the Marina Del Rey/ Ballona Creek Area; Los Angeles County, California

Dear Mr. Tripp:

The Native American Heritage Commission (NAHC) is the state 'trustee agency' pursuant to Public Resources Code §21070 for the protection and preservation of California's Native American Cultural Resources.. The California Environmental Quality Act (CEQA - CA Public Resources Code §21000-21177, amended in 2009) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c)(f) CEQA guidelines). Section 15382 of the CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following.

The Native American Heritage Commission did perform a Sacred Lands File (SLF) search in the NAHC SLF Inventory, established by the Legislature pursuant to Public Resources Code §5097.94(a) and Native American Cultural resources **were not identified** within one-half mile of the APEs.. However, there are Native American cultural resources in close proximity to the APE. Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Enclosed are the names of the nearest tribes and interested Native American individuals that the NAHC recommends as 'consulting parties,' for this purpose, that may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We recommend that you contact persons on the attached list of Native American contacts. A Native American Tribe or Tribal Elder may be the only source of information about a cultural resource.. Also, the NAHC recommends that a Native American Monitor or person be employed whenever a professional archaeologist is employed during the 'Initial Study' and in other phases of the environmental study.. Furthermore we suggest that you contact the California Historic Resources Information System (CHRIS) at the Office of Historic Preservation (OHP) Coordinator's office (at (916) 653-7278, for referral to the nearest OHP Information Center of which there are 11.

Consultation with tribes and interested Native American tribes and individuals, as consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA (42 U.S.C. 4321-43351) and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 [f]*et se*), and NAGPRA (25 U.S.C. 3001-3013), as appropriate.

Lead agencies should consider avoidance, as defined in Section 15370 of the California Environmental Quality Act (CEQA) when significant cultural resources could be affected by a project. Also, Public Resources Code Section 5097.98 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery. Discussion of these should be included in your environmental documents, as appropriate.

The authority for the SLF record search of the NAHC Sacred Lands Inventory, established by the California Legislature, is California Public Resources Code §5097.94(a) and is exempt from the CA Public Records Act (c.f. California Government Code §6254.10). The results of the SLF search are confidential. However, Native Americans on the attached contact list are not prohibited from and may wish to reveal the nature of identified cultural resources/historic properties. Confidentiality of "historic properties of religious and cultural significance' may also be protected the under Section 304 of the NHPA or at the Secretary of the Interior' discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C, 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APE and possibly threatened by proposed project activity.

CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.

Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. . Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.

Again, Lead agencies should consider avoidance, as defined in §15370 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,

Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Cc: State Clearinghouse

Native American Contact
Los Angeles County
September 15, 2009

Charles Cooke
12835 Santiago Road
Acton , CA 93510

661) 733-1812 - cell
uscol@intox.net

Chumash
Fernandeno
Tataviam
Kitanemuk

Gabrielino Tongva Nation
Sam Dunlap, Tribal Secretary
P.O. Box 86908
Los Angeles , CA 90086
samdunlap@earthlink.net

(909) 262-9351 - cell

Gabrielino Tongva

LA City/County Native American Indian Comm
Ron Andrade, Director
1175 West 6th Street, Rm. 403
Los Angeles , CA 90020
213) 351-5324
213) 386-3995 FAX

Gabrielino Tongva Indians of California Tribal Council
Robert Dorame, Tribal Chair/Cultural Resources
P.O. Box 490
Bellflower , CA 90707
gtongva@verizon.net
562-761-6417 - voice
562-925-7989 - fax

Gabrielino Tongva

Ti'At Society
Cindi Alvitre
6515 E. Seaside Walk, #C
Long Beach , CA 90803
calvitre@yahoo.com
714) 504-2468 Cell

Gabrielino

Gabrielino-Tongva Tribe
Bernie Acuna
501 Santa Monica Blvd, # 500
Santa Monica , CA 90401
(310) 587-2203
(310) 428-7720 - cell
(310) 587-2281

Gabrielino

Tongva Ancestral Territorial Tribal Nation
John Tommy Rosas, Tribal Admin.
,
Tattnlaw@gmail.com
310-570-6567

Gabrielino Tongva

Gabrieleno/Tongva San Gabriel Band of Mission
Anthony Morales, Chairperson
PO Box 693
San Gabriel , CA 91778
626) 286-1262 -FAX
626) 286-1632
626) 286-1758 - Home
626) 286-1262 Fax

Gabrielino Tongva

his list is current only as of the date of this document.
istribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and
afety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.
nd federal NEPA (42 USC 4321-43351), NHPA Sections 106, 4(f) (16 USC 470(f) and NAGPRA (25 USC 3001-3013)

his list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed
CH#2007021133: CEQA Notice of Completion: draft Environmental Impact Report (DEIR) for the Oceana Retirement

.Response to Comment Letter No. 8

The comment that no Native American Cultural resources were indentified on or within one-half mile of the project site is acknowledged. As discussed in section IV.F, Cultural Resources, of the Draft EIR, while no prehistoric or historic resources have been recorded within one-half mile of the property, the identification of the historic Venice Landfill as being located near both Parcel OT and Parcel 21 and recent investigations in nearby Ballona Creek resulting in the discovery of hundreds of native American burials and numerous prehistoric features indicates a sensitivity of the project area for prehistoric and historic archaeological resources. As the potential exists for such resources to be uncovered during grading and excavation activities for the proposed developments, prior to mitigation, the proposed project may result in a significant impact to prehistoric and historic archaeological resources. Implementation of Mitigation Measures CUL-1 through CUL-6 identified in the Draft EIR would reduce these impacts to less than significant. With respect to consultation with the NAHC, the Applicant will conduct such consultation in accordance with applicable guidelines.

We ARE Marina del Rey P.O. Box 9096, Marina del Rey, CA 90295

October 21, 2009

RECEIVED
OCT 21 2009
REGIONAL PLANNING COMMISSION

Commissioner Leslie G. Bellamy, Chair
Commissioner Wayne Rew, Vice Chair
Commissioner Esther L. Valadez
Commissioner Harold V. Helsley
Commissioner Pat Modugno
Regional Planning Commission
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Re: Project R2006-01510 and Project R2006-02726 (together the "OT/21 Project") COMMENTS on the OT/21 Project and combined Draft Environmental Impact Report (DEIR) - : OPPOSE

Honorable Commissioners:

We ARE Marina del Rey ("WAM") strongly urges the Regional Planning Commission to continue the hearing on the projects listed above, including all applicable Plan Amendments, Coastal Development permits, Conditional Use permits, Variances and Parking permits based on the following issues and comments on the projects and the DEIR.

A) PREMATURE HEARING

The scheduled Regional Planning Commission hearing today is premature for two reasons.

1) Lack of DCB Conceptual Approval
Upon review of past records, agendas and meetings, We ARE Marina del Rey has determined that the Design Control Board ("DCB") has NOT conceptually approved the current project as described in the project materials and DEIR.

The August 18, 2005 DCB agenda included Item *5b: Consideration of a new building and severance of the westernmost portion of parcel for future use as public parking.* (Exhibit B)

On September 5, 2005, the DCB agenda included Item *3f: Approval of the record of the DCB's August 2005 action for conditioned approval of a new building that includes a yacht club, office space, parking and a public park.* (Exhibit C)

The project that was granted conceptual approval called for the western edge of parcel 21 to be bifurcated for future use as public parking to be owned/operated by Los Angeles County with the remaining eastern portion of Parcel 21 to be used for construction of a new building that would include a yacht club, office space, on site parking for its uses and an adjacent park.

The Department of Beaches and Harbors returned to the DCB on February 16, 2006 for the bifurcated parking portion of parcel 21, now dubbed Parcel 21 Phase II, calling for a public

parking structure of 4-levels and 235 spaces to accommodate relocated public parking from proposed projects on Parcels IR, OT and NR (See Exhibit A). The DCB had a problem with the parking structure being on the waterfront and with the issues of a shell game of public parking and that other proposed projects appeared to not have sufficient on-site parking for their own uses.

But more importantly, this Parcel 21 Phase II was continued 3 times to March 16, 2006, April 27, 2006 and then indefinitely. In other words, it never returned to the DCB.

The current project before the commission calls for a 5-story commercial/office building with some parking as well as a 6-story, 447-space private parking structure (only 94 spaces will be public which are being relocated from Parcel OT) and a further reduction of Parcel 21 land area for the expansion of parcel GR parking.

THIS project has NOT been reviewed OR conceptually approved by the DCB. Therefore we urge your Commission to continue these integrated projects until such time as the DCB can review this project.

2) Projects Hearing should not precede compound LCP Amendment

The above referenced projects are included in the bundle of the projects labeled by Los Angeles County Departments of Beaches and Harbors and Regional Planning as the "pipeline" projects (see Roadmap Letter Exhibit D). While WAM does not agree with roadmap approach which includes the bundling of project-driven LCP amendments into one overall compound amendment or the limited scope of the LCP amendment vis-à-vis a comprehensive LCP update as recommended by the Coastal Commission, the fact is, the Departments of Beaches and Harbors and Regional Planning are proceeding in this direction and the Board of Supervisors approved this direction on September 1, 2009.

Given this, we respectfully urge this commission to further continue the hearing on Project R2006-01510 and Project R2006-02726 until such time as both the Regional Planning Commission AND the California Coastal Commission have reviewed and taken action on the compound LCP Amendment that is currently being prepared by the Department of Regional Planning in conjunction with the Department of Beaches and Harbors. As stated last week by your Commission during the hearing for the Neptune Apartments and Woodfin Suites Hotels (project #s R2006-03647, R2006-03652, TR067861, R2006-03643 and R2006-03644), it is premature and out of order to hear these individual projects now prior to the drafting of compound LCP amendment that would allow these projects to proceed let alone prior to any action being taken on it by your Commission, the Board of Supervisors and the California Coastal Commission - all required steps that need to be completed before these projects can be ultimately approved.

Furthermore, in terms of ESHA, the DEIR's reliance on the environmental analysis of the Certified Marina del Rey LCP is flawed. This DEIR does not reflect the changes on the ground to the environment since the LCP was certified in 1996. The DEIR states on page IV.E - 3:

Additionally, in the certified 1996 Marina del Rey Land Use Plan (LCP), the California Coastal Commission found that there were no Environmentally Sensitive Habitat Areas (ESHAs) in the developed Marina del Rey proper. As such, no riparian habitat or other sensitive natural communities identified in local or regional plans, policies, or regulations were found to be present on either site.

However, on January 9, 2008 (reaffirmed October 16, 2008), the California Coastal Commission determined parts of Marina del Rey contain ESHA, and therefore, recommended that County, as part of the overall LCP update amendment, add ESHA findings and provisions to the Marina del Rey LCP, in conformance with the Coastal Act and that County carry out a survey to determine if there are additional ESHA sites in Marina del Rey. We understand this survey to be under preparation but has not been completed at this time. Therefore, in relation to ESHA, this DEIR is substantially incomplete.

Furthermore, how can this Commission properly review these two projects relative to all the projects proposed by a range of developers and the Department of Beaches and Harbors given that the compound LCP amendment will include a Cumulative Impact Assessment and additional studies that are not complete?

How can this Commission properly review these projects given that the Department of Regional Planning has not completed its response to the Coastal Commission's Periodic LCP Review Recommendations that members of the public spent much time providing input.

And finally, moving forward with these projects now is a waste of taxpayer funds. When Los Angeles County states they cannot afford to carry out a comprehensive LCP update; that they cannot build a public park for its residents; and that they cannot fix a broken playground, how can this project proceed at this time with the risk that it will not be approvable. The Department of Beaches and Harbors spends hundreds of thousands of dollars a year of taxpayer money to pay for consultants that work on these projects and make presentations before your Commission.

Once again, we respectfully urge this commission to further continue the hearing on Project R2006-01510 and Project R2006-02726 until such time as the DCB has reviewed the current Parcel 21 project plans AND both the Regional Planning Commission AND the California Coastal Commission have reviewed and taken action on the compound LCP Amendment that is currently being prepared by the Department of Regional Planning.

2. PIECEMEALING CEQA/OVERALL MARINA WIDE EIR

WAM further believes that Los Angeles County including the Department of Beaches and Harbors and the Department of Regional Planning (together "the County") is piecemealing the redevelopment of Marina del Rey in violation of state law, including the California Coastal Act ("Coastal Act") and the California Environmental Quality Act ("CEQA"). County has admitted on the record and it is widely known, that County intends to redevelop Marina del Rey (the "Marina Redevelopment Project"). This "Marina Redevelopment Project" constitutes "a project" under CEQA. According to Public Resources Code § 21065, a project is defined as the whole of

an action, which has a potential for resulting in either a direct physical change in the environment.

The Marina Redevelopment Project consists of all the County's individual developments within Marina del Rey now making their way through the public approval process (Fisherman's Village, Mother's Beach, Western Marina residential complexes, etc) and including Projects R2006-01510 and R2006-02726. County is dividing "the Marina Redevelopment Project" into smaller redevelopment projects (e.g. the projects cited above) in order to reduce and hide the environmental impact of the "Marina Redevelopment Project." Therefore, County is piecemealing the "Marina Redevelopment Project," in violation of CEQA. California Supreme Court case law holds that the County cannot "hide" the redevelopment project from the public by breaking the Marina Redevelopment Project into little parts, and the County's behavior – actions and words - confirms there is "a Marina Redevelopment Project."

The California Coastal Commission stated during its Local Coastal Program (the "LCP") Periodic Review hearing on January 9, 2008, that County is piecemealing projects and that this is bad planning. They strongly recommended (said recommendation reaffirmed on October 16, 2008), that County should undertake a comprehensive LCP update amendment of anticipated future development that <u>includes</u> ALL pending project driven amendments, fulfillment of Asset Management strategies and other facilities identified through a community planning process. The intent behind this recommendation was:

> *"Well, I think it is apparent that if LCP amendments are pursued on an individual basis, project by project, that the cumulative impacts, and the coordinated efforts will be very difficult for the community, for the County, and for this Commission to understand."* - Commissioner Kinsey, LCP Review Hearing, January 9, 2008

An Environmental Impact Report should be prepared for the whole "Marina Redevelopment Project" should be County's highest obligation to determine the overall environmental impacts of all projects in the Marina. County argues that the LCP is the functional equivalent of an EIR per CEQA § 21080.5 because it is a certified program or at the very least a Master Plan, a position WAM does not share. However, instead of following the LCP for Marina del Rey, which County considers to be the functional equivalent of an EIR, County is implementing a slate of redevelopment projects <u>contained</u> in its *Marina del Rey Asset Management Strategy* ("AMS," April 15, 1997, which is not part of the Certified LCP). The projects, including R2006-01510 and Project R2006-02726 and the document itself are not in conformity or consistent with the Marina del Rey Certified LCP. Additionally, the AMS has not been reviewed or approved by the California Coastal Commission and has no regulatory or legal standing.

Public Resources Code § 21080.5 and CEQA Guideline also state that a "certified program" remains subject to other provisions in CEQA such as the policy of avoiding significant adverse effects on the environment where feasible. Therefore, even if the LCP were the functional equivalent of an EIR, County must still review the overall impacts of the "Marina Redevelopment Project."

Furthermore, the Roadmap approach adopted by Los Angeles County fails to carryout an overall Environmental Impact Report and instead opts for a cumulative impact assessment that may not be CEQA compliant and which may not involve full public participation as required under the California Coastal Act. The Roadmap approach also hides the "Marina Redevelopment Project" by compiling individual, project-driven LCP amendments into one overall LCP Amendment prior an overall project CEQA-compliant environmental review.

3. FURTHER CEQA VIOLATIONS

We ARE Marina del Rey also alleges that a range of actions and statements by the Los Angeles County Board of Supervisors, the Los Angeles County Department of Beaches and Harbors, the Los Angeles County Department of Regional Planning and the California Coastal Commission ("CCC"), taken as whole, have committed Los Angeles County to a definite course of action on Projects R2006-01510 and R2006-02726 in addition to other "pipeline" projects included in the Roadmap approach (Exhibit D), prior to conducting environmental reviews in accordance with the California Environmental Quality Act (CEQA). These commitments preclude from consideration, other feasible alternatives and/or mitigation measures prior to the environmental review of these projects.

This is indirect conflict with the courts that provided the following guiding general principle: "[b]efore conducting CEQA review, agencies must not 'take any action' that significantly furthers a project 'in a manner that forecloses alternatives or mitigation measures that would ordinarily be part of CEQA review of that public project.'" Save Tara, ____ Cal. 4th ____ (citing Cal. Code Regs., tit. 14, §15004(b)(2)(B)).

As enunciated by the Supreme Court, in determining whether a conditional agreement such as the one in Save Tara is an approval under CEQA, "courts should look not only to the terms of the agreement but to the surrounding circumstances to determine whether, as a practical matter, the agency has committed itself to the project as a whole or to any particular features, so as to effectively preclude any alternatives or mitigation measures."

An agency's statements and unofficial actions, taken as a whole, can be the basis for finding that an agency has "committed to a definite course of action" and, therefore, "approved" a project. If environmental review has not preceded the agency's "commitment," then the agency has run afoul of CEQA.

The actions and statements that WAM references includes but is not limited to:

- The approval and of Lease options for Parcels 21 and OT by the Small Craft Harbor Commission (12/17/07 for Parcel OT and 3/12/08 for Parcel 21) and the Board of Supervisors (7/15/08 for both Parcels) that were conditional on future environmental reviews
- The adoption of the Marina del Rey Asset Management Strategy by the Board of Supervisors in 1997

- The adoption of the Roadmap Approach by the Departments of Beaches & Harbors, Regional Planning and the California Coastal Commission and its subsequent approval by the Board of Supervisors on September 1, 2009 (see comments below)
- Statements by the Regional Planning Commissioners at the October 14, 2009 hearing for the Neptune/Woodfin projects about the out of order process of the projects because the amendments need to be heard and approved first by their Commission and the California Coastal Commission
- Statements by Supervisor Yaroslavsky of his concerns that by the time Marina del Rey redevelopment projects reach the Board, they will be a done deal, as he experienced for The Shores development project.
- Statements by Director of Beaches and Harbors that 1) the developers have been negotiating for years in what he terms good faith based on entitlements allowed in the LCP and 2) the County has commitments and liabilities on the pipeline projects and need to move them through.

In reference to the Roadmap approach, WAM believes that approval of the motion on September 1, 2009 by the Los Angeles County Board of Supervisors to endorse the Roadmap approach and to create one project-driven LCP amendment is a violation of state law, including the Coastal Act and CEQA. The Roadmap approach includes the advancement of eight separate projects of which only two have undergone recent environmental reviews in accordance with CEQA rules (see Exhibit D, #7 and #8). CEQA reviews have not been conducted for the remaining six projects (Exhibit D, #s 1-6) which include Projects R2006-01510 and Project R2006-02726 on the agenda today.

For all eight projects, Los Angeles County has signed lease options with developers or negotiated lease terms conditioned on implementing future CEQA review processes. The single LCP amendment authorized to be prepared on September 1, 2009 calls for the packaging of individual, project-driven LCP amendments including those for Projects R2006-01510 and Project R2006-02726, into one compound LCP Amendment. As stated above, a CEQA review has not been conducted for six of these projects with project-driven LCP amendments.

Therefore, we believe these actions, taken as whole, commit Los Angeles County to a specific course of action and constitute discretionary project approvals prior to CEQA environmental reviews. These commitments preclude from consideration, other feasible alternatives and/or mitigation measures prior to the environmental review of these projects.

As stated above, this is indirect conflict with the courts that provided the following guiding general principle: "[b]efore conducting CEQA review, agencies must not 'take any action' that significantly furthers a project 'in a manner that forecloses alternatives or mitigation measures that would ordinarily be part of CEQA review of that public project.'" Save Tara, ____ Cal. 4th ____ (citing Cal. Code Regs., tit. 14, §15004(b)(2)(B)).

4. Conclusion

Based on the above comments, we once again urge your Commission to continue Project R2006-01510 and Project R2006-02726 until such time as the above issues are resolved and/or actions taken.

Together,
We ARE Marina del Rey

David Barish
Co-Director
davidb@wearemdr.com
www.wearemdr.com

CC: Michael Tripp, Department of Regional Planning
Santos Kreimann, Department of Beaches & Harbors
Peter Douglas, Executive Director, California Coastal Commission
The Honorable Senator Oropeza, 28th Senate District

Exhibit A

REPLACEMENT PARKING AT MARINA BEACH
3/9/06

Lot #	Project	Displaced Parking Spaces
9	Waterfront Mixed Use (Czuker)	44*
10	Marriott Residence Inn (Pacifica)	88**
12	Neptune Marina Apts. (Legacy)	103

	Total	235

* Final count to be determined; lessee has not completed analysis
** In the event road widening occurs

Diagram of Public Parking Lots in Marina del Rey

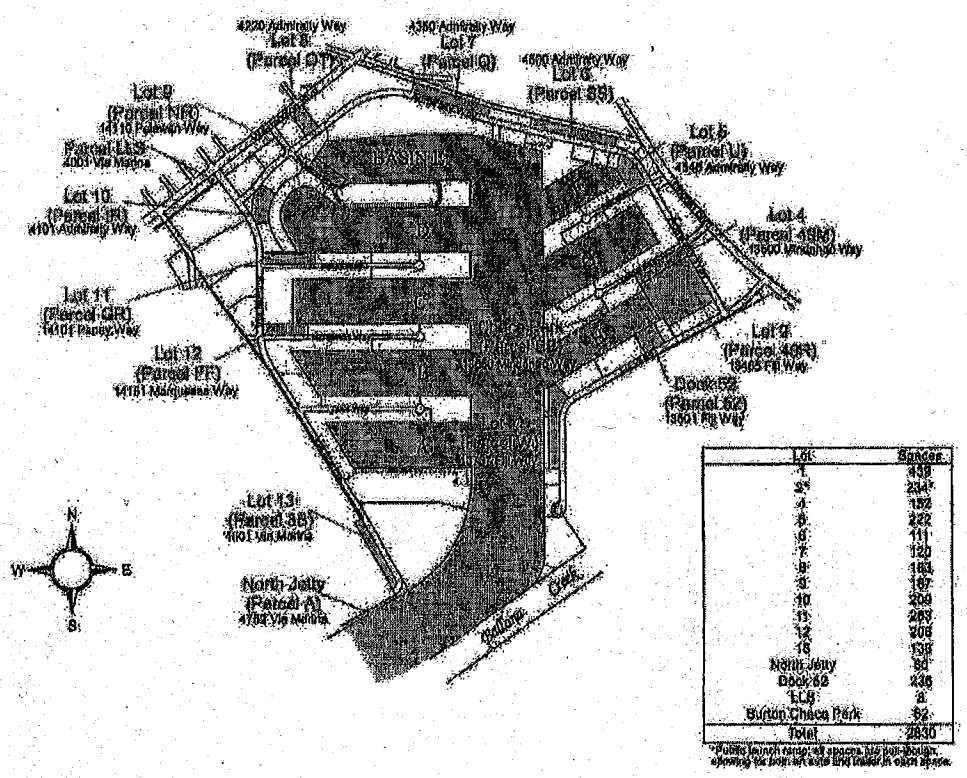


Exhibit B

F. Parcel 50 – Marina Waterside Shopping Center – California Pizza Kitchen - DCB #05-011
Approval of the record of the DCB's July 2005 action for conditioned approval of exterior renovations and replacement signs. Conditions include further review and approval of signage by the Department of Regional Planning, a return to the Board with detailed plans for the exterior lighting and consideration of limiting the quantity of yellow canvas on the patio side of the elevation.

G. Parcel 50 – Marina Waterside Shopping Center – Starbucks – DCB #05-012
Approval of the record of the DCB's July 2005 action for approval two signs.

H. Parcels 111/112 – Marina Harbor – The Villa – DCB #05-013
Approval of the record of the DCB's July 2005 action for conditioned approval of sign #6 as proposed; sign #7 as proposed; and temporary signs #1, 2 and 4 as proposed. The condition relates to the requirement that the permanent signs require review and approval by the Department of Regional Planning.

4. Old Business

A. Parcel 50 – Marina Waterside Shopping Center – California Pizza Kitchen - DCB #05-011-B
Consideration of modifications to exterior renovations and lighting.

B. Parcel 50 – Ralphs Market – #05-001-D
Consideration of a temporary banner for Ralphs Market.

C. Parcel 83/50 – Marina Waterside Shopping Center – DCB #05-010-B
Consideration of a landscape plan, including replacement of the Coral tree with an alternate tree and the loss of two parking spaces.

D. Parcel 77 - W.A.T.E.R. Program Storage at Dock 77 – DCB #05-006-D
Consideration of identification signage as part of the fence scrim.

E. Parcel 75 – Marina Professional Building – DCB #05-014
Reconsideration of four signs (three replacement and one new).

5. New Business

A. Parcel OT – Proposed Retirement Residence – DCB #05-015
Consideration of a 114 unit retirement residence project, 5,000 square feet of retail space and an "open to the public" landscaped area on the eastern edge of the site.

B. Parcel 21 – Holiday Harbor Courts – DCB #05-016
Consideration of a new building and severance of the westernmost portion of parcel for future use as public parking.

C. Parcel 103 – Oakwood Apartments – DCB #05-019
Consideration of a replacement sign.

Exhibit C

F. Parcel 21 – Holiday Harbor – DCB #05-016
Approval of the record of the DCB's August 2005 action for conditioned approval of a new building that includes a yacht club, office space, parking and a public park.

4. Old Business

A. Parcel 103 – Oakwood Apartments - DCB #05-019
Consideration of a replacement sign.

B. Parcels 111/112 – Marina Harbor – The Villa – DCB #05-013-B
Consideration of one wall banner, five pole flags (six months with a temporary flag and then with a permanent flag) and one leasing office sign.

5. New Business

A. Parcel 50 – Waterside Marina – DCB #05-021
Consideration of two center identification signs.

B. Parcel 50 – Various Tenants at Waterside Marina – DCB #05-022
Consideration of tenant signage for: Brighton Collectibles, Coldstone Creamery, White House/Black Market, Le Marmiton, Beyond Scents, Chipotle, M. Fredric and Fredric Man.

C. Parcel IR – Marina Beach Residence Inn – DCB #05-023
Consideration of an extended stay hotel containing 147 guest suites.

6. Staff Reports

A. Temporary Permits Issued by Department

B. Marina del Rey LCP Periodic Review (verbal report)

C. Ongoing Activities Report
- Board Actions on Items Relating to Marina del Rey
- Small Craft Harbor Commission Minutes
- Redevelopment Project Status Report
- Marina del Rey and Beach Special Events

7. Comments From The Public
Public comment within the purview of this Board. (Three minute time limit per speaker.)

8. Adjournment

Project Materials: All materials provided to the Design Control Board members are available (beginning the Saturday prior to the meeting) for public review at the following Marina del Rey locations: Marina del Rey Library, 4533 Admiralty Way, 310-821-3415; Department of Beaches and Harbors Administration Building, 13837 Fiji Way, 310-305-9503; MdR Visitors & Information Center, 4701 Admiralty Way, 310-305-9546; and Burton Chace Park Community Room, 13650 Mindanao Way, 310-305-9595.

Please Note: The Los Angeles County Board of Supervisors adopted Chapter 2.160 of the Los Angeles County Code (Ord. 93-0031 §2(part), 1993) relating to lobbyists. Any person who seeks support or endorsement from the Design Control Board on any official action must certify that they are familiar with the requirements of this ordinance. A copy of this ordinance can be provided prior to the meeting and certification is to be made before or at the meeting.

Departmental Information: http://beaches.co.la.ca.us or http://labeaches.info

Si necesita asistencia para interpreter esta informacion llame a este numero 310-305-9547.

Exhibit D "Pipeline Projects"

1) Parcels 49/77 – a potential 161,000 square foot mixed use commercial development on the existing public parking, public boat launch ramp and dry storage lots.

2) Parcel IR – two 5-story building extended stay hotel on Mothers Beach parking lot.

3) Parcels 33/NR – mixed-use commercial, retail and residential on a public parking lot and the former Edies Diner/Harbor House lot.

4) Parcels 52/GG – Boat Central, 367 Vessel dry stack storage, building will extend 97' over water

5) Parcel OT – 114 unit senior retirement facility on public parking lot.

6) Parcel 21 - Holiday Harbor 5-story commercial/gym complex with 5 story parking structure on Panay Way. This project shares an EIR with parcel OT (#5 above) and thus shares a Coastal Development Approval process.

7) Parcel 9U – Woodfin 19-story hotel and timeshare. Two separate projects with a shared EIR combined into one for roadmap.

8) Parcel 10/FF – Neptune apartments and anchorage. Two separate projects with a shared EIR combined into one for roadmap.

Response to Comment Letter No. 9

With respect to the comments regarding DCB Approval, on August 18, 2005 the DCB passed a motion unanimously to approve the proposed project in concept. The proposed Holiday Harbor Courts development would provide new marine uses, a public park plaza and promenade, and a parking structure. The project would include marine commercial space and a yacht club on Parcel 21. In addition, through a partial lease termination, Parcel 21 would be reduced by 207 feet, or 31,050 s.f., with a corresponding increase in the area of Parcel GR. Under separate proposal, the Los Angeles County Department of Beaches and Harbors is considering expanding the number of existing surface parking spaces provided on Parcel GR to include surface parking on the proposed area of expansion.

With respect to the comments regarding the hearing and amendment processes, the project is proceeding through the environmental review process as established and presided over by the Regional Planning Commission and the Department of Beaches and Harbors.

Regarding the review process and piecemealing, the Draft EIR includes a list of related projects based on information obtained from the Los Angeles County Regional Planning Department, the City of Los Angeles Department of Transportation, and from the Cities of Santa Monica and Culver City (refer to Table IV.H-10). The Draft EIR includes cumulative analyses for each environmental issue area based on the list of related projects. It should be noted that the project and related projects within Marina del Rey are subject to review by the Regional Planning Commission.

It should be noted that the environmental review process for the proposed project was initiated before the County's decision to prepare a cumulative analysis for projects in the Marina del Rey area was announced. It is anticipated that the County's cumulative analysis will account for the proposed project as well as other area projects. However, the County's analysis will not supplant project-specific environmental analysis (e.g., EIRs) and each individual project must undergo the environmental review process independent of the County's analysis. The timing as to when projects are brought for review is beyond the purview of the Regional Planning Commission.

With respect to the comments regarding ESHA, a recent site survey completed for the project determined that Parcel OT to be composed of an insignificant quantity and quality of wildlife habitat (see Appendix E of Draft EIR). It was also concluded that, similar to Parcel OT, vegetative ground cover present on the transfer portion of Parcel P is dominated by nonnative plant species and that any habitat areas would be excluded from the proposed transfer from Parcel P to Parcel OT.

#10 ; 11

RECEIVED
OCT 27 2009

OXFORD RETENTION BASIN
FLOOD PROTECTION AND MULTIUSE ENHANCEMENT PROJECT

Parking Lot 2

Parking Lot

PLEASE PROVIDE YOUR INPUT

PROJECT BOUNDARY

Response to Comment Letter No.10

The figure including map of the Oxford Basin with handwritten comments as to the placement of parking will be submitted to the County for consideration when making a decision on the project. However, it should be noted that this figure is not a part of the Draft EIR and does not refer to the contents or adequacy of the Draft EIR.

RESPONSES TO COMMENTS

LOS ANGELES COUNTY
REGIONAL PLANNING COMMISSION MEETING
PUBLIC HEARING
OCTOBER 21, 2009

AGENDA ITEMS 10 & 11:
PROPOSED PROJECT ON
PARCELS OT & 21

Testifier Ruth Galanter

My name is Ruth Galanter. I've been dealing with the issue of senior's housing in the West L.A. and Marina and Venice area for 30-something years now. First, as a community activist, later as a member of the Coastal Commission, and subsequently as the City Counsel representative for the area surrounding Marina del Rey. The issues that come up on every project are very similar. We're dealing in an area of valuable land and everybody wants more than it is possible to fit on the land. So there is obviously a demand for open space. There's a demand for parking, for recreational parking. But there is, as you know, a serious housing shortage. And it is particularly true on the Westside because we have so many work places, mainly in -- at the airport and in the city of Santa Monica, and not nearly enough housing. I have also had the opportunity, while remodeling my own house, to live in the Marina across Panay Way from the second parcel. And I had the opportunity to talk to many seniors -- active seniors living in the building I was in and nearby. And I want to speak strongly in support of both of these projects because I believe that this is an opportunity to provide recreational access to people who do not need to drive to the beach. If they are living in the Marina, they will walk as did many of the residents in my building. They will walk to the restaurants. They will walk to the beach. They will walk to the coffee shop. They will walk to the bank. Many of them were living there because their adult children, seeking a place for the widowed mom and dad, wanted a place near where the adult children lived. Clearly, the market is there. The dilemma for you as for any planning body considering these things over the last 40 years and well into the future, is how to balance the various needs. I feel very strongly that housing for --

The comments in support of the proposed are noted and will be considered by the County in the decision-making process.

Testifier Dr. Gottlieb

So, now I only have three minutes. Okay. Well, the first thing I'll mention is 4,446 cubic yards of waste. 4,446 cubic yards of waste involves, I think, the Parcel 21. And the 7,768 cubic yards of soil is mentioned for the -- as the export of soil from Parcel OT. Now, OT is only going to have 74 loads, while the other one -- is going to have 647 loads. But the obvious thing to do is to divide the number of cubic yards by the number of truckloads and find out what the value of the truck is. And if you do that, you find that the --153 that the Parcel OT has -- or maybe it's 21 --has 61.75 cubic yards per truck of waste and 12 --the other one has 12 cubic yards per truck of soil. Now, I don't have as much experience as you, but from my experience of the shores opposite us -- the Marina Strand Colony Two, they only have-- they're only -- they're transporting 20 cubic yards, and a project up the street was transforming 35 cubic yards. There's nowhere in the Volume I of the DEIR, which says how big these trucks are, what their noise volume is, what their traffic thing is. Not only that, but the number 4,000 -- I searched on 4,446 cubic yards and it has many different positions. It comes up four times and one time we're told that the 4,446 cubic yards is the sum of something from Parcel OT and from Parcel 21; whereas the original thing has it as just coming from Parcel 21, something like that. But these are serious mistakes, which will propagate throughout the whole EIR, and I hope you follow Eisenhower's advice -- the principles that make this country great. The values are honesty, and integrity. And if -- if these developers have the privileges that overwhelm that, if they're not being careful about honesty and integrity, then I think it's a -- a blow for us in these crucial times. Thank you.

As stated on page III-32 of the Draft EIR, demolition activities associated with redevelopment of Parcels OT and 21 would result in the hauling of 4,446 cubic yards (c.y.) of waste (246 c.y. for Parcel OT and 4,200 c.y. for Parcel 21). Grading activities for Parcels OT and 21 would result in exporting 7,768 c.y. of soil (6,500 c.y. for Parcel OT and 1,268 c.y. for Parcel 21). This information is internally consistent and references to the 4,446 c.y. estimate, which can be found on pages IV.B-9 and IV.D-12 of the Draft EIR. The project (i.e., Parcel OT and 21 combined), is expected to generate 4,446 c.y. of waste and would require 74 loads; during grading 7,768 c.y. of soil export are expected and would require 647 loads. Generally, dirt weighs approximately 2,600 to 3,000 lbs. per c.y. and debris weighs approximately 250 to 500 lbs. per c.y. The actual weight varies depending on the water content of the soil and the type of debris being hauled; however, the weights described are generally accepted in the trucking industry. Soils would be hauled by a bottom dump truck that will hold approximately 11 to 12 c.y and debris would be hauled by an end dump truck that holds approximately 60 c.y. The typical street weight limit including the truck is 80,000 lbs and the trucks weigh about 30,000 lbs leaving about 50,000 lbs for debris or soil. Typically a full load of dirt is between 28,000 and 33,000 lbs depending on water content in the soil.

As discussed on page IV.B-10 of the Noise section in the Draft EIR, Assuming a 35 mile per hour (mph) travel speed, the above number of trucks would provide the following noise signature at 50 feet from the roadway centerline: 49.7 dB CNEL during demolition and 54.7 dB CNEL during grading. The maximum potential project impact attributed to truck hauling activity noise during demolition and construction is +0.3 dB CNEL. This is less than the significance threshold of +3 dB CNEL. The Draft EIR concluded that truck haul noise during both the 15 days of grading activities and seven days of demolition activity would therefore be less than significant. Construction of the project would require the designation of construction vehicle and haul routes and construction period management of roadways, sidewalks, and public transportation routes. The Draft EIR determined that the proposed project would result in potentially significant, but temporary, construction traffic impacts that would be reduced to a less-than-significant level through the implementation of Mitigation Measure TA-1. With respect to truck size, in is anticipated that standard sized heavy-duty diesel haul trucks would be used during construction.

Testifier John Rizzo

John Rizzo, president of the Marina Tenants Association. I've been active in the Marina for 35 years and attending meetings for 35 years. I'd like to talk about this particular piece of -- of (inaudible) that I've given you all. But first of all, I'd want to say about Ruth Galanter's thing that we need housing. Yes, we do need housing desperately. We got 100,000 people in the streets. Regional Planning send -- sends me a letter and says, what do you think about housing? What do you mean? They're -- I'm -- I'm in Venice. They're laying in my yard; I'm cleaning up after them -- which I'm glad to do. I'm for St. Joseph's. I went down there and they tried to -- the neighbors tried to throw St. Joseph's out, and I pleaded for them. I'm for the poor. I'm for people that need it. But people that can afford this kind of thing that they want to put can live anywhere. They can live anywhere. We need affordable housing, and today, we need affordable housing more than ever. People are -- are -- they're coming down in wages, they're losing their jobs. We need affordable --and it's public land. It's supposed to be affordable. There's a price control. It says that that the lessee is to receive a fair return on their investment. They're getting market value in violation of the lease. Not only that. Not only that – the County can get its money. You cut the -- you cut the rents in half and you double the percentage rental.

You go from 10 1/2 to 21 percent, and you get the same money. If you want more money, you go to 25 percent. It's just a game they're playing to turn over public land to private individuals and get kickbacks and campaign contributions -- which they get a lot. And the public makes nothing, as I talked to you the last time. I'm not going to go into that again because my time is getting short -- how the County doesn't really get anything out of the Marina, and that's a fact. It's all a wash. I have paid close attention to this public lot. I've gone before the Department of Beaches and Harbor numerous times this summer. I've made it a real effort because it is empty. And the reason it's empty is that for some reason when they come down Washington they don't know that it's a public lot. And I've been on them to change the signage -- just like the lady here, Mrs. Valadez said about this thing. You got to be careful. They play games. They don't want people to park there or they would make it so that people see it. At that -- five blocks away is the beach. That lot on -- on peak days is totally full, and the beach is empty because it goes all the way down to the rocks. It's underutilized. The neighbors don't want a bike path through there, and they don't want that lot expanded. We could use this lot for over peak days. But -- but the Department of Beaches and Harbor, of course, doesn't want to use it because they want -- they're a lessee to build on it. So I've talked to them and talked to them. So what do they do? They turn the sign around. If they put a big sign that said beach parking, 7, 5, 6 – 8 dollars, it would fill up. There is no parking on it. Underutilized? There's no parking on it. Except for a few occasions. And why? Because the Beaches and Harbors doesn't want the parking, and I've gone over this time and again this summer. We have cars parked coming down Washington, coming down Venice -- because I walk that way coming from work -- and there's nowhere for them to park. There's nowhere for them to park. And I've talked to people, and nobody's interested in where the public can park. All they're really interested -- how many commercial buildings can we put in the Marina? That time is over. You're dealing with an old model, and the old model has collapsed our country, by the way. And it's turned over everything to the rich, and it was supposed to trick down. Well guess what? We're not trickling down anything, and we're in the worst depression. And you're continuing on with this old model. We need affordable housing. We need recreation, and we need that lot. If you look on this map, you've got one parking lot in the middle of -- it used to be Admiralty Park, now it's Burke Park, because I made a big stink about them taking her name off because she was too honest. And they changed it to Admiralty Park, and now they've changed it to Burke Park again. We've got one little -- we've got a parking lot right in the middle. Well, what are old people -- how are they going to walk all through here? Yeah, young people like the fact that we've got all this big area, but older folks, they --where're they going to park? Oh yeah, we're going to provide this parking in this building. Don't worry about it. Yeah, this same lessee has been problem child from Day One on his -- on his affordable housing. It was like a nightmare to get him to put it in. He's had other problems. He has those big regatta things. He had HUD housing. It was in The Times; he never did it. Once, he wanted to go to the Coastal -- he was in a coastal zone -- he wanted to do a building -- a project. He tore the mountain down without getting a -- the top of it without getting a permit. Why not? And then you pay the fine. Hey, you're way ahead of the game. These lessees can't be trusted. You have-- and -- and -- what we need in that project is to keep it the way it is. I know. It -- it's not funny though, really, if you're impacted by it. It's funny if you -- if you talk about it. You know, like the Mob -- they always talk about the Mob, but if the Mob's got a gun to your head or if they're bribing all the politicians, it's not funny. Believe me. And so what I'm saying is this. Is that we need that parking lot for public parking for the beach, for that 14 million dollar park we're making. We need it for them. And we need a -- a – a mandate to make that parking lot as it's supposed to be. Not some kind of a thing there so -- so we don't use it so we can get this other thing in.

In response to the testifier's comment regarding affordable housing, as discussed in section IV.K, Land Use, the proposed project would re-zone Parcel OT with a new Active Seniors Accommodations designation. The provision of accommodations for seniors is encouraged as part of Marina del Rey Phase II development. This facility for seniors would not represent a typical residential land use, as individual units would not have kitchens, trips generated by the proposed land uses would be reduced as compared to a multi-family residential project of the same size, and the facility would provide on-site dining services and other amenities for the occupants. With approval of the new Active Seniors Accommodations designation, dwelling units in this zone would not be considered residential uses for purposes of assessing affordable housing requirements.

In response to the testifier's comment regarding parking, the parking analysis in the Draft EIR concluded that the project would not reduce area parking capacity as it would replace all of the parking spaces that would be removed with project development. The project would provide 92 spaces on Parcel OT, which would be clearly marked with appropriate signage for easy access by the public, and 94 public spaces on Parcel 21, which is located to the south of Parcel OT on Panay Way. The relocation of 94 spaces to Parcel 21 is expected to provide safer and more convenient parking for Mother's Beach, as visitors will no longer have to cross two public streets, as is currently the case with the public parking on Parcel OT.

Regarding the Oxford Basin, this project is primarily an ongoing flood protection effort led by the County's Department of Public Works, which may involve water quality enhancement and habitat restoration. Thus, passive recreation (i.e., pedestrian trails, viewing areas) may be provided; however, active recreation is not anticipated at the basin.

Testifier John Nahas

Good morning, Chairman Bellamy. Good morning, Commissioners. My name is John Nahas. I am with the boating coalition, and I am a resident in Playa del Rey. This change in designation of the land use of our public resources for wealthy seniors is inappropriate. Our public lands are for all of our citizens, and this project that is being proposed is not public friendly. Are your workers here – our staff members should be able to be part of this Marina. How -- excuse me -- Commissioner Helsley, our kids that we used to teach should be part of this Marina. This wealthy -- the project for this hotel, the wealthy, is inappropriate use for this land. While there may have been an affordable component proposed in this hotel, the Harbors and Rivers Act, Public Law 780, House Bill 389, were very specific about how this Marina was created. For everyone at fair and reasonable prices. You didn't hear that from the applicant. The Coastal Commission was very clear on what they asked for parking lots, and what could be designated for parking lots. It's very clear in the Local Coastal Program that you were supposed to oversee. Parking lots can only be turned into what? They can only be turned into parks. Not senior citizen centers, not buildings, massive buildings. What is the reason for open space? Why is open space so crucial to our Coastal Zone? You heard from Staff about the major development of Oxford Basin. I don't have a laser pointer here, but Oxford Basin is being developed. It is going to be an asset for Los Angeles County. Not only for birders, but all these different science -- you know what? I'll just point to the top there. You see lagoon. This is going to be the -- the destination for a lot of our science students, for a lot of our people that are interested in just coming out and enjoying the environment, going to the lagoon. But they haven't put any parking in. The public was told and given this opportunity that OT would be for the lagoon – for the new, redeveloped lagoon. They're telling you about -- what Staff has said is

that they're going to -- they're going to fence off the lagoon, but they're going to have a lot of these new participants in this area. Where's the parking for them? In Los Angeles -- are they just supposed to walk from East LA? Or South LA? I don't think so. The parking lot is currently being utilized by Fantasy Yachts. Fantasy Yachts has serviced our citizens in Los Angeles County for weddings, graduations, and other distinguished ceremonies for many years. Our public has access to the water by the use of this parking lot and the use of Fantasy Yachts. There is very limited parking in the old Edie's Diner -- it's now called Panificio. Organic Panificio, and we need that parking lot to stay for the public area, for the public arena. This is the start of the demise of the control -- the Design Control Board that Commissioner Alvarez has -- has alluded to. I really appreciate your attention to detail, Commissioner Alvarez, because this is really what was the -- I'm sorry -- Valadez. This is really what the crux of -- of what is happening here. The Design Control Board said, wait a minute? What's going on with all this parking? We're losing parking here. You're saying that we're somehow going to retain parking. Where? The numbers -- and if you looked at the minutes, they were very upset. They had been told lies, and they said, no more. No more, Stan Wizneski. No more. You cannot tell us and we're not -- we're going to find out what's going on in the parking. If you would please, just do some further investigation with Design Control Board. Beaches and Harbors has committed -- and you obviously have seen this. From their website: Parcel OT will be a 114 senior care facility. We saw your County counsel interrupt this meeting and go off and speak with the Department of Beaches and Harbor director. We don't want to keep on seeing that happen. These deals that are being made, these obligations that are being made in front of you is inappropriate. Going on -- and I know I'm running over my time here. I want to just speak about some of the questions. The parking is being manipulated. Commissioner Helsley, you -- you definitely hit it on the head. Walling off on the Marina. The destruction of open space is continuing this walling off. We hope that you don't allow it. The DCB had major concerns. Please look more into that. The developer is -- and what you don't hear -- what you haven't heard today? The developer is proposing a reduction in boat slips in Parcel 21. They're not telling you that today -- 50 percent reduction. The loss of 95 boat slips, and more importantly, a reduction of 140 boater-dedicated parking spaces going down to 75 boater-dedicated parking spaces. They're not saying that. And then lastly -- this is the cart before the horse. Commissioner Rew hit this on the head. You have people that are going -- this should be going as an LCP amendment to the Coastal Commission and then back to this Planning Commission, not vice versa. You cannot make these decisions when you don't even know that the law can be changed. Thank you for your time.

In response to the testifier's comment regarding affordable housing, as discussed in section IV.K, Land Use, the proposed project would provide accommodations for active seniors on Parcel OT, which is encouraged as part of Marina del Rey Phase II development. This facility would not represent a typical residential land use, as individual units would not have kitchens, trips generated by the proposed land uses would be reduced as compared to a multi-family residential project of the same size, and the facility would provide on-site dining services and other amenities for the occupants. The project is requesting that Parcel OT be re-zoned with a new Active Seniors Accommodations designation; with approval, dwelling units in this zone would not be considered residential uses for purposes of assessing affordable housing requirements.

In response to the testifier's comment regarding land use, though the Land Use Plan (LUP) of the Local Coastal Program contemplated the potential conversion of Parcel OT to residential uses and states that it was underutilized throughout most of the year. The testifier is correct in that the LUP states that no designated public parking areas, including Parcel OT, shall be

converted to uses other than public parking or public park purposes. Therefore the proposed project requires an amendment to the LCP.

In response to the testifier's comment regarding parking, the parking analysis in the Draft EIR concluded that the project would not reduce area parking capacity as it would replace all of the parking spaces that would be removed with project development. The project would provide 92 spaces on Parcel OT, which would be clearly marked with appropriate signage for easy access by the public, and 94 public spaces on Parcel 21, which is located to the south of Parcel OT on Panay Way. The relocation of 94 spaces to Parcel 21 is expected to provide safer and more convenient parking for Mother's Beach, as visitors will no longer have to cross two public streets, as is currently the case with the public parking on Parcel OT.

In response to the testifier's comment regarding FantaSea Yachts and Yacht Club parking, the proposed project would replace all of the parking spaces that would be removed with project development, including parking associated with FantaSea Yachts and Yacht Club. It should be noted that, in addition to the use of these spaces for Mother's Beach and special events, the FantaSea Yachts and Yacht Club retains a Coastal Development Permit for the non-exclusive right to use up to 92 public parking spaces on Parcel OT after 6:00 pm and on weekends and holidays. See also Response to Comment Letter No.1

In response to the testifier's comment regarding access, the chain link fence that currently surrounds the Oxford Retention Basin area would remain in place with project development. The project would not preclude existing access through the construction of walls. As discussed in section IV.K, Land Use, the proposed project would adjust Parcel OT boundary to include 19,755 s.f. of Parcel P, which is designated open space in the LCP. The proposed building would encroach approximately 30 to 35 feet (or 9,397 s.f.) into what is currently Parcel P, leaving approximately 20 to 25 feet for a pathway and transitional landscaping compatible with the future enhancement of Oxford Basin. Currently, the surface parking lot on Parcel OT encroaches approximately 21 feet into Parcel P (an area of 6,665 s.f.); therefore, the proposed building on Parcel OT would encroach into Parcel P by an additional nine to 14 feet and 2,732 s.f. The Department of Beaches and Harbors intends to offset the reduction of open space on Parcel P via the planned expansion of Burton W. Chace Park.

Regarding the comment on boat slips, he proposed project would not include the reduction of boat slips or associated boater-dedicated parking spaces. It should be noted that Parcel 21 would provide a surplus of approximately seven spaces above the number required. In addition, through a partial lease termination, Parcel 21 would be reduced by 207 feet, or 31,050 s.f., with a corresponding increase in the area of Parcel GR. Under separate proposal, the Los Angeles County Department of Beaches and Harbors is considering expanding the number of existing surface parking spaces provided on Parcel GR to include surface parking on the proposed area of expansion. Therefore, the project would facilitate the provision of additional public parking within the Marina.

With respect to the comments regarding DCB Approval, on August 18, 2005 the DCB passed a motion unanimously to approve the proposed project in concept. The project is proceeding through the environmental review process as established and presided over by the Regional Planning Commission and the Department of Beaches and Harbors. See also Response to Comment Letter No. 9.

With respect to the comment stating that the project should be going as an LCP amendment to the Coastal Commission and then back to this Planning Commission, the project is progressing through the environmental review process as established and presided over by the Regional Planning Commission and the Department of Beaches and Harbors.

Testifier David Barish "We are Marina del Rey"

Good afternoon, honorable Commissioners. I just want to say -- my name is David Barish, co-director of "We Are Marina del Rey." I have submitted a detailed comments letter for your review and for the record that covers a range of issues and concerns. We are asking your Commission today to continue these projects until certain feature actions are taken, which I will focus on below. But in general, we have before us today, the same issues we dealt with at last week's hearing within (inaudible) Neptune. An out of order process. LCP amendments by exception. Public land grab for private development. The piecemealing of the County's overall Marina del Rey redevelopment project. Premature and discretionary approvals. And as far as I know, there is no RFP submitted for OT. I will expand more on the out of order process and why these projects must be continued today to an uncertain future date. The scheduled Planning Commission hearing today is premature for two reasons. First, the Design Control Board has not reviewed nor conceptually approved the current project as it is before you today. On August 18, 2005, the DCB agenda was they considered a new building on a severance of the westernmost portion of Parcel 21 for future use as public parking. That was what was approved. And it was confirmed in next month's meeting, when it said, "Approval of the Record of the DCB's August 2005 action for conditional approval of a new building that includes a yacht club, office space, parking, and a public park. The project that was granted conceptual approval was the remaining eastern portion of Parcel to be used for construction of a new building, including yacht club, office space, outside parking for its users, and an adjacent park. The Department of Beaches and Harbors went back to the DCB in February to consider the public parking on the western portion of Parcel 21. That was continued, and it has been continued indefinitely -- it has not gone back. This project as it sits before you has not been reviewed or conceptually approved by the DCB, and I urge you to continue this -- these projects that are integrated together until the DCB sees it and approves it. Furthermore, the second reason why we need to continue these -- these projects, is because these projects are part of the bundle of projects, labeled by the L.A. County Department of Beaches and Harbors and Regional Planning as pipeline projects; okay? It is premature and out of order to hear these individual projects now prior to the drafting of a compound LCD amendment that would allow these projects to proceed, let alone prior to any action being taken on it -- by your Commission, by the Board of Supervisors, by the California Coastal Commission -- all required steps that need to be completed before these projects can ultimately be approved. And furthermore, in terms of just the piecemealing, you haven't seen the projects that are going to be -- two additional projects that are proposed for Mother's Beach that are in between these projects. Parcel IR and Mother's Beach, a two-building structure, a hotel, and the Zuker project on Parcel 33 NR, which has not come through yet. Those are major changes all surrounding this area that are not being looked at in a -- in a cumulative fashion by your Commission. The second thing -- the other thing is that during the LCP amendment there will be a cumulative impact assessment that is being prepared. I don't know what -- what's going to be in it, but they're preparing it. Why are we hearing these projects now before that's done -- before that impact assessment comes before this Commission. It is out of order, and if you proceed today to a final EIR, you are violating Sequa, Coastal Act, and your own rules. And the final thing I wanted to say – a small thing, but one of the other public comments speakers today -- Steve Cordova, neglected to tell

you that he is actually a part of (inaudible) Yacht Club, which actually is a -- their club is being moved to Parcel 21 from 20, so they are actually have an interest in this project, but they didn't say that. I think that's important to hear. Thank you.

With respect to the question regarding an RFP, the County Department of Beaches and Harbors set forth a Request for Proposals (RFP) in June 2000 for development of hotel/motel, restaurant, retail, and/or other uses on Parcel OT as well as several other lots.

Regarding the review process and piecemealing, the Draft EIR includes a list of related projects based on information obtained from the Los Angeles County Regional Planning Department, the City of Los Angeles Department of Transportation, and from the Cities of Santa Monica and Culver City (refer to Table IV.H-10). The related projects identified include the hotel development proposed on Parcel IR (related project #14) and mixed-use development proposed on Parcel 33/NR (related project #20). The Draft EIR includes cumulative analyses for each environmental issue area based on the list of related projects and, as such, the project's relationship and any potential impacts related to development on Parcels IR and 33/NR were considered in forming cumulative impact conclusions. It should be noted that the project and related projects within Marina del Rey are subject to review by the Regional Planning Commission.

The Draft EIR includes cumulative analyses for each of the analyzed impact areas. The list of related projects for these analyses is based on information obtained from the Los Angeles County Regional Planning Department, the City of Los Angeles Department of Transportation, and from the Cities of Santa Monica and Culver City. It should be noted that the environmental review process for the proposed project was initiated before the County's decision to prepare a cumulative analysis for projects in the Marina del Rey area was announced. It is anticipated that the County's cumulative analysis will account for the proposed project as well as other area projects. However, the County's analysis will not supplant project-specific environmental analysis (e.g., EIRs) and each individual project must undergo the environmental review process independent of the County's analysis. The timing as to when projects are brought for review is beyond the purview of the Regional Planning Commission.

With respect to the comments regarding DCB Approval, on August 18, 2005 the DCB passed a motion unanimously to approve the proposed project in concept. The project is proceeding through the environmental review process as established and presided over by the Regional Planning Commission and the Department of Beaches and Harbors.

It should be noted that Parcel 21 would provide a surplus of approximately seven spaces above the number required. In addition, through a partial lease termination, Parcel 21 would be reduced by 207 feet, or 31,050 s.f., with a corresponding increase in the area of Parcel GR. Under separate proposal, the Los Angeles County Department of Beaches and Harbors is considering expanding the number of existing surface parking spaces provided on Parcel GR to include surface parking on the proposed area of expansion. Therefore, the project would facilitate the provision of additional public parking within the Marina.

See also Response to Comment Letter No. 9.

Testifier Carla Andrus

Good afternoon, Commissioners. In regard to Parcel OT, senior – I guess we haven't figure it out -- residential hotel, whatever -- some creative idea. Anyway -- oh, my name is Carla Andress, sorry. Goldrich & Kest's reputation with seniors in the Marina should preclude him from any consideration of this ill-advised project. I will remind you of Parcel 20, the Capri, which I know we were in front of you on that in 2005. I -- I hope you remember it. I certainly remember it. Senior citizens interested in ten units of affordable housing promised as a condition of Goldrich & Kest's permit to build the 99-unit Capri. They were denied those apartments for two years. They had to fight for two years, while Goldrich & Kest tried to back out of the deal they made for the density bonus and other considerations gotten. Two years later when the seniors moved in -- we won the battle -- they had to fight over the overcharges in rent. That's not the most egregious of his violations, and he has many of them. Let me just tell you, I went down to Regional Planning and these are violations on Parcel 18 about parking and age restrictions -- several of them. But the worst, I think, is Parcel 18, but not the violations so much as just the parking and the age restriction, but the whole deal. The deal was real interesting. It started off as senior citizens board and care, age 62 and over, 75 units, per occupants per unit, meals provided by The Chart House, no less, and nurse on site. It was a real service to the senior citizens that needed special services -- special needs, which is why we provide affordable housing. It was changed by Goldrich & Kest to 60 units, market rate -- not even 50 percent affordable as required in the law -- one occupant per unit, no special services, no nurse, no meals. This project doesn't even qualify for the density bonus he received or the parking considerations -- 30 spaces for 60 units -- and to this day, there's no doubt that he's in violation of that parking permit, because these are active senior citizens that moved in there, 55 and over. Goldrich & Kest is unworthy for stealing board and care, of which the Development Zone called for. It's a Development Zone, and it was called for congregate care -- 75 units. Nowhere, absolutely nowhere. And so for taking from the weakest among us, the sick and elderly, and instead Goldrich &Kest is envisioning counting profits from the best market he could tap into -- well-established, active senior citizens, 55 and over. That's how he promoted the Monte Carlo before it even opened. But you recall, it was supposed to be for 62 and over, so therefore, more violations. Alternatives for this site, and I think that's very serious. We -- we can't even allow considering Goldrich & Kest for this project. There were no consequences, by the way -- not even a slap on the wrist. He got no consequences. The seniors paid plenty. Alternatives for this site should have been considered: A park-and-ride -- I mean parking. It should be parking. It's close to the beach. You should be able to park there and walk down to the beach or cycle down to the beach from there. You have a bicycle rental there. You have a park-and-ride so that people can get on a shuttle, leave their cars there, and go off to the beach and start relieving the traffic in Venice. And it would honor our LCP, which is a unique idea, with additional open space, the parking that we need, we could -- if there's a little extra space, throw in a few picnic tables so that we can enjoy that atmosphere, along with the Oxford Flood Basin and its expensive renovation. As for Parcel 21, you shouldn't consider it -- it shouldn't be considered until the condition for Parcel 20 is fulfilled. Parcel 20 is where the yacht club was going to go. The remainder of 20 was to be marine commercial. The yacht club was anticipated for that, but the yacht club has agreed to move on top of the four-level parking structure. That's their choice. But that does not redesignate marine commercial. It's supposed to be marine commercial; that was one of the conditions. That was the only other condition that he was able to build this 99 units. So that's been displaced by the Department of Beaches and Harbors administrative building, the last we heard. You can check the status report for the project status report. Parcel 21 eliminates parking for boaters, and takes the modest restroom facilities, which are stand-alone buildings and tucks them into the parking structure, and this violates the certified LCP. The LCP does discuss this issue about restrooms and putting them -- okay. I'll -- I'll wrap it up with this. 21 shouldn't be considered until Waterside is considered. 21

Waterside wants to eliminate boater parking and small slips regardless of the Coastal Commission's recommendations. These projects exemplify this out-of-order, broken, abusive process that serves no one well, not even the developers. And I have this to submit, but I'll have to make copies. Can I mail them to you? Thank you.

Regarding alternatives, the proposed project responds to the County Department of Beaches and Harbors' Request for Proposals (RFP) for development of hotel/motel, restaurant, retail, and/or other uses on Parcel OT, as well as several other lots. The Draft EIR considered a reasonable range of feasible alternatives to the project including a "No Project" alternative, under which no development would occur and Parcel OT would remain a parking lot. However, the No Project alternative would not respond to the RFP nor fulfill the project's basic objectives.

With respect to the LCP, the Land Use Plan (LUP) contemplated the potential conversion of Parcel OT to residential uses and states that it was utilized throughout most of the year. However, as discussed in section IV.K, Land Use, of the Draft EIR, the project will require an amendment to the LCP. The project is requesting that Parcel OT be re-zoned with a new Active Seniors Accommodations designation.

In terms of outdoor amenities adjacent to the Oxford Basin, the project proposes a landscaped passageway, which would provide opportunities for occupants and the general public for walking and passive recreation (such as bird watching). Benches would also be provided.

Regarding Parcel 21, the proposed project would require the transfer of the yacht club and marine commercial uses from Parcel 20, Phase II, to Parcel 21 and the enlargement of Parcel GR with a corresponding reduction in size of Parcel 21. The proposed project would not include the reduction of boat slips or associated boater-dedicated parking spaces. It should be noted that Parcel 21 would provide a surplus of approximately seven spaces above the number required. In addition, through a partial lease termination, Parcel 21 would be reduced by 207 feet, or 31,050 s.f., with a corresponding increase in the area of Parcel GR. Under separate proposal, the Los Angeles County Department of Beaches and Harbors is considering expanding the number of existing surface parking spaces provided on Parcel GR to include surface parking on the proposed area of expansion. Therefore, the project would facilitate the provision of additional public parking within the Marina.

Testifier Nancy Vernon-Marino "We are Marina del Rey"

Good afternoon, honorable. My name is Nancy Vernon-Moreno, and I'm co-director of "We Are Marina del Rey." First of all, I would like to point out that the applicant, MDR Oceana LLC, is not, as the Staff report asserts, a lessee on Parcel OT. It has a lease/option for the Parcel, which is contingent upon obtaining amendments to the LCP that would allow this proposed project to go forward. It is illegal under present law. The Parcel is zoned for public use, specifically a park or parking only. The applicant does not possess either the leasehold interest or any entitlement to build on this parcel. I'd like to address the Active Seniors Accommodation Land Use Category. That's just a crock. I'm sorry, I don't know a better word for it. In the 1980s, there was a lawsuit about discrimination against families with children in apartment buildings. That lawsuit originated in Marina del Rey because they wanted to keep families out. There are no services for these families. There are no schools, childcare, the things that you want for families are not supported in Marina del Rey. That all relies on the surrounding communities. Hospitals -- all of these really essential services, and we are to provide the recreation for the whole region, and that's not happening here. The DCB did not approve a

project for market-rate housing, which is what is anticipated here. There is no shortage of luxury housing, as Mr. Rizzo pointed out, but it's not the business of Los Angeles County to be in the luxury housing market -- or to be in the luxury housing business. The DCB approved these with, I believe, it's something over 40 parking spaces. I looked and I tried to find how many parking spaces are provided for residents, but it's well under the 114 units. You are going to have a serious parking shortage. They say they follow County Code, but it followed County Code based on being a congregate care-type facility for the old and the infirm. But I have to ask you, basically, get down to the bottom of all this. Why is the applicant putting the old people -- infirm or active or whatever level of physical capability -- between the two major highways and the parking structure on the prime waterfront land? It makes no sense. The DCB wondered about that as well. They also asked the County to revisit approvals of five projects, which did not, as they had been assured, have the required parking on site, and they asked the County to please consider scaling back or finding new locations for these projects. OT was one of those ones that was included in that request. Nothing ever became of that except the motion, which eventually succeeded, to undermine the authority of the DCB. I do invite you to drive out to the Marina and deliberately go park in Lot OT. Because first you have to find where the entrance is, and it is not accessible from most directions. If you go in Palawan, you can't get there. You can go across traffic and cut through the alley, but you have to find it. It's in the alley. I'll give you a hint. It's in the alley next to the Marina International Hotel. This may have a lot to do with why the parking lot is so underutilized, but that, too, is an inaccurate term. The parking lot is underserved by recreation, and we finally have a project moving forward to put some recreation there, and you're taking it away. Well, you're not -- I hope you won't. But what I hope you will do today is direct Staff to correct all of the errors of commission and omission in this report, to give accurate data, and an honest accounting of what this project is and what it does. And thank you very much for your time.

With respect to the proposed land uses, the County Department of Beaches and Harbors set forth a Request for Proposals (RFP) in June 2000 for development of hotel/motel, restaurant, retail, and/or other uses on Parcel OT as well as several other lots. Due to the nature of the project being a service-oriented facility for active seniors without a medical care component, neither hotel nor senior housing land use designations singularly describe the uses proposed. Planners often create new land use categories to respond to changing market circumstances and changing ways people live.

In response to the comments regarding design approval, the proposed project received conceptual approval from the DCB, on August 18, 2005. The DCB approval does not address housing affordability as its primary function is to ensure that projects meet the specifications and minimum standards for architectural treatment and construction.

Regarding the commenter's concern about the amount of parking provided for the proposed active seniors accommodations, this component is unique since it would provide transportation services to occupants via limousines that would dramatically reduce the need to own and park a vehicle. Since no rates are set in the parking code for active seniors accommodations that provide this type of transportation service, the parking rate of 0.36 space per unit used in the parking analysis for the proposed project was based on parking observations at a similar retirement facility site. Based on the parking rate of 0.36 spaces per unit, the proposed active seniors accommodations on Parcel OT would require approximately 41 spaces. The project proposes to provide 42 spaces for the active seniors accommodations, or a surplus of two parking spaces above the number of parking spaces required. Thus, sufficient parking would be provided for the active seniors accommodations.

Further, the parking analysis in the Draft EIR concluded that the project would not reduce area parking capacity as it would replace all of the parking spaces that would be removed with project development. The project would provide 92 spaces on Parcel OT, which would be clearly marked with appropriate signage for easy access by the public, and 94 public spaces on Parcel 21, which is located to the south of Parcel OT on Panay Way. The relocation of 94 spaces to Parcel 21 is expected to provide safer and more convenient parking for Mother's Beach, as visitors will no longer have to cross two public streets, as is currently the case with the public parking on Parcel OT.

Testifier Mr. Larry Koch

My name is Larry Koch, and I'm a resident of Marina del Rey and Playa del Rey. I have a sailboat in the Marina, and I have had that for many, many years. I'm in favor of this project in that I believe it is responsible redevelopment of the land. A lot of projects that we have seen in the Marina where the density is so overwhelming, I'm not in favor of those kinds of projects. But this, I believe, to be a good use of the land. There is substantial parking that nobody has mentioned on the Palawan side of Mother's Beach. Mothers Beach users can use that parking, they can use the existing public parking off Panay Way, and they'll be able to use the enlarged parking lot that Mr. Gardner is planning to build. There is no reason that a responsible driver cannot park his car and walk that distance. Crossing Admiralty Way is not a good idea. Cars come around that bend by the three towers, and unless somebody has hit the crosswalk button, they're coming around there at -- usually at 40 miles an hour or more. And I'm sure that you probably know the County makes a lot of money on the speeding tickets that are issued on Admiralty Way. This, I believe to be a responsible redevelopment of the area. There will be ample parking on Panay Way for the commercial building. There will be ample parking between Washington and Admiralty in the vicinity of the senior care facility. I'd also like to address the fact that --I don't know how long you all have sat on this board, but you'll notice the same group of people come to every one of these meetings in opposition of any project, large or small, regardless of its type, size -- they just do not want anything, anything redeveloped in Marina del Rey. That is not responsible planning. These buildings are old; they're falling apart. They need redoing. The new Jamaica Bay Inn that is currently being refurbished is also, in my mind, a very responsible redevelopment. The buildings do not come right out to the property line like other new developments; they're leaving open space around the buildings. And yet, these folks, the same folks that are here today against this project, are against that project. They're against any project in Marina del Rey, and I would think, in your minds, that that should be unacceptable. Responsibly redevelopment these public lands. Make them attractive, functional, and cost efficient. Thank you.

The comment in support of the proposed project is noted and will be considered by the County in the decision-making process.

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Jon Sanabria
Acting Director of Planning

December 3, 2009

TO: Leslie G. Bellamy, Chair
Wayne Rew, Vice Chair
Esther L. Valadez, Commissioner
Harold V. Helsley, Commissioner
Pat Modugno, Commissioner

FROM: Samuel Dea
Section Head
Special Projects Section

SUBJECT: Oceana Retirement Facility and Holiday Harbor Courts. Project Nos. R2006-01510, R2006-02726 (Item Nos. 7 and 8)

A public hearing on the above-mentioned projects was held before the Regional Planning Commission on October 21, 2009. At that hearing, your commission instructed staff and the applicants to address some of the questions and concerns raised by members of the public and the Commission. The following is a summary of the October 21, 2009 hearing and responses from Staff and the applicant.

October 21, 2009 Public Hearing

On October 21, 2009, your commission conducted a public hearing on the above-mentioned projects (Project). At that hearing, your commission heard the staff presentation and testimony from the project applicants and interested members of the public. Commissioners Bellamy, Rew, Valadez, Modugno and Helsley were present at the hearing.

Your commission continued the hearing to February 10, 2009 and directed staff and the project applicants to prepare responses to the issues raised during the hearing. Staff was also asked to address a letter received from the California Department of Toxic Substances.

Prior to the February 10, 2010 public hearing, a letter was received from the Department of Beaches and Harbors requesting that an earlier hearing date be considered **(Attachment 1)**. Your Commission considered and the discussed the request at the November 4, 2009 hearing and voted to change the continued hearing date to December 16, 2009 with proper noticing to members of the public. Commissioners Bellamy, Rew, Valadez and Helsley were present. Commissioner Modugno was absent.

Response to Public Comments

At the October 21, 2009 public hearing, the Commission directed Staff, and the applicants to respond to issues and concerns raised by the Commission and members of the public. Staff and the applicants have prepared written responses addressing issues and. **(Attachment Nos. 2, and 3)**

STAFF EVALUATION
Project No. R2006-01510

Issues
Pursuant to Sections 22.46.1550, Title 22 of the County Code (Zoning Ordinance) a Senior Accommodations Facility or similar facilities are not permissible on a parcel with the Parking land use category in the Marina del Rey Specific Plan (Specific Plan). The Parking land use category is intended for public uses such as parks or parking facilities. Because of the subject parcel's Parking land use designation, to accommodate the proposed development, the following amendments to the Marina del Rey Local Coastal Program (LCP) are required: to authorize the transfer of development potential between Development Zones (114 hotel units from the Admiralty DZ #7 and 5,000 square feet of retail space from the Palawan/Beach DZ #5 to the Oxford DZ #6); to change Parcel OT's land use designation from "Parking" to the "Active Senior Accommodations Facility" designation with a Mixed Use Overlay Zone; to transfer 94 of the LCP permitted 186 public parking spaces on Parcel OT to Parcel 21, to create an Active Seniors Accommodations Land Use Category in the LCP and re-designate Parcel OT as an Active Seniors Accommodations parcel, to adjust the parcel and land use boundaries between Parcel OT and Parcel P.

Staff is of the opinion that the expanding senior population in West Los Angeles provides sufficient justification for plan amendments to convert a parking lot that is underutilized for most of the year into a senior accommodations facility. In addition, the public parking spaces that are currently on Parcel OT will not be lost. The applicant is proposing to transfer 94 of the existing 186 spaces currently developed on the site to Parcel 21 and is maintaining the remaining 92 spaces onsite. Currently, patrons using the parking facility on Parcel OT who wish to visit Marina Beach, must cross Admiralty Way, a busy Secondary Highway. Transferring the spaces to Parcel 21 provides visitors to Marina del Rey closer and more access to Marina Beach.

Provided that the proposed plan amendments are approved and Parcel OT's Land Use Category is changed from, "Parking," to "Senior Accommodations Facility," then pursuant to Title 22 of the County Code (Zoning Ordinance) senior accommodations facility will be a permitted use in the Marina del Rey Specific Plan. A Coastal Development Permit is required to undertake any development in the Coastal Zone. Staff finds that the proposed senior accommodations facility is consistent with the requirements for a Coastal Development Permit if the amendment is approved as proposed

A Conditional Use Permit would be required to authorize a parking lot in the proposed Senior Accommodations Facility land use Category and for retail uses on a parcel with a proposed Mixed Use Overlay Zone. Staff finds that the proposed project is consistent with the requirements of Section 22.56.040 of the Los Angeles County Code.

As proposed, the project would require a Parking Permit to authorize the transfer of parking spaces from Marina del Rey Parcel OT to Parcel 21. Staff finds that the proposed project is consistent with the requirements of Section 22.56.1020 of the Los Angeles County Code.

Both the Marina del Rey Land Use Plan (Recreation and Visitor-Serving Facilities Page 2-5) and the Right Sizing Parking Study have concluded that Parcel OT is an underutilized public parking lot during most of the year. The applicant is proposing to move 94 of the 186 existing spaces to Parcel 21 where they can be better utilized and provide closer and more direct

access to Marina Beach and other waterfront facilities. In addition, the applicant has agreed to help finance a portion of the County's Oxford Basin enhancement project which will provide the public with improved access to the Oxford Basin Bird Sanctuary.

At the time that the 1996 Major Amendment to the LCP was drafted, a use such as an Active Senior Accommodations Facility had not yet been contemplated. The proposed facility would provide active seniors with services very similar to those found in a hotel. The rooms will not have individual kitchens, but rather one central kitchen, from which the tenants may have food delivered to their rooms or eat together in a communal dining area. This type of facility is needed to serve the expanding senior population in Los Angeles County.

In addition, the facility will reduce vehicle trips versus a typical residential building by providing seniors with facilities such as a card room, library, screening room, arts and crafts area, beauty shop, gym and retail shopping area all onsite.

The proposed project will relocate 94 parking spaces from an underutilized public parking lot to a location where they can better serve visitors to Marina del Rey. Furthermore, the proposed Senior Accommodations Facility/Mixed Use project will not only improve the quality of life for County residents, but will also provide much needed revenue for the General Fund versus the current underutilized parking lot.

STAFF RECOMMENDATION

Approval

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing.

Staff recommends APPROVAL of Coastal Development Permit No. 200600002-(4), Conditional Use Permit No. 200600115-(4) and Parking Permit No. 200600009-(4) subject to the attached conditions. Staff also recommends that the Regional Planning Commission prepare a resolution recommending approval of Plan Amendment No. 200600109-(4) to the Board of Supervisors.

SUGGESTED MOTIONS

I move that the public hearing be continued to a date certain and that Regional Planning Commission instruct staff to prepare the Final Environmental Impact Report and prepare a resolution recommending the approval of Plan Amendment No. 200600109-(4) to the Board of Supervisors and prepare findings and conditions of approval for Coastal Development Permit No. 200600002-(4), Conditional Use Permit No. 200600115-(4) and Parking Permit No. 200600009-(4).

STAFF EVALUATION

Project No. R2006-02726

Issues

Pursuant to Sections 22.46.1440 and 22.46.1710, Title 22 of the County Code (Zoning Ordinance) a commercial center with a parking structure is permissible on a parcel with the Marine Commercial Land Use Category and a Waterfront Overlay Zone in the Marina del Rey Specific Plan. A Coastal Development Permit is required to undertake any development in the

Coastal Zone. Staff finds that the proposed commercial center is consistent with the requirements for a Coastal Development Permit and provisions of the LCP.

A Conditional Use Permit is required for a parking structure, a yacht club, 2,916 square feet of Visitor Serving/Convenience Commercial uses, a health club and offices for boating related activities in the Marine Commercial/Waterfront Overlay Zone Land Use Category of the Marina del Rey Specific Plan. Staff finds that the proposed project is consistent with the requirements of Section 22.56.040 of the Los Angeles County Code and the Specific Plan.

The proposed project requires an amendment to the Marina del Rey Land Use Plan to authorize the redrawing of the parcel boundary line between Marina del Rey Parcels 21 and GR to transfer of 31,050 square feet on the westerly portion of Parcel 21 to Parcel GR. It would be appropriate for the Commission to consider this request as increasing the size of public parking lot GR, which serves Marina Beach, facilitates public access to the coast.

As proposed, the project would require a Parking Permit to authorize the transfer of parking spaces from Marina del Rey Parcel OT to Parcel 21. Staff finds that the proposed project is consistent with the requirements of Section 22.56.1020 of the Los Angeles County Code.

There are many aspects of the proposed project that are not only beneficial to the County, but also serve LCP goals of increasing coastal access, encouraging recreational uses in the Marina, and maintaining the physical and economic viability of the marina. The project will demolish outdated buildings and uncovered parking spaces and replace them with modern buildings with covered parking. Not only would the proposed project replace 6,000 square feet of health club space with 6,000 square feet of Marine Commercial uses, it would also add a 5,000 square foot yacht club to the subject parcel, a vital amenity to the Marina. In addition, covered parking is preferable in a setting like the Marina, because there is far less likelihood that runoff will cause auto related contaminates to enter the harbor. The proposed project maintains and improves recreational opportunities in the Marina by preserving all boaters parking on site, upgrading boater showers and restrooms and moving public parking spaces from Parcel OT to Parcel 21, allowing the public easier access to Marina Beach.

Lastly, the proposed plan amendment increases the size of public parking lot GR, thus further increasing visitor-serving and recreational opportunities in the Marina.

STAFF RECOMMENDATION

Approval

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing.

Staff recommends APPROVAL of Coastal Development Permit No. 200600003-(4), Conditional Use Permit No. 200600223-(4) and Parking Permit No. 200600015-(4) subject to the attached conditions. Staff also recommends that the Regional Planning Commission prepare a resolution recommending approval of Plan Amendment No. 200600010-(4) to the Board of Supervisors.

SUGGESTED MOTIONS

I move that the public hearing be continued to a date certain and that Regional

Planning Commission instruct staff to prepare the Final Environmental Impact Report and prepare a resolution recommending the approval of Plan Amendment No. 200600010-(4) to the Board of Supervisors and prepare findings and conditions of approval for Coastal Development Permit No. 200600003-(4), Conditional Use Permit No. 200600223-(4) and Parking Permit No. 200600015-(4).

If you need further information, please call Mr. Michael Tripp of my staff at (213) 974-4813 or mtripp@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

SZD:mrt

Attachements:

1. Correspondence from the Department of Beaches and Harbors
2. Response by DRP Staff
3. Response by Envicom

ATTACHMENT 1

To enrich lives through effective and caring service

Los Angeles County
Department of Beaches & Harbors
Caring for Your Coast

Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

October 27, 2009

Regional Planning Commission
150 Hall of Records
320 West Temple Street
Los Angeles, CA 90012

Dear Commissioners:

As co-applicants for Parcels OT and 21 in Marina del Rey, and as sole applicant for the Local Coastal Program Amendment for Parcel OT, the County of Los Angeles, Department of Beaches and Harbors, respectfully requests that the Commission reconsider the hearing date established on October 21, 2009 for this project.

At the hearing, and after the public hearing portion had closed, the Commission discussed continuance to a certain date. It continued this item to February 10, 2010 to follow another much larger Department item to be heard on February 3, 2010. The Commission lost its quorum at 1 p.m. that day, preventing the applicants from answering the Commission's questions. The Department was ready and able to answer those questions the day of the hearing, and believes that had a response to those questions been made, the Commission would have been satisfied with the answers.

We respectfully request that the Commission reconsider the extended continuance of this Parcel OT and 21 item. First, although the rationale for the long hearing continuance was the loss of public parking, in fact this item does not eliminate public parking at all. The proposed projects are staggered in terms of implementation, and replace <u>every space</u> that is currently on the ground, albeit with respect to 94 spaces in a different location more convenient to users of Mothers' Beach. We do not believe that the issues presented are the same. Additionally, we will incorporate into the final EIR our pro-forma response to the comments made in the Department of Toxic Substances Control's October 12, 2009 letter to the Department of Regional Planning.

We understand that this request, if accepted, may require noticing those who attended the meeting or sent in written comments. We request a hearing date of December 9, 2009 for this item. If a presentation from the Department of Beaches and Harbors on the Right Sizing Parking Study would assist the Commission, we would be pleased to provide such a presentation.

13837 Fiji Way • Marina del Rey • CA 90292 • 310.305.9503 • fax 310.821.6345 • internet: http://marinadelrey.lacounty.gov

We await your response to our request. If you have questions or need additional information, please contact Gary Jones, Deputy Director, at (310) 574-6787.

Very truly yours,

SANTOS H. KREIMANN, DIRECTOR

Gary Jones
Deputy Director

Sherman Gardner
Co- Applicant

SHK:tm
c: Jon Sanabria, Acting Director
Regional Planning Department

ATTACHMENT 2

Department of Regional Planning Response to Issues Raised during the October 21, 2009 Public Hearing on Marina del Rey Parcels OT and 21

The following questions and statements were made by the public and members of the Commission during the October 21, 2009 public hearing regarding the Oceana Retirement Facility and the Holiday Harbor Courts commercial project on Marina del Rey Parcels OT and 21. This list represents the major issues that were raised at the hearing.

1. How does the height of the proposed senior facility on Parcel OT compare with other buildings in the vicinity?

   Staff Response: The proposed building is approximately 67 feet tall on the Admiralty Way frontage and 75 feet tall on the Washington Blvd frontage. Buildings in the immediate area are of the following heights:

   <u>North:</u> Residences in the City of Los Angeles are located to the north of the site. The residences located across Washington Blvd are varying in height from one to two stories.
   <u>East:</u> To the east of the project site is the Oxford Basin and the Ritz Carlton. The Ritz is 166 feet in height.
   <u>South:</u> To the south are the Marina City Club buildings at 172 to 182 feet in height and the FantaSea Yachts and Organic Panificio buildings are approximately two stories in height.
   <u>West:</u> To the west of the project site, is the Marina International Hotel at 40 feet in height, Villas at Admiralty Way at 61 to 73 feet in height and the Marriott at 152 feet in height. (Please see attached map)

2. Public parking spaces on Parcel OT should be preserved so that they may be available to Marina visitors that wish to visit the Oxford Basin after it is rehabilitated by the Department of Public Works.

   Staff Response: The proposed project will maintain 92 public parking spaces onsite. In addition, the western side of the Oxford Basin is bordered by a 120-space public parking lot.

3. The California Coastal Commission and the Marina del Rey Local Coastal Program (LCP) only allows public parking lots to be turned into parks.

   Staff Response: The Marina del Rey Land Use Plan is contradictory in that in some places it contemplates converting parking lots to residential uses and in other parts, it states that the lots may only be converted to parks. The proposed project requires a plan amendment to the LCP to change Parcel OT's land use from, "Parking," to, "Senior Accommodations Facility." This amendment requires approval by the Board of Supervisors and the California Coastal Commission.

4. The proposed project will result in a loss of public parking.

   Staff Response: As proposed, the project will not result in the loss of any public parking spaces. Parcel OT is currently developed with 186 parking spaces. The project is proposing to maintain 92 public spaces onsite and to replace the remaining 94 spaces on Parcel 21 near Marina Beach.

5. The Parcel 21 project should not be reviewed because it does not include the waterside (docks) portion of the project. The applicant is not telling the Planning Commission that they are intending to reduce boater parking spaces from 140 dedicated spaces to 75.

   Staff Response: The California Coastal Commission retains permitting authority over the waterside areas of Marina del Rey. Any proposed change to the configuration of the docks requires a Coastal Development Permit issued by the Coastal Commission rather than the Regional Planning Commission.

   The applicant is proposing to replace all 183 boater parking spaces currently available onsite. (Please see the attached Table III-5 of the Draft EIR)

6. The current process is out of order. The Coastal Commission should approve plan amendments before they are considered by the Regional Planning Commission.

   Staff Response: The Marina del Rey Local Coastal Program is a Los Angeles County document certified by the California Coastal Commission. Consequently, It gives the County the authority to issue Coastal Development Permits within the LCP area. Any proposed changes to this document must be reviewed and approved by the Board of Supervisors. Prior to their reviewing the changes, the Board requires the Regional Planning Commission to evaluate and recommend approval or disapproval of any proposed changes to the document. This is the same process that would be required if a request was made to amend the Los Angeles County General Plan. If the Regional Planning Commission and the Board of Supervisors agree to an amendment to the LCP, the amendment must then be brought to the Coastal Commission so that they may ensure that the proposed amendment is consistent with the Coastal Act.

   The California Coastal Act requires that proposed amendments to a certified local coastal program undergo a public hearing and receive approval from the local legislative authority prior to submission to the California Coastal Commission for its consideration.

7. A Request for Proposals (RFP) was never released for Parcel OT

   Staff Response: The RFP for Parcel OT was released on 09/20/2000. On 07/31/2001 the Chief Administrative Officer and the Director of the Department of Beaches and Harbors were authorized to enter into exclusive negotiations for lease options on Parcel OT. (Please see attached RFP and Authorization for Lease Negotiations)

8. The Design Control Board (DCB) was against this project and did not approve it in its current form. The project returned to the DCB in February 2006 and was not approved.

   Staff Response: The Design Control Board approved this project on August 18, 2005 (Please see attached minutes).

   A phase II plan for Parcel 21 involved the Department of Beaches and Harbors constructing their own public parking lot on the western portion of Parcel 21. The applicant agreed to give control of this area of the lot back to the Department of Beaches and Harbors as part of the Phase I development. The phase II project was heard by the DCB on February 16, 2006, but never moved past the DCB review. Currently, the Department of Beaches and Harbors is not planning to build a second parking structure on the western portion of Parcel 21.

9. The Design Control Board did not approve this project to have market rate housing. The DCB requested that the county scale back the proposed projects and find different locations for them.

   Staff Response: The DCB review of this project made no mention of whether or not the proposed project would include market rate housing. Staff can find no record in the DCB minutes of the DCB requesting these projects to be scaled back or placed in different locations.

10. The County is currently preparing a Major LCP amendment for "Pipeline" projects that contains a Cumulative Impact Assessment. No projects should be considered by the Regional Planning Commission until after they have reviewed the Major LCP Amendment and Cumulative Impact Assessment.

    Staff Response: The proposed projects on Parcels OT and 21 were submitted to the Department of Regional Planning in 2006. Since that time, the applications have been deemed complete and a Draft Environmental Impact Report has been completed and circulated for public review.

    The Permit Streamlining Act and the California Environmental Quality Act do not allow the Department of Regional Planning to place projects on hold indefinitely once an application has been deemed complete. "Pipeline" projects are not precluded from being processed independently of each other as they are required by CEQA to analyze each project's impacts along with cumulative impacts of all identified related projects.

11. The Department of Toxic Substances submitted a letter on October 14, 2009 that expressed concerns about possible soil toxicity. How will this letter be addressed?

    The Final Draft Environmental Impact Report will address the concerns raised by the Department of Toxic Substances. In addition, the Mitigation Monitoring Program will include the suggested mitigation measures mentioned in the letter.

ATTACHMENT 3

ENVICOM CORPORATION

Environmental Analysis & Compliance

Urban Planning & Design

Real Estate Development & Entitlement

Environmental Restoration

Real Estate Economics & Valuation

November 24, 2009

Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Attn: Mr. Michael Tripp

Subj: Responses to Comments Received During the October 21, 2009 Planning Commission Hearing – Marina Parcels OT/21

Dear Mr. Tripp:

Pursuant to comments received during testimonies provided on Agenda Items #10 and #11 from the October 21, 2009 Planning Commission hearing, we have prepared the attached responses. As noted in the responses, additional information will be provided at the December 16, 2009 Planning Commission hearing.

Sincerely,

Travis Cullen
Chief Operating Officer

28328 Agoura Road
Agoura Hills, California 91301

Tel. (818) 879-4700
Fax (818) 879-4711

www.envicomcorporation.com

RESPONSES TO COMMENTS

LOS ANGELES COUNTY
REGIONAL PLANNING COMMISSION MEETING
PUBLIC HEARING
OCTOBER 21, 2009

AGENDA ITEMS 10 & 11: PROPOSED PROJECT ON PARCELS OT & 21

Testifier Ruth Galanter

In Support of the Proposed Project: And I want to speak strongly in support of both of these projects because I believe that this is an opportunity to provide recreational access to people who do not need to drive to the beach.

The comments in support of the proposed project are noted.

Testifier Dr. Gottlieb

Construction Phase Hauling: I searched on 4,446 cubic yards and it has many different positions. It comes up four times and one time we're told that the 4,446 cubic yards is the sum of something from Parcel OT and from Parcel 21; whereas the original thing has it as just coming from Parcel 21, something like that...4,446 cubic yards of waste involves, I think, the Parcel 21. And the 7,768 cubic yards of soil is mentioned for the -- as the export of soil from Parcel OT. Now, OT is only going to have 74 loads, while the other one -- 21 -- is going to have 647 loads. But the obvious thing to do is to divide the number of cubic yards by the number of truckloads and find out what the value of the truck is. There's nowhere in the Volume I of the DEIR, which says how big these trucks are, what their noise volume is, what their traffic thing is.

As stated on page III-32 of the Draft EIR, demolition activities associated with redevelopment of Parcels OT and 21 would result in the hauling of 4,446 cubic yards (c.y.) of waste (246 c.y. for Parcel OT and 4,200 c.y. for Parcel 21). Grading activities for Parcels OT and 21 would result in exporting 7,768 c.y. of soil (6,500 c.y. for Parcel OT and 1,268 c.y. for Parcel 21). This information is internally consistent and references to the 4,446 c.y. estimate be found on pages IV.B-9 and IV.D-12 of the Draft EIR. The project (i.e., Parcel OT and 21 combined), is expected to generate 4,446 c.y. of waste and would require 74 loads; during grading 7,768 c.y. of soil export are expected and would require 647 loads. Generally, dirt weighs approximately 2,600 to 3,000 lbs. per c.y. and debris weighs approximately 250 to 500 lbs. per c.y. The actual weight varies depending on the water content of the soil and the type of debris being hauled; however, the weights described are generally accepted in the trucking industry. Soils would be hauled by a bottom dump truck that will hold approximately 11 to 12 c.y and debris would be hauled by an end dump truck that holds approximately 60 c.y. The typical street weight limit including the truck is 80,000 lbs and the trucks weigh about 30,000 lbs leaving about 50,000 lbs for debris or soil. Typically a full load of dirt is between 28,000 and 33,000 lbs depending on water content in the soil.

As discussed on page IV.B-10 of the Noise section in the Draft EIR, Assuming a 35 mile per hour (mph) travel speed, the above number of trucks would provide the following noise signature at 50 feet from the roadway centerline: 49.7 dB CNEL during demolition and 54.7 dB CNEL during grading. The maximum potential project impact attributed to truck hauling activity noise during demolition and construction is +0.3 dB CNEL. This is less than the significance threshold of +3 dB CNEL. The Draft EIR concluded that truck haul noise during both the 15 days of grading activities and seven days of demolition activity would therefore be less than significant. Construction of the project would require the designation of construction vehicle and haul routes and construction period management of roadways, sidewalks, and public transportation routes. The Draft EIR determined that the proposed project would result in potentially significant, but temporary, construction traffic impacts that would be reduced to a less-than-significant level through the implementation of Mitigation Measure TA-1. With respect to truck size, in is anticipated that standard sized heavy-duty diesel haul trucks would be used during construction.

Testifier John Rizzo
Affordable Housing: We need affordable housing, and today, we need affordable housing more than ever. We need affordable -- and it's public land. It's supposed to be affordable.

As discussed in section IV.K, Land Use, the proposed project does not include an affordable housing component. The project is requesting that Parcel OT be re-zoned with a new Active Seniors Accommodations designation; with approval, dwelling units in this zone would not be considered residential uses for purposes of assessing affordable housing requirements and impacts would be less than significant.

[[NOTE: The Applicant will further address this comment at the hearing on December 16, 2009.]]

Testifier John Rizzo
Parking on Parcel OT: That lot on [Parcel OT] on peak days is totally full. Underutilized? There's no parking on it [the parking lot on Parcel OT]. And so what I'm saying is this. Is that we need that parking lot for public parking for the beach, for that 14 million dollar park [the Oxford Basin project] we're making.

The parking analysis in the Draft EIR concluded that the project would not reduce area parking capacity as it would replace all of the parking spaces that would be removed with project development. The project would provide 92 spaces on Parcel OT, which would be clearly marked with appropriate signage for easy access by the public, and 94 public spaces on Parcel 21, which is located to the south of Parcel OT on Panay Way. The relocation of 94 spaces to Parcel 21 is expected to provide safer and more convenient parking for Mother's Beach, as visitors will no longer have to cross two public streets, as is currently the case with the public parking on Parcel OT.

With respect to the Oxford Basin project, the Project design, including parking, and implementation requires approval from and coordination with the Los Angeles County Department of Public Works and the County Department of Beaches and Harbors. Additionally, the Oxford Basin project is in the conceptual stage and not underway such that it would be considered a "related project."

[[NOTE: The Applicant will further address this comment at the hearing on December 16, 2009.]]

Testifier John Nahas
Affordable Housing: We need affordable housing, and today, we need affordable housing more than ever. We need affordable -- and it's public land. It's supposed to be affordable.

As discussed in section IV.K, Land Use, the proposed project does not include an affordable housing component. The project is requesting that Parcel OT be re-zoned with a new Active Seniors Accommodations designation; with approval, dwelling units in this zone would not be considered residential uses for purposes of assessing affordable housing requirements.

Testifier John Nahas
Land Use Plan on Parcel OT: The Coastal Commission was very clear on what they asked for parking lots, and what could be designated for parking lots. It's very clear in the Local Coastal Program that you were supposed to oversee. Parking lots can only be turned into what? They can only be turned into parks.

Though the Land Use Plan (LUP) of the Local Coastal Program contemplated the potential conversion of Parcel OT to residential uses and states that it was underutilized throughout most of the year, the testifier is correct in that the LUP states that no designated public parking areas, including Parcel OT, shall be converted to uses other than public parking or public park purposes. However, as discussed in section IV.K, Land Use, of the Draft EIR, the 1995 California Coastal Commission staff report (revised findings, Marina del Rey LCPA 1-94, December 1995) states that public parking on Parcel OT will be converted to commercial and residential uses. Additionally, the County Department of Beaches and Harbors set forth a Request for Proposals (RFP) in June 2000 for development of hotel/motel, restaurant, retail, and/or other uses on Parcel OT.

[[NOTE: The Applicant will further address this comment at the hearing on December 16, 2009.]]

Testifier John Nahas
Parking on Parcel OT: The public was told and given this opportunity that OT would be for the lagoon – for the new, redeveloped lagoon...they're going to have a lot of these new participants in this area. Where's the parking for them? We need that parking lot to stay for the public area, for the public arena. We're losing parking here. You're saying that we're somehow going to retain parking. Where?

The parking analysis in the Draft EIR concluded that the project would not reduce area parking capacity as it would replace all of the parking spaces that would be removed with project development. The project would provide 92 spaces on Parcel OT, which would be clearly marked with appropriate signage for easy access by the public, and 94 public spaces on Parcel 21, which is located to the south of Parcel OT on Panay Way. The relocation of 94 spaces to Parcel 21 is expected to provide safer and more convenient parking for Mother's Beach, as visitors will no longer have to cross two public streets, as is currently the case with the public parking on Parcel OT.

With respect to the Oxford Basin project, the Project design, including parking, and implementation requires approval from and coordination with the Los Angeles County Department of Public Works and the County Department of Beaches and Harbors.

Additionally, the Oxford Basin project is in the conceptual stage and not underway such that it would be considered a "related project."

Testifier John Nahas
Parking on Parcel OT (Fantasea Yachts): The parking lot is currently being utilized by Fantasy Yachts.

The proposed project would replace all of the parking spaces that would be removed with project development, including parking associated with FantaSea Yachts and Yacht Club. The project would provide 92 spaces on Parcel OT, which would be clearly marked with appropriate signage for easy access by the public, and 94 public spaces on Parcel 21, which is located to the south of Parcel OT on Panay Way. It should be noted that, in addition to the use of these spaces for Mother's Beach and special events, the FantaSea Yachts and Yacht Club retains a Coastal Development Permit for the non-exclusive right to use up to 92 public parking spaces on Parcel OT after 6:00 pm and on weekends and holidays. See also Response to Comment Letter No.1

Testifier John Nahas
Open Space on Parcels OT & P: Staff has said is that they're going to fence off the lagoon. Walling off on the Marina. The destruction of open space is continuing this walling off.

The chain link fence that currently surrounds the Oxford Retention Basin area would remain in place with project development. The project would not preclude existing access through the construction of walls. As discussed in section IV.K, Land Use, the proposed project would adjust Parcel OT boundary to include 19,755 s.f. of Parcel P, which is designated open space in the LCP. The proposed building would encroach approximately 30 to 35 feet (or 9,397 s.f.) into what is currently Parcel P, leaving approximately 20 to 25 feet for a pathway and transitional landscaping compatible with the future enhancement of Oxford Basin. Currently, the surface parking lot on Parcel OT encroaches approximately 21 feet into Parcel P (an area of 6,665 s.f.); therefore, the proposed building on Parcel OT would encroach into Parcel P by an additional nine to 14 feet and 2,732 s.f. The Department of Beaches and Harbors intends to offset the reduction of open space on Parcel P via the planned expansion of Burton W. Chace Park.

Testifier John Nahas
Boats Slips and Parking on Parcel 21: The developer is proposing a reduction in boat slips in Parcel 21. They're not telling you that today -- 50 percent reduction. The loss of 95 boat slips, and more importantly, a reduction of 140 boater-dedicated parking spaces going down to 75 boater-dedicated parking spaces. They're not saying that.

The proposed project would not include the reduction of boat slips or associated boater-dedicated parking spaces. It should be noted that Parcel 21 would provide a surplus of approximately seven spaces above the number required. In addition, through a partial lease termination, Parcel 21 would be reduced by 207 feet, or 31,050 s.f., with a corresponding increase in the area of Parcel GR. Under separate proposal, the Los Angeles County Department of Beaches and Harbors is considering expanding the number of existing surface parking spaces provided on Parcel GR to include surface

parking on the proposed area of expansion. Therefore, the project would facilitate the provision of additional public parking within the Marina.

Testifier John Nahas
Project Design Review Process: If you would please, just do some further investigation with Design Control Board (DCB). The DCB had major concerns.

With respect to the comments regarding DCB Approval, on August 18, 2005 the DCB passed a motion unanimously to approve the proposed project in concept. All proposed designs would be subject to review and approval of the DCB to ensure that the project meets the specifications and minimum standards for architectural treatment and construction. See also Response to Comment Letter No. 9

[[NOTE: The Applicant will further address this comment at the hearing on December 16, 2009.]]

Testifier John Nahas
Project Review Process: [T]his should be going as an LCP amendment to the Coastal Commission and then back to this Planning Commission, not vice versa.

[[NOTE: The Applicant will address this comment at the hearing on December 16, 2009.]]

Testifier David Barish "We are Marina del Rey"
Request for Proposals on Parcel OT: And as far as I know, there is no RFP submitted for OT.

The County Department of Beaches and Harbors set forth a Request for Proposals (RFP) in June 2000 for development of hotel/motel, restaurant, retail, and/or other uses on Parcel OT as well as several other lots.

Testifier David Barish "We are Marina del Rey"
Project Review Process-Piecemealing: The piecemealing of the County's overall Marina del Rey redevelopment project. And furthermore, in terms of just the piecemealing, you haven't seen the projects that are going to be -- two additional projects that are proposed for Mother's Beach that are in between these projects. Parcel IR and Mother's Beach, a two-building structure, a hotel, and the Zuker project on Parcel 33 NR, which has not come through yet. Those are major changes all surrounding this area that are not being looked at in a -- in a cumulative fashion by your Commission.

The Draft EIR includes a list of related projects based on information obtained from the Los Angeles County Regional Planning Department, the City of Los Angeles Department of Transportation, and from the Cities of Santa Monica and Culver City (refer to Table IV.H-10). The related projects identified include the hotel development proposed on Parcel IR (related project #14) and mixed-use development proposed on Parcel 33/NR (related project #20). The Draft EIR includes cumulative analyses for each environmental issue area based on the list of related projects and, as such, the project's relationship and any potential impacts related to development on Parcels IR and 33/NR were considered in forming cumulative impact conclusions. It should be noted that the project and related projects within Marina del Rey are subject to review by the Regional Planning Commission. See also Response to Comment Letter No. 9

Testifier David Barish "We are Marina del Rey"
LCP Amendment Cumulative Impact Assessment: The second thing -- the other thing is that during the LCP amendment there will be a cumulative impact assessment that is being prepared. I don't know what -- what's going to be in it, but they're preparing it. Why are we hearing these projects now before that's done -- before that impact assessment comes before this Commission. It is out of order, and if you proceed today to a final EIR, you are violating [CEQA], Coastal Act, and your own rules. Furthermore, the second reason why we need to continue these -- these projects, is because these projects are part of the bundle of projects, labeled by the L.A. County Department of Beaches and Harbors and Regional Planning as pipeline projects; okay? It is premature and out of order to hear these individual projects now prior to the drafting of a compound LCD amendment that would allow these projects to proceed, let alone prior to any action being taken on it -- by your Commission, by the Board of Supervisors, by the California Coastal Commission -- all required steps that need to be completed before these projects can ultimately be approved.

[[NOTE: The Applicant will address this comment at the hearing on December 16, 2009.]]

Testifier David Barish "We are Marina del Rey"
Project Design Review Process: First, the Design Control Board (DCB) has not reviewed nor conceptually approved the current project as it is before you today. On August 18, 2005, the DCB agenda was they considered a new building on a severance of the westernmost portion of Parcel 21 for future use as public parking. That was what was approved. And it was confirmed in next month's meeting, when it said, "Approval of the Record of the DCB's August 2005 action for conditional approval of a new building that includes a yacht club, office space, parking, and a public park. The project that was granted conceptual approval was the remaining eastern portion of Parcel 21 to be used for construction of a new building, including yacht club, office space, outside parking for its users, and an adjacent park. The Department of Beaches and Harbors went back to the DCB in February to consider the public parking on the western portion of Parcel 21. That was continued, and it has been continued indefinitely -- it has not gone back. This project as it sits before you has not been reviewed or conceptually approved by the DCB, and I urge you to continue this -- these projects that are integrated together until the DCB sees it and approves it.

The proposed project received conceptual approval from the DCB, on August 18, 2005, which found the project to meet the requirements of the LCP (refer to Appendix A of the Draft EIR). The testifier is correct in that some changes have occurred with respect to the site plan that was submitted at that time; however, the project would be constructed so as to comply with the Marina del Rey LCP height, density, and view corridor requirements. All proposed designs would be subject to review and approval of the DCB to ensure that the project meets the specifications and minimum standards for architectural treatment and construction. See also Response to Comment Letter No. 9.

Testifier Carla Andress
Alternatives to the Proposed Project – Parcel OT: Alternatives for this site should have been considered: A park-and-ride -- I mean parking. It should be parking. It's close to the beach. You should be able to park there and walk down to the beach or cycle down to the beach from there. You have a bicycle rental there. You have a park-and-ride so that people can get on a shuttle, leave their cars there, and go off to the beach and start relieving the traffic in Venice. And it would honor our LCP, which is a unique idea, with additional open space, the parking that we need, we could -- if there's a little extra space, throw in a few picnic tables so that we can enjoy that atmosphere, along with the Oxford Flood Basin and its expensive renovation.

The proposed project responds to the County Department of Beaches and Harbors' Request for Proposals (RFP) for development of hotel/motel, restaurant, retail, and/or other uses on Parcel OT, as well as several other lots. The Draft EIR considered a reasonable range of feasible alternatives to the project including a "No Project" alternative, under which no development would occur and Parcel OT would remain a parking lot. However, the No Project alternative would not respond the RFP nor fulfill the project's basic objectives.

With respect to the LCP, the Land Use Plan (LUP) contemplated the potential conversion of Parcel OT to residential uses and states that it was utilized throughout most of the year. However, as discussed in section IV.K, Land Use, of the Draft EIR, the 1995 California Coastal Commission staff report (revised findings, Marina del Rey LCPA 1-94, December 1995) states that public parking on Parcel OT will be converted to

commercial and residential uses. [[NOTE: The Applicant will further address this comment at the hearing on December 16, 2009.]]

In terms of outdoor amenities adjacent to the Oxford Basin, the project proposes a landscaped passageway, which would provide opportunities for residents and the general public for walking and passive recreation (such as bird watching). Benches would also be provided.

Testifier Carla Andress

Parcel 21: As for Parcel 21, you shouldn't consider it -- it shouldn't be considered until the condition for Parcel 20 is fulfilled. Parcel 20 is where the yacht club was going to go. The remainder of 20 was to be marine commercial. The yacht club was anticipated for that, but the yacht club has agreed to move on top of the four-level parking structure. That's their choice. But that does not redesignate marine commercial. It's supposed to be marine commercial; that was one of the conditions. That was the only other condition that he was able to build this 99 units. Parcel 21 eliminates parking for boaters, and takes the modest restroom facilities, which are stand-alone buildings and tucks them into the parking structure, and this violates the certified LCP. The LCP does discuss this issue about restrooms and putting them -- okay. 21 shouldn't be considered until Waterside is considered. 21 Waterside wants to eliminate boater parking and small slips regardless of the Coastal Commission's recommendations.

The proposed project would require the transfer of the yacht club and marine commercial uses from Parcel 20, Phase II, to Parcel 21 and the enlargement of Parcel GR with a corresponding reduction in size of Parcel 21. The proposed project would not include the reduction of boat slips or associated boater-dedicated parking spaces. It should be noted that Parcel 21 would provide a surplus of approximately seven spaces above the number required. In addition, through a partial lease termination, Parcel 21 would be reduced by 207 feet, or 31,050 s.f., with a corresponding increase in the area of Parcel GR. Under separate proposal, the Los Angeles County Department of Beaches and Harbors is considering expanding the number of existing surface parking spaces provided on Parcel GR to include surface parking on the proposed area of expansion. Therefore, the project would facilitate the provision of additional public parking within the Marina.

Testifier Nancy Vernon-Moreno "We are Marina del Rey"
Land Use on Parcel OT: I'd like to address the Active Seniors Accommodation Land Use Category.

The County Department of Beaches and Harbors set forth a Request for Proposals (RFP) in June 2000 for development of hotel/motel, restaurant, retail, and/or other uses on Parcel OT as well as several other lots. Due to the nature of the project being a service-oriented residential complex for seniors without a medical care component, neither hotel or senior housing land use singularly describe the uses proposed. Planners often create new land use categories to respond to changing market circumstances and changing ways people live. [[NOTE: The Applicant will further address this comment at the hearing on December 16, 2009.]]

Testifier Nancy Vernon-Moreno "We are Marina del Rey"
DCB Approval: The DCB did not approve a project for market-rate housing, which is what is anticipated here. They also asked the County to revisit approvals of five projects, which did not, as they had been assured, have the required parking on site, and they asked the County to please consider scaling back or finding new locations for these projects. OT was one of those ones that was included in that request.

[[NOTE: The Applicant will address this comment at the hearing on December 16, 2009.]]

Testifier Nancy Vernon-Moreno "We are Marina del Rey"
DCB Review-Parking:
The DCB approved these with, I believe, it's something over 40 parking spaces. I looked and I tried to find how many parking spaces are provided for residents, but it's well under the 114 units. You are going to have a serious parking shortage. They say they follow County Code, but it followed County Code based on being a congregate care-type facility for the old and the infirm.

Regarding the commenter's concern about the amount of parking provided for the proposed active seniors accommodations, this component is unique since it would provide transportation services to residents via limousines that would dramatically reduce the need to own and park a vehicle. Since no rates are set in the parking code for active seniors accommodations that provide this type of transportation service, the parking rate of 0.36 space per unit used in the parking analysis for the proposed project was based on parking observations at a similar retirement facility site. Based on the parking rate of 0.36 spaces per unit, the proposed active seniors accommodations on Parcel OT would require approximately 41 spaces. The project proposes to provide 42 spaces for the active seniors accommodations, or a surplus of two parking spaces above the number of parking spaces required. Thus, sufficient parking would be provided for the active seniors accommodations.

Testifier Nancy Vernon-Moreno "We are Marina del Rey"
Parking on Parcel OT: The parking lot is underserved by recreation, and we finally have a project moving forward to put some recreation there, and you're taking it away.

The parking analysis in the Draft EIR concluded that the project would not reduce area parking capacity as it would replace all of the parking spaces that would be removed

with project development. The project would provide 92 spaces on Parcel OT, which would be clearly marked with appropriate signage for easy access by the public, and 94 public spaces on Parcel 21, which is located to the south of Parcel OT on Panay Way. The relocation of 94 spaces to Parcel 21 is expected to provide safer and more convenient parking for Mother's Beach, as visitors will no longer have to cross two public streets, as is currently the case with the public parking on Parcel OT.

With respect to the Oxford Basin project, the Project design, including parking, and implementation requires approval from and coordination with the Los Angeles County Department of Public Works and the County Department of Beaches and Harbors. Additionally, the Oxford Basin project is in the conceptual stage and not underway such that it would be considered a "related project." [[NOTE: The Applicant will further address this comment at the hearing on December 16, 2009.]]

Testifier Larry Koch
In Support of the Proposed Project: I'm in favor of this project...

The comment in support of the proposed project is noted.

RPC MEETING DATE 10/21/09
AGENDA ITEM NO. **10**

REGIONAL PLANNING COMMISSION TRANSMITTAL CHECKLIST

PROJECT NO: R2006-01510

CASE NO. Plan Amendment Case No. 200600005
Coast Development Permit No. 200600002
Conditional Use Permit No. 200600115
Parking Permit No. 200600009

CONTACT PERSON: Michael Tripp

- ☒ STAFF REPORT
- ☐ DRAFT CONDITIONS (If Recommended For Approval)
- ☒ BURDEN OF PROOF STATEMENTS
- ☒ ENVIROMENTAL DOCUMENTATION (Delivered on 09/03/09)
- ☒ THOMAS BROTHERS MAP (Identifying Subject Property)
- ☒ LAND USE RADIUS MAP
- ☒ SITE PLAN
- ☐ PHOTOGRAPHS
- ☐ CORRESPONDENCE
- ☒ ATTACHMENTS
- ☒ VICINITY/GIS MAP
- ☐ _____

Reviewed By: _____

Los Angeles County Department of Regional Planning
320 West Temple Street, Los Angeles, California 90012
Telephone (213) 974-6443

PROJECT No. R2006-01510-(4)
CDP200600002 ,CUP200600115, PA200600005, PKP200600009

RPC/HO MEETING DATE: 10/21/09	CONTINUE TO
AGENDA ITEM	
PUBLIC HEARING DATE 10/21/09	

APPLICANT	OWNER	REPRESENTATIVE
Marina Oceana, LLC	Los Angeles County	Sherman Gardner

REQUEST

Coastal Development Permit to authorize the demolition of all existing landside improvements and the construction of a new 114-unit senior accommodations facility.
Conditional Use Permit to authorize retail uses on a parcel with a proposed Mixed Use Overlay Zone.
Parking Permit to authorize transfer of public parking spaces from Parcel OT to an offsite location in Marina del Rey (Parcel 21).
Amendments to the Marina del Rey Local Coastal Program: to create an Active Seniors Accommodations Land Use Category in the LCP; to change Parcel OT's land use designation from "Parking" to the "Active Senior Accommodations Facility" designation with a Mixed Use Overlay Zone; to authorize the transfer of development potential between Development Zones (114 hotel units from the Admiralty DZ #7 and 5,000 square feet of retail space from the Palawan/Beach DZ #5 to the Oxford DZ #6); to transfer 94 of the LCP required 186 public parking spaces on Parcel OT to Parcel 21, to adjust the parcel and land use boundaries between Parcel OT and Parcel P, in the LCP and its corresponding maps.

LOCATION/ADDRESS
Parking lot near the northeast corner of Palawan Way and Admiralty Way. Also known as Marina del Rey Parcel OT.

ACCESS
Washington Blvd (north) and Admiralty Way (south)

ZONED DISTRICT
Playa del Rey

COMMUNITY
Marina del Rey

EXISTING ZONING
SP (Specific Plan) Parking

SIZE	EXISTING LAND USE	SHAPE	TOPOGRAPHY
2.10 acres	Parking Lot	Rectangular	Flat

SURROUNDING LAND USES & ZONING

North: City of Los Angeles Multifamily Residential	East: SP (Specific Plan) Open Space
South: SP (Specific Plan) Visitor Serving/Convenience Commercial	West: SP (Specific Plan) Hotel

GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENCY
Countywide	N/A	N/A	N/A
Specific Plan	P (Parking)	N/A	Yes

ENVIRONMENTAL STATUS
Environmental Impact Report.

DESCRIPTION OF SITE PLAN
The site plan depicts the proposed 114 unit senior accommodations facility located in one building.

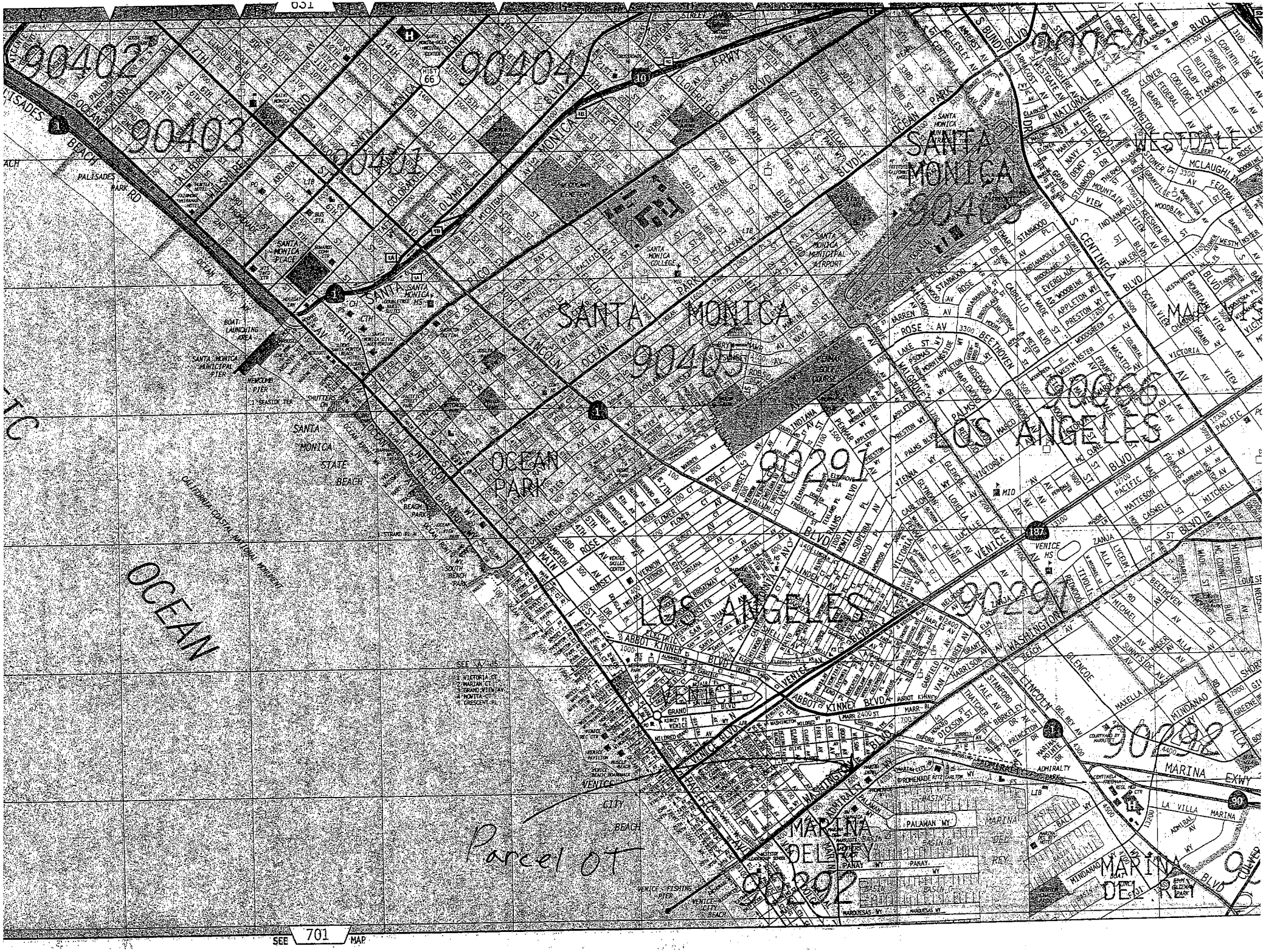
KEY ISSUES

- Satisfaction of Section 22.56.040 of Title 22 of the Los Angeles County Code, Conditional Use Permit Burden of Proof requirements, 22.56.1020, the Parking Permit Burden of Proof, 22.56.2320, the Coastal Development Burden of Proof, and 22.16.070, the Local Coastal Program Plan Amendment Burden of Proof.

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON		
RPC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING)		
SPEAKERS* (O) (F)	PETITIONS (O) (F)	LETTERS (O) (F)

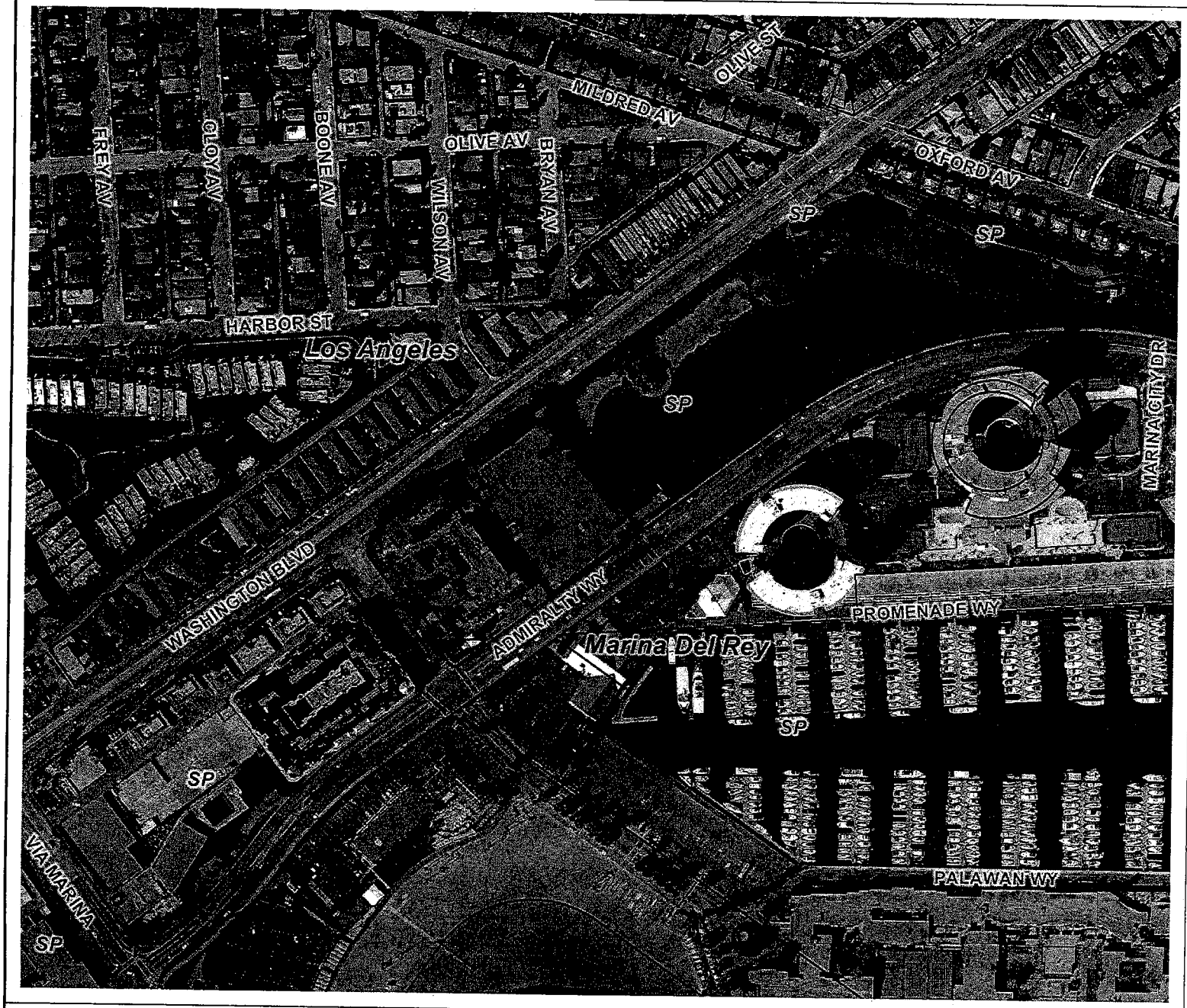
*(O) = Opponents (F) = In Favor


90402
90403
90404
90405
90291
90292
SANTA MONICA
LOS ANGELES
OCEAN PARK
OCEAN
MARINA DEL REY
Parcel OT
SEE 701 MAP

GIS NET
department of regional planning

Parcel OT

Printed On: Oct 8, 2009



Legend

- Parcel Boundary
- Arterial Street
- Highway
- Freeway

Master Plan of Highways
- Expressway - (e)
- Expressway - (p)
- Ltd. Secondary Highway - (e)
- Ltd. Secondary Highway - (p)
- Parkway - (e)
- Parkway - (p)
- Major Highway - (e)
- Major Highway - (p)
- Secondary Highway - (e)
- Secondary Highway - (p)

(e)-Existing (p)-Proposed

Railroad or Rapid Transit
- Railroad
- Rapid Transit
- Underground Rapid Transit

Significant Ridgelines
- Castaic CSD Primary
- Castaic CSD Secondary
- SMMNA Significant

- Census Tract (2000)
- Assessor Map Book (AMB) Bdy
- Zoning Index Map Grid
- Zoning Map Grid
- USGS Quad Sheet Grid
- The Thomas Guide Grid
- TB Internal Page Grid
- Very High Fire Hazard Serverity Zone
- Community Standards District (CSD)
- CSD Area Specific Boundary
- ESHA (Coast Only)
- Significant Ecological Area (SEA)
- Section Line
- Township and Range
- National Forest
- Equestrian District (EQD)
- Transit Oriented District (TOD)
- Setback District
- Zoned District (ZD)
- Supervisorial District Boundary

Safety Related Stations (From TB)
- Fire Station
- Highway Patrol
- Police Station
- Ranger Station
- Sheriff Station

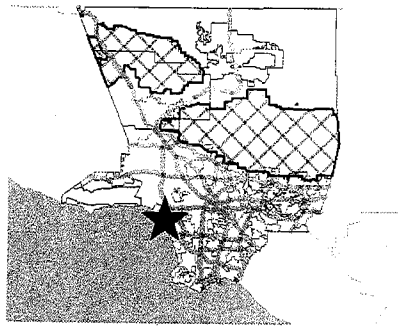
- Zoning (Boundary)

Zoning
- Zone A-1
- Zone A-2
- Zone B-1
- Zone B-2
- Zone C-1
- Zone C-2
- Zone C-3
- Zone C-H
- Zone C-M
- Zone CPD
- Zone C-R
- Zone D-2
- Zone IT
- Zone M-1
- Zone M-1.5
- Zone M-2
- Zone M-3
- Zone MPD
- Zone MXD
- Zone O-S
- Zone P-R
- Zone R-1
- Zone R-2
- Zone R-3-(*)U
- Zone R-4-(*)U
- Zone R-A
- Zone RPD
- Zone R-R
- Zone SP
- Zone SR-D
- Zone W

Landuse Policy (Not in Comm / Area Plan)
- 1 - Low Density Residential (1 to 6 du/ac)
- 2 - Low/Medium Density Residential (6 to 12 du/ac)
- 3 - Medium Density Residential (12 to 22 du/ac)
- 4 - High Density Residential (22 or more du/ac)
- C - Major Commercial
- I - Major Industrial
- O - Open Space
- P - Public and Semi-Public Facilities
- RC - Rural Communities
- R - Non-Urban
- TC - Transportation Corridor

Inland Waterbody
- Perennial
- Intermittent
- Dry

Note: This is a static legend, which includes only a portion of layers. To get full legend, please use "Display Map Legend tab" on the top left side of screen.



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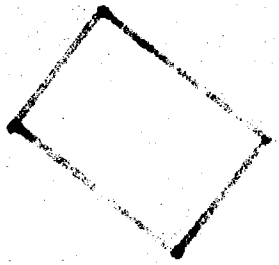

STAFF ANALYSIS

PROJECT NUMBER
R2006-01510

CASE NUMBERS
Plan Amendment Case No. 200600109-(4)
Coastal Development Permit Case No. 200600002-(4)
Conditional Use Permit Case No. 200600115-(4)
Parking Permit Case No. 200600009-(4)

OVERVIEW OF PROPOSED PROJECT
The applicant, MDR Oceana LLC., is requesting a Plan Amendment, Coastal Development Permit, Conditional Use Permit, and a Parking Permit to remove all existing landside improvements and develop a new 114-unit Senior Accommodations Facility on the subject property (Parcel OT). The proposed development is comprised of a six level building with the first level containing the required parking for the project and retail space, the second level containing parking, the senior accommodation facility's lobby, reception area, staff offices and lounges for both staff and the seniors, and the top four floors dedicated to the senior accommodations facility. The Conditional Use Permit is to authorize retail uses on a parcel with a proposed Mixed Use Overlay Zone and the Parking Permit is to authorize the transfer of public parking spaces from the subject property to an offsite location in Marina del Rey (Parcel 21). Project related grading will require 6,500 cubic yards of earth to be hauled offsite

To allow the proposed development, the applicant has also requested the following amendments to the Marina del Rey Local Coastal Program (LCP):

- To authorize the transfer development potential between Development Zones (114 hotel units from the Admiralty DZ #7 and 5,000 square feet of retail space from the Palawan/Beach DZ #5 to the Oxford DZ #6);

- To change Parcel OT's land use designation from "Parking" to the "Active Senior Accommodations Facility" designation with a Mixed Use Overlay Zone;

- To transfer 94 of the LCP required 186 public parking spaces on Parcel OT to Parcel 21;

- To create an Active Seniors Accommodations Land Use Category in the LCP and re-designate the subject parcel as Active Seniors Accommodations;

- To adjust the parcel boundary between Parcel OT (Currently designated as Parking in the LCP) and Parcel P (Currently designated as Open Space in the LCP), which would also necessitate adjustment to the land use categories of both parcels to the corresponding LCP maps. Parcel P currently has an area 10.72 acres and Parcel OT has an area 1.6 acres. If the proposed amendment to give 19,755 square feet of Parcel P to Parcel OT is approved, Parcel P will be reduced to 10.27 acres and Parcel OT will be increased to 2.10 acres.

DESCRIPTION OF SUBJECT PROPERTY
Location
The subject property is a public parking lot located near the northeast corner of the intersection of Palawan Way and Admiralty Way. The property has a frontage on both Washington Boulevard and

STAFF ANALYSIS

Admiralty Way. The property is also known as Marina del Rey Parcel OT and is in the Playa Vista Zoned District.

Physical Features
The subject property is a rectangular shaped parcel with a total landside area of 2.10 acres. The site is currently developed as a 183-space paved public parking lot with some perimeter landscaping composed of shrubs and trees. The site is bordered by Washington Blvd on the north and Admiralty Way on the south.

Project Services Availabilities
Current access to the subject property is via a driveway located off of an alley that connects to two public streets, Admiralty Way (A Secondary Highway) which is approximately 70 feet in width and Washington Boulevard (A Major Highway) which is approximately 80 feet in width. The subject property is within an urbanized area with all available public services.

Proposed vehicular access to serve the development is also via Admiralty Way and Washington Boulevard through a 28 foot wide driveway on Washington Blvd and a 20 foot wide driveway off of an alley which connects to both Admiralty Way and Washington Boulevard.

ENTITLEMENTS REQUESTED

- A Coastal Development Permit to authorize the demolition of all existing landside improvements and the construction of a new 114-unit senior accommodations facility, 5,000 square feet of retail uses, and a parking garage. The proposed building is approximately 65 feet in height and comprised of six levels with the first level containing 41parking spaces (20 public spaces and 21spaces for the proposed use) and retail space, the second level containing 116 parking spaces (72 public spaces and 44 spaces for the proposed use) and the senior accommodation facility's lobby, reception area, staff offices and lounges for both staff and the seniors, and the top four floors dedicated to the senior accommodations facility and related auxiliary uses.

- A Conditional Use Permit to authorize retail uses on a parcel with a proposed Mixed Use Overlay Zone.

- Amendments to the Marina del Rey Local Coastal Program to create an Active Seniors Accommodations Land Use Category in the LCP; to change Parcel OT's land use designation from "Parking" to the "Active Senior Accommodations Facility" designation with a Mixed Use Overlay Zone; to authorize the transfer of development potential between Development Zones (114 hotel units from the Admiralty DZ #7 and 5,000 square feet of retail space from the Palawan/Beach DZ #5 to the Oxford DZ #6); to transfer 94 of the LCP required 186 public parking spaces on Parcel OT to Parcel 21, to adjust the parcel and land use boundaries between Parcel OT and Parcel P, in the LCP and its corresponding maps.

- A Parking Permit to authorize the transfer of 94 LCP required public parking spaces from Parcel OT to an offsite location in Marina del Rey (Parcel 21).

STAFF ANALYSIS

EXISTING ZONING

Subject Property

Zoning on the subject property is SP (Specific Plan/ Parking).

Surrounding Properties

Surrounding zoning consists of:

North: City of Los Angeles (Multifamily Residential)

South: SP (Visitor-Serving/ Convenience Commercial, Water)

East: SP (Open Space)

West: SP (Hotel, Residential V)

EXISTING LAND USES

Subject Property

The subject property is 2.10 acres in size and is currently improved with a surface parking lot with 183 public parking spaces and perimeter landscaping consisting of trees and shrubs. The property has one driveway off of an alley which connects to two public streets, Admiralty Way (A Secondary Highway) and Washington Boulevard (A Major Highway).

Surrounding Properties

Surrounding land uses consist of:

North: Multi-family residences in the City of Los Angeles

South: Restaurant and Marina del Rey Basin E

East: Oxford flood control basin

West: Hotel

PREVIOUS CASES/ZONING HISTORY

In May of 1995, Coastal Development Permit 94-150 was approved to allow 93 public parking spaces on Parcel OT to be used for offsite parking related to a charter boat operation.

MARINA DEL REY LOCAL COASTAL PROGRAM (LAND USE PLAN)

Land Use Designation

The subject property is classified as, "Parking," in the Marina del Rey Land Use Plan. Senior accommodations facilities are not classified in the Marina del Rey Local Coastal Program or in the Zoning Ordinance. The applicant is requesting to create a new land use category within the Marina del Rey LCP that would permit facilities similar to the proposed development for Parcel OT.

The following Local Coastal Plan (LCP) policies are applicable to the proposed project:

STAFF ANALYSIS

Shoreline Access (Marina del Rey Land Use Plan (LUP) Chapter 1)

- **Public Access to Shoreline a Priority.** Maximum public access to and along the shoreline within the LCP area shall be a priority goal of this plan, balanced with the need for public safety, and protection of private property rights and sensitive habitat resources. This goal shall be achieved through the coordination and enhancement of the following components of a public access system: pedestrian access, public transit, water transit, parking, bikeways, circulation network, public views and directional signs and promotional information. (LUP Chapter 1, Policy 1)

  Parcel OT does not have a water frontage. The project enhances public access to the shoreline by transferring 94 public parking spaces from the subject parcel to Parcel 21. The public parking lot currently develop on Parcel OT is underutilized most of the year (Please see attached Right Sizing Parking Study- Attachment K). In addition, Parcel OT is approximately 486 from Marina Beach and requires beach goers to cross Admiralty Way in order to access the beach, while Parcel 21 is approximately 229 feet from Marina Beach and does not require a street crossing to access the beach. By moving public parking spaces from the location on Parcel OT to Parcel 21 the public is provided more convenient and safe access to the Marina harbor and Marina Beach.

- To further insure improved coastal access, a shuttle bus system shall be established to serve Marina del Rey with connecting service to nearby park-and-ride lots, parks, and local beaches in Venice and Playa del Rey. All new visitor serving commercial, hotels, and residential development in Marina del Rey shall, as a condition of development, agree to participate in their proportionate share of the cost of running the shuttle system. (LUP Chapter 1, Policy 11)

  The project will be conditioned to require the applicant to pay a proportional share of the funding of the potential shuttle system through collection of Category 3 traffic mitigation fees. The combined traffic mitigation fees for the projects on Parcels OT and 21 is estimated to be $122,940.

- Public awareness of shoreline access ways and public areas shall be promoted by the provision of appropriate signs, outdoor exhibits and brochures. All development in the existing Marina shall be required to incorporate the following informational features to improve the public's awareness of access opportunities and the coastal environment:

  a. Outdoor maps indicating the location and type of public access ways and parks;
  b. Identifying and directional signs;
  c. As appropriate, facilities for brochures and other informational aides; and
  d. Outdoor exhibits describing historical, biological and recreational aspects of the coastal environment, which should be coordinated and integrated with similar such exhibits which may be established in other areas of Playa Vista project. (LUP Chapter 1, Policy 13)

  The development will provide an outdoor map showing locations of public waterfront access ways and parks located in Marina del Rey and will have a kiosk within the senior

accommodations facility that will provide information on visitor-serving activities in Marina del Rey.

Recreation and Visitor-Serving Facilities (Marina del Rey Land Use Plan Chapter 2)

- As defined by the Coastal Act and specified in the specific design guidelines fore each parcel in the Local Implementation Program, new development shall provide additional recreational opportunities including trails, bikeways (additions and/or extensions of existing bike path), open space/park areas and viewing areas as appropriate. Adequate support facilities (bike storage lockers, drinking fountains, etc.) shall be provided. (LUP Chapter 2, Policy 2)

  The project will provide a walking path between Parcel OT and the Oxford Basin. The County is currently planning a enhancement project for the Oxford Basin that will include a walking path around the entire basin. The applicant will work in conjunction with the Los Angeles County Department of Public Work on an enhancement project for retention basin.

Marine Resources (Marina del Rey Land Use Plan Chapter 4)

- All development shall include measures consistent with the Santa Monica Bay Restoration Plan and the programs of the Department of Public Works to reduce contaminated runoff into bay and Ballona Creek waters, including filtration of low flows, control and filtration of runoff from parking lots and roofs, reduction of impervious surfaces, and provision of pump out facilities, and other necessary measures to reduce harmful pollutants from storm drain waters prior to these waters entering the Marina. (LUP Chapter 4, Policy 2)

  The applicant has a drainage plan for the project which has been approved by the Department of Public Works and will be required to comply with the California Regional Water Quality Control Board's National Pollution Discharge Elimination Requirements.

Cultural Heritage Resources (Marina del Rey Land Use Plan Chapter 7)

- Proposed projects shall be reviewed for potential cultural resource impacts through the County environmental review process. Appropriate environmental documentation and reasonable mitigation measures shall be required as determined by the Department of Regional Planning and the State Historic Preservation Office. These mitigation measures shall be incorporated into any development approved pursuant to the certified local coastal program. (LUP Chapter 7, Policy 1)

  The Draft Environmental Impact Report for this project determined that no known cultural or archaeological resources exist on or near the project site and mitigation measures are included if such resources are encountered during project implementation. Appropriate measures will be taken to ensure that if any item is found, they will be catalogued and all required agencies and organizations will be notified.

STAFF ANALYSIS

- To insure proper surface site recordation, the State Historic Preservation Office shall be notified, along with Regional Planning, if any resource is discovered during any phase of development construction. A professional archaeologist shall be retained to monitor any earth-moving operations in the study area. A halt-work condition shall be in place in the event of cultural resource discovery during construction. (LUP Chapter 7, Policy 3)

  The project will be conditioned to require that all work be stopped and the Department of Regional Planning and State Historic Preservation Office be noticed in the event that any item of cultural or archaeological significance is found.

Land Use Plan (Marina del Rey Land Use Plan Chapter 8)

- **Preservation of the Small Craft Harbor facility a Priority.** The primary purpose of the Land Use Plan shall be to maintain Marina del Rey as a Small Craft harbor for recreational purposes. A secondary purpose shall be to promote and provide visitor-serving facilities. (LUP Chapter 8, Policy 1)

  The project enhances public access to the shoreline by transferring 94 public parking spaces from the subject parcel to Parcel 21. The public parking lot currently develop on Parcel OT is underutilized most of the year. By moving public parking spaces from the location on Parcel OT to Parcel 21 the public is provided more convenient access to the Marina harbor and Marina Beach. In addition, the proposed project includes 5,000 square feet of Visitor Serving/Convenience Commercial uses.

- Maintenance of the physical and economic viability of the marina a priority. Lessees shall be encouraged to replace structures and facilities which are physically or economically obsolete. (LUP Chapter 8, Policy 2)

  The subject parcel is currently developed with an 186 space public parking lot that is underutilized for most of the year (Please see attached Right Sizing Parking Study-Attachment K). The conversion of the parking lot to a senior accommodations facility with 5,000 square feet of retail space will increase the economic viability of the Marina.

- **Design Control Board.** The Design Control Board, appointed by the Board of Supervisors, shall review all new development proposals, including renovations, for consistency with the Manual for Specifications and Minimum Standards of Architectural Treatment and Construction and the certified LCP, including the identity and accessibility of the Marina as a public boating and recreational facility, and shall recommend such modifications to the design as they deem appropriate.

  Such review shall be completed prior to any application for development being submitted to the Department of Regional Planning for case processing. (LUP Chapter 8, Policy 6)

  The project has received conceptual design approval Marina del Rey Design Control Board. Design Control Board recommendation is attached (Attachment A)

STAFF ANALYSIS

Coastal Visual Resources (Marina del Rey Land Use Plan Chapter 9)

- **Wind Factor.** Development shall not significantly increase infringements of wind access for boats in their berths, in the fairways, or in the Main Channel. Wind studies shall be required to determine the significant adverse impact of taller buildings on wind currents and sailing by small boats within the Marina. All structures proposed at heights greater than 45 feet shall determine the cumulative impact of taller buildings on wind currents within the Marina. Development shall only be approved if all identified significant adverse impacts, including cumulative impacts of a pattern of higher buildings, are fully mitigated. (LUP Chapter 9, Policy 9)

  The subject property is located approximately 320 feet northwest of Marina del Rey Basin E. An assessment of the proposed Parcel OT development was conducted by the engineering firm Rowen, Williams, Davies and Irwin. The analysis studied the projects potential impacts on winds coming from the east, west, southwest and west-southwest directions. The analysis concluded that winds coming from the east, southwest and west-south west direction that come in contact with the proposed Parcel OT building would likely stay on land, rather than enter the Marina basins, and thus would not have an impact on sailing in the Marina. The analysis further concluded that due to the height of the hotel next to the project site and the condominium towers located southeast of the site, the projects impacts on winds from the west would also be insignificant.

Hazard Areas (Marina del Rey Land Use Plan Chapter 10)

- As a prerequisite to all development approval of a flood control, runoff and storm drain plan by the Department of Public Works consistent with the Santa Monica Bay Recovery Plan Shall be required. (LUP Chapter 10, Policy 1)

  Prior to construction, the applicant will be required to obtain permits from the Los Angeles County Department of Public Works (DPW). DPW will require the applicant to submit flood control, runoff and storm drain plans for their approval before any building permits are issued.

- Future development shall be based on through site specific geologic and soils studies, including specific geotechnical studies related to mitigation of liquefaction and lateral spreading. (LUP Chapter 10, Policy 2)

  To mitigate possible geologic hazards, the applicant will be required to implement geotechnical engineering recommendations related to secondary geologic hazards (liquefaction, lateral spreading, and ground subsidence) that are recommended by the geotechnical engineer and the Department of Public Works. A geologic report approved by DPW will be required prior to any construction.

STAFF ANALYSIS

Circulation (Marina del Rey Land Use Plan Chapter 11)

- Development shall not be approved that will exceed the capacity of the internal Marina del Rey street system. The total potential for additional units and amount of commercial and residential development allocated under this Local Coastal Program will generate a traffic impact within Marina del Rey that can be mitigated within the Marina by the improvements listed in Policy 2 below shall be allocated proportionately among the development approved within the LCP area such that each approvable development constructs or contributes its fair share of the improvements which are expected to fully mitigate the direct impact the development is expected to have on traffic within Marina del Rey. (LUP Chapter 11, Policy 1)

  The Draft Environmental Impact Report concluded that the proposed project will not cause an increase in traffic that will exceed the capacity of the internal Marina del Rey street system. The proposed projects traffic impacts will be mitigated through the payment of the LCP's required Peak Hour Traffic Mitigation Fees.

- Category 3 Sub-regional Transportation and Circulation Improvements-Cumulative Impacts

  Development shall not be approved that will significantly exceed the capacity of the sub-regional street system. Traffic impacts, generated by development in the LCP study area, upon the circulation system outside the unincorporated area of Marina del Rey, shall be mitigated by the developer prior to receiving final discretionary permits. (LUP Chapter 11, Policy 3)

  The applicant will be conditioned to pay traffic mitigation fees to fund Category 3 transportation improvements, as is required by the LCP. This requirement has been included in the draft conditions and also as part of the mitigation measures. The combined Parcels OT and 21 projects will be required to pay $170,700 in traffic mitigation fees.

Public Works (Marina del Rey Land Use Plan Chapter 12)

- This Land Use Plan includes a phasing program. Necessary public works facilities shall be provided at the same time as the development creating the need for the public facility occurs. (LUP Chapter 12, Policy 2)

  Necessary public works improvements such as fire hydrants, the relocation of approximately 36 feet of upsized water main, and the construction of sidewalks along Washington Boulevard and Admiralty Way, will be required to be completed prior to the issuance of a Certificate of Occupancy for this project. The Department of Public Works has reviewed the proposed development and their recommendations are included in the draft conditions.

- Water conservation technology shall be employed in all development, including landscaping and irrigation, that increases water use of the parcel. Design of new development requiring the installation and operation of additional water service shall be reviewed for water conservation. (LUP Chapter 12, Policy 6).

The proposed project will be conditioned to require water-conserving technology as part of the landscape plan approval. The project will be required to have a landscaped area greater than or equal to 2,500 square feet that is in accordance with the Water Efficient Landscape Ordinance.

- **Sprinklers.** All new development shall be required to provide fire sprinklers consistent with the specifications of the Fire Dept. Remodeling or expansion projects involving 50 percent or more of the existing floor area of the structure shall be subject to review by the Fire Dept. for sprinkler requirements. (LUP Chapter 12, Policy 10)

  The proposed project will have fire sprinklers and other fire suppression systems in conformance with LCP and Fire Department requirements. Prior to construction, the applicant must submit architectural plans for review and approval to the Fire Prevention Engineering Division of the Los Angeles County Fire Department and must demonstrate adequate fire flow availability of the water lines at the site.

SITE PLAN

General Description

The applicant's site plan depicts the proposed 257,370 square foot structure on 2.10 acres of land. The proposed structure has a ground floor (level one) with 41 parking spaces, and a 5,000 square foot retail area. The second level contains 116 parking spaces, the senior accommodation facility's lobby, reception area, staff offices and lounges for both staff and the seniors. The third level depicts 18 units, a screening room, beauty salon, card room, arts and crafts room, library, bathrooms, gym, three communal dining areas and the facility's kitchen. The fourth, fifth and sixth levels each consist of 32 units, a lounge, a sitting room and two laundry rooms. The proposed structure has a maximum roof height of 65' above grade on the Washington Blvd side and 60 feet in height on the Admiralty Way side.

Vehicular access is provided via a garage entrance on Washington Boulevard, a turn out on Admiralty way, or a garage entrance accessed from an alley that connects to both Washington Boulevard and Admiralty Way.

Compliance with Applicable Zoning Codes

The applicant is proposing a new land use category to add to the Marina del Rey Local Coastal Program. As such, no development standards currently exist for the proposed category. The applicant is proposing the following development standards for the Senior Accommodations Facility Land Use Category:

- Building height is limited to a maximum of 75 feet;
- Front and rear yard setbacks shall be a minimum of 10 feet and side yard setbacks shall be a minimum of 5 feet, in addition to the required highway and promenade setback;
- Dwelling unit density shall not exceed 75 units per net acre;

STAFF ANALYSIS

The proposed structure is shown as a maximum of 65 feet in height along Washington Blvd and 60 feet in height along the Admiralty Way frontage. The site plan shows the proposed building with a 20 foot front yard setback, a 10 foot rear yard setback and 5 foot side yard setback. The proposed units do not have kitchens, but if the 114- unit facility's density was calculated, it would be 54.3 units per acre, for the 2.1 acre site.

- Senior Accommodation Facility uses shall not reduce the amount of land area devoted to existing visitor-serving, boating or coastal-dependent marine commercial uses. Visitor-serving uses shown on LUP Map 5, Existing/Proposed Visitor-Serving Facilities, shall be preserved or replaced on-site, as part of redevelopment;

  The proposed project will transfer 94 of the existing 183 public parking spaces across the basin to Parcel 21. This location is closer to Marina Beach and will facilitate increased public use of the facility. The remaining public parking spaces will be maintained onsite.

BURDEN OF PROOF (CDP)

Pursuant to 22.56.2410 of the Los Angeles County Code, the applicant must meet the burden of proof requirements for a Coastal Development Permit.

1. That the proposed development is in conformity with the certified local coastal program.

2. That any development, located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone, is in conformity with the public access and public recreation policies of Chapter 3 of Division 20 of the Public Resources Code as follows:

   "In carrying out the requirements of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse (California Coastal Act (CCA) Section 3010)."

   Without the proposed Local Coastal Program amendment, the project is not consistent with the land use requirements of the certified LCP. Staff analysis indicates that the project is in conformance with the goals of the Local Coastal Program and if the plan amendment is approved, will satisfy the Burden of Proof provisions and the project with the accompanying amendment request is consistent with the Local Coastal Plan.

Coastal Development Burden of Proof Responses

Applicant's responses attached (**Attachment B**). Staff is of the opinion that the applicant has sufficiently addressed Burden of Proof issues in a fashion that substantiates the findings required by Section 22.56.2410 of the Los Angeles County Code.

BURDEN OF PROOF (CUP)

Pursuant to Los Angeles County Code Section 22.56.040 the applicant must meet the burden of proof requirements for conditional use permits.

STAFF ANALYSIS

A. That the requested use at the location proposed will not:
   1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
   2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
   3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

C. That the proposed site is adequately served:
   1. By other public or private service facilities as are required.
   2. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and

Conditional Use Permit Burden of Proof Responses
Applicant's responses attached (**Attachment C**). Staff is of the opinion that the applicant has sufficiently addressed Burden of Proof issues in a fashion that substantiates the findings required by Section 22.56.040 of the County Code.

BURDEN OF PROOF (Plan Amendment)
Pursuant to Los Angeles County Code Sections 22.16.070 and 22.16.170 an applicant requesting a plan amendment must meet the following requirements.

- Zone changes and amendments may be initiated to change zones, to alter the boundaries of districts, to impose regulations not previously imposed and to remove or modify any regulation already imposed whenever the board of supervisors finds that the public convenience, the general welfare or good zoning practice justifies such action. All such zone changes and amendments shall be made pursuant to the provisions of this Title 22 and Title 7 of the Government Code.

- In making its recommendation relative to a proposed amendment other than a zone change, the commission may recommend approval where the information presented at public hearing shows that such amendment is consistent with the general plan and is necessary to implement the general plan and/or that the public convenience, the general welfare or good zoning practice justifies such action.

Plan Amendment Burden of Proof Responses
Applicant's responses attached (**Attachment D**). Staff is of the opinion that the applicant has sufficiently addressed Burden of Proof issues in a fashion that substantiates the findings required by Sections 22.16.070 and 22.16.170 of the County Code.

STAFF ANALYSIS

BURDEN OF PROOF (Parking Permit)

Pursuant to Los Angeles County Code Section 22.56.1020 the applicant must meet the following Parking Permit burden of proof requirements:

1. That there will be no need for the number of parking spaces required by Part 11 of Chapter 22.52 because:
    a) The age and/or physical condition of the residents is such that the use of an automobile is unlikely, or
    b) The nature of the use is such that there is a reduced occupancy, or
    c) The business or use has established a viable transportation program for its employees and/or customers to use transportation modes other than the single-occupant automobile. Such a program shall include positive incentive such as van pools, transit fare subsidies, commuter travel allowances, car pools or bicycle commuter facilities. Where appropriate, proximity to freeways with high-occupancy vehicle (HOV) lanes, bus routes, park-and-ride facilities, people-movers, rapid transit stations, bikeways, or other similar facilities, shall be a factor in this consideration, or
    d) Sufficient land area is reserved or an alternative arrangement is approved to insure that the parking requirements may be complied with should the use, occupancy, or transportation program change. Such reservation or alternative may be waived for certain senior citizen and handicapped person housing developments where the director finds that it is unnecessary because of the anticipated permanent nature of such use. If required, the reserved land shall be so located and developed in such a manner that it can be feasibility converted to parking if needed;
2. That there will be no conflicts arising from special parking arrangements allowing shared facilities, tandem spaces or compact spaces because:
    a) Uses sharing parking facilities operate at different times of the day or days of the week, or
    b) Parking facilities using tandem spaces will employ valets or will utilize other means to insure a workable plan, or
    c) Apartment houses using compact spaces for a portion of the required parking have a management program or homeowners' association to assure an efficient distribution of all parking spaces;
3. That off-site facilities, leases of less than 20 years, rear lot transitional parking lots and uncovered residential parking spaces will provide the required parking for uses because:
    a) Such off-site facilities are controlled through ownership, leasing or other arrangement by the owner of the use for which the site serves and are conveniently accessible to the main use, or
    b) Such leases are written in such a way as to prevent multiple leasing of the same spaces or cancellation without providing alternate spaces; such leases shall contain other guarantees assuring continued availability of the spaces, or
    c) Such transitional lots are designed to minimize adverse effects on surrounding properties, or
    d) Uncovered parking for low and moderate income residential developments will be appropriately screened and compatible with the surrounding neighborhood;
4. That the requested parking permit at the location proposed will not result in traffic

congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding property;

5. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping and other development features prescribed in the Zoning Ordinance.

Parking Permit Burden of Proof Responses

Applicant's responses attached (**Attachment E**). Staff is of the opinion that the applicant has met the burden of proof for the parking permit.

ENVIRONMENTAL DOCUMENTATION

A Draft Environmental Impact Report (DEIR), which was transmitted to the Regional Planning Commission on September 3, 2009, has been prepared for the project. The DEIR covered the following two related development proposals:

1. A 29,348 square foot commercial facility on Parcel 21 (Holiday Harbor Courts); and
2. A 114-unit active senior accommodations facility on Parcel OT (Oceana Retirement Facility).

The DEIR examined the potential impacts of the proposed projects both singularly and cumulatively. When viewed as a group, the DEIR found 12 areas of potential concern. Cumulatively, the DEIR found significant and unavoidable impacts related to traffic and visual quality. The DEIR determined that the proposed projects may pose potentially significant environment impacts in the following areas:

GEOTECHNICAL AND SOIL RESOURCES
NOISE
WATER QUALITY
AIR QUALITY
BIOTA
CULTURAL RESOURCES
VISUAL QUALITIES
TRAFFIC/ACCESS
UTILITIES (WATER SUPPLY)
ENVIRONMENTAL SAFETY
LAND USE
GLOBAL CLIMATE CHANGE

The Draft Environmental Impact Report (DEIR) concludes that with the implementation of the proposed mitigation measures, all potentially significant impacts associated with 11 of the 12 above-described areas of concern can be mitigated to levels of insignificance at the project level. The DEIR found that on the project level, noise impacts related to balconies facing Washington Boulevard and Admiralty Way would have outside noise levels exceeding the 65 dB CNEL goal for usable outdoor space which could not be mitigated. Cumulatively, significant impacts can be reduced to a level of insignificance in 10 of the 12 above-described areas. The following is a summary of some of the key factors identified and discussed in the DEIR.

STAFF ANALYSIS

Noise

During construction, potential noise impacts due to pile driving and heavy equipment operations may occur. During the operation phase of Parcel OT, an impact related to balconies facing Washington Blvd. or Admiralty Way that would have outside noise levels exceeding the 65 dB CNEL goal for usable outdoor space.

The DEIR concludes that significant and unavoidable impact related to noise will exist even after mitigation.

Visual Quality

The DEIR concluded that there will be a significant and unavoidable impact related to the project's incremental contribution to the cumulative impact associated with the intensification of development in Marina del Rey.

Traffic/Access

According to the traffic analysis contained in the DEIR, the proposed Oceana Retirement Facility project on Parcel OT is expected to generate a net increase of 387 vehicle trips per day. An estimated 10 additional trips would occur during the peak AM hour and a decrease of 41 trips would occur during the peak PM hour.

During construction, impacts related to parking on the subject becoming unavailable and construction related traffic may occur.

The analysis of the DEIR determined that with the implementation of the identified mitigation measures, this project would not have a significant impact on Traffic/Access. Cumulative development analysis performed in the DEIR determined that area-wide development would significantly impact 11 of the 14 study intersections. Even with mitigation measures, impacts to five of the 11 impacted intersections are considered significant and unavoidable.

Geotechnical and Soil Resources

The proposed project has potential impacts due to high ground water, unsuitable soils, secondary seismic effects of liquefaction, ground subsidence, and lateral spreading, and because development is in an area subject to the effects of seiche and tsunamis.

With proposed mitigation, potential impacts related to geotechnical and soil resources are less than significant.

Water Quality

At build out, the project has the potential to result in surface water quality impacts if water is permitted to runoff the site untreated. In addition, the project could have a potentially significant impact on ground water located under the project site.

STAFF ANALYSIS

The DEIR concludes that with proper mitigation measures, water quality impacts will be reduced to a level of less than significant.

Air Quality

During construction, the project may result in a Local Significance Threshold (LST) associated with PM-2.5 and PM-10. In addition, on a cumulative level, the project could result in impacts related to smog and PM-10.

The DEIR concludes that with proper mitigation measures, air quality impacts, both on the project level and cumulatively, will be reduced to a level of less than significant.

Biota

The removal of trees from the project site during construction may result in significant impacts associated with nesting of resident and summer resident bird species.

With mitigation measures, construction related biota impacts are expected to be less than significant.

Cultural Resources

Project related grading and excavation could have potential impacts to cultural resources, as 6,500 cubic yards of material is proposed to be excavated at the site.

With mitigation measures, construction related impacts to cultural resources are expected to be less than significant.

Utilities (Water Supply)

The DEIR did not foresee any significant impacts related to water service provided that the Marina water system upgrades are made, and the suggested water conservation measures are taken.

Environmental Safety

The DEIR found a significant, but mitigateble impact related to soil toxicity and Methane gas for Parcel OT.

Land Use and Planning

The DEIR does not foresee potential Land Use impact on a project level or viewed cumulatively to have a significant impact.

Global Climate Change

In the Global Climate Change Section, the DEIR comes to the conclusion that a significance determination regarding the proposed project cannot be made because significance thresholds under the California Environmental Quality Act (CEQA) that address greenhouse gas emissions and global climate change have not yet been formally adopted.

STAFF ANALYSIS

COUNTY DEPARTMENT COMMENTS

Los Angeles County Fire Department

On March 12, 2009, a letter was received from the Los Angeles County Fire Department. The letter cleared the project for public hearing. (**Exhibit F**)

Los Angeles County Health Department

On February 3, 2009, a letter was received from the Los Angeles County Health Department. The letter stated that the proposed project had the potential for construction related significant impacts on the surrounding community in the areas of Noise and Air Quality. The letter outlined specific mitigation measures that should be taken to help mitigate those impacts. (**Exhibit G**)

Los Angeles County Department of Public Works (DPW)

On August 11, 2009, a letter was received from DPW. The letter recommended approval of the Conditional Use Permit and requested specific conditions be included as part of the approval. **(Exhibit H)**

Los Angeles County Metropolitan Transit Authority

On September 21, 2009, a letter was received from the Los Angeles County Metropolitan Transit Authority. The letter stated that the analysis satisfies the traffic and transit requirements for the proposed project. However, the letter stated that the proposed project had the potential to impact transit corridors with Metro bus service. The letter recommended that the Metro Bus Operations Control Special Events Coordinator be contacted regarding construction activities that may impact bus lines. **(Exhibit I)**

OTHER AGENCY COMMENTS

Native American Heritage Commission

On September 15, 2009, a letter was received from the Native American Heritage Commission. The letter stated that Native American Cultural Resources were not known to exist within one-half mile of the site. The letter suggested that local Native American tribes be contacted. **(Exhibit J)** The Notice of Completion and Availability for the Draft Environmental Impact Report was sent the Native American Heritage Commission and a local tribal representative.

PUBLIC COMMENTS

No correspondence from the public was received regarding the project at the time the staff report was prepared.

LEGAL NOTIFICATION/COMMUNITY OUTREACH

Hearing notices were mailed to 209 residents within a 500-foot radius of the subject property and other interested parties on August 31, 2009. The Draft Environmental Impact Report was delivered to the Lloyd Taber Marina del Rey County Library in Marina del Rey, the Venice-Abbot Kinney Memorial Library in the City of Los Angeles, and the Julian Dixon Library in Culver City on September 2, 2009. Advertisements were published in the Argonaut on September 3, 2009 and in *La Opinion* on September 2, 2009. According to the applicant, public hearing notices were posted at the project site on September 1, 2009.

STAFF EVALUATION

Issues

Pursuant to Sections 22.46.1550, Title 22 of the County Code (Zoning Ordinance) a Senior Accommodations Facility or similar facilities are not permissible on a parcel with the Parking land use category in the Marina del Rey Specific Plan. The Parking land use category is intended for public uses such as parks or parking facilities. Because of the subject parcels Parking land use designation, to

accommodate the proposed development, the following amendments to the Marina del Rey Local Coastal Program are required: to authorize the transfer of development potential between Development Zones (114 hotel units from the Admiralty DZ #7 and 5,000 square feet of retail space from the Palawan/Beach DZ #5 to the Oxford DZ #6); to change Parcel OT's land use designation from "Parking" to the "Active Senior Accommodations Facility" designation with a Mixed Use Overlay Zone; to transfer 94 of the LCP permitted 186 public parking spaces on Parcel OT to Parcel 21, to create an Active Seniors Accommodations Land Use Category in the LCP and re-designate Parcel OT as an Active Seniors Accommodations parcel, to adjust the parcel and land use boundaries between Parcel OT and Parcel P.

Staff is of the opinion that the expanding senior population in West Los Angeles provides sufficient justification for plan amendments to convert a parking lot that is underutilized for most of the year (Please see attached Right Sizing Parking Study-Attachment K) into a senior accommodations facility. In addition, the public parking spaces that are currently on Parcel OT will not be lost. The applicant is proposing to transfer 94 of the LCP required 183 spaces currently developed on the site to Parcel 21 and maintaining the remaining 89 spaces onsite. Currently, patrons using the parking facility on Parcel OT who wish to visit Marina Beach, must cross Admiralty Way, a busy Secondary Highway. Transferring the spaces to Parcel 21allows provides visitors to Marina del Rey closer and more access to Marina Beach.

Provided that the proposed plan amendments are approved and Parcel OT's Land Use Category is changed from, "Parking," to "Senior Accommodations Facility," then pursuant to Title 22 of the County Code (Zoning Ordinance) senior accommodations facility will be a permitted use in the Marina del Rey Specific Plan. A Coastal Development Permit is required to undertake any development in the Coastal Zone. Staff finds that the proposed senior accommodations facility is consistent with the requirements for a Coastal Development Permit if the amendment is approved as proposed

A Conditional Use Permit would be required to authorize a parking lot in the proposed Senior Accommodations Facility land use Category and for retail uses on a parcel with a proposed Mixed Use Overlay Zone. Staff finds that the proposed project is consistent with the requirements of Section 22.56.040 of the Los Angeles County Code.

As proposed, the project would require a Parking Permit to authorize the transfer of parking spaces from Marina del Rey Parcel OT to Parcel 21. Staff finds that the proposed project is consistent with the requirements of Section 22.56.1020 of the Los Angeles County Code.

Both the Marina del Rey Land Use Plan (Recreation and Visitor-Serving Facilities Page 2-5) and the Right Sizing Parking Study have concluded that Parcel OT is an underutilized public parking lot during most of the year. The applicant is proposing to move 94 of the 183 existing spaces to Parcel 21 where they can be better utilized and provide closer and more direct access to Marina Beach and other waterfront facilities. In addition, the applicant has agreed to help finance a portion of the County's Oxford Basin enhancement project which will provide the public with improved access to the Oxford Basin Bird Sanctuary.

At the time that the 1996 Major Amendment to the LCP was drafted, a use such as an Active Senior Accommodations Facility had not yet been contemplated. The proposed facility would provide active seniors with services very similar to those found in a hotel. The rooms will not have individual kitchens, but rather one central kitchen, from which the tenants may have food delivered to their rooms or eat together in a communal dining area. This type of facility is needed to serve the expanding senior population in Los Angeles County.

In addition, the facility will reduce vehicle trips versus a typical residential building by providing seniors with facilities such as a card room, library, screening room, arts and crafts area, beauty shop, gym and retail shopping area all onsite.

The proposed project will relocate 94 parking spaces from an underutilized public parking lot to a location where they can better serve visitors to Marina del Rey. Furthermore, the proposed Senior Accommodations Facility/Mixed Use project will not only improve the quality of life for County residents, but will also provide much needed revenue for the General Fund versus the current underutilized parking lot.

STAFF RECOMMENDATION

Approval

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing.

Staff recommends APPROVAL of Coastal Development Permit No. 200600002-(4), Conditional Use Permit No. 200600115-(4) and Parking Permit No. 200600009-(4) subject to the attached conditions. Staff also recommends that the Regional Planning Commission prepare a resolution recommending approval of Plan Amendment No. 200600109-(4) to the Board of Supervisors.

SUGGESTED MOTIONS

I move that the public hearing be continued to a date certain and that Regional Planning Commission instruct staff to prepare the Final Environmental Impact Report and prepare a resolution recommending the approval of Plan Amendment No. 200600109-(4) to the Board of Supervisors and prepare findings and conditions of approval for Coastal Development Permit No. 200600002-(4), Conditional Use Permit No. 200600115-(4) and Parking Permit No. 200600009-(4).

Report prepared by Michael Tripp, Principal Regional Planning Assistant
Reviewed by Samuel Dea, Section Head of Special Projects

Attachments:
Copy of Thomas Brothers Map
Burdens of Proof
Land Use Map
Site Plan/Floor Plan

SD:MRT:mrt

ATTACHMENT A

Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

"To enrich lives through effective and caring service"

MINUTES
OF
MARINA DEL REY
DESIGN CONTROL BOARD

August 18, 2005

Department of Beaches and Harbors
Burton Chace County Park
Community Building – 13650 Mindanao Way
Marina del Rey, CA 90292

Members Present:	David Abelar, Second District Katherine Spitz, Third District, Vice-Chair Peter Phinney, Fourth District
Members Absent:	Susan Cloke, First District, Chair Tony Wong, Fifth District
Department Staff Present:	Stan Wisniewski, Director Joseph Chesler, Chief, Planning Division Julie Carpenter, Planner LaTrina Perry, Secretary Dusty Crane, Chief, Community & Marketing Services Division Walter Popoff, Community & Marketing Services Division
County Staff Present:	Tom Faughnan, Principal Deputy County Counsel Sam Dea, Regional Planning Department
Guests Present:	Tim Beck, CPK Marianne Liggett, TGP Inc. Alex Liftis, Caruso Affiliated Stephen Demetor, CPK Neil McNearney, Sign Methods, Inc. Robin Perkins, Selbert Perkins Design Virginia Hollywood, Del Rey Professional Association Mark Christensen, Mac 7 Graphics Sherman Gardner, Goldrich & Kest Frank Hickman, Goldrich & Kest Monica Moses, GMP Architects Calvin Ahbe, Ahbe Landscape Architects Carla Andrus, MdR resident Daniel Ginzburg, Fantasea Yachts Thomas Henry, Pacifica Hotel Investors Michael Barnard, Pacifica Hotel Investors Bernard Katz, President of Santa Monica Bay Physicians Group

1. **Call to Order, Action on Absences and Pledge of Allegiance**
Ms. Spitz called the meeting to order at 2:12 p.m. Mr. Abelar led the pledge of allegiance. Ms. Spitz (Abelar) moved to excuse Ms. Cloke and Mr. Wong from today's meeting.

2. **Approval of Minutes of June 16, 2005**
Held for approval until the September 2005 DCB Meeting.

3. **Design Control Board Reviews**

A. **Parcel 77 – W.A.T.E.R. Program Storage at Parcel 77 – DCB #05-006-C**
Approval of the record of the DCB's July 2005 action for approval of an alternate planting plan.

Mr. Phinney (Abelar) moved to approve as submitted. Motion passed unanimously.

B. **Parcel 102 – Archstone Smith – DCB #03-016-G**
Approval of the record of the DCB's July 2005 action for approval of condition relating to painting and signage follow-up per DCB #03-016-B and #03-016-C, respectively; DCB #03-016-F, regarding lighting, was continued.

Mr. Phinney (Abelar) moved to approve as submitted. Motion passed unanimously.

C. **Parcel 33 – Habor House – DCB #05-008-B**
Approval of the record of the DCB's July 2005 action for approval of a solid burgundy awning fabric, cantilevered rafter repair, repainting and new fencing.

Mr. Phinney (Abelar) moved to approve as submitted. Motion passed unanimously.

D. **Parcel 97 – Marina Beach Shopping Center – DCB #03-013-C**
Approval of the record of the DCB's July 2005 action for approval of a follow-up condition per DCB #03-013-B pertaining to landscaping and the pedestrian walkway.

Mr. Phinney (Abelar) moved to approve as submitted. Motion passed unanimously.

E. **Parcels 83/50 – Marina Waterside Shopping Center – DCB #05-010**
Approval of the record of the DCB's July 2005 action for conditioned approval of Parcels 83 and 50 renovations. Conditions include the resubmittal of a revised landscape plan, the loss of two parking stalls and the maximization of green space.

Mr. Phinney (Abelar) moved to approve as submitted. Motion passed unanimously.

F. **Parcel 50 – Marina Waterside Shopping Center – California Pizza Kitchen – DCB #05-011**
Approval of the record of the DCB's July 2005 action for conditioned approval of exterior renovations and replacement signs. Conditions include further review and approval of signage by the Department of Regional Planning, a return to the Board with detailed plans for the exterior

lighting and consideration of limiting the quantity of yellow canvas on the patio portion of the north elevation.

Mr. Phinney (Abelar) moved to approve as submitted. Motion passed unanimously.

G. **Parcel 50 – Marina Waterside Shopping Center – Starbucks – DCB #05-012**
Approval of the record of the DCB's July 2005 action for approval of two signs.

Mr. Phinney (Abelar) moved to approve as submitted. Motion passed unanimously.

H. **Parcels 111/112 – Marina Harbor – The Villa – DCB #05-013**
Approval of the record of the DCB's July 2005 action for conditioned approval of permanent sign #6 as proposed; permanent sign #7 as proposed; and temporary signs #1, 2 and 4 as proposed. The condition relates to the requirement that the permanent signs require review and approval by the Department of Regional Planning.

Mr. Phinney (Abelar) moved to approve as submitted. Motion passed unanimously.

4. **Old Business**

A. **Parcel 50 – Marina Waterside Shopping Center – California Pizza Kitchen – DCB #05-011-B**
Consideration of modifications to exterior renovations and lighting.

- Mr. Phinney asked if the Board was being asked to approve a temporary banner that was not on the agenda.
- Ms. Carpenter advised that since temporary banners at this parcel had been approved by the DCB, staff thought it appropriate to bring it before the Board rather than the department issuing a 30 day permit.
- Mr. Phinney advised staff to give the applicant a 30-day temporary banner and if the applicant needs the banner for more than 30-days, then it should come back at the next meeting.
- Mr. Phinney had questions about the quantity of awnings and light fixtures being proposed, as they seemed to have doubled from the last meeting.
- Mr. Beck advised the Board that they reconfigured the awning and light fixtures, reduced the wattage from 50 to 35 watts per fixture, and are willing to reduce the number of awnings and fixtures.
- Ms. Carpenter asked the Board for clarification on the reduced number of awnings and light fixtures. There will be two awnings each on the east, north and parking lot sides of the building, and where four awnings are shown, it will be reduced to three.

Public Comments (none)

Mr. Phinney (Spitz) moved to approve DCB #05-011-B with the modifications to the number of fixtures and awnings. Motion passed unanimously.

B. **Parcel 50 – Ralphs Market – DCB #05-001-D**
Consideration of a temporary banner for Ralphs Market.

- Ms. Spitz commented the banner had too much clutter, referring to the stars on the banner.
- Mr. McNearney advised he could reduce the clutter on the banner, which would include deleting the alternate locations and the stars.
- Mr. Liftis noted it would be helpful to have a banner indicating when the store is reopening.

Public Comments (none)

Ms. Sptiz (Abelar) moved to approve DCB #05-001-D with the recommendation suggested by staff to eliminate the names of other Ralph locations, the stars on the banner, and provide the re-opening date. Motion passed unanimously.

C. **Parcels 83/50 – Marina Waterside Shopping Center – DCB #05-010-B**
Consideration of a landscape plan, including replacement of the coral tree with an alternate tree and the loss of two parking spaces.

- Mr. Phinney asked for staff to explain the requirements for stormwater treatment.
- Mr. Wisniewski stated that there are state requirements that have to be met and advised that Mr. Chesler could explain in more detail.
- Mr. Chesler stated any site over one-half acre has additional stormwater treatment requirements, which are administered through the Department of Public Works. The applicant's design has met these requirements. The reconstruction of the parking lot has redirected the flow of water and corrected many of the previous drainage problems. Mr. Chesler will provide the Board with more detail in a separate communication.
- Ms. Spitz asked what type of utility boxes are on the site and what will happen with the flag pole.
- Mr. Liftis stated the relocation of the utilities is not part of their immediate scope, only to expand the sidewalk. There have been discussions with Public Works about additional future work at that corner, and, at that time, it will be Public Works' responsibility to deal with the utility box. The proposed landscaping may screen the utility box.
- Mr. Chesler advised that one of the utility boxes is for the signal controls and the other is for irrigation controls.

- Mr. Liftis advised the irrigation control box at Parcel 83 will be eliminated as irrigation will be controlled by Parcel 50.

- Ms. Spitz asked how much paving surrounds the signal box and whether there will be any problems with digging through the roots of the trees or planting.

- Mr. Liftis stated there is a small amount of paving around the signal box which can be screened with low shrubbery so that it could grow over the box. Problems with digging in that area are not anticipated.

- Ms. Spitz suggested eliminating the yellow flowers as she prefers not to have a wide variety of flower color. She thinks the plants chosen are of a commercial type and not related to the Marina and water. The applicant was asked to integrate plants that suggest a water feel or beach-like environment.

- Mr. Phinney suggested the applicant change the focus of the plant pallet in a way that would satisfy the Board's concern.

- Ms. Liggett made the following changes: pennisetum will replace the Indian hawthorn and sea lavender will replace yellow daylilies.

Public Comments (none)

Ms. Spitz (Abelar) moved to approve DCB #05-010-B as amended in which the Indian hawthorn are replaced with pennisetum and yellow daylilies are replaced with sea lavender. Motion passed unanimously.

D. Parcel 77 – W.A.T.E.R. Program Storage at Dock 77 – DCB #05-006-D

Consideration of identification signage as part of the fence scrim.

- Ms. Spitz asked if Option #1 provided enough information about what is being offered.

- Ms. Crane advised the area is for storage and will not be available to the public, therefore, the website information and the phone number for the new facility will be on the fence fabric so that people can call and get more information. Ms. Crane stated the idea of having a logo for this new facility is really important and will be used continually as part of the program identification for outreach and marketing of the children and adult activities.

- Mr. Abelar asked why the phone number wasn't on any of the other options.

- Ms. Crane stated there was limited space and that is why they presented several options.

- Mr. Wisniewski stated his preference is for the term "marine aquatics" to be used for the sign and he also thought the photos were valuable as well as the background in Option #3.

- Mr. Abelar asked, for Option #3, if the logo could be moved down and the picture above.

- Ms. Spitz commented as a text oriented culture, the option showing words opposed to images might be more effective.

- Mr. Phinney asked, for Option #2, if the photos could be enlarged and separated from the signage component to make them more of a graphic element somewhere else along the scrim of the gates.

- Ms. Perkins stated that Mr. Phinney's suggestion could be done.

Public Comments (none)

Mr. Phinney (Spitz) moved to approve DCB #05-006-D, Option #2A, with the following changes, text reading the "boat house" be replaced with text reading "marine aquatics" and that the applicant find or explore opportunities for doing a photo representation elsewhere on the scrim. Motion passed unanimously.

E. **Parcel 75 – Marina Professional Building – DCB #05-014**
Reconsideration of four signs (three replacements and one new sign).

- Mr. Katz gave a brief explanation of the proposed signage.

- Mr. Phinney asked if it would create a problem with the pharmacy in the building if Sign D was not approved.

- Ms. Hollywood advised the removal of Sign D would have to be discussed with that tenant.

- Ms. Spitz asked if other tenants in the building would want their own signage on the building.

- Ms. Hollywood advised there are door signs throughout the building and the other tenants would not find this applicant's proposed signage objectionable. The sign may benefit the entire building because it is a medical building.

- Ms. Spitz asked if there was any other entity in the Marina that has been allowed to have a monument sign and a pole sign.

- Ms. Carpenter advised that for a parcel the size of Parcel 75, the Sign Controls do not allow both types of signs. It would have to go through Regional Planning and allowable signage is based on frontage, among other criteria.

- Mr. Phinney stated the scale of the building signage is too big and there is too much text on it. He suggested a pin-mounted letter sign on the building face at the entry facing Admiralty Way.

- Ms. Carpenter noted the proposed building signage is smaller than the existing signage.

- Mr. Dea stated the free-standing sign is fine, but the monument sign on the corner is too large. Monument signs are allowed, as they identify the building or give directions to the type of service, but the signs are normally fairly small. The proposed monument sign would not be considered as identification or directional/informational sign.

- Ms. Spitz asked if the signage square footage allowed is cumulative per parcel.

- Ms. Carpenter answered yes, but noted the Department's Sign Controls are different from the codes used by Regional Planning, which is why there is a review by both entities.

- Mr. Phinney suggested that this item be continued and the applicant return to the Board in September 2005 with two or three alternatives smaller than the existing signage (in terms of square footage).

- Mr. Katz suggested modifying the sign to say medical, dental, legal walk-in care.

Public Comments (none)

Ms. Spitz (Abelar) moved to continue DCB #05-014 until September 2005 at which time the applicant will return with alternate signage. There must also be a hyphen between the words, walk-in. Motion passed unanimously.

5. **New Business**

Background of Agenda Items 5A and 5B (Parcels 21 and OT) – Report by Stan Wisniewski

The Board of Supervisors (BOS) recently approved the Department negotiating to develop a dry stack boat storage facility on Parcels 52 and GG. Parcel 52 is a parking lot between the Boat Yard on Fiji Way and Parcel GG, which is used by the Department (five administrative trailers and a maintenance center) and the Sheriff's boat wright facility. In the Local Coastal Program (LCP) for Marina del Rey, Parcel 52 is designated for a 26,000 square foot public facility and was intended to house an administration center for the Department. With the development of the dry boat storage facility, the administrative trailers will need to be relocated. The lessee of both these parcels (OT and 21) also has Parcel 20. In the coastal development permit for that parcel, the lessee was to build a replacement yacht club facility for Pacific Mariners Yacht Club as well as house office tenants.

In the future, the Department will return to the Board and show how it is bifurcating Parcel 20 into Parcel 20 and Parcel 19, the latter which will be the new site of the Department's Administration Building. The

new yacht club, a health center, and all other Parcel 20 tenants will go into a brand new building that will be on Parcel 21. A portion of Parcel 21 on the western edge will be bifurcated and become a public parking facility that will house parking being displaced from other development projects in the area around Marina ("Mother's") Beach. The Department accomplished a lot of objectives in the negotiations with the lessee: a site for an administration building; a site for a public parking structure, which will facilitate the redevelopment of our second catalytic project area (resort); and, a new yacht club and health club. The next step will be to come back to the Small Craft Harbor Commission (SCHC) with the actual lease documents. There will be an amendment to the Parcel 20 lease, an extension of Parcel 21 and a brand new lease for Parcel OT.

- Ms. Spitz asked for a definition of bifurcate in terms of the parcels.
- Mr. Wisniewski stated bifurcate means severing off a portion of the site and returning it to County control.
- Ms. Spitz asked if the parcel that will be segregated will have less land than the department currently has on Fiji Way.
- Mr. Wisniewski advised it is difficult to compare what the department has on Fiji Way because the administration facility is also occupied by the Sheriff's Department.
- Mr. Phinney asked if the lessee would vacate a portion of Parcel 20 and 21 back to the County.
- Mr. Wisniewski advised that the lessee is only giving the land back.
- Ms. Spitz asked if the health club, the yacht club, and the parking area are included in what might be considered open space or recreational space. What is their zoning?
- Mr. Chesler advised the yacht club is considered marine commercial and is essentially a waterfront use that would be considered in any relocation effort. The health club is a visitor-serving commercial use that could be basically anywhere within the reasonable proximity of its current location. Parking is parking.
- Ms. Spitz asked if there is a net loss to the public, i.e., view corridors, open space, access to the water.
- Mr. Wisniewski stated it would be an improvement. The Department is hoping to move some of the public parking off of Parcel OT, relocating it on Parcel 21 so that it is closer to the public beach.

A. <u>Parcel OT – Proposed Retirement Residence – DCB #05-015</u>

Consideration of a 114-unit retirement resident project, 5,000 square feet of retail space and an "open to the public" landscape area on the eastern edge of the site.

- Ms. Spitz asked staff why they recommended replacing the Washingtonias and ground cover.

- Ms. Carpenter advised there is a maintenance issue with the Washingtonia's palm fronds falling, which can damage vehicles and injure people. Also rats find them attractive. One of the ground covers to be eliminated or replaced is coyote bush because it can be considered unattractive during its dormant phase.

- Mr. Abelar asked if there would be an odor coming from the lagoon and if so would it affect the tenants.

- Mr. Wisniewski stated he recently completed a walk-through and did not notice any odors coming from the lagoon. The Department is working with Public Works to improve the water quality, and as the National Pollutant Discharge Elimination System (NPDES) program takes effect whereby stormwater runoff is improved, he believes the water quality will also improve. The Department has contracted with Public Works for additional positions to improve debris removal in that area.

- Mr. Chesler commented the lagoon is a tidal wetland and, therefore, occasionally when mudflats are exposed, there is a decaying odor due to the natural process and it does affect some of the tenants in the Marina. We periodically get complaints from those who are down-wind from the basin. This particular site is on the leeward side of the basin and only under Santa Ana wind conditions, which are relatively short-lived, will the occupants of this residence be affected.

Public Comments

- Carla Andrus commented there are several reasons for the DCB to deny this project. It's inconsistent with the Coastal Act, it reduces coastal access, it's not a coastal marine priority, and Parcel OT parking provides easy access to Marina ("Mother's") Beach. The retirement residence is not a priority use, the area is geologically unstable. There are soil and ground water issues and gas and oil transmission lines on Admiralty Way. The added traffic in the area for such a use can not be supported. There is already a proposed cluster of high density uses that will negatively impact the area. The same developers are reneging on their responsibility for affordable senior housing on Parcel 20. What will the promised retirement home turn into? The County comes from behind to retroactively relieve the developer of its responsibilities for senior housing. The proposed parking will be needed for the canoes and other activities on that side of the beach. Let's use the building for affordable housing.

- Daniel Ginzburg commented the proposed project is good. It accomplishes numerous development goals in one single project, which is very efficient and helps the overall development of this parcel and other parcels throughout the Marina. It is also aesthetically pleasing, provides on-site parking for the locals and the preexisting

businesses and is very mindful of the bird sanctuary next door by not only providing open space, but also a nice park-like setting. It also offers a pretty thoroughfare between Washington Blvd. and Admiralty Way, which is another great benefit for pedestrians and the general public.

Board Comments

- Ms. Spitz requested that staff show a site plan with its future conditions and surrounding uses for all future proposals.

- Mr. Phinney asked how the public will know where to park and where public access is located.

- Ms. Moses, architect, explained there would be signage that would read public parking and also directional signs. The public parking is the same grade as the alley and as Admiralty Way. Public parking and resident parking is through the same entrance.

- Mr. Phinney advised the applicant it should be made very clear that the public access to public parking is public and people shouldn't be intimidated because they are not residents of the building. Pedestrian access from the parking spaces to the public street should be clear, commodious. We don't want the public to feel like second class users of the facility. How much space is in between corridors?

- Ms. Moses advised there is about 35 feet in between corridors.

- Mr. Phinney suggested making the lounge and staff area single-story and not build units above. The units that face the interior courts seem dark and tall and may not receive any light or air. For people who may spend a great deal of time inside their apartments, they should have light, air and wonderful views.

- Ms. Spitz advised the applicant to consider other ways of providing light for the interior units.

- Mr. Gardner advised the Board Members they could visit the Palm Court in Culver City to get an idea of what the proposed development will look like when built.

- Mr. Ahbe explained the street trees are ficus and the roots are a problem. The intent is to go through an application process with the City of Los Angeles to remove and replace with an approved street tree.

- Mr. Phinney asked why there is a retail component, what type of retail, and who will it serve.

- Ms. Moses stated the retail will be accessed from the front, but there may be a back door possibility, and would consist of a coffee or donut shop for the general public and the residents' use.

- Mr. Phinney advised the applicant that wherever there is an opportunity to put a public amenity as a buffer, immediately accessible visually from the sidewalk and/or between the sidewalk and the parking, please do it. Also start thinking about residential components dropping down to become a buffer.

- Ms. Moses noted that all of the elements facing the street are pedestrian oriented.

- Ms. Spitz noted that one of the Board's concerns is Washington Blvd. The Board would like a better plan description of what Washington Blvd. will actually look like. She also asked about the property line.

- Mr. Hickman advised the property line will be adjusted so the landscape area between Washington Blvd. and Admiralty Way can be maintained by the applicant.

- Ms. Spitz likes the project and thinks the landscape plan in terms of landscape architecture is beautiful. She also believes that Washingtonia robusta are part of the southern California regional heritage and rats are attracted to all sorts of plants. The height of tall palm trees is necessary against this building, and she was not sure what a replacement by a date palm meant. She also encouraged California native's bright and sophisticated flowers. She was concerned about the style of the building and ten years from now it might look outdated. She encouraged the applicant to come back to the Board with high quality materials and high quality finishes.

- Mr. Phinney stated the Board would like to see the interior court improved, which means enlarging it or making it accessible to the outside to fresh air, rather than it being an atrium. He suggested considering a U-shaped building. The architectural effort of bringing visual activity to the street front is good and the Board would like more of that done. The applicant must develop some scheme to separate resident parking from public parking, signage is not enough. It doesn't mean separate entrances; it just needs to be made clear there is a public parking component in the facility. Improve the pedestrian access from the public way to the parking. The style of the building needs to be more of a timeless approach. The lighting plan must be sensitive to the night sky and as a general rule the Board does not like uplighting. Use lighting elements to animate the pedestrian aspect of the façade.

- Ms. Spitz advised the applicant to be able to show the property line when it returns to the Board to show that it will be taking on the maintenance.

Mr. Phinney (Spitz) moved to approve DCB #05-015 in concept with the conditions as outlined: the interior court needs improvement, which means making it larger or making it accessible to the outside to fresh air, rather than an interior atrium, to actually making the

building u-shaped. The architectural effort of bringing visual activity to the street front is good and the Board would like more of that done. The applicant must develop some scheme to separate resident parking from public parking, signage is not enough. Improve the pedestrian access from the public way to the parking. The style of the building needs to be more of a timeless approach. The lighting plan must be sensitive to the night sky and as a general rule the Board does not like uplighting. Use lighting elements to animate the pedestrian aspect of the façade. The applicant must also be able to show the location of the property line. The applicant must come back to the Board with high quality materials and high quality finishes. Motion passed unanimously.

B. **Parcel 21 - Holiday Harbor Courts – DCB #05-016**
Consideration of a new building and severance of the westernmost portion of the parcel for future use as public parking.

Public Comments

- Carla Andrus commented the proposed buildings have too much density. There's nothing in the proposed project regarding boating amenities such as ping-pong and there's also not enough parking for boaters to enjoy the Marina recreation.

Board Comments

- Mr. Abelar asked if there will be boater and pedestrian amenities.
- Mr. Gardner advised the amenities currently on the parcel will all be replaced. There will also be improved boater parking for Parcels 20 and 21.
- Ms. Spitz asked if the 105 feet for the mini park is actually a required view corridor. If so, it should be referred to as a view corridor.
- Ms. Spitz asked the applicant to explain why it used the proposed building facades for this site.
- Ms. Moses explained they wanted to distinguish between the two uses of the building. Even though the buildings are connected, there was an attempt made to create a separation (using driveways or walkways) so that you can see the water from the street. The parking structure was given a more nautical feel, getting away from the typical parking structure look. The corners of the parking structure were removed for additional landscaping. Using the blue/green glass and nautical materials relates to the water elements. The landscaping will also have a lot of green in it.
- Mr. Phinney asked if the parking structure was far from Marina ("Mother's") Beach.
- Mr. Hickman advised that the applicant's goal was to separate the noise associated with the yacht club from the residences, which is the reason for the location of the parking structure.

- Mr. Wisniewski suggested the applicant come back to the Board and address the need to put the yacht club in the building and parking should be closer to Marina ("Mother's") Beach.

- Ms. Spitz asked the applicant to address the question of "what can they do for the public/visitor good?"

- Mr. Phinney suggested rethinking the health club, maybe moving it to the first floor. Public parking could be placed behind a small component of office space that animates the street, but on the plaza side closer to Marina ("Mother's") Beach.

- Ms. Moses advised it's a very narrow site and difficult to maneuver parking. The parking is on a 5% slope, so it is very difficult to combine the offices and the parking on the same level.

Ms. Spitz (Phinney) moved to conceptually approve DCB #05-016 with the conditions that the applicant consider the public benefit in the building layout; access for public parking; adding palm trees against the elliptical façade; and the use of highest quality materials for the project. Motion passed unanimously.

D. **Parcel 27 – Jamaica Bay Inn – DCB #05-020**
Consideration of major renovations, including a new main entrance, additional rooms, demolition of the function room, additional parking spaces and enhanced landscaping.

Public Comments

- Carla Andrus submitted a letter to staff and the Board.

Board Comments

- Ms. Spitz was deeply concerned regarding the style and color of the corner entrance.

- Ms. Spitz and Mr. Phinney advised they were concerned about the elevation, style, color, design details, scale, finishes and the railing.

- Mr. Phinney suggested to the applicant to modify the existing building which will help them to understand what the new building should look like.

Ms. Spitz (Phinney) moved to continue DCB #05-020 until September 2005. The applicant must come back to the Board with other alternatives. Motion passed unanimously.

5:15 p.m., Commissioner Abelar had to leave the meeting and the quorum was lost. Therefore, the meeting was adjourned.

C. **Parcel 103 – Oakwood Apartments – DCB #05-019**
Consideration of a replacement sign.

Item was continued until the September 2005 meeting due to the loss of the quorum.

6. **Staff Reports**

A. Temporary Permits Issued by Department
- No reports were given. All reports were received and filed.

B. Marina del Rey LCP Periodic Review (verbal report)
- Mr. Wisniewski advised the Board that the Department would be responding to the LCP periodic review staff report by Friday, August 25, 2005. It is being calendared for consideration November 2005 in the Los Angeles area.

C. Ongoing Activities Report
- Board Actions on Items Relating to Marina del Rey
- Small Craft Harbor Commission Minutes
- Redevelopment Project Status Report
- Marina del Rey and Beach Special Events
  - No reports were given. All reports were received and filed.

7. **Comments From the Public**
No comments were taken.

8. **Adjournment**
Meeting adjourned at 5:15 p.m.

Respectfully Submitted,

La Irina H. Perry

La'Irina Hancock-Perry
Design Control Board Secretary

ATTACHMENT B

COASTAL DEVELOPMENT PERMIT
BURDEN OF PROOF

Answers to the following must be made completely. Use additional sheets as necessary.

1. That the proposed development is in conformity with the Certified Local Coastal Program because.

Applicable Coastal Act Policies have been identified and incorporated into the February 1996 Marina Local Coastal Program Land Use Plan (LUP). The proposed project is in compliance with the policy framework set forth in the Marina LUP. At the time of adoption of the LUP, existing land uses were described as Phase I uses. The project would replace an existing parking lot with a retirement facility, serving a growing sector of the County population. As an infill and re-use project, it is consistent with the intent of Marina Phase II development, described in the LUP as follows, "the next phase of development (Phase II) for the Marina [is one] in which existing uses may be recycled or intensified, and new uses may be created." Phase II development is based on a first come first serve principle (see LUP, page 8-6). Parcel OT is located in Development Zone (DZ) 6. The proposed project will be requesting a transfer of development potential to the project site and MUZ trips generation from DZ#7 to DZ#6. The public parking spaces currently on-site will be transferred to (provided on) Parcel 21, Phase I, which allows for improved parking access to the small craft harbor, as well as to other Marina recreational and commercial uses. Development and re-use of underutilized properties is also consistent with current planning practice of encouraging infill development on underutilized parcels in urban areas.

2. That any development, located between the nearest public road and the sea or shoreline of any body of water located within the Coastal Zone, is in conformity with the public access and public recreation policies of Chapter 3 of Division 20 of the Public Resources Code because.

The proposed project is compliant with the Coastal Policies stated in California Public Resources Code Division 20 Chapter 3, sections 30200, 30210-30214, 30220-30224, 30230-30236, 30240-30244, 30250-30255, and 30260-30265.5, as they pertain to the sea, shoreline/water access, as well as to public recreation. Parcel OT is not located on the shoreline or Marina, but will preserve and enhance current pedestrian and bicycle access from Washington Boulevard to Admiralty Way by providing a pathway approximately 20 feet wide by 350 feet long with extensive landscaping, benches and proper lighting. In addition, the project will involve transfer of public parking spaces to a location with more convenient access to Marina uses, as noted above.

APPLICANT'S AFFIDAVIT

I (We) being duly sworn, depose and say that the foregoing answers and statements herein contained and the information submitted are in all respects true and correct to the best of my (our) knowledge and belief.

Executed this 9th day of May at 2006 Culver City, CA.

Signed: MDR Oceana, LLC, a California limited liability company

By: Warren L. Breslow, as Manager of WLB Group GP LLC, a Manager

ATTACHMENT C

CONDITIONAL USE PERMIT CASE – BURDEN OF PROOF SEC. 22.56.040

In addition to the information required in the application, the applicant shall substantiate to the satisfaction of the Zoning Board and/or Commission, the following facts:

A. **That the requested use at the location proposed will not:**

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or

The proposed project will develop Parcel OT to a use compatible with other developed properties in the area (adjacent hotel and restaurant uses), and consistent with current planning practice of providing infill development on underutilized properties, such as parking lots. Infill development reduces the number of vehicle miles traveled, resulting in reduced regional traffic congestion and reduced air pollutant emissions. The project will transfer public parking spaces from Parcel OT to Parcel 21 Phase I (a related project), where the parking will be more convenient to visitors. The project is consistent with the Marina Phase II development as described in the Marina LUP, "the next phase of development (Phase II) for the Marina [is one] in which existing uses may be recycled or intensified, and new uses may be created." For these reasons, the proposed project will not adversely affect the health, peace comfort or welfare of persons residing or working in the surrounding area.

2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or

The proposed project increases public use and enjoyment of the property by providing a redesigned pathway that connects Admiralty Way to Washington Boulevard. This public pathway will be extensively landscaped, have public benches, and appropriate lighting. It will create a convenient access point to the marina for individuals or families on foot or bicycle. Additionally, visitors will be able to stop and enjoy the landscaped area near the Marina Lagoon (also known as the Oxford Retention Basin or Bird Sanctuary).

Furthermore, proposed project will respond to the regional demand for retirement facilities (catering to a growing segment of the LA County population) and will provide a well-designed building that is visually compatible with the surrounding urban development, including amenities for the users of the facility. The development will assist in stimulating the economy by providing a new facility, new services (providing jobs during both the construction and operational phases of the project) and increasing tax revenue for the County. The proposed project will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site.

3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The proposed development provides substantial improvements to Parcel OT by providing a state-of-the-art retirement facility, a well-lighted public pathway and related amenities, as described above. The project will meet all Fire Department requirements for access and service, and will comply with all County requirements, including Building and Safety. The proposed project will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

B. **That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.**

The proposed project will meet and or exceed the requirements of County Code, Title 22, including requirements for yards, walls, fences, parking and loading facilities, landscaping. The site has frontage on Admiralty Way of approximately 260 feet and will accommodate the proposed development and allow for extensive landscaping, public benches and safe pedestrian and recreational area. It will be accessible to the general public and appropriately integrated into the surrounding area.

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and

An extensive network of existing roadways and highways serves the proposed site. The site has a frontage on both Admiralty Way and Washington Boulevard of approximately 260 feet, and a driveway is located along the project's western boundary that provides access between those two roadways. As the project is located in an urban area and currently has adequate access, no new streets are required for the project. Further, the project's traffic impacts will be evaluated in a traffic report meeting County requirements, and project-related mitigation measures will be provided, as necessary.

2. By other public or private service facilities as are required

The project is located in an area fully served by utilities and services. Expected issues relate to providing adequate connections to the site and the location of utility lines on-site; no regional impacts are anticipated. The applicant intends to comply with all necessary County and service-provider requirements related to these services. Further, the County Impact Analysis Section will review the project and the applicant is providing CEQA documentation that will evaluate the adequacy of public utilities and services to the site.

ATTACHMENT D

GENERAL PLAN AMENDMENT
BURDEN OF PROOF

Answers to the following must be made complete and full (use additional sheets as necessary):

1. A need for the proposed General Plan Amendment exists because:

When the LCP was certified in 1996, both the County and the Coastal Commission recognized that there were several parcels developed as parking lots which were underutilized. The LUP "contemplates the potential conversion of three parking lots to other uses" including Parcel OT. The LUP states that Parcel OT "is underutilized most of the year" and that "lot OT is fully used only during peak events" (LUP pg 2-5). Parcel OT provides parking for visitors of the Marina, particularly those visiting Mother's Beach, even though it is located across the street from these amenities. The County's Right-Sizing Parking Study corroborates this lack of use and recommends more concentration of parking at Parcel GR and Panay Way.

This underutilization had at least two drawbacks; the parcel was not used for any purpose, even parking, and the development entitlement of the 1996 LCP was concentrated in other areas. By moving entitlement to Parcel OT, the County could both provide a beneficial use for the parcel and finance the retention or transfer of public parking to another location. In the case of Parcel OT, and because the County allowed a portion of Parcel P outside the Oxford Basin fence to be used for Parcel OT, Parcel OT finances both the on site retention for parking and the transfer of the remaining unused parking spaces to Mothers' Beach in Parcel 21, something which will not use County funds. In addition, Parcel OT will pay for an install a pedestrian link between Washington Boulevard and Admiralty Way, allowing liberal public access to Marina del Rey for the public. The lessee will continue to maintain this accessway and landscape area at no cost to the County.

The proposed transfer of parking to LUP Parcel 21 provides several advantages to visitors, improving public access to and use of the oceanfront: 1) the new location is adjacent to the Marina and in close proximity to Mother's Beach, 2) it provides safer pedestrian access to the Marina and Mother's Beach in that no street crossings would be required, 3) it provides covered parking and 4) Parcel 21 is surrendering 207 feet of its leasehold to the County to expand the Parcel GR public parking lot.

The LCP amendment will establish a new category, Active Seniors Accommodations. There will be communal dining, transportation service and activities for seniors who are ambulatory and wish to live in a more resort or recreational setting in a coastal area. The retirement facility helps to meet the growing demand for housing for the retired population, a growing demographic in the County. The project will provide retired residents with increased access to the Marina coastal resources. The requested modification to the LCP would add the Mixed Use overlay zone (MUZ) to Parcel OT and a transfer of development potential to the project site (hotel related trips from DZ #7 Admiralty to DZ #6 Oxford), to allow for the mixed-use Retirement Facility. In addition, an opportunity exists to establish 5,000 square feet of commercial along Washington Boulevard for passers-by. This entitlement is beign moved from DZ 5 (Parcel 97 is not using the allocated entitlement) to DZ 6 on Parcel OT so that no changes in traffic patterns will occur.

The proposed transfer of uses will allow Parcel OT and the development potential in the Marina to be better utilized, and better respond to current market demands. A need for the proposed General Plan Amendment exists due to access and safety issues relating to marine recreational activities, a change in demographics and market demand, and good planning practices. Finally, a need for the General Plan amendment exists because although senior units were provided in the LCP, they have never been assigned to a property and used. Although this is not technically a residential project, seniors complete the demographics of this area and can also easily enjoy the many amenities.

2. The particular amendment proposed is appropriate and proper because:

The proposed project is appropriate and proper because it does not eliminate public parking but replaces it in the Marina, on a 1:1 ratio, in a more prime location. Please see Response 1, above, for further details.

GENERAL PLAN AMENDMENT
BURDEN OF PROOF

3. Modified conditions warrant a revision to the County of Los Angeles General Plan because:

Demographics have changed regionally and locally. Retirees are a growing sector of the population, and there is a growing need for appropriate housing and recreation to serve this group. In addition, market demands have changed, and the proposed project provides for an improved distribution of uses in the Marina, as described in Response 1, above. Therefore, current conditions (including changing demographics, market demand, and the need to revitalize underutilized properties) warrant a revision to the Marina del Rey Specific Plan/ Marina del Rey LUP component of the County of Los Angeles General Plan.

4. Approval of the proposed General Plan Amendment will be in the interest of public health, safety and general welfare and in conformity with good planning practices because:

Please see the advantages of the amendment and public benefits recited in Response 1. The proposed project will develop Parcel OT to a use compatible with other developed properties in the area (e.g., adjacent hotel and restaurant uses), and consistent with good planning practice of providing infill development on underutilized properties, such as parking lots. Infill development reduces the number of vehicle miles traveled, resulting in reduced regional traffic congestion and reduced air pollutant emissions. The project will transfer public parking spaces from Parcel OT to Parcel 21 Phase I (a related project), where the parking will be more convenient to visitors. Infill development also utilizes existing infrastructure systems as opposed to expanding utilities, services and development into undeveloped areas where impacts are generally greater. Provision of the Retirement Facility responds to the need for housing for the growing retiree segment of the population. The proposed project also increases public use and enjoyment of the property by providing a redesigned pathway that connects Admiralty Way to Washington Boulevard. This public pathway will be extensively landscaped, have public benches, and appropriate lighting. It will create a convenient access point to the marina for individuals or families on foot or bicycle. Additionally, visitors will be able to stop and enjoy the landscaped area near the Marina Lagoon (also known as the Oxford Retention Basin or Bird Sanctuary), which is soon to undergo major renovation. The project is consistent with the Marina Phase II development as described in the Marina LUP, "the next phase of development (Phase II) for the Marina [is one] in which existing uses may be recycled or intensified, and new uses may be created."

APPLICANT'S AFFIDAVIT

I (We), being duly sworn depose and say that the foregoing answers and statements herein contained and the information submitted are in all respects true and correct to the best of my (our) knowledge and belief.

MDR Oceana, LLC, a California limited liability company

By: Warren L. Breslow, as Manager of WLB Group GP LLC, a Manager

Executed this day of Signed:

ATTACHMENT E

PARKING PERMIT
BURDEN OF PROOF - ATTACHMENT

A. That there will be no need for the number of parking spaces required by Part 11 of Chapter 22.52 because:

Only Section A4, above, is applicable to the proposed project request. As the proposed project is a retirement facility, a reduced number of parking spaces would be required, based upon studies at a similar facility in Culver City that is managed by the applicant. This justification for the reduced rate will be presented in a study by the project traffic engineer. In addition, 94 on-site Marina visitor parking spaces (**Table 1**) are to be transferred to Parcel 21. This transfer provides several advantages to Marina visitors, 1) the new location is adjacent to the Marina and in close proximity to Mother's Beach, 2) it provides safer pedestrian access to the Marina and Mother's Beach in that no street crossings would be required, and 3) it provides covered parking as opposed to the currently uncovered surface parking lot. The project parking plans are intended to provide adequate parking for the long-term Retirement Facility use (for the retirees, and facility visitors) as well as to provide adequate replacement parking for the displaced Marina visitor parking spaces that currently exist on-site.

Table I
Proposed Parking and Parking Replacement

Existing	Proposed On-Site	Proposed Off-Site	On-Site Use	Off-Site Use
186	92		Replaced Public Parking	
	42		Retirement Facility	
	20		Retail	
		94		Replaced and Transferred Public Parking (to Parcel 21) [a]
Total: 186	**154**	**94**		

[a] Parcel 21 is part of the Holiday Harbor Courts Project, which is a related project under a separate development application.

B. That there will be no conflicts arising from special parking arrangements allowing shared facilities, tandem spaces or compact spaces because:

The proposed project will provide parking adequate for a facility of this type (see Response A, above). The transfer of parking does not eliminate any public Marina visitor parking but replaces it equally on a 1:1 ratio in the Marina in a more convenient location that will be better utilized.

C. That off-site facilities, leases of less than 20 years, rear lot transitional parking lots and uncovered residential parking lots and uncovered residential parking spaces will provide the required parking uses because:

The County of Los Angeles, the underlying landowner, grants and administers all leases in the Marina (specifically by the Department of Beaches and Harbors). The proposed uses are permanent, long-term uses. The parking requirements and locations will be determined by the County of Los Angeles and administered by the lessee/lessee's agent, County of Los Angeles Department of Beaches and Harbors. Justification for the proposed parking will be provided, as noted above.

D. That the requested parking permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding property.

The proposed project will not result in traffic congestion or excessive off-site parking. The project provides needed parking spaces on-site for the proposed new uses along will some public parking. Additional public parking will be transferred to Marina Parcel 21. Please see Responses A and B, above, for further details on parking requirements, requests and transfer. Vehicle traffic access for visitor parking will be more direct for access to Mother's Beach and the Marina. Therefore, vehicle and pedestrian traffic will be improved.

E. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping and other development features prescribed in this ordinance.

The proposed project received "approval in concept" from the LA County Department of Beaches and Harbors Design Control Board on August 18, 2005. Roadway access and project design will adhere to all County Fire Department and Public Works requirements and will be subject to the review and approval of those departments. In addition, the project will be required to abide by all conditions of the Coastal Development Permit, Conditional Use Permit and General Plan Amendment, which are being concurrently requested.

ATTACHMENT F

COUNTY OF LOS ANGELES FIRE DEPARTMENT

FIRE PREVENTION DIVISION
Land Development Unit
5823 Rickenbacker Road
Commerce, California 90040

TRANSMITTAL

DATE: March 12, 2009

TO: DRP - Michael Tripp, FPD - Hawthorne, Agent - Envicom Corp.

FROM: Scott Jaeggi, Inspector
(323) 890-4243
sjaeggi@fire.lacounty.gov

SUBJECT: CUP R2006-01510 / Parcel OT, Marina Del Rey

ATTACHED PLEASE FIND THE CONDITIONS OF APPROVAL FOR THE ABOVE REFERENCED PROJECT. IF YOU HAVE ANY ADDITIONAL QUESTIONS PLEASE FEEL FREE TO CONTACT ME BY E-MAIL OR TELEPHONE.

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040-3027

DATE: March 12, 2009

TO: Department of Regional Planning
Permits and Variances

PROJECT #: CUP R2006-01510

LOCATION: Parcel OT - Marina Del Rey

☐ The Fire Department Land Development Unit has no additional requirements for this permit.

☒ The required fire flow for this development is 5000 gallons per minute for 5 hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 psi residual pressure. 3 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.

☒ The required fire flow for private on-site hydrants is 2500 gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing 1250 gallons per minute at 20 psi with two hydrants flowing simultaneously, one of which must be the furthest from the public water source.

☒ Verify 2 6" X 4" X 2 1/2" fire hydrants, conforming to AWWA C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.

☒ **Comments:** THIS PROJECT IS NOT CLEARED BY THE FIRE DEPARTMENT FOR PUBLIC HEARING.

☒ **Location:** Verify and perform Fire Flow Availability tests on the following:
1. The nearest existing public fire hydrant on Admiralty Way.
2. The nearest existing public fire hydrant on Washington Blvd.

☒ **Access:**
1. Fire apparatus access roads shall be an approved all weather surface and shall maintain a minimum width of 28 feet clear to sky.
2. Fire Apparatus roads shall extend to within 150 feet of all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
3. Submit architectural plans to the Fire Prevention Engineering Division in Hawthorne for review and approval prior to building permit issuance. For submittal requirements contact (310) 263-2732.

☒ **Special Requirements:** THE FOLLOWING ITEMS SHALL BE SUBMITTED TO THE FIRE DEPARTMENT LAND DEVELOPMENT UNIT FOR REVIEW AND APPROVAL PRIOR TO CLEARNCE FOR PUBLIC HEARING:
1. An original Fire Flow Availability form (Form 196) for each public fire hydrant as specified.
2. A revised Site Plan.

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office at (323) 890-4243.

Inspector: SCOTT JAEGGI

ATTACHMENT G

COUNTY OF LOS ANGELES ◈ DEPARTMENT OF PUBLIC HEALTH
ENVIRONMENTAL HEALTH
ENVIRONMENTAL PROTECTION BUREAU
ENVIRONMENTAL HYGIENE
5050 Commerce Drive, Rm. 115
Baldwin Park, CA 91706-1423
626-430-5430, Fax: 626-813-3025

FAX TRANSMITTAL

Date: 2/3/09	# of pages including this cover sheet: 4
To ➢ Michael Tripp	
Company or Firm Name ➢ LACo.	
Department ➢ Regional Planning	
Fax No. ➢ (213) 626-0434	Phone Number ➢ (213) 974-4813
From ➢ EVENOR MASSI	Phone Number ➢ (626) 430-5435

THIS FAX MESSAGE IS INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS FAX IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE CALL US IMMEDIATELY AND RETURN THIS ORIGINAL MESSAGE TO US.

COMMENTS: Proof of Registration

☑ For your information ☐ Please comment ☐ Urgent, Deliver

COUNTY OF LOS ANGELES
Public Health

JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JONATHAN E. FREEDMAN
Chief Deputy

Environmental Health
ANGELO J. BELLOMO, REHS, Director

ALFONSO MEDINA, REHS
Director of Environmental Protection Bureau

Environmental Hygiene Program
Cole Landowski, MS, CIH, REHS, Program Head
5050 Commerce Drive
Baldwin Park, CA 91706
TEL (626) 430-5540 FAX (626) 813-4839

www.lapublichealth.org

BOARD OF SUPERVISORS

Gloria Molina
First District

Mark Ridley-Thomas
Second District

Zev Yaroslavsky
Third District

Don Knabe
Fourth District

Michael D. Antonovich
Fifth District

January 12, 2009

Mr. Michael Tripp
Special Projects Section
Los Angeles County
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

RE: **The Oceana Retirement Facility and Holiday Harbor Courts, Marina del Rey Parcels OT and 21, State Clearinghouse No. 2007021133**

Dear Mr. Tripp:

This is to inform you that upon review of all documents forwarded to our program by you and upon visiting the proposed project site location at the above address, it appears that the proposed construction project will have a significant noise impact upon the surrounding community during the grading and construction of the site. However, the surrounding community will have no significant noise impact on the above project.

The Screen-check Draft Environmental Impact Report (EIR) identifies two significant impacts before mitigation in the air quality element of the EIR. This document will address the mentioned Cumulative Air Quality and Local Significance Thresholds Impacts.

This document is not a health impact assessment. The recommendations given in this report are measures that should minimize the identified impacts in the air and noise elements of the EIR.

2009-Feb-03 12:42 PM Env. Hygiene/Cross Connections 6268133025 2/4

Oceana Retirement Facility and Holiday Harbor Courts
Marina del Rey, CA 90292

The following comments and recommendations are therefore presented:

1. Construction activities should be restricted between the hours of 8:00 A.M. and 5:00 P.M. in order to minimize construction and haul route activities that would increase noise disturbance on surrounding residential and commercial land.

2. All construction equipment, fixed and mobile, shall be in proper operating condition and fitted with standard silencing devices. Proper engineering noise controls should be implemented when necessary on fixed equipment. It is recommended that a monitoring program be implemented by the applicant to monitor mobile sources.

3. It is recommended that the occupants of the surrounding sensitive land use be informed of the anticipated duration of the project, noise impact and any other pertinent information where people can register questions and complaints.

4. The project applicant shall post a notice at the construction site. The notice shall contain information on the type of project, anticipated duration of construction activity, and provide a phone number where people can register questions and complaints.

5. Pile drivers used during the foundation construction are required by building code regulation and therefore vibration impact and high intensity repetitious intrusive noise is expected and unavoidable. In order to minimize the impact associated with pile drivers it is recommended that such construction activity be limited to the hours of 8:00 A.M. and 4:30 P.M. Also, if economically feasible, the use of a noise attenuation barrier around the pile driver should be implemented.

6. Staging and delivery areas should be located as far as feasible from existing residences and should be schedule to take place from the mid-morning to mid-afternoon to take advantage of times when residential zones are less susceptible to annoyance from outside noise.

7. Maintaining equipment in an idling mode shall be minimized. This practice helps minimize the impact associated with noise engine, particulate matter and green gas emissions.

8. Any semi-stationary piece of equipment that operates under full power for more than sixty minutes per day shall have a temporary ¾ inch plywood screen if there is a direct line of sight to any residential bedroom window from the equipment to homes along the perimeter of the construction site.

Oceana Retirement Facility and Holiday Harbor Courts
Marina del Rey, CA 90292

Particle matter emissions (PM_{10} and $PM_{2.5}$) and Greenhouse Gases

The evaluation of particle emissions are now being routinely addressed in preliminary environmental impact reports. Recent research shows significant health risk to populations including children and people of advanced age when exposed to these pollutants. As a result environmental impact reports, including this report, should now address these issues.

The proposed project may result in exposure to these particle emissions to the surrounding community especially during the construction phase of the project, which may include people that belong to high risk populations.

a. Configure construction parking to minimize traffic interference.

b. Schedule construction activities that affect traffic flow on the arterial system to off-peak hours as permitted.

c. Consolidate truck deliveries when possible.

d. Maintain equipment and vehicle engines in good condition and in proper tune according to manufacturers' specifications and per SCAQMD rules, to minimize exhaust emissions.

e. Suspend use of all construction equipment operations during second stage smog alerts. Contact the SCAQMD at 800/242-4022 for daily forecasts.

f. Use electricity from power poles rather than temporary diesel- or gasoline-powered generators.

g. Use methanol- or natural gas-powered mobile equipment and pile drivers instead of diesel if ready available at competitive prices.

h. Use propane- or butane-powered on-site mobile equipment instead of gasoline if readily available at competitive prices.

If you have any questions, please contact Evenor Masis at (626)430-5435.

Cole Landowski, M.S., CIH
Head, Environmental Hygiene Program

ATTACHMENT H

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

GAIL FARBER, Director

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
http://dpw.lacounty.gov

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

August 11, 2009

IN REPLY PLEASE REFER TO FILE: LD-1

TO: Mark Child, AICP
Zoning Permits I Section
Department of Regional Planning

Attention Michael Tripp

FROM: Steve Burger
Land Development Division
Department of Public Works

CONDITIONAL USE PERMIT (CUP) NO. CUP 200600115
PROJECT NO. R2006-01510
PARCEL OT-OCEANA RETIREMENT
4220 ADMIRALTY WAY
MARINA DEL REY AREA

☒ Public Works recommends approval of this CUP.

☐ Public Works does **NOT** recommend approval of this CUP.

This supersedes our memorandum dated June 25, 2009. We reviewed the site plan for the subject CUP. The development is for the construction of a 114-unit retirement facility, retail space, attached parking structures and the transfer of 94 parking spaces to Parcel 2,1 Phase 1. The project is located in the unincorporated County of Los Angeles area of Marina Del Rey.

Upon approval of the site plan, we recommend the following conditions:

1. Geotechnical

   1.1. Prior to grading or building permit, obtain approval for geotechnical reports from Public Works' Geology and Material Engineering Division addressing all items in the outstanding soils and geologic review sheets dated February 2, 2009, and February 5, 2009.

For questions regarding the items above, contact Jeremy Wan at (626) 458-4925.

2. Sewer

   2.1. Prior to grading or building permit, obtain approval for the sewer relocation per Private Contract No. 12041 currently in plan check with Public Works' Land Development Division. Existing sewer easement for abandon sewer should be vacated.

   For questions regarding the items above, please contact Tony Khalkhali at (626) 458-4921.

3. Sewer Maintenance

   3.1. On all applicable plans, show the ownership of all County of Los Angeles sewer lines clearly as "County of Los Angeles CSMD sewer line." Clearly label sewer lines to be abandoned and proposed sewer lines on all pages.

   3.2. Site Plan Sheet 2-4: Clearly label proposed sewer line as "Proposed 10" County of Los Angeles CSMD sewer line." All new sewer line requires a minimum 10 feet sanitary sewer easement, 5 feet on each side, dedicated to the County of Los Angeles. Easement must be separate and independent from all other easement.

   For questions regarding the items above, please contact please contact James Hilovsky (626) 300-3363.

4. Water

   4.1. A water system maintained by the water purveyor, with appurtenant facilities to serve all proposed buildings, must be provided. The system shall include fire hydrants of the type and location for both on-site and off-site as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.

   4.2. There shall be on filed with Public Works a statement from the water purveyor indicating that the water system will be operated by the purveyor and that under normal conditions, the system will meet the requirements for the proposed land use, and that water service will be provided to each building.

   4.3. If needed, easements shall be granted to the County, appropriate agency or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructures constructed for this project to the satisfaction of Public Works.

4.4. Relocation and upsizing of existing water system facilities in conflict with proposed project via one of the three following options:

1. Should the timing of the District's water main project result in its construction prior to approval of the proposed project, the District would upsize the water main in its current location, as planned. During construction of the proposed project, the applicant would then relocate the upsized water main approximately 36 feet to the northeast and abandon the current alignment. The applicant shall be responsible for the costs of relocating the water main in this situation.

2. If the proposed project is approved prior to the District initiating construction of the water main project, the District would upsize the water main in the proposed alignment, approximately 36 feet to the northeast of the current alignment, and abandon the current alignment. Under this scenario, the applicant shall be responsible for compensating the District for costs associated with design and construction of the water main in the new alignment to accommodate the project. Applicant would also be responsible for compensating the District for costs associated with the replacement of trees impacted by construction activities.

3. Should the proposed project be approved and ready for construction prior to the District's water main project, the applicant would have the option to construct the upsized water main in the proposed alignment, approximately 36 feet to the northwest of the current alignment and abandon the existing alignment. The applicant shall be responsible for the costs of designing and constructing the water main in the new alignment in this situation.

4.5. The construction of on-site facilities shall meet all health and safety codes, and all domestic water service meter and fire protection connections shall have a backflow device to prevent contamination of the public water system.

4.6. Submit landscape and irrigation plans for the common area in the project, with landscape area greater than or equal to 2,500 square feet, in accordance with the Water Efficient Landscape Ordinance.

For questions regarding the items above, please contact Tony Khalkhali at (626) 458-4921.

5. Drainage

5.1. Comply with the requirements of the Drainage Concept/Hydrology Study/Standard Urban Stormwater Mitigation Plan (SUSMP) approved on June 10 2009, to the satisfaction of the Department of Public Works prior to Building Permit.

5.2. Obtain a permit from City of Los Angeles for proposed parkway drains and discharge onto Washington Boulevard to the satisfaction of Public Works prior to Building Permit.

For questions regarding the items above, please contact Amir Ibrahim at (626) 458-5915.

6. Grading

6.1. Prior to building permit, obtain approval for grading plan from Public Works' Land Development Division. The grading plan must show and call out the following items, including but not limited to: construction of all drainage devices and details, paved driveways, elevation and drainage of all pads, SUSMP and Low-Impact Development devices (if applicable), and any required landscaping and irrigation. Acknowledgement and/or approval from all easement holders may be required.

6.2. A maintenance agreement may be required prior to grading plan approval for privately maintained drainage devices including any onsite SUSMP devices.

6.3. Provide approval of grading plan by Public Works' Geotechnical and Materials Engineering Division.

6.4. Acquire permits and/or letters of nonjurisdiction from all State and Federal agencies, as applicable. These agencies may include, but may not be limited to the California Coastal Commission, State of California Regional Water Quality Control Board, State of California Department of Fish and Game, State of California Department of Conservation, Division of Oil, Gas, and Geothermal Resources, and the Army Corps of Engineers.

For questions regarding the items above, contact Sam Richards at (626) 458-4921.

7. Road Improvements

7.1. Close any unused driveway with standard curb, gutter, and sidewalk along the property frontage on Admiralty Way to the satisfaction of Public Works.

7.2. Reconstruct any non-American with Disabilities Act conforming parkway improvements (sidewalk, driveways, curb ramps, landings, etc) that either serve or form a part of a Pedestrian Access Route to meet current American with Disabilities Act requirements to the satisfaction of Public Works.

7.3. Provide 8-foot sidewalks along the property frontage on Admiralty Way to the satisfaction of Public Works. The County will initiate the set-aside process.

7.4. Reconstruct full-width sidewalk along the property frontage on Washington Boulevard to the satisfaction of Public Works and the City of Los Angeles.

7.5. Reconstruct curb, base, pavement, longitudinal gutter on the westerly alley along the property frontage to the satisfaction of Public Works.

7.6. Provide adequate line of sight for pedestrians from all proposed driveways from the parking structure to the satisfaction of Public Works.

7.7. Repair any cub, gutter, driveways, pavement, and sidewalk damaged during construction.

7.8. Plant street trees on Admiralty Way and Washington Boulevard along the property frontages to the satisfaction of Public Works. Existing trees within the existing road right of way if not accepted as street trees will be removed and replaced with approved street trees to the satisfaction of Public Works and the City of Los Angeles (for Washington Boulevard).

7.9. Underground all new utility lines to the satisfaction of Public Works and Southern California Edison. Please contact Construction Division at (626) 458-3129 for new location of any above ground utility structure in the parkway.

7.10. Prior to obtaining grading permit, acquire street plan approval or direct check status from Public Works' Land Development Division.

7.11. Prior to issuance of a grading permit or a building permit, whichever come first, execute an Agreement to Improve for the street improvements. For information regarding Agreement to Improve, contact Ruben Cruz at (626)458-4910.

For questions regarding the items above, contact Sam Richards at (626) 458-4921.

8. Traffic

8.1. Comply with the mitigation and/or fairshare requirements set forth in the attached letter dated November 24, 2008, from Public Works' Traffic and Lighting Division.

For questions regarding the traffic comments, contact Jeff Pletyak at (626) 300-4721.

9. Street Lighting Requirements

9.1. Provide Street lights on concrete poles with underground wiring along the property frontage on Admiralty Way to the satisfaction of Public Works. Submit street lighting plans showing all existing lights along with existing and/or proposed underground utilities plans as soon as possible to the Traffic and Lighting Division, Street Lighting Section.

9.2. Washington Boulevard is within the City of Los Angeles, Contact the City Bureau of Street Lighting for the City's street light requirements.

9.3. Upon approval of the CUP, the applicant shall enter into a secured agreement with the County of Los Angeles for the installation of the street lights in the amount of $15,000.00 (subject to revision at the time of street lighting plan approval). The applicant shall comply with the conditions listed below in order for the lighting districts to pay for the future operation and maintenance of the street lights.

9.4. All street light in the project, or approved project phase, must be constructed according to Public Works-approved plans. The contractor shall submit one complete As-built plans. Provided the above conditions are met, the Lighting District can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year, provided all street lights have been energized and the developer has requested a transfer of billing at least by January 1 of the previous year. The transfer of billing could be delayed

one or more year if the above conditions are not met. The Lighting District cannot pay for the operation and maintenance of street lights located within gated community.

For questions regarding the items above, please contact David Stringer at (626) 300-4754.

If you have any other questions or require additional information, please contact Simin Agahi or Toan Duong at (626) 458-4910.

SA:ca
P:/LDPUB/SUBMGT/CUP/Project R2006-01510_CUP200600115_4220 Admiralty Way.DOC

Attach.

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

DEAN D. EFSTATHIOU, Acting Director

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
http://dpw.lacounty.gov

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: T-4

November 24, 2008

Mr. Jonathan Louie
Crain & Associates
2007 Sawtelle Boulevard, Suite No. 4
Los Angeles, CA 90025-6238

Dear Mr. Louie:

OCEANA RETIREMENT FACILITY AND HOLIDAY HARBOR COURTS PROJECTS
MARINA DEL REY PARCEL NOS. OT AND 21
CONDITIONAL USE PERMITS 06115 AND 06223
TRAFFIC IMPACT ANALYSIS (JUNE 25, 2008)
MARINA DEL REY AREA

As requested, we have reviewed the revised Traffic Impact Analysis (TIA) for the proposed Oceana Retirement Facility project located on the County-owned Parcel No. OT in the Oxford Development Zone (DZ) 6 at 4445 Admiralty Way east of Palawan Way and the proposed Holiday Harbor Courts project located on the County-owned Parcel No. 21 in the Panay DZ 4 at 14025 Panay Way east of Via Marina with a builtout year of 2014 instead of 2010. Both projects are located in the unincorporated County of Los Angeles area of Marina del Rey. This memo supersedes our previous memo dated February 27, 2008.

The Oceana Retirement Facility project proposes to develop a six-floor, 114-unit retirement facility, which would house an estimated population of 145 residents. The facility will include retail space, a lobby, two lounges, two card rooms, a chapel, administration and reception offices, a dining room, a library, arts and crafts room, laundry facilities, a trash and mailroom, a kitchen, a beauty salon, and on-site parking. The Oceana Retirement Facility project is estimated to generate a net increase of approximately 387 vehicle trips daily, with 10 and 41 vehicle trips during the a.m. and p.m. peak hours, respectively.

SFL

The Holiday Harbor Courts project proposes to replace the existing on-site marine commercial office, health club, and retail uses with a new five-floor structure housing marine commercial office, health club, yacht club, and retail uses, as well as, a public park plaza, promenade, and on-site parking. The Holiday Harbor Courts project is estimated to generate a net decrease of approximately 19 vehicle trips daily, with a net increase of 2 and a net decrease of 11 vehicle trips during the a.m. and p.m. peak hours, respectively. Both projects combined are estimated to generate a net increase of approximately 278 vehicle trips daily, with 12 and 30 vehicle trips during the a.m. and p.m. peak hours, respectively.

The traffic generated cumulatively by both projects and with other related projects will exceed the significance threshold as defined in our TIA Report Guidelines at the three intersections listed below. We agree with the TIA that mitigation measures which are identified in the Marina del Rey Local Implementation Program (MDR LIP) will fully mitigate the direct and cumulative impacts to these three intersections. As required by the MDR Local Coastal Plan (LCP), the project shall pay the LCP traffic mitigation fee of $5,690 per p.m. peak-hour trip for Category 1 and 3 improvements. Based on the 30 estimated project p.m. peak-hour trips, the project's fair share of the LCP Transportation Improvement Program fee is $170,700 of which $47,760 will go toward the Category 1 transportation improvements and the remaining $122,940 will go toward the Category 3 transportation improvements. The project shall submit payment to Public Works, Marina del Rey Traffic Mitigation Fee Account No. TF2 7703, upon approval of the project.

- Admiralty Way at Via Marina

  We agree with the TIA's recommendation to reconstruct the intersection to realign Admiralty Way as a through roadway with the southern leg of Via Marina as proposed under the MDR LIP Category 3 improvements, rather than widen the south side of Admiralty Way to accommodate a triple westbound left-turn movement as proposed under the MDR LIP Category 1 improvements.

- Admiralty Way at Mindanao Way

  The addition of a northbound right-turn lane as proposed under the MDR LIP Category 1 improvements is not feasible due to right of way constraints. We agree with the TIA's recommendation to add a second southbound left-turn lane. We also recommend converting the shared left-turn/through lane to a shared left-/through/right-turn lane on the westbound approach, modifying the traffic signal to provide a westbound

right-turn phase concurrent with the southbound left-turn movement, and optimizing the signal operation at adjacent intersections to mitigate the project's cumulative traffic impact at the intersection.

- Admiralty Way at Bali Way

  Although the TIA's recommendation to widen Admiralty Way from Fiji Way to Via Marina to provide a third westbound/northbound through lane as proposed under the MDR LIP Category 1 improvements will mitigate the project's impact, we recommend instead adding a second southbound left-turn lane.

No feasible physical improvements are currently available to mitigate the potential cumulative impact for the five intersections listed below. The TIA indicates the proposed extension of State Route 90 (SR-90) to connect to Admiralty Way will mitigate the cumulative impact at these intersections. Although the SR-90 extension is not a programmed project, it is one of several potential regional transportation circulation improvements identified under the MDR LIP Category 3 improvements. These five intersections will have significant cumulative impacts until the SR-90 extension or another project of equal effectiveness is constructed. Therefore, please ensure that these unmitigated impacts are properly described in the project's revised TIA and subsequent Environmental Impact Report.

- Lincoln Boulevard at Washington Boulevard
- Lincoln Boulevard at SR-90 (Marina Expressway)
- Lincoln Boulevard at Bali Way
- Lincoln Boulevard at Mindanao Way
- Lincoln Boulevard at Fiji Way

The intersections listed below need to be improved to adequately handle the cumulative traffic generated by the project and other related projects. The project shall contribute its proportionate share of the cost for these improvements. Detailed striping and signal modification plans and cost estimates shall be submitted to Public Works for review and approval.

- Admiralty Way at Palawan Way

  North approach: One left-turn lane, one shared left-turn/through lane, and an exclusive right-turn lane instead of one left-turn lane, one through lane, and an exclusive right-turn lane (convert through lane to shared left-turn/through lane). This alternative appears to be feasible and

provides a better Level of Service (LOS) than the alternative to convert one through lane into a second left-turn lane to Admiralty Way as proposed under the MDR LIP Category 1 improvements.

East approach: One left-turn, two through lanes, and one shared through/right-turn lane instead of one left-turn lane, one through lane, and one shared through/right-turn lane (add second through lane).

South approach: One left-turn and one shared through/right-turn lane instead of one shared left-turn/through lane and one shared through/right-turn lane (convert shared left-turn/through lane to left-turn lane). This alternative appears to be feasible and provides a better LOS than the alternative to provide a separate right-turn lane to Admiralty Way as proposed under the MDR LIP Category 1 improvements.

- Washington Boulevard at Ocean Avenue/Via Marina

  Although no physical improvements are feasible at this intersection, the improvements recommended for the adjacent intersection of Washington Boulevard at Palawan Way will provide adequate mitigation.

- Washington Boulevard at Palawan Way

  South approach: Two northbound left-turn lanes and an exclusive right-turn lane (add two left-turn lanes).

  Install a new traffic signal and, as necessary, modify traffic signal at the intersection of Palawan Way at Admiralty Way. The project's prorata share is 3.8 percent which is $12,635 based on the total improvement cost estimated at $332,500. This improvement was reviewed and approved by the City of Los Angeles Department of Transportation (copy enclosed).

The project shall dedicate the necessary right of way for the future roadway widening along Admiralty Way and widening of sidewalk to 8 feet wide along the project frontage on Admiralty Way.

The project shall submit a 40-foot-scale site plan of the project showing access locations in relationship to adjacent intersections and driveways to our Land Development Division for review and approval.

MDR LCP Compliance

The project is well within the MDR LCP potential development entitlement of 2,750 p.m. peak-hour trips. The project's request to transfer the development potential of 114 hotel rooms and 5,000 square feet of office space from the Admiralty DZ 7 to Oxford DZ 6 will require an amendment to the LCP. We advise the project's representatives to consult with the Department of Regional Planning (DRP) to assess the requirements for obtaining the necessary approvals for this amendment.

Chapter 22.46 of the Los Angeles County Code (also known as the Marina del Rey Specific Plan) states for Parcel No. OT that development of uses other than public parking shall be conditioned to provide replacement public parking on-site or elsewhere in the marina on a one-to-one basis such that there is no net reduction on public parking spaces. The project's proposed relocation of 94 existing parking spaces from Parcel No. OT to Parcel No. 21 may conflict with the Department of Beaches and Harbors (DBH) pursuit for rights to relocate 260 other parking spaces to Parcel No. 21. We advise the project's representatives to consult with DRP and DBH to assess all parking lot redevelopment and parking space relocation for Parcel No. 21.

The Cities of Culver City and Los Angeles and Caltrans shall be consulted to obtain its written concurrence with the California Environmental Quality Act level of significance determination as soon as possible and/or before the public review period.

If you have any questions regarding the traffic analysis, please contact Mr. Suen Fei Lau of our Traffic Studies Section at (626) 300-4820.

Very truly yours,

DEAN D. EFSTATHIOU
Acting Director of Public Works

WILLIAM J. WINTER
Assistant Deputy Director
Traffic and Lighting Division

SFL:cn
P:\tlpub\WPFILES\LAND DEVELOPMENT REVIEW\Fei\EIR06178 MDR Pcl OT&Holiday Harbor Courts Pcl 21.doc

Enc.

cc: Caltrans (Elmer Alvarez)
City of Culver City (Charles Herbertson)
City of Los Angeles (Eddie Guerrero)
County Counsel (Thomas Faughnan)
Department of Beaches and Harbors (Barry Kurtz)
Department of Regional Planning (Russell Fricano, Gina Natoli)

bc: Design (Chinn)
Land Development (Narag)
Programs Development (Dingman)
Traffic and Lighting (Quintana)

Metro

Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952

213.922.2000 Tel
metro.net

ATTACHMENT I

September 21, 2009

Mr. Michael Tripp
Los Angeles County
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Tripp:

Los Angeles County Metropolitan Transportation Authority (Metro) is in receipt of the Draft EIR for the Oceana Retirement Facility & Holiday Harbor Courts Project. This letter conveys recommendations concerning issues that are germane to Metro's statutory responsibilities in relation to the proposed project.

The Traffic Impact Analysis prepared for the Draft EIR satisfies the traffic and transit requirements of the proposed project. However, the following issue should be addressed for the Final EIR:

Several transit corridors with Metro bus service could be impacted by the project. Metro Bus Operations Control Special Events Coordinator should be contacted at 213-922-4632 regarding construction activities that may impact Metro bus lines. Other Municipal Bus Service Operators may also be impacted and therefore should be included in construction outreach efforts.

Metro looks forward to reviewing the Final EIR. If you have any questions regarding this response, please call me at 213-922-6908 or by email at chapmans@metro.net. Please send the Final EIR to the following address:

Metro CEQA Review Coordination
One Gateway Plaza MS 99-23-2
Los Angeles, CA 90012-2952
Attn: Susan Chapman

Sincerely,

Susan F. Chapman
Program Manager, Long Range Planning

RECEIVED
SEP 23 2009

ATTACHMENT J

STATE OF CALIFORNIA — Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net

RECEIVED
SEP 17 2009

September 15, 2009

Mr. Michael Tripp, Project Planner
LOS ANGELES COUNTY DEPARTMENT OF REGIONAL PLANNING
320 West Temple Street
Los Angeles, CA 90012

Re: SCH#2007021133; CEQA Notice of Completion; draft Environmental Impat Report (DEIR) for the **Oceana Retirement Facility and Holiday Harbor Court Project**; located in the Marina Del Rey/ Ballona Creek Area; Los Angeles County, California

Dear Mr. Tripp:

The Native American Heritage Commission (NAHC) is the state 'trustee agency' pursuant to Public Resources Code §21070 for the protection and preservation of California's Native American Cultural Resources.. The California Environmental Quality Act (CEQA - CA Public Resources Code §21000-21177, amended in 2009) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c)(f) CEQA guidelines). Section 15382 of the CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following.

The Native American Heritage Commission did perform a Sacred Lands File (SLF) search in the NAHC SLF Inventory, established by the Legislature pursuant to Public Resources Code §5097.94(a) and Native American Cultural resources **were not identified** within one-half mile of the APEs.. However, there are Native American cultural resources in close proximity to the APE. Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Enclosed are the names of the nearest tribes and interested Native American individuals that the NAHC recommends as 'consulting parties,' for this purpose, that may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We recommend that you contact persons on the attached list of Native American contacts. A Native American Tribe or Tribal Elder may be the only source of information about a cultural resource.. Also, the NAHC recommends that a Native American Monitor or person be employed whenever a professional archaeologist is employed during the 'Initial Study' and in other phases of the environmental study.. Furthermore we suggest that you contact the California Historic Resources Information System (CHRIS) at the Office of Historic Preservation (OHP) Coordinator's office (at (916) 653-7278, for referral to the nearest OHP Information Center of which there are 11..

Consultation with tribes and interested Native American tribes and individuals, as consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA (42 U.S.C. 4321-43351) and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 [f]*et se)*, and NAGPRA (25 U.S.C. 3001-3013), as appropriate.

Lead agencies should consider avoidance, as defined in Section 15370 of the California Environmental Quality Act (CEQA) when significant cultural resources could be affected by a project. Also, Public Resources Code Section 5097.98 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery. Discussion of these should be included in your environmental documents, as appropriate.

The authority for the SLF record search of the NAHC Sacred Lands Inventory, established by the California Legislature, is California Public Resources Code §5097.94(a) and is exempt from the CA Public Records Act (c.f. California Government Code §6254.10). The results of the SLF search are confidential. However, Native Americans on the attached contact list are not prohibited from and may wish to reveal the nature of identified cultural resources/historic properties. Confidentiality of "historic properties of religious and cultural significance' may also be protected the under Section 304 of the NHPA or at the Secretary of the Interior' discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C, 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APE and possibly threatened by proposed project activity.

CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.

Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. . Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.

Again, Lead agencies should consider avoidance, as defined in §15370 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation.

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,

Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Cc: State Clearinghouse

Native American Contact
Los Angeles County
September 15, 2009

Charles Cooke
12835 Santiago Road
Acton , CA 93510
661) 733-1812 - cell
uscol@intox.net

Chumash
Fernandeno
Tataviam
Kitanemuk

Gabrielino Tongva Nation
Sam Dunlap, Tribal Secretary
P.O. Box 86908
Los Angeles , CA 90086
samdunlap@earthlink.net
(909) 262-9351 - cell

Gabrielino Tongva

LA City/County Native American Indian Comm
Ron Andrade, Director
1175 West 6th Street, Rm. 403
Los Angeles , CA 90020
213) 351-5324
213) 386-3995 FAX

Gabrielino Tongva Indians of California Tribal Council
Robert Dorame, Tribal Chair/Cultural Resources
P.O. Box 490
Bellflower , CA 90707
gtongva@verizon.net
562-761-6417 - voice
562-925-7989 - fax

Gabrielino Tongva

Ti'At Society
Cindi Alvitre
6515 E. Seaside Walk, #C
Long Beach , CA 90803
calvitre@yahoo.com
714) 504-2468 Cell

Gabrielino

Gabrielino-Tongva Tribe
Bernie Acuna
501 Santa Monica Blvd, # 500
Santa Monica , CA 90401
(310) 587-2203
(310) 428-7720 - cell
(310) 587-2281

Gabrielino

Tongva Ancestral Territorial Tribal Nation
John Tommy Rosas, Tribal Admin.
,
Tattnlaw@gmail.com
310-570-6567

Gabrielino Tongva

Gabrieleno/Tongva San Gabriel Band of Mission
Anthony Morales, Chairperson
PO Box 693
San Gabriel , CA 91778
626) 286-1262 -FAX
626) 286-1632
626) 286-1758 - Home
626) 286-1262 Fax

Gabrielino Tongva

his list is current only as of the date of this document.
istribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and afety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code. nd federal NEPA (42 USC 4321-43351), NHPA Sections 106, 4(f) (16 USC 470(f) and NAGPRA (25 USC 3001-3013)

his list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed CH#2007021133: CEQA Notice of Completion: draft Environmental Impact Report (DEIR) for the Oceana Retirement

ATTACHMENT K

DRAFT
RIGHT-SIZING PARKING STUDY
FOR THE
PUBLIC PARKING LOTS IN MARINA DEL REY, CALIFORNIA

March, 2009

Prepared for:

LOS ANGELES COUNTY DEPARTMENT OF BEACHES & HARBORS

Prepared by:

RAJU ASSOCIATES, INC.
524 S. Rosemead Boulevard
Pasadena, California 91107
(626) 792-2700

Ref: RA 247

EXECUTIVE SUMMARY

A comprehensive and detailed parking study has been performed by Raju Associates, Inc. to assess the public parking needs within the Marina del Rey area of the County of Los Angeles, California. Both current and future needs are assessed through the year 2030 and right-sizing of parking within various areas in Marina del Rey have been assessed as part of this study.

There are numerous public parking lots within the Marina del Rey area. They serve nearby residents as well as visitors to the Marina facilities. The public parking lots are all surface lots adjacent to specific attractions and serving a specific activity area. Past surveys and observations of utilization of these public parking lots have revealed that these lots are all greatly under-utilized to varying degrees almost throughout the year except for a few holidays and pre-holiday weekend days, even when the gate arms are up and no fee is charged.

A list of the public parking lots within the Marina that are evaluated in this study is provided below.

Lot Number	Parcel	Number of Parking Spaces	Remarks
1	W	502	Fisherman's Village and others use this lot
2	49R	239	
4	49M	140	
5	UR	220	Public Library uses 20 spaces
7	Q	120	
8	OT	183	FantaSea Yachts uses 94 spaces after 6 P.M.
9	NR	186	
10	IR	212	
11	GR	262	Cheesecake Factory uses this lot
12	FF	201	Not used much by anyone
13	3S	140	
16	EE	58	Metered parking spaces
Dock 52	52	236	LACBH office and others use this lot

This study is directed at identifying the appropriate parking supply to satisfy the current and anticipated future parking demands within various activity areas and right-sizing the parking lots (listed in the previous page) serving these activity areas. The estimation of parking demands for the future year 2030 was done using current observed parking demands and factoring in the growth anticipated from planned adjacent uses as well as from ambient growth due to population increases over the next 20+ years. In addition, several new improvements contemplated for visitors at Mother's Beach and Chace Park were factored into demand figures.

Current and future parking demand and supply utilization analyses at each of the public parking lots within the Marina del Rey area were conducted in this study. Five major activity areas were identified and peak parking within these activity areas were determined. The supply needed to accommodate the current and future needs within each of the activity areas were also determined in this study and suggestions / recommendations for the same were made. The following executive summary highlighting the key findings of this study is presented.

- A total of 13 public parking lots and five activity areas were assessed within the study area for this project. The five activity areas are the Mother's Beach Activity area, Admiralty Park Activity area, Chace Park Activity area, Fiji Way Activity area and the North Channel Activity area.

- Parking supply surveys were conducted at each of the public parking lots within the study area by Los Angeles County Department of Beaches and Harbors staff and verified by Raju Associates in 2008 and 2009. Based on the field inventory surveys, it was determined that the total public parking available within the studied Marina del Rey area was 2,699 spaces. This is different from the number of spaces noted in the Marina del Rey Land Use Plan (LUP) due to restriping of various lots after publication of the LUP to accommodate handicapped spaces and to improve efficiencies.

- Parking demand surveys at each of the public parking lots were conducted during the busiest weekends (Friday through Monday) of the years 2005 and 2007. Memorial Day, 4th of July and Labor Day weekends including the holidays were chosen to conduct the parking demand surveys. Parking demand surveys on boat parade days were also conducted. Additionally, a typical weekday and weekend day were chosen to conduct parking demand surveys to reflect typical conditions prevailing in the Marina for most of the year as it relates to parking.

- In addition to the demand surveys noted above, specialized surveys were conducted on a weekday and weekend day at all the parking lots where sharing of public parking spaces for private commercial uses are currently occurring. These were later utilized in determining the public parking demand component of the overall parking demand at these lots (as noted in the table above).

- The current peak public parking demand occupancies on typical weekdays and weekend days varies between 5% at Fiji Way activity area to 18% at Chace Park activity area during weekdays and 11% at Fiji Way activity area to 31% at Chace Park activity area during weekends. All other activity areas have parking occupancies of less than 18% and 31% on typical weekdays and weekend days, respectively. These occupancies are typical for most of the year (i.e., more than 300 days in a year).

- The current peak parking demand occupancies on peak holiday weekdays and weekend days varies between 10% at Fiji Way activity area to 43% at Chace Park activity area during weekdays and 21% at Fiji Way activity area to 68% at Chace Park activity area during weekends. The Fiji Way activity area parking lots also accommodate parking demands associated with commercial and other uses adjacent to them. The public parking demand component only has been reflected in the numbers above. If the overall parking demand at the lots that serve the Fiji Way activity area including the commercial and other uses demand is examined then a 67% occupancy during peak weekdays and 92% during peak holiday weekends are observed. All other activity areas other than the Fiji Way activity area have parking occupancies of less than 43% and 68% on peak holiday weekdays and weekend days, respectively.

- The future anticipated peak parking demands on typical and peak holiday weekdays and weekend days were developed using anticipated ambient growth in the region as well as growth in public parking demand anticipated due to provision of additional public facilities within the Marina.

- Peak public parking demand estimates were developed by isolating the public parking demand component from various lots (Lot W, Dock 52 lot on Parcel 52, and Lot GR) and then applying the growth factors due to ambient growth and the additional demand associated with additional public facilities planned in the future. The public parking demand estimates from these lots were combined together to obtain the activity area public parking demands.

- These future anticipated demands varied greatly between activity areas as well as during typical and peak holiday weekdays and weekend days. Due to this wide variation in anticipated demands for each of the activity areas on weekdays and weekend days throughout the year, developing a measure of central tendency (such as mean or mode or median) was not meaningful. Instead, the 85th percentile and 90th percentile of the peak parking demands which are meaningful, in this context, were determined.

- The 90th percentile peak public parking demand at each of the activity areas represents that value of demand that 90% of all the peak public parking demands are less than or equal to. In technical terms, 90th – percentile is that position in a dataset that has 90% of the data equal to or less than it and 10% of the data greater than it. The 90th percentile value states that at least 90% of the values in the set are less than or equal to this value.

- The 90th percentile of peak public parking demand at each of the activity areas was

determined to be the following - Mother's Beach: 360 spaces; Admiralty Park: 114 spaces; Chace Park: 355 spaces; Fiji Way: 165 spaces; and North Channel: 100 spaces.

- The minimum public parking supply at each of the activity areas was determined using the 90th percentile peak parking demand and increasing the same by 10% to facilitate satisfactory operations within each of the parking lots serving the individual activity areas. The increased 10% supply over the peak demand by activity area would allow patrons to find parking spaces in the various parking lots serving the activity lot without having to move around or circle around between and within parking lots. The recommended number of required public parking spaces by activity area is shown below.

	Activity Area	90th-Percentile Parking Demand (number of spaces)	Recommended Minimum Number of Required Public Parking Spaces	Existing Parking Supply	Excess Number of Parking Spaces
A	Mother's Beach	360	400	843 (1)	443
B	Admiralty Park	114	125	340	215
C	Chace Park	355	390	437	47
D	Fiji Way	165 (2)	180 (2)	738 (1)	558
E	North Channel	100	110	140	30

Note: (1) – Also used by private commercial uses
(2) – Number represents public parking component only

- Although these parking supply requirements have been recommended by activity area, it should be emphasized that one could park in any activity area within the Marina and use the Water Taxi or the Shuttle to reach the final destination.

- An evaluation of currently proposed public parking supply within each of the activity areas in comparison to the recommended range of minimum parking requirements was made. It was determined that more than adequate public parking supply would continue to be available within each of the activity areas. Included in the evaluation was also the overall future demand of both public and private parking demand versus proposed supply within each of the activity areas. It was determined that adequate overall parking supply would be available within each of the activity areas even those that include commercial and other users sharing parking within the public parking lots.

- During peak holidays namely Independence Day, Labor Day, and Memorial Day and special event days such as Halibut Derby Day and Boat Parade Day, the parking within the Marina would need to be managed. A specific parking management plan should be developed to accommodate the peak holiday demands and shuttle people to their various specific destinations, where needed.

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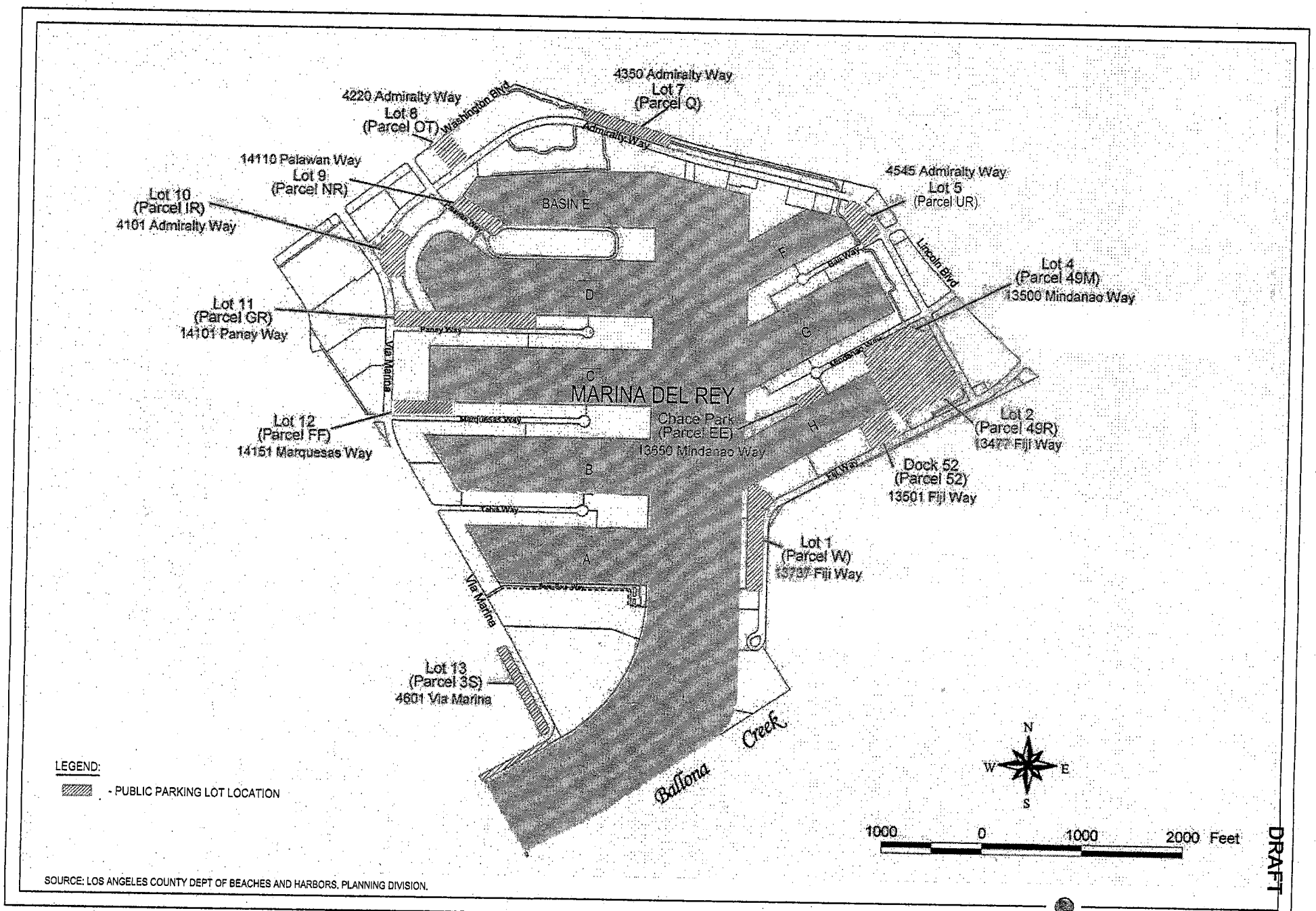
I. INTRODUCTION

Raju Associates Inc was retained by the Los Angeles County Department of Beaches & Harbors to conduct a parking study to identify and assess the parking needs at all the public parking lots within the Marina del Rey area. This report documents the assumptions, methodologies and findings of this study conducted to evaluate and assess right-sizing the public parking lots. The study area for this evaluation is located entirely within Marina del Rey in the County of Los Angeles, California.

BACKGROUND

Past parking surveys at the various public parking lots within the Marina del Rey area indicate that these lots are under-utilized. The purpose of this comprehensive parking study is to right-size all the public parking lots in Marina del Rey, so that the number of parking spaces in these lots meets the long-term build out public parking demands for the year 2030. Based on the results of this study, a recommendation relative to public parking will be advanced to the California Coastal Commission. This study addresses the parking needs of each of the activity areas in the Marina taking into account current utilization, future ambient growth in demand as well as the growth projected to occur within these activity areas that would have an effect on public parking demand.

Figure 1 illustrates the location of the various public parking lots within the Marina del Rey area in relation to the surrounding street system.



SOURCE: LOS ANGELES COUNTY DEPT OF BEACHES AND HARBORS, PLANNING DIVISION.

FIGURE 1
LOCATION OF PUBLIC PARKING LOTS IN MARINA DEL REY

RAJU Associates, Inc.

The public parking within the Marina del Rey area has been evaluated within each of the activity areas as a whole, in this study due to the following reasons:

- The current dynamics associated with public parking in Marina del Rey indicate a very close relationship between the current uses within each of the specific activity areas and the public parking supply serving those areas
- The anticipated nature of interaction between the various existing and proposed uses within each of the activity areas in Marina del Rey dictate the need to evaluate public parking as a whole for each of the activity areas

Currently, five activity areas have been defined within the Marina del Rey area. They include the following:

A. Mother's Beach Activity Area
B. Admiralty Park Activity Area
C. Chace Park Activity Area
D. Fiji Way Activity Area
E. North Channel Activity Area

Figure 2 shows the various activity areas and the parking lots serving each of them. The parking analyses and evaluation to identify the public parking needs and right-size parking have been conducted at the five activity areas noted above.

ORGANIZATION OF REPORT

An executive summary presenting key details of the study is provided at the beginning of this report. The rest of the report is divided into five chapters. Chapter I presents an introduction and provides details of the various elements of the study. Chapter II documents the existing parking supply and inventory at each of the surface public parking lots within each of the activity areas in the Marina. Parking characteristics by time of day during peak holiday weekdays and weekend days, holidays, as well as typical weekdays and weekend days, including their current occupancy rates and maximum observed demands by activity area are described in Chapter II. Chapter III

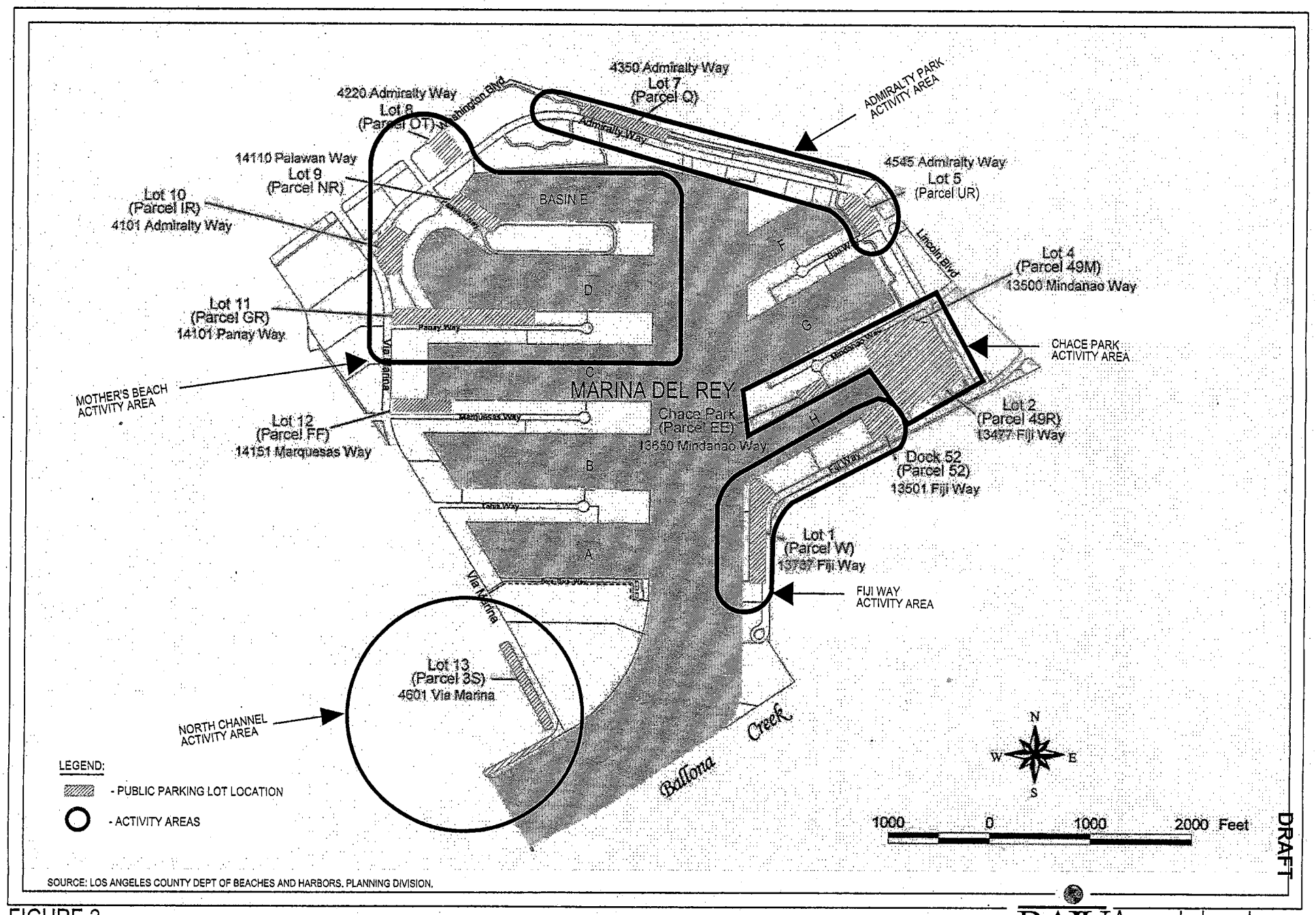


FIGURE 2
DEFINITION OF ACTIVITY AREAS WITHIN MARINA DEL REY

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provides a description of the anticipated parking demand by activity area taking into account the growth expected to occur due to additional attractions or uses as well as ambient growth in population. A detailed evaluation of parking needs in the future is presented in this chapter.

Chapter IV addresses the identification of parking supply requirements by activity area to accommodate the public parking demands anticipated in the future within the Marina del Rey area. An assessment of proposed parking supply currently contemplated within the Marina del Rey area as it relates to its adequacy and convenience is also presented in this chapter.

A summary of conclusions from the study is provided in Chapter V of the Report. Technical appendices including details of the parking analysis as well as the references and people contacted during the study are also attached to this report.

II. EXISTING PARKING CONDITIONS

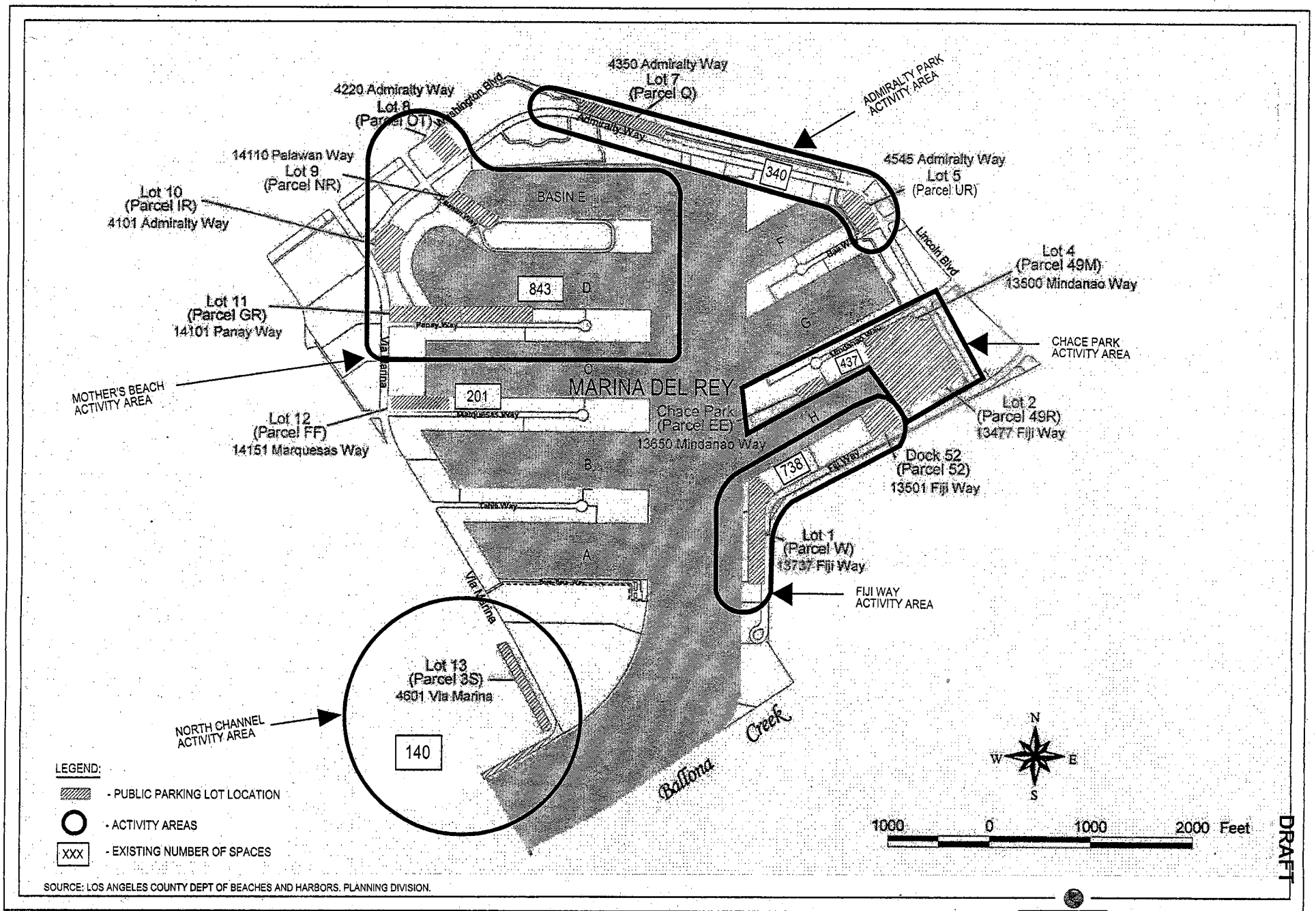
This chapter describes the existing parking supply and demand, both at the individual lots as well as within each activity area. A description of the existing utilization patterns in terms of occupancy of the parking supply for both typical and peak holiday weekday and weekend days is provided in this chapter. The performance of the parking lots within each of the activity areas is summarized in this chapter.

EXISTING PARKING SUPPLY

The project study area obtains its public parking supply from various surface parking lots located within the Marina del Rey area of the unincorporated area of Los Angeles County. An inventory of the available parking spaces within each of the thirteen surface lots in each of the activity areas was compiled from data provided by the Los Angeles County Department of Beaches and Harbors (LACDBH) and collected and verified using field surveys conducted by Raju Associates, Inc. A comparative table showing the parking supply by lot from LACDBH data, Raju Associates field surveys and Marina del Rey LUP and the potential reason for differences between the various sources is included in Appendix A1.

Figure 3 presents details of the available parking supply within each of the public parking lots serving the study area. From Figure 3, it can be observed that the following lots provide the parking supply within each of the activity areas:

Mother's Beach Activity Area: Parking lot 8 on Parcel OT, lot 9 on Parcel NR, lot 10 on Parcel IR and lot 11 on Parcel GR serve this activity area. The total available parking supply in this activity area from the parking lots listed above is currently 843 spaces. This activity area includes the Mother's Beach (also known as Marina Beach), adjacent restaurants and boat storage slips



SOURCE: LOS ANGELES COUNTY DEPT OF BEACHES AND HARBORS. PLANNING DIVISION.

FIGURE 3
EXISTING PARKING SUPPLY BY ACTIVITY AREA

RAJU Associates, Inc.

accessible from this area. There is a new plan for Marina Beach that anticipates additional boat storage in the future. This issue is addressed in the assessment of parking conditions in the future at the Mother's Beach Activity Area. Parking lot GR is also utilized by the restaurant The Cheesecake Factory.

Additionally, some of the kayaking and other public patrons at the marina currently utilize the free parking at the Organic Panificio (Parcel 33) parking lot, and occasionally the Casa Escobar (Parcel 27) parking lot as well when the restaurants are closed, presumably to avoid the County parking fee. These parking demands have also been addressed in this study.

Parking Lot 8 on Parcel OT is located at 4220 Admiralty Way, north of Admiralty and east of Palawan Way. Currently, there are 183 parking spaces on this overflow lot. Access to this lot is obtained from a driveway between Admiralty Way and Washington Boulevard. FantaSea Yachts uses up to 94 spaces after 6 PM.

Parking Lot 9 on Parcel NR is located at 14110 Palawan Way, south of Admiralty and east of Palawan Way. There are 186 parking spaces on this overflow lot. Access to this lot is obtained from Palawan Way. Some public patrons also park in the free parking lot available at the Parcel 33 lot adjacent to lot NR along Palawan Way. On weekdays, it was also observed that some of the public patrons parked at the Parcel 27 parking lot early in the morning, as well. The overall public parking demand including these elements were determined based on surveys conducted in this study.

Parking Lot 10 on Parcel IR is located at 4101 Admiralty Way, south of Admiralty Way and east of Via Marina. There are currently 212 parking spaces on this lot. This lot obtains access primarily off of Admiralty Way.

Parking Lot 11 on Parcel GR is located at 14101 Panay Way, located east of Via Marina and north of Panay Way. This overflow lot serves the Cheesecake Factory patrons as well as other visitors. The Cheesecake Factory restaurant is adjacent to this lot and although it has its own parking spaces within its lot, additional parking is allowed by valet within Lot 11. An internal driveway and gate provides connection between the Cheesecake Factory lot and Lot 11 and the valet services for the restaurant utilize this gate to access the parking in Lot 11. There are currently 262 spaces

on this Lot 11. This lot obtains access from Via Marina as well as from Panay Way. Surveys were conducted at Lot 11 to determine the various components of the overall parking demand. Both Cheesecake Factory patrons and employees and the general public parking demands accessing the Mother's Beach area were determined as part of the surveys.

Admiralty Park Activity Area: Parking lot 7 on Parcel Q and parking lot 5 on Parcel UR serve this activity area. The total available parking supply from these two lots within this activity area is 340 spaces. This activity area parking primarily serves local patrons, library and other visitors and bike path users. A brief description of the lots 7 and 5 follows.

Parking Lot 7 on Parcel Q is located at 4350 Admiralty Way, north of Admiralty Way and approximately mid-way between Bali Way and Palawan Way. There are currently 120 spaces on this lot. The Lloyd Tabor – Marina del Rey Library uses 20 spaces on Lot 7 by permit. This lot obtains access primarily from Admiralty Way.

Parking Lot 5 on Parcel UR is located at 4545 Admiralty Way, north of Bali Way and east of Admiralty Way. There are currently 220 spaces on this lot. This overflow lot obtains access from Bali Way.

Chace Park Activity Area: Parking lot 4 on Parcel 49M, lot 2 on Parcel 49R and lot 16 on Parcel EE provide public parking within this activity area. This activity area includes the Chace Park Recreation Area, boat slips, a Yacht Club (a public facility), the Aquatic Center and other uses. The total available parking supply within this activity area currently is 437 spaces. A brief description of each of the lots serving this activity area follows.

Parking Lot 4 on Parcel 49M is located at 13500 Mindanao Way, south of Mindanao Way and west of Admiralty Way. There are currently 140 spaces on this overflow lot. This lot obtains access from Mindanao Way.

Parking Lot 2 on Parcel 49R is located at 13477 Fiji Way, south of the parking lot 4 on Parcel 49M. There are currently 458/239 parking / boat trailer spaces on this lot. This lot obtains access from Fiji Way and provides a public boat launch ramp facility.

Parking lot 16 on Parcel EE is located at 13650 Mindanao Way, south of Mindanao Way and west of Admiralty Way. There are 58 metered parking spaces on this lot. This lot obtains access from Mindanao Way.

Fiji Way Activity Area: Parking lot 1 on Parcel W and Dock 52 on Parcel 52 provide public parking currently for this activity area. Overflow lots along Fiji Way (located on the south side of Fiji Way) provide parking for the employees of various government offices. During peak holiday weekdays and weekend days, these lots may be used by County permit for employees of Fisherman's Village. This activity area includes the Fisherman's Village, Restaurants, Offices, Docks and other uses. Lot 1 on Parcel W is the principal parking lot for the Fisherman's Village Commercial Development as well as Shanghai Reds Restaurant and the Charter Boat Companies. The total available parking supply within this activity area is currently 738 spaces. The Overflow lots provide an additional 252 spaces. A brief description of each of the lots serving this activity area follows.

Parking Lot 1 on Parcel W is located at 13737 Fiji Way, west of Fiji Way, in the Fisherman's Village area. There are currently 502 parking spaces on this lot including the spaces available in the surface parking lot on Parcel 55. This lot obtains access from Fiji Way. As stated earlier, this lot is used by Fisherman's Village commercial and restaurant uses predominantly and to a certain extent, by the general public for recreational uses. Detailed surveys were conducted at this lot by Raju Associates Inc to determine the magnitude of public parking within this lot.

Parking lot at Dock 52 on Parcel 52 is located at 13501 Fiji Way, north of Fiji Way, adjacent to the Dock 52 area and is characterized as a temporary parking lot in the LCP. There are currently 236 parking spaces on this lot. This lot obtains access from Fiji Way and provides parking to County offices, charter and fishing boat activities and the general public for recreational purposes. Public parking demand information from a parking study prepared for the Fisherman's Village Development was obtained and verified as part of this study.

The Overflow Lots along Fiji Way are owned by the State Department of Fish and Game. There are currently 252 spaces in these lots. These lots obtain access from Fiji Way. Parking demands at these lots have been included for informational purposes only and are not included in the determination of public parking supply requirements for the Fiji Way Activity Area since no public

parking for recreational purposes are allowed in these lots.

North Shore Activity Area: The parking lot 13 on Parcel 3S provides most of the public parking spaces within this activity area. This activity area mostly serves local residents, fishermen, beachgoers and nearby house guests. The total available parking supply provided by the overflow lot 13 within this activity area is 140 spaces. Access to lot 13, located at 4601 Via Marina is obtained from Via Marina.

Parking lot 12 on Parcel FF, adjacent to Mother's Beach activity area, is also a public parking lot, per the Local Coastal Plan (LCP). There are 201 spaces in this lot. However, in the past few years, this overflow lot has not been used much by the general public for recreational purposes but has been used mostly for construction staging and by construction vehicles during construction. No public demand has been noticed in this lot. Therefore, no further analysis of this parking lot 12 is conducted in this study. This lot is planned to be removed from the list of public parking lots in the future pending a Plan Amendment is approved by the California Coastal Commission.

Summarizing, the overall parking supply within the five activity areas available to the general public is as follows:

	Activity Area	Number of Existing Parking Spaces
A	Mother's Beach	843
B	Admiralty Park	340
C	Chace Park	437
D	Fiji Way (*)	738
E	North Shore	140

(*) – Fiji Way activity area includes lots 1 and Dock 52. The parking lot 1 is the primary lot for the Fisherman's Village, Shanghai Reds Restaurant and Charter Boat companies. Similarly, Dock 52 lot is used by County office employees, charter boat users and the general public. Therefore, both these lots are used mostly by private uses and although, public parking is allowed on lot 1, not all of the supply is utilized for public recreational purposes.

PARKING DEMAND OR UTILIZATION SURVEYS

Parking demand survey data was obtained from the Los Angeles County Department of Beaches and Harbors, Parking Section for peak holiday weekdays and weekend days including holidays. The following three holiday weekends were surveyed and information compiled for the years 2005 and 2007:

- Three days prior to and on the July 4th Holiday
- Friday through Monday prior to and on the Memorial Day Holiday
- Friday through Monday prior to and on the Labor Day Holiday

It has been observed that these weekends and weekdays prior to the holidays happen to exhibit the maximum utilization of public parking spaces in the Marina every year. Therefore, these peak weekends and weekdays were included in the study.

Additionally, parking demand or occupancy surveys at all public parking lots in Marina del Rey on a typical weekday and weekend day between the hours of 10 AM and 8 PM was conducted by Raju Associates' staff and information was compiled for analysis. The survey information included parking demand or occupancy numbers at each of the public lots in operation within each of the activity areas between the hours of 10 AM and 8 PM on each of the survey days.

Special surveys at parking lots W, GR and NR and adjoining lots were conducted by Raju Associates to ascertain the composition of all the users of each of these lots. The number of parking spaces occupied by public recreational users was measured on a typical weekday and weekend day and the peak public demand data was obtained using normalization techniques. Surveys and observations at the Casa Escobar (Parcel 27) parking lot, Organic Panificio (Parcel 33) parking lot, NR lot and the Cheesecake Factory and GR parking lots were conducted on a typical weekday and weekend day and the associated public parking demands were noted. These demands were utilized in the determination of public parking requirements analysis in the study and included in the estimation of current and future public parking demands within the Mother's Beach activity area.

Therefore, in summary, parking demands throughout the day on weekdays and weekend days were compiled for analysis of the following conditions.

- Typical conditions
- Peak holiday conditions for the July 4th celebrations
- Peak Memorial Day holidays
- Peak Labor Day holidays

All of this parking demand data from surveys and the compiled information is attached in Appendix A2 of this report. Additionally, the data from special surveys noted earlier are also included in Appendix A3.

Typical Weekday & Weekend Day Parking Conditions

The public parking demands and occupancies for each of the activity areas for typical weekdays and weekend days are shown in Figures 4-1, 4-2, 5-1, and 5-2, respectively. Tables 1 and 2 summarize the peak overall and public parking demands and utilizations and the time of day that they occurred for typical weekdays and weekend days, respectively for each of the activity areas in the Marina. These typical parking demands are observed in the Marina for more than 300 days every year.

From Tables 1 and 2, the following observations can be made:

- In the Mother's Beach Activity Area, the maximum observed public parking occupancy was 13% and 12% during typical weekdays and weekend days, respectively. This demand did not include Cheesecake Factory restaurant parking in Lot GR in addition to the public recreational use parking demand. However, with the commercial use parking demands and the overall public parking demands, the maximum observed parking occupancy within this activity area was 16% and 21% during typical weekdays and weekend days, respectively.

- In the Admiralty Park Activity Area, the maximum observed parking occupancy was 9% and 29% during typical weekdays and weekend days, respectively.
- In the Chace Park Activity Area, the maximum observed parking occupancy was 18% and 31% during typical weekdays and weekend days, respectively.
- In the Fiji Way Activity Area, the maximum observed parking occupancy was 28% and 53% during typical weekdays and weekend days, respectively. This demand included Fisherman's Village and other uses parking in Lots W and Dock 52. However, the maximum observed typical weekday and weekend public parking occupancies were 5% and 11%, respectively.
- In the North Channel Activity Area, the maximum observed parking occupancy was 11% and 23% during typical weekdays and weekend days, respectively.

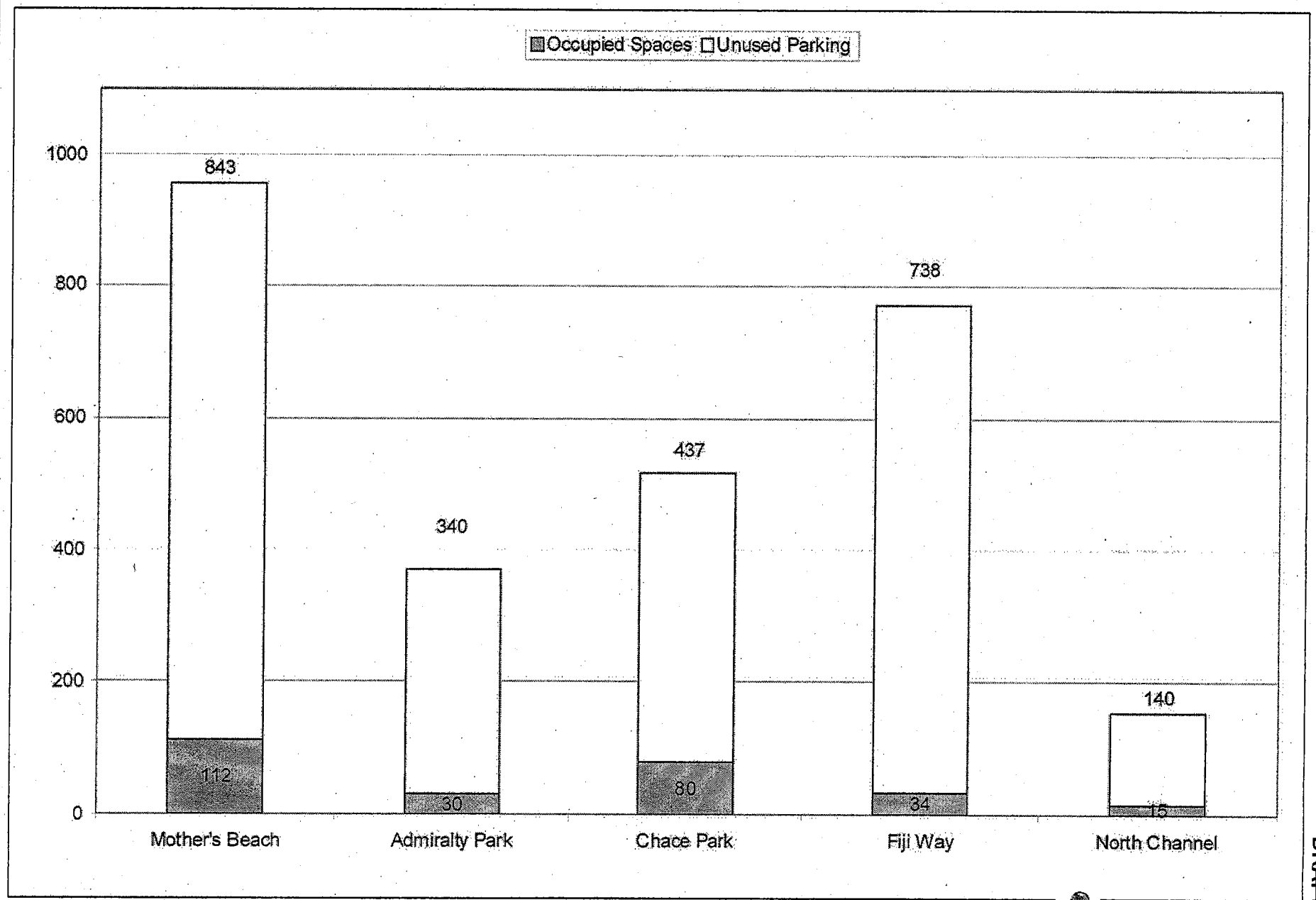


FIGURE 4-1
TYPICAL WEEKDAY EXISTING PARKING DEMAND BY ACTIVITY AREA

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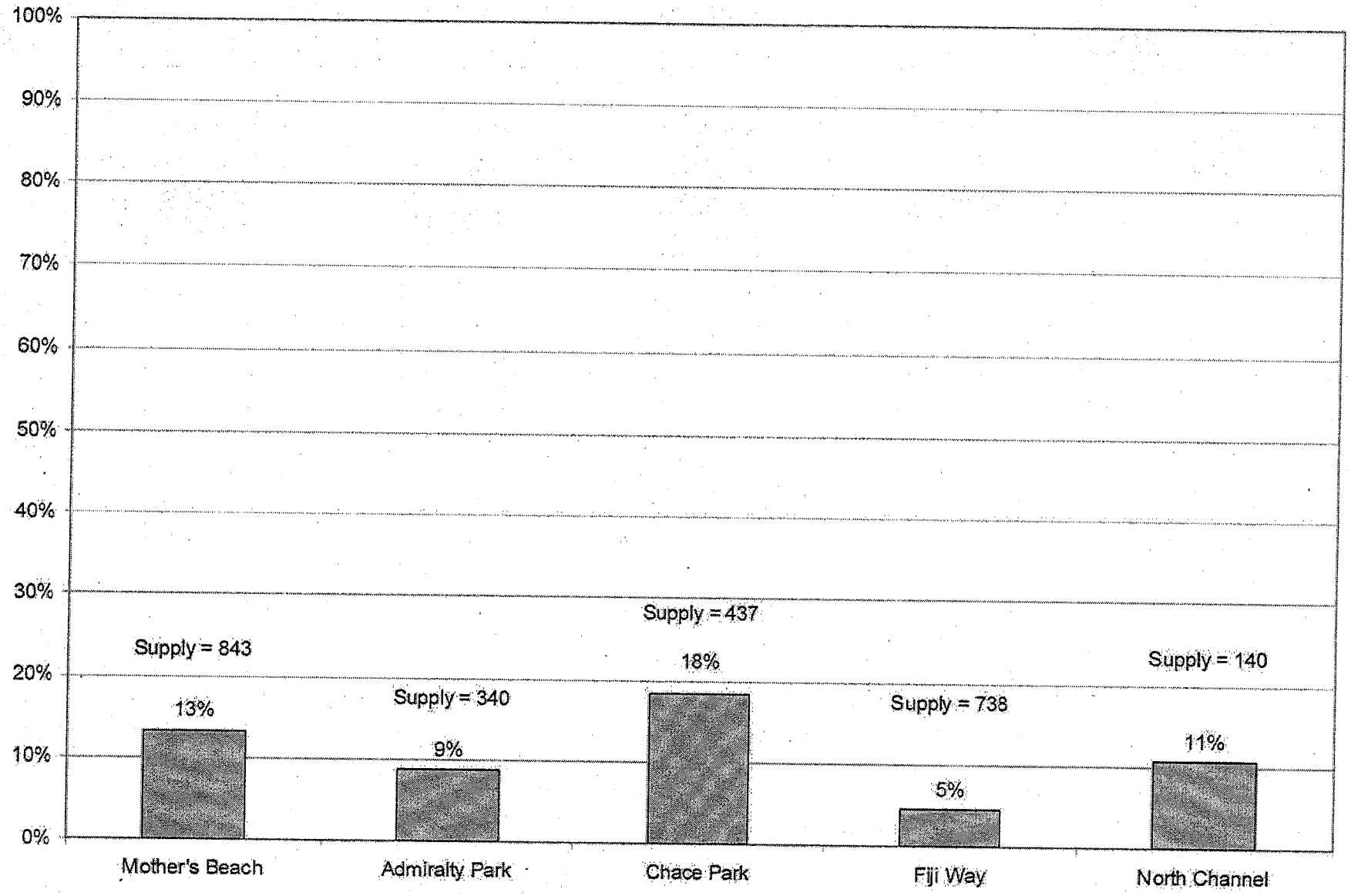

FIGURE 4-2
TYPICAL WEEKDAY EXISTING PARKING OCCUPANCY BY ACTIVITY AREA

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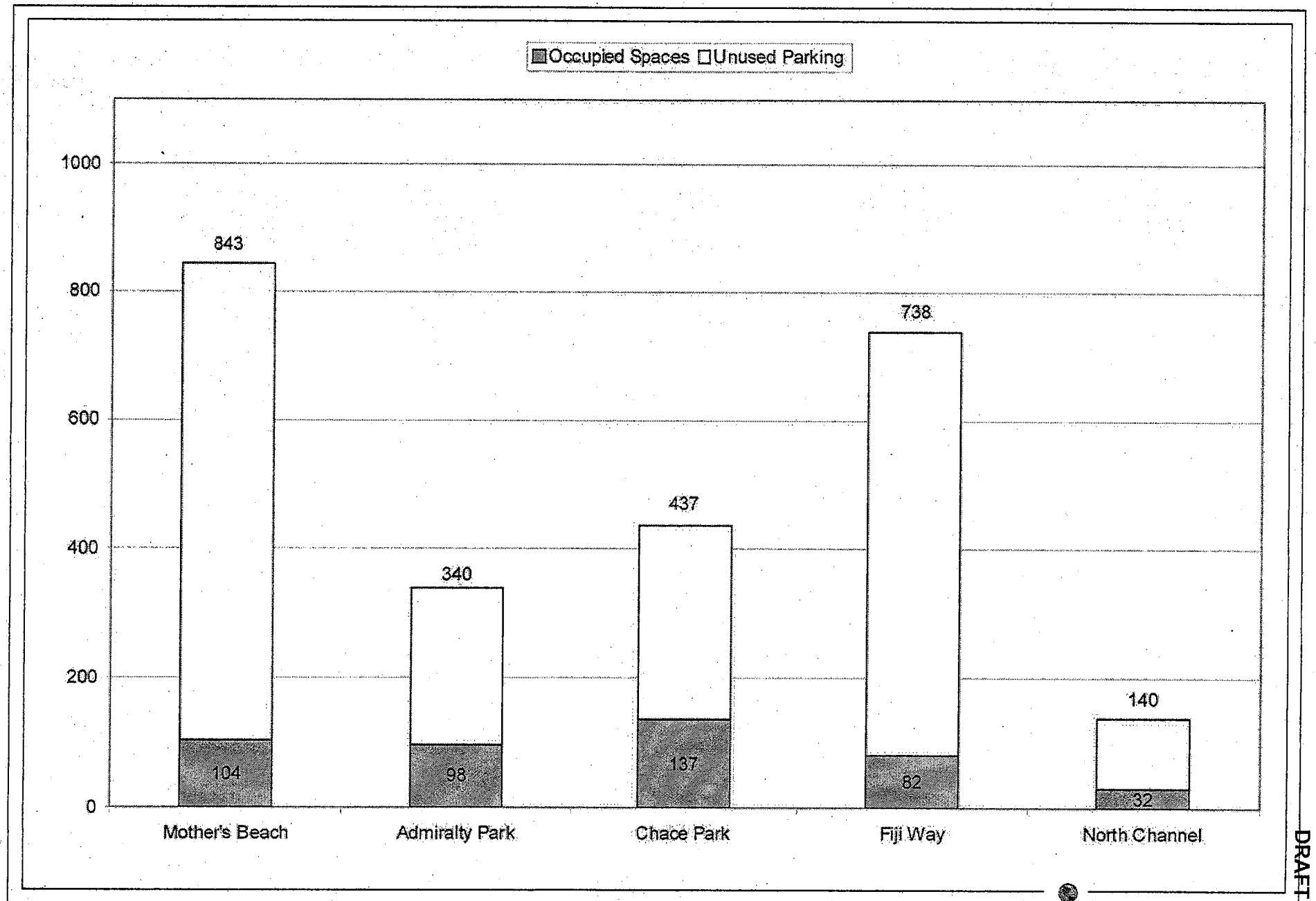

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FIGURE 5-1
TYPICAL WEEKEND DAY EXISTING PARKING DEMAND BY ACTIVITY AREA

RAJU Associates, Inc.

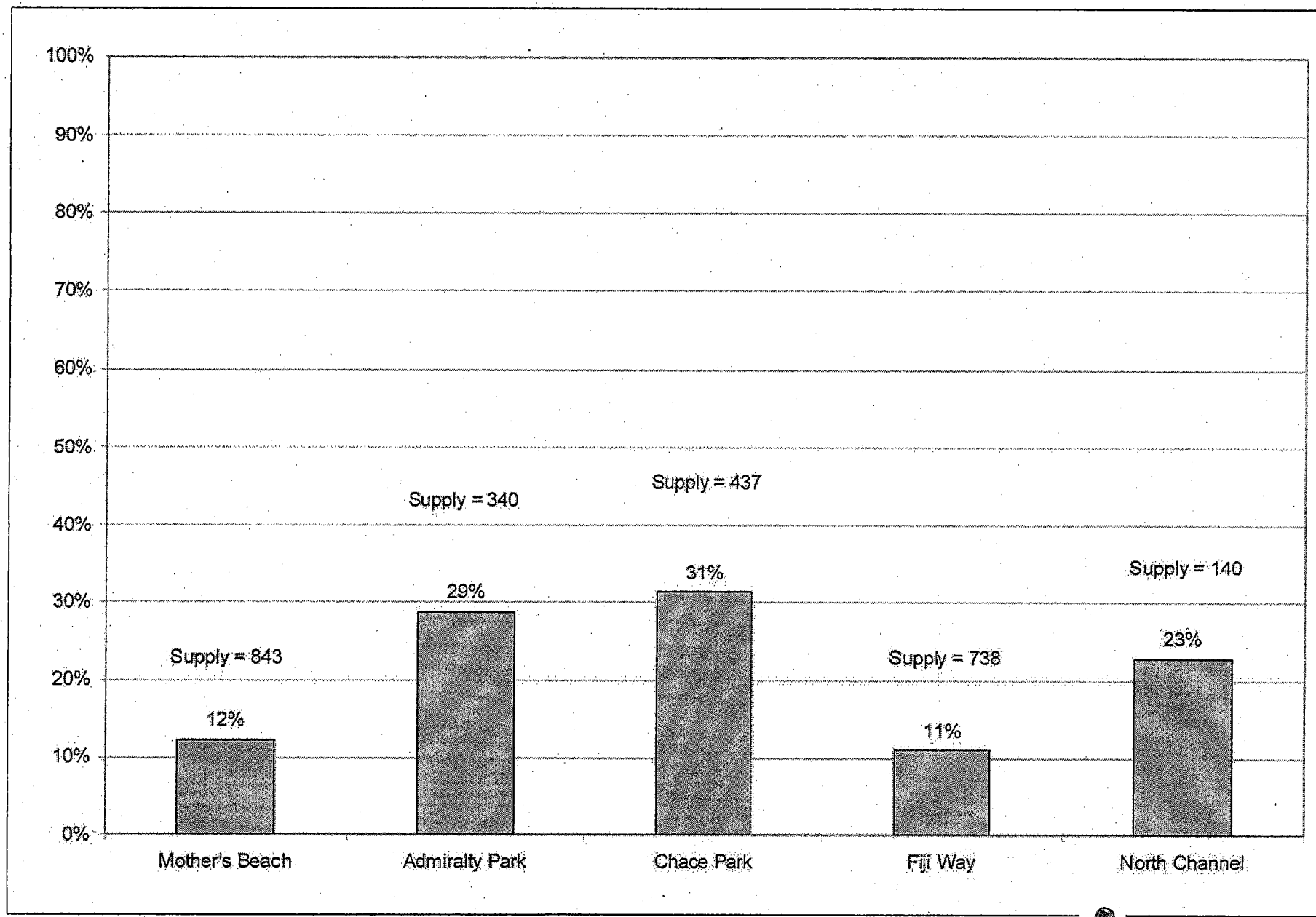

FIGURE 5-2
TYPICAL WEEKEND DAY EXISTING PARKING OCCUPANCY BY ACTIVITY AREA

RAJU Associates, Inc.

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TABLE 1
TYPICAL WEEKDAY EXISTING PARKING DEMAND & OCCUPANCIES

#	Activity Area	Parking Supply	Typical Weekday Peak Demand	Typical Weekday Peak Occupancy	Time
1	Mother's Beach (8-OT, 9-NR, 10-IR, 11-GR)	843	Public: 112 All: 133	Public: 13% All: 16%	1PM
2	Admiralty Park (5-U, 7-Q)	340	30	9%	4PM
3	Chace Park (2-49R, 4-49M, EE)	437	80	18%	1PM
4	Fiji Way (1-Fisherman's Village, Dock 52)	738	Public: 34 All: 206	Public: 5% All: 28%	4PM 8PM
5	North Channel (13-3S)	140	15	11%	8PM

TABLE 2
TYPICAL WEEKEND DAY EXISTING PARKING DEMAND & OCCUPANCIES

#	Activity Area	Parking Supply	Typical Weekend Day Peak Demand	Typical Weekend Day Peak Occupancy	Time
1	Mother's Beach (8-OT, 9-NR, 10-IR, 11-GR)	843	Public: 104 All: 180	Public: 12% All: 21%	1PM 8PM
2	Admiralty Park (5-U, 7-Q)	340	98	29%	4PM
3	Chace Park (2-49R, 4-49M, EE)	437	137	31%	4PM
4	Fiji Way (1-Fisherman's Village, Dock 52)	738	Public: 82 All: 391	Public: 11% All: 53%	1PM
5	North Channel (13-3S)	140	32	23%	8PM

In summary, for most of the year (i.e., more than 300 days in any year), all the parking lots within each of the Activity Areas in Marina del Rey are very underutilized. The maximum public parking occupancy that was noted in the Chace Park activity area on a typical weekend day was 31% at peak times of the day. All other activity areas are currently showing maximum public parking occupancies of 5 to 18% during typical weekdays and 12 to 31% during weekend days indicating a large amount of unused excess parking for most of the time throughout the year.

Detailed demand analyses by day and lot, and by activity area are attached in Appendices B-1 and B-2 of the report.

Peak Holiday Weekday & Weekend Day Parking Conditions

The maximum parking demands and occupancies for each of the activity areas for peak holiday weekdays and weekend days (July 4th, Memorial Day and Labor Day Holidays were analyzed as noted earlier) are shown in Figures 6-1, 6-2, 7-1, and 7-2, respectively. Tables 3 and 4 summarize the peak overall and public parking demands and utilizations for key holiday weekdays and weekend days, respectively for each of the activity areas in the Marina. These key holidays parking demands are observed in the Marina mainly during the non-working weekdays and weekend days prior to the three major holidays, namely the 4th of July, Memorial Day and Labor Day every year. The actual holiday parking demands are not included in this assessment since it is recommended that a comprehensive parking management plan be implemented to meet the demands on these holidays, especially the 4th of July holiday. During the Boat Parade Day and Halibut Derby event days, only specific parking lots within the various activity areas are utilized by the participants and viewers, and as such, these are special event days when a parking management plan to manage and control parking in the Marina Del Rey area should be implemented.

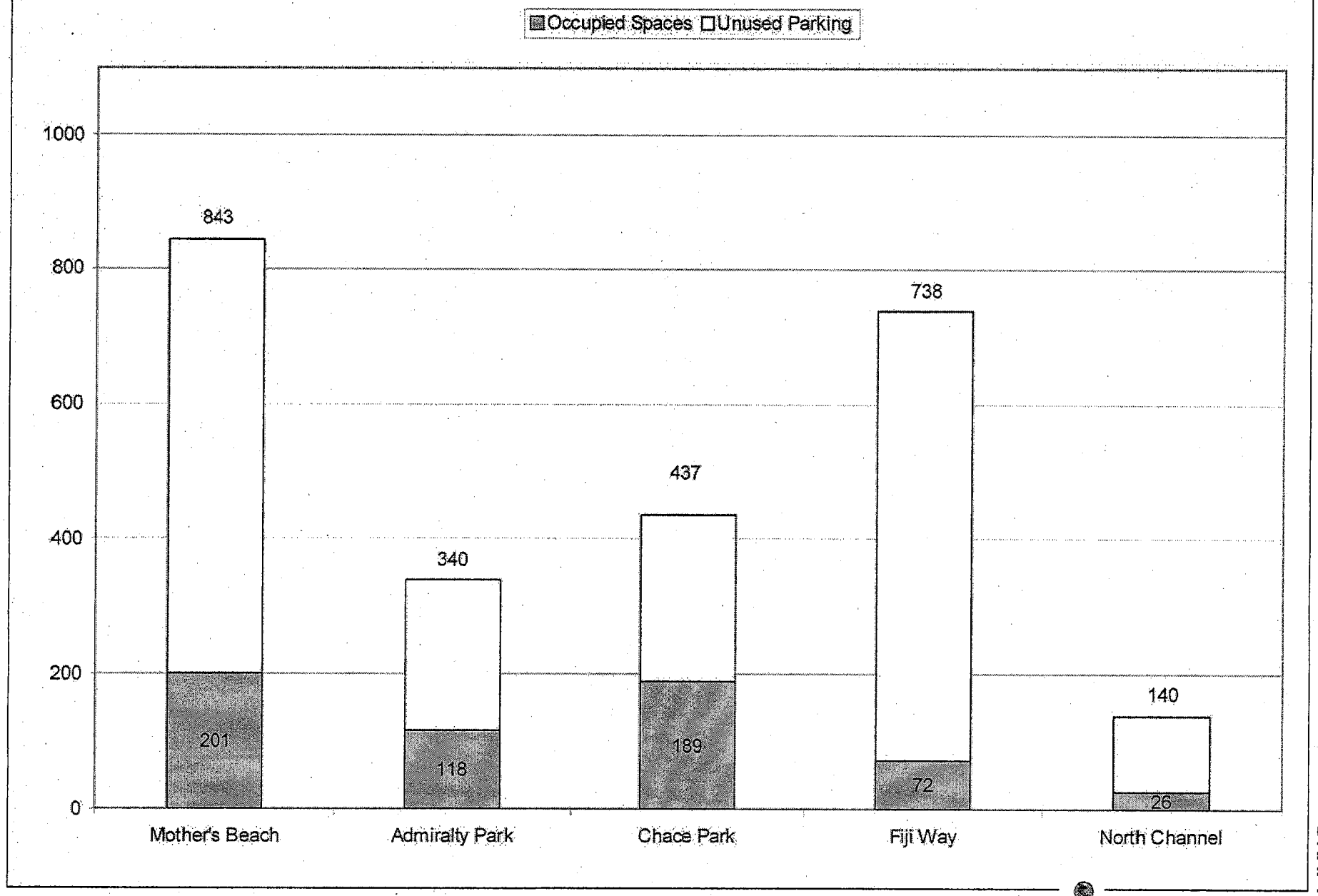

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FIGURE 6-1
PEAK WEEKDAY EXISTING PARKING DEMAND BY ACTIVITY AREA

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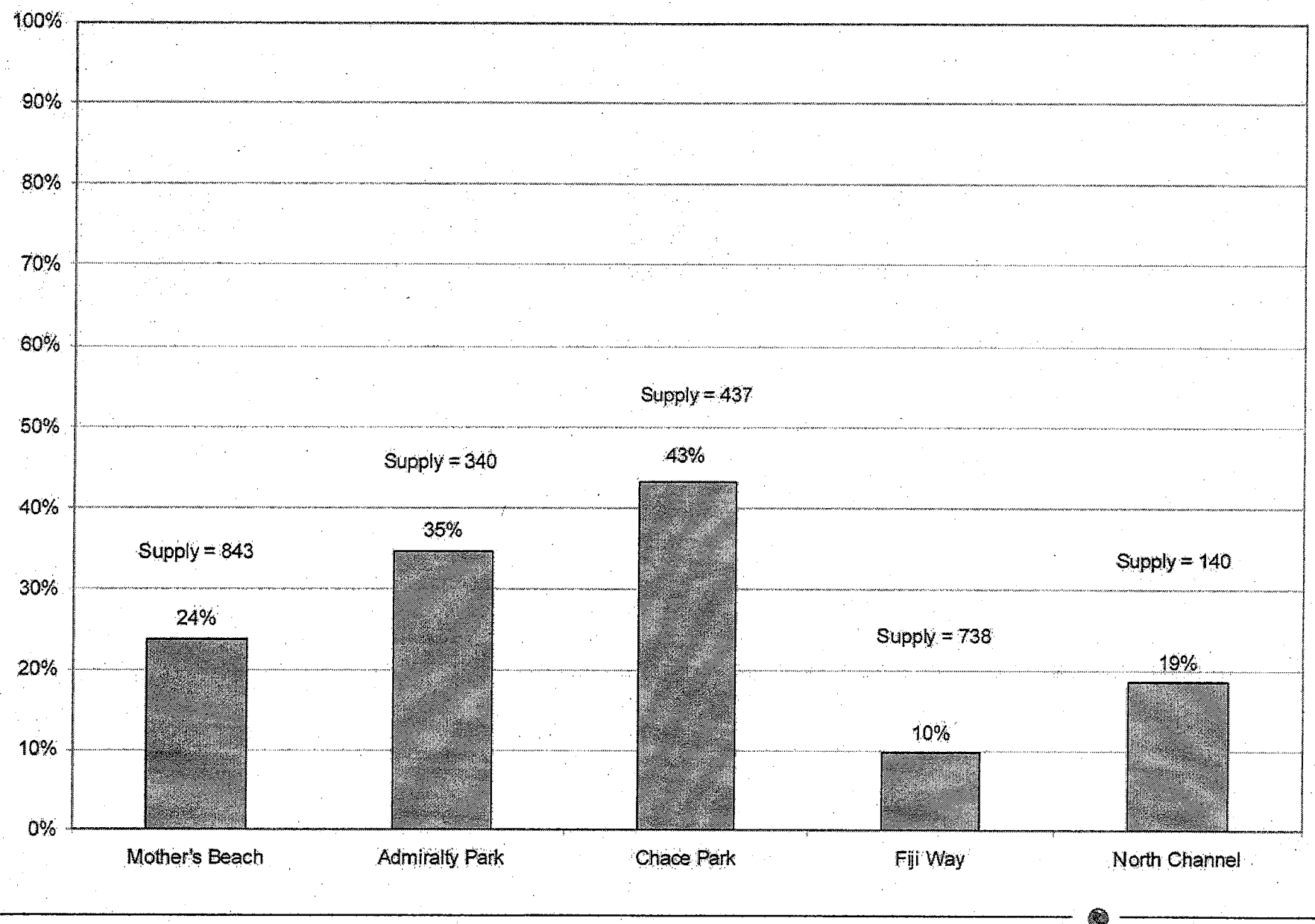

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FIGURE 6-2
PEAK WEEKDAY EXISTING PARKING OCCUPANCY BY ACTIVITY AREA

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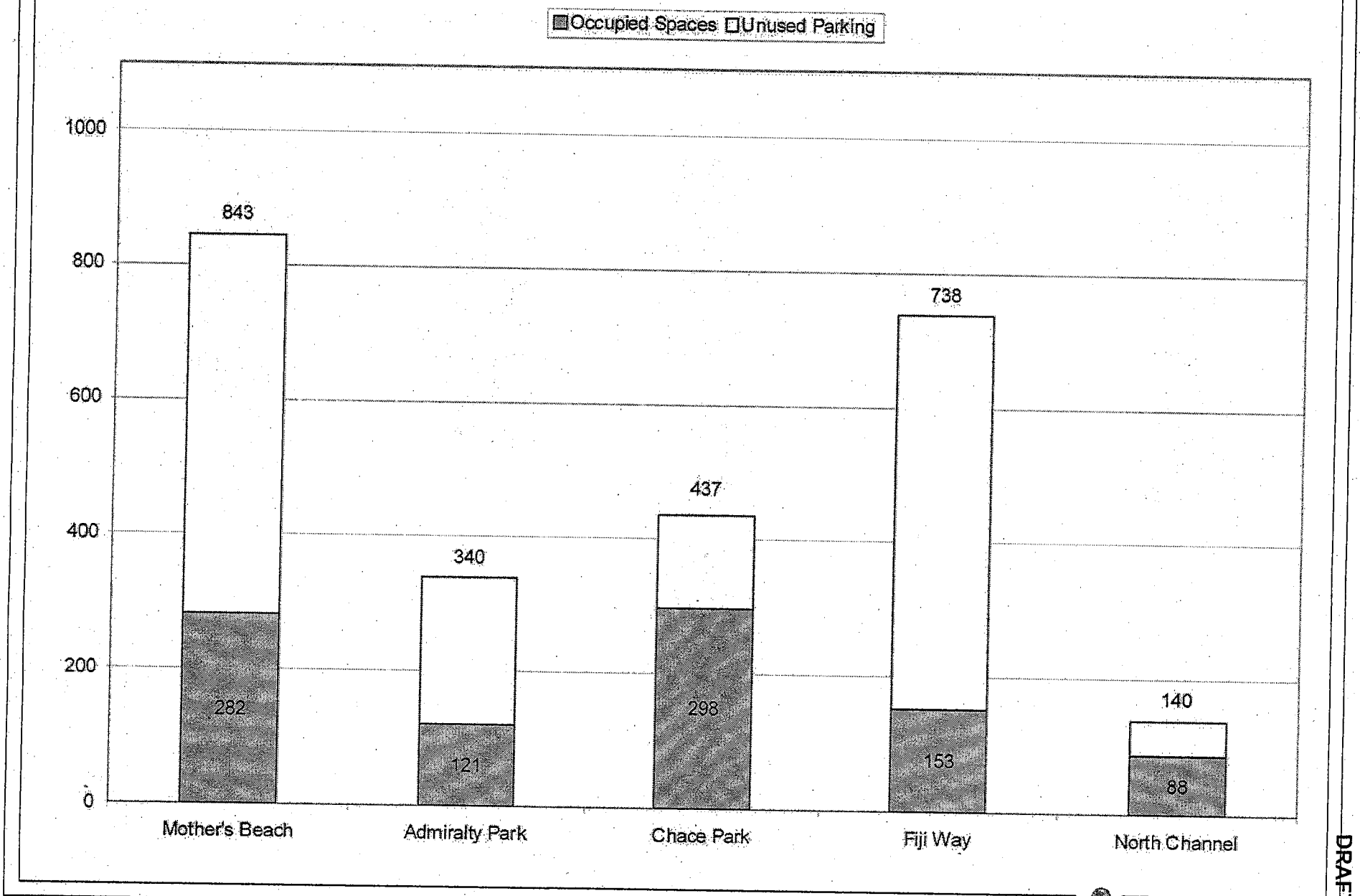

FIGURE 7-1
PEAK WEEKEND DAY EXISTING PARKING DEMAND BY ACTIVITY AREA

RAJU Associates, Inc.

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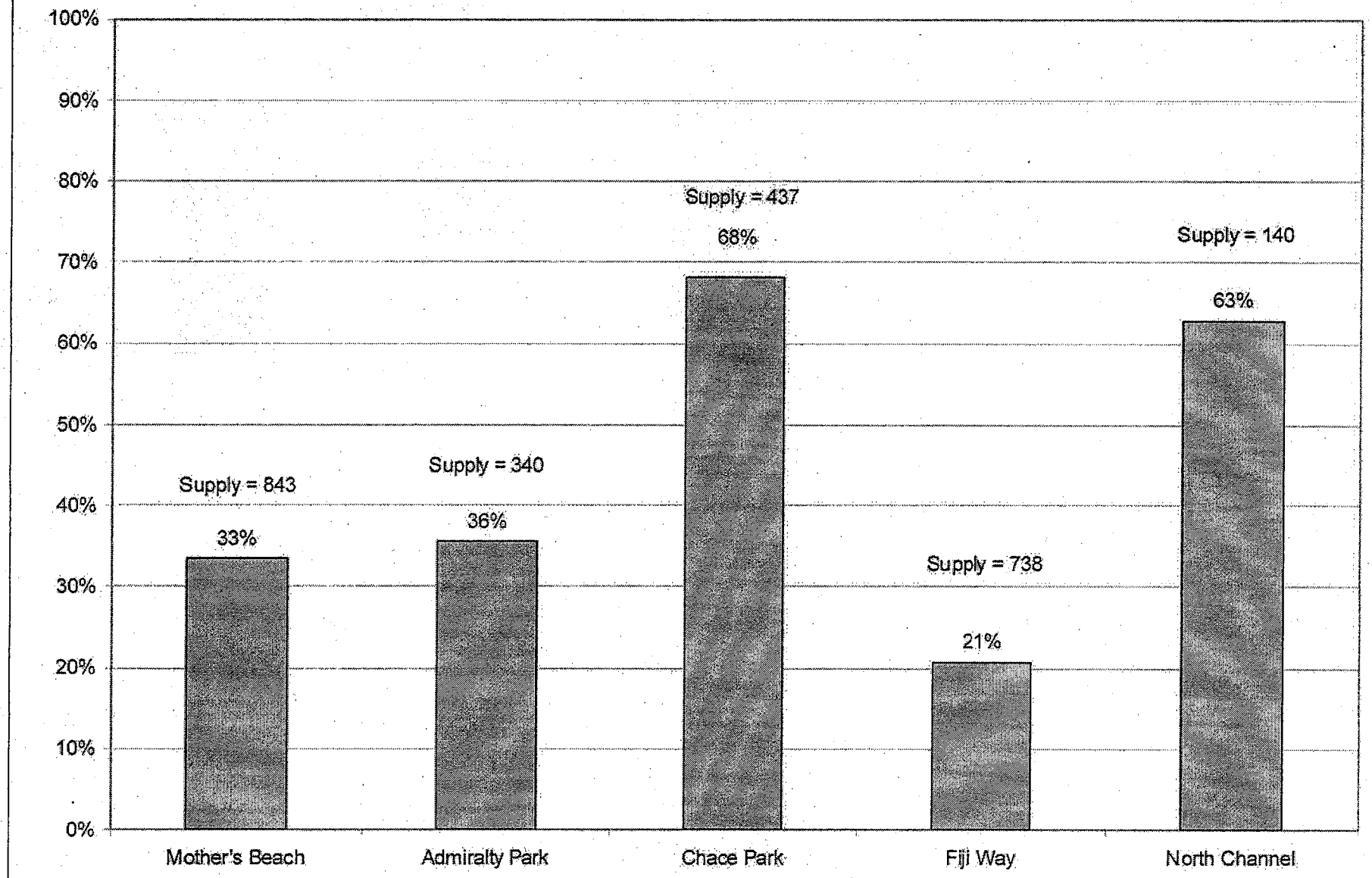

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FIGURE 7-2
PEAK WEEKEND DAY EXISTING PARKING OCCUPANCY BY ACTIVITY AREA

RAJU Associates, Inc.

TABLE 3
PEAK WEEKDAY EXISTING PARKING DEMAND & OCCUPANCIES

#	Activity Area	Parking Supply	Peak Weekday Demand	Peak Weekday Occupancy	Time
1	Mother's Beach (8-OT, 9-NR, 10-IR, 11-GR)	843	Public: 201 All: 300	Public: 24% All: 36%	8PM
2	Admiralty Park (5-U, 7-Q)	340	118	35%	10AM
3	Chace Park (2-49R, 4-49M, EE)	437	189	43%	1PM
4	Fiji Way (1-Fisherman's Village, Dock 52)	738	Public: 72 All: 491	Public: 10% All: 67%	8PM
5	North Channel (13-3S)	140	26	19%	8PM

TABLE 4
PEAK WEEKEND DAY EXISTING PARKING DEMAND & OCCUPANCIES

#	Activity Area	Parking Supply	Peak Weekend Day Demand	Peak Weekend Day Occupancy	Time
1	Mother's Beach (8-OT, 9-NR, 10-IR, 11-GR)	843	Public: 282 All: 436	Public: 33% All: 52%	4PM
2	Admiralty Park (5-U, 7-Q)	340	121	36%	4PM
3	Chace Park (2-49R, 4-49M, EE)	437	298	68%	4PM
4	Fiji Way (1-Fisherman's Village, Dock 52)	738	Public: 153 All: 678	Public: 21% All: 92%	4PM
5	North Channel (13-3S)	140	88	63%	4PM

From Tables 3 and 4, the following observations can be made:

- In the Mother's Beach Activity Area, the maximum observed overall parking occupancy including the Cheesecake Factory demand was 36% and 52% during peak weekdays and weekend days, respectively. The maximum observed peak public parking occupancy was 24% and 33% during holiday peak weekdays and weekend days, respectively.
- In the Admiralty Park Activity Area, the maximum observed parking occupancy was 35% and 36% during peak weekdays and weekend days, respectively.
- In the Chace Park Activity Area, the maximum observed parking occupancy was 43% and 68% during peak weekdays and weekend days, respectively.
- In the Fiji Way Activity Area, the maximum observed overall parking occupancy was 67% and 92% during peak holiday weekdays and weekend days, respectively. These demands included those associated with Fisherman' Village commercial and other uses as well as those associated with other uses served by Dock 52 parking. The maximum observed peak public parking occupancy (based on specialized surveys of all users to identify public parking patronage conducted by Raju Associates Inc) was 10% and 21% during holiday peak weekdays and weekend days, respectively.
- In the North Channel Activity Area, the maximum observed parking occupancy was 19% and 63% during peak weekdays and weekend days, when no other events are serviced, respectively.

In summary, for approximately 10 days in any year, the parking lots within each of the Activity Areas in Marina del Rey are somewhat better utilized. The maximum occupancy that was noted other than in the Fiji Way Activity Area was 68% in the Chace Park activity area. The maximum occupancy in the Fiji Way activity area that was noted on the peak weekend day was 92% in lots W and Dock 52. The Overflow Lots adjacent to this activity area provided additional public parking supply to bring the overall occupancy to approximately 80% indicating that there was still more than adequate available public parking within the Fiji Way Activity Area and the overflow parking lots during peak holiday weekend days. All other activity areas are currently showing maximum occupancies of 19 to 43% during peak weekdays and 33 to 68% during peak weekend days indicating a number of unused excess parking even during the peak times every year.

The purpose of this parking study is to right-size public parking supply serving each of the activity areas in the long-term (year 2030) future conditions taking into account the ambient growth and potential other public amenities development such as additional boat slips or storage and expansion of Chace Park within the Marina and their anticipated additional demands on public parking. The ambient growth includes all other growth in the region that would potentially add parking demand and was assumed to be equal to the ambient observed traffic growth in this area. A detailed assessment of these conditions is presented in the following chapter.

III. LONG-TERM FUTURE PUBLIC PARKING ASSESSMENT

This chapter provides a description of the various components that affect public parking dynamics throughout the Marina. Detailed estimations and assessments of public parking demands in the future within each of the activity areas in the Marina are performed in this chapter. A discussion of the methodology used in the preparation of these forecasts including key assumptions, parameters and other relevant information is also provided in this chapter.

The future year 2030 long-term parking evaluations included in this chapter address typical weekday and weekend day conditions as well as peak holiday weekday and weekend day conditions. Detailed assessments of all these scenarios within each of the activity areas are provided in the following sections.

FUTURE LONG-TERM (YEAR 2030) PUBLIC PARKING DEMAND ESTIMATION

The future parking demands at the various public parking lots are dependent upon the following key elements – current or existing parking demands, anticipated ambient growth due to general growth in population and anticipated growth in public parking demand due to potential expansion of public facilities and amenities (such as additional boat storage or slips and expansion of Chace Park). Further, where private commercial and public parking demands affect the occupancies of the public parking lots, only the public parking component would need to be isolated and used in the development of future public parking demand forecasts. Conversely, where public parking demand is occurring at private free parking lots adjacent to public parking lots, this demand has been captured and utilized in the development of overall future public parking demands within each of the activity areas, in this study.

The methodology used in the estimation of both peak public parking demands on typical weekdays and weekend days as well as peak holiday weekdays and weekend days is as follows:

1. Identify / determine the peak public parking demands on typical and peak weekdays and weekend days
2. Apply the anticipated ambient growth rate of 0.6% per year for 22 years based on the projected ambient traffic growth in this area. The 0.6% per year growth rate is the annual growth rate used by the Department of Public Works for projecting traffic growth in the Marina del Rey area
3. Apply the anticipated additional parking demand for specific activity areas based on anticipated additional facilities. Both Mother's Beach and Chace Park Activity Areas are anticipated to have additional facilities

Future Long-Term Typical Weekday and Weekend Day Parking Demands

Utilizing the methodology described in the previous section, the future long-term typical weekday and weekend day public parking demands were estimated. Table 5 summarizes the peak parking demands and the time of day that these public parking demands are anticipated for typical weekdays and weekend days, within each of the activity areas in the Marina. Again, it is worth noting that these typical parking demands are anticipated in the Marina for more than 300 days every year.

From Table 5, the following observations can be made:

- In the Mother's Beach Activity Area, the maximum estimated overall parking demand was 167 spaces and 231 spaces during typical weekdays and weekend days, respectively. These estimates include the parking demands associated with the Cheesecake Factory restaurant use. The maximum estimated public parking demand was 143 spaces and 145 spaces during typical weekdays and weekend days, respectively.
- In the Admiralty Park Activity Area, the maximum estimated parking demand was 34 and 111 spaces during typical weekdays and weekend days, respectively.
- In the Chace Park Activity Area, the maximum estimated parking demand was 92 and 159

TABLE 5

TYPICAL WEEKDAY & WEEKEND DAY FUTURE ANTICIPATED PARKING DEMAND

#	Activity Area	Typical Weekday Peak Parking Demand	Time	Typical Weekend Day Peak Parking Demand	Time
1	Mother's Beach (8-OT, 9-NR, 10-IR, 11-GR)	Public: 143 All: 167	1PM	Public: 145 All: 231	1PM 8PM
2	Admiralty Park (5-U, 7-Q)	34	4PM	111	4PM
3	Chace Park (2-49R, 4-49M, EE)	92	1PM	159	4PM
4	Fiji Way (1-Fisherman's Village, Dock 52)	Public: 38 All: 233	4PM 8PM	Public: 93 All: 443	1PM
5	North Channel (13-3S)	17	8PM	36	8PM

spaces during typical weekdays and weekend days, respectively.

- In the Fiji Way Activity Area, the maximum estimated parking demand was 233 and 443 spaces during typical weekdays and weekend days, respectively. These estimates include the parking associated with the Fisherman's Village commercial use as well as other uses including the Charter Boat companies. The maximum estimated public parking demand was 38 spaces and 93 spaces during typical weekdays and weekend days, respectively.
- In the North Channel Activity Area, the maximum estimated parking demand was 17 and 36 spaces during typical weekdays and weekend days, respectively.

In summary, for most of the year (i.e., more than 300 days in any year), the maximum future overall parking demand on typical weekdays and weekend days that was estimated was in the Fiji Way Activity Area. The maximum estimated future public parking demand on typical weekdays and weekend days that was estimated was in the Mother's Beach and Chace Park activity areas, respectively.

Detailed demand analyses by day and lot and by activity area are attached in Appendices C-1 and C-2 of the report.

Peak Holiday Weekday & Weekend Day Parking Conditions

The maximum parking demands for each of the activity areas for peak holiday weekdays and weekend days (July 4th, Memorial Day and Labor Day Holidays were analyzed as noted earlier) were estimated using the methodology described earlier in this chapter. Table 6 summarizes the peak parking demands and the times of day when they occur for key holiday weekdays and weekend days, for each of the activity areas in the Marina. These key holidays parking demands are estimated mainly during the non-working weekdays and weekend days prior to the three major holidays (namely the 4th of July, Memorial Day in May and Labor Day in September every year).

From Table 6, the following observations can be made:

- In the Mother's Beach Activity Area, the maximum estimated peak overall parking demand was 364 spaces and 535 spaces including Cheesecake Factory restaurant parking

TABLE 6
PEAK WEEKDAY & WEEKEND DAY FUTURE ANTICIPATED PARKING DEMAND

#	Activity Area	Peak Weekday Parking Demand	Time	Peak Weekend Day Parking Demand	Time
1	Mother's Beach (8-OT, 9-NR, 10-IR, 11-GR)	Public: 252 All: 364	8PM	Public: 360 All: 535	4PM
2	Admiralty Park (5-U, 7-Q)	134	10AM	137	4PM
3	Chace Park (2-49R, 4-49M, EE)	222	1PM	360	4PM
4	Fiji Way (1-Fisherman's Village, Dock 52)	Public: 82 All: 556	8PM	Public: 173 All: 768	4PM
5	North Channel (13-3S)	29	8PM	100	4PM

demand in GR as well as the other public parking demands during peak holiday weekdays and weekend days, respectively. The maximum estimated future peak public parking demand was 252 spaces and 360 during holiday peak weekdays and weekend days, respectively.

- In the Admiralty Park Activity Area, the maximum estimated parking demand was 134 spaces and 137 spaces during peak holiday weekdays and weekend days, respectively.
- In the Chace Park Activity Area, the maximum estimated parking demand was 222 spaces and 360 spaces during peak holiday weekdays and weekend days, respectively.
- In the Fiji Way Activity Area, the maximum estimated overall parking demand was 556 spaces and 768 spaces during peak holiday weekdays and weekend days, respectively. Again, this estimate includes the demands associated with the Fisherman's Village commercial uses as well as other uses served by lots W and Dock 52. However, the maximum estimated peak public demand was 82 spaces and 173 spaces during peak holiday weekdays and weekend days, respectively.
- In the North Channel Activity Area, the maximum estimated parking demand was 29 spaces and 100 spaces during peak holiday weekdays and weekend days, respectively.

In summary, during the peak holiday weekdays and weekend days of the year (i.e., for approximately two weeks or 10 days during the 4th of July, Memorial Day and Labor Day holiday weeks), the maximum future peak public parking demand that was estimated was in the Mother's Beach and Chace Park Activity Areas. The maximum overall peak holiday weekday and weekend day parking demand that was estimated was in the Fiji Way activitiy area. As stated earlier, this overall demand included the parking demand associated with Fisherman's Village commercial and other uses served by lots W and Dock 52.

The actual holiday day's parking demands are not included in this assessment since it is anticipated that a comprehensive parking management plan will be implemented to accommodate those demands.

A parking management plan is a powerful tool consisting of a set of actions that can be employed to manage and control parking within an area such as Marina del Rey. The parking management

plan includes numerous key elements or components that work together to achieve the primary goal of managing and controlling parking operations in a specific area. The key elements may include identification of remote parking lots (parking supply); identification of all days when the use of these remote parking lots are needed; agreements with property owners that own and/or would allow operation of the remote parking lots during these days; shuttle vans or buses that would operate between these lots and various activity area destinations within Marina del Rey; appropriate signage plan to inform and direct/guide patrons to and from remote parking lots using the associated shuttle transport; and a detailed traffic management plan to guide patrons between various parking lots as well as the remote lots. One of the remote parking lots where event parking on holidays and weekend days is available is the parking structure on Parcel 76. The Los Angeles County through a parking covenant has obtained permission to use up to 860 legally striped parking spaces on holidays and weekend days. This lot could be used as a component of the parking management plan discussed above.

During the Boat Parade Day and Halibut Derby event days, only specific parking lots within the various activity areas are estimated to continue to be utilized by the event participants and viewers, and as such, these are special event days when a parking management plan to manage and control parking are recommended for implementation.

Detailed demand analyses by day and lot and by activity area are included in Appendices C-1 and C-2 of the report.

IV. PUBLIC PARKING REQUIREMENTS IN MARINA DEL REY

The Long-Term Future Year 2030 typical and peak holiday public parking demands estimated in the previous chapter are evaluated in this chapter. Based on the demand estimates for both typical and peak holiday weekend days, an appropriate measure of parking supply requirements is identified and minimum public parking supply requirements are suggested by activity area within the Marina Del Rey area.

PEAK PARKING DEMAND ESTIMATES BY ACTIVITY AREA

From the previous chapter, it was observed that the peak public parking demands within each of the activity areas varied widely between the activity areas themselves as well as between typical (300 plus) days of the year and peak holiday weekend days of a certain year.

The Fiji Way and Mother's Beach activity areas demand estimates that were developed in the previous chapter also included the overall demand at the various parking lots serving these areas. Special detailed surveys were conducted to isolate only the public parking demand component from these lots. Using the data from these days, public parking demands associated with the various parking lots and consequently, the activity areas were developed.

An examination of the current peak parking demands indicates the following:

On typical (300 plus days) weekdays and weekend days in a year, the current peak public parking demand varies between 5% on a weekday within Fiji Way activity area to 31% occupancies on a weekend day at the Chace Park activity area. However, on peak holiday weekdays and weekend days, the peak public parking demand varies between 10% on a weekday at the Fiji Way activity area to 68% occupancy on a weekend day at the Chace Park

activity area. These data indicate that not only are the demands highly variable, for most of the year, they are also much lower than the currently available parking supply indicating that most of the parking supply is greatly under-utilized throughout the year. On certain peak weekday and weekend days of holiday weeks, and special event days, some of these parking lots within the activity areas get better utilization.

The demand data indicates that determination of an average value would not be very useful in ascertaining the required parking supply by activity area due to the tremendous variation in the data. Statistical evaluation in cases such as these would involve determination of the 85th percentile or 90th percentile of the data (parking demand) and then assessing the supply requirements based on that.

The 85th percentile (or 90th percentile) value is defined as that value that 85% (or 90%) of the data in the value set are equal to or less than. The 90th percentile peak public parking demand at each of the activity areas represents that value of demand that 90% of all the peak public parking demands are less than or equal to. In technical terms, 90th percentile is that position in a dataset that has 90% of the data equal to or less than it and 10% of the data greater than it.

PUBLIC PARKING SUPPLY REQUIREMENTS IN MARINA DEL REY

Both the 85th percentile and 90th percentile of peak parking demand data were determined for both the current as well as future anticipated peak conditions. Table 7 summarizes the 90th percentile future anticipated peak public parking demand by activity area within the Marina. As stated earlier, the public parking demand estimates were developed from the overall demands at the various lots based on specialized surveys conducted at lots W, Dock 52, NR and adjacent lots and GR where both public parking demand and adjacent commercial / other uses parking demands were involved.

From Table 7 it can be observed that the 90th percentile of the peak parking demand would vary between 100 spaces at the North Channel activity area to 360 spaces in the Mother's Beach activity area.

TABLE 7
90TH PERCENTILE FUTURE PEAK PUBLIC PARKING DEMAND BY ACTIVITY AREA

Activity Area	90th Percentile Future Peak Parking Demand
Mother's Beach	360
Admiralty Park	114
Chace Park	355
Fiji Way	165
North Channel	100

The minimum public parking supply requirement, from a conservative perspective, is typically approximately 10% more than the 90th percentile of the anticipated future peak parking demand for each of the activity areas. This would allow for patrons to find parking within the activity areas with relative ease rather than circling around and within the various parking lots within each of the activity areas. Table 8 and Figure 8 summarize the minimum parking supply requirements within each of the activity areas in the Marina.

The detailed analyses worksheets by activity area for current conditions and future anticipated 2030 peak conditions are included in Appendices D-1 and D-2.

Summarizing, based on the data, the following are recommended for public parking supply - Mother's Beach activity area: 400 spaces; Admiralty Park activity area: 125 spaces; Chace Park activity area: 390 spaces; Fiji Way activity area: 180 spaces; North Channel activity area: 110 spaces. Parking supply for shared commercial and other non-public recreational uses would need to be over and above the minimum public parking requirements noted above.

It is also worth noting that although recommended ranges of parking supply by activity area are provided in this study, one could park in any activity area within the Marina and use the Water Taxi and / or Shuttle to reach the final destination. Further, given the proximity of parking within one activity area to uses in another activity area, it is possible for patrons to use alternate activity area parking lots and walk to their final destination.

PARKING SUPPLY EVALUATION

The Fiji Way and Mother's Beach Activity Areas, as noted earlier, involve sharing of public parking lots by commercial (Fisherman's Village in Fiji Way), charter boat companies (in Fiji Way) and restaurant (Shanghai Reds in Fiji Way and Cheesecake Factory in Mother's Beach) uses with public recreational parking. The following sections provide an examination and analysis of the currently proposed parking within the activity areas in comparison to the minimum public parking requirements along with the private use parking demands, if any within the same activity areas.

TABLE 8
RECOMMENDED PARKING REQUIREMENTS BY ACTIVITY AREA

Activity Area	90th Percentile Future Peak Parking Demand	Recommended Minimum Public Parking Supply
Mother's Beach	360	400
Admiralty Park	114	125
Chace Park	355	390
Fiji Way	165	180
North Channel	100	110

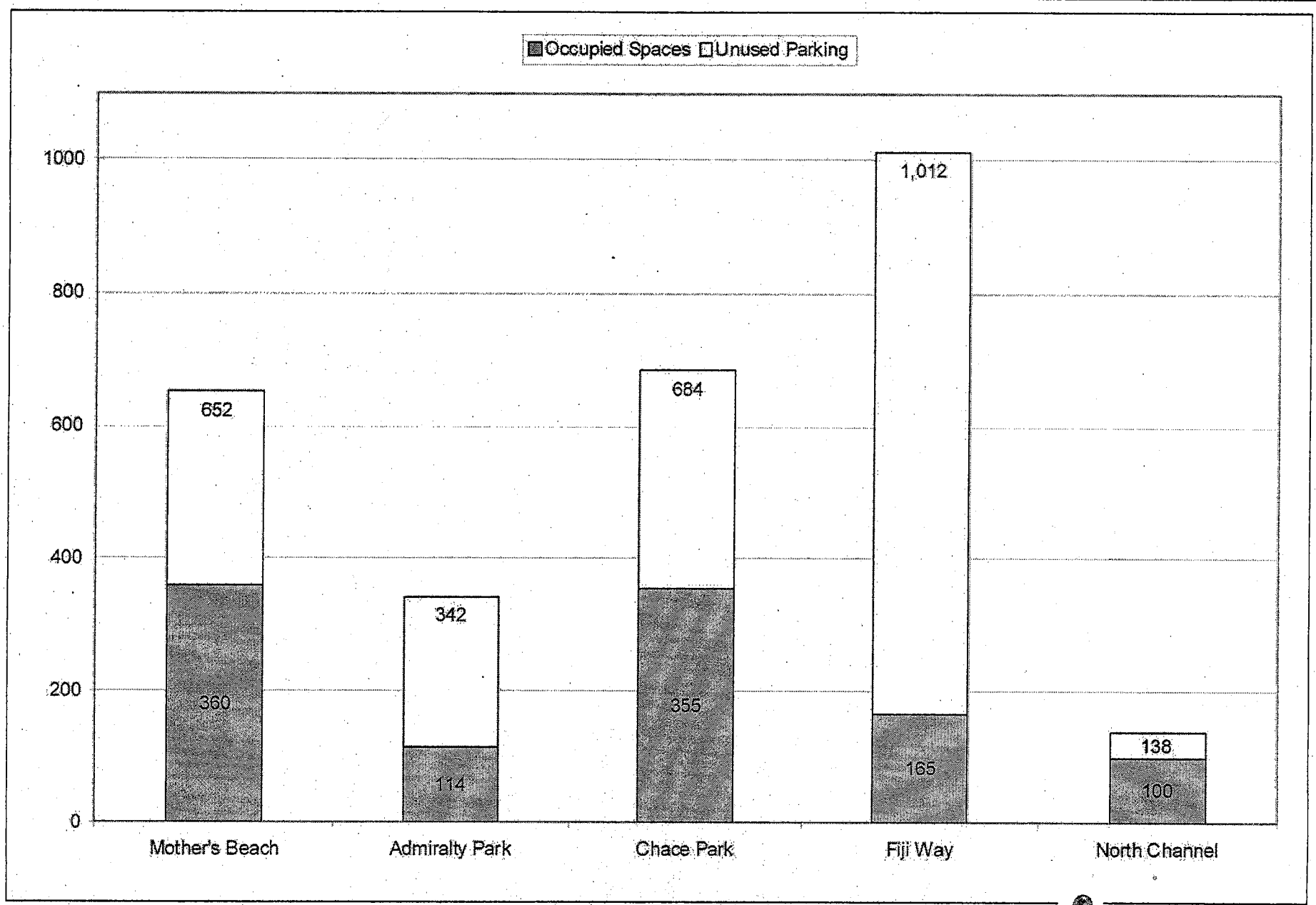

FIGURE 8
90TH PERCENTILE FUTURE PEAK PARKING DEMAND BY ACTIVITY AREA

RAJU Associates, Inc.

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Adequacy of the parking operations within each of the activity areas is also discussed in the following section.

Fiji Way Activity Area Overall Parking Analysis

The Fisherman's Village development as well as the Charter Boat Companies and others within the Fiji Way activity area share the parking lots 1 on Parcel W and Dock 52 on Parcel 52. These developments with their peak parking demand profiles per the studies conducted by the Proposed Fisherman's Village Expansion / Enhancement Proejct and the public parking demand profiles per the specialized surveys and analyses conducted by Raju Associates, Inc. are summarized in Appendix E. It can be summarized from Appendix E that the peak weekday maximum overall parking demand would be 788 spaces while the maximum overall peak parking demand on weekend days would be 930 spaces. The Fisherman's Village Enhancement / Expansion Project currently calls for an overall parking supply of 1,012 spaces to be shared by all uses including the public parking demand anticipated to be generated in the Future year 2030 conditions. The proposed parking supply would be adequate in terms of satisfying the shared need identified above. It is recommended that the public parking component be integrated into the Fisherman's Village Project throughout the day on all weekdays and weekend days, except on holidays when a parking management plan is recommended.

Mother's Beach Activity Area Overall Parking Analysis

The Cheesecake Factory Restaurant currently utilizes lot 11 on Parcel GR. A comparison of the minimum public parking requirement plus the Cheesecake Factory parking demand on lot 11 within the Mother's Beach activity area was made to the currently proposed public parking supply, within the same activity area. This overall demand was estimated to be 364 spaces on a peak weekday and 535 spaces on a peak weekend day including the Cheesecake Factory and all other potential additional boat slip development within the Mother's Beach activity area. The proposed supply within this activity area is currently planned to be approximately 650 spaces. Therefore, there would be adequate parking within this activity area with the currently proposed plan.

All other Activity Areas Parking Analyses

In addition to the above activity areas, a comparison of currently proposed parking supply to the minimum public parking requirements within each of the other activity areas (Admiralty Park, Chace Park and North Shore) was conducted. It was observed that the currently proposed parking plan provides more than adequate public parking supply within each of the other activity areas also.

Summarizing, the currently proposed parking plan provides more than the required minimum public parking supply requirements within all of the activity areas in Marina del Rey as shown below:

Activity Area Name	Recommended Minimum Public Parking Supply (Number of Spaces)	Excess Number of Parking Spaces based on Proposed Parking Plan
Mother's Beach (1)	400	117
Admiralty Park	125	217
Chace Park	390	294
Fiji Way (2)	180	92
North Shore	110	30

Note :

(1) – Parking lots in this activity area are shared by public and private uses. The Cheesecake Factory restaurant uses parking lot 11 on Parcel GR.

(2) – Parking lots in this activity area are also shared by public and private uses. Fisherman's Village, charter boats, the LACDBH office and others use parking lots 1 and Dock 52 within this activity area.

V. SUMMARY OF RECOMMENDATIONS & CONCLUSIONS

A comprehensive and detailed parking study has been performed by Raju Associates, Inc. to assess the public parking needs within the Marina del Rey area of the County of Los Angeles, California. Both current and future needs are assessed through the year 2030 and right-sizing of parking within various areas in Marina del Rey have been assessed as part of this study.

There are numerous public parking lots within the Marina del Rey area. They serve nearby residents as well as visitors to the Marina facilities. The public parking lots are all surface lots adjacent to specific attractions and serving a specific activity area. Past surveys and observations of utilization of these public parking lots have revealed that these lots are all greatly under-utilized to varying degrees almost throughout the year except for a few holidays and pre-holiday weekend days, even when the gate arms are up and no fee is charged.

A list of the public parking lots within the Marina that are evaluated in this study is provided below.

Lot Number	Parcel	Number of Parking Spaces	Remarks
1	W	502	Fisherman's Village and others use this lot
2	49R	239	
4	49M	140	
5	UR	220	Public Library uses 20 spaces
7	Q	120	
8	OT	183	FantaSea Yachts can use 94 spaces after 6 pm
9	NR	186	
10	IR	212	
11	GR	262	Cheesecake Factory uses this lot
12	FF	201	Not used much by anyone
13	3S	140	
16	EE	58	Metered parking spaces
Dock 52	52	236	LACDBH Office and others use this lot

This study is directed at identifying the appropriate parking supply to satisfy the current and anticipated future parking demands within various activity areas and right-sizing the parking lots (listed in the previous page) serving these activity areas. The estimation of parking demands for the future year 2030 was done using current observed parking demands and factoring in the growth anticipated from planned adjacent uses as well as from ambient growth due to growth in population over the next 20+ years. In addition, several new improvements for visitors at Mother's Beach and Chace Park were factored into demand figures.

Current and future parking demand and supply utilization analyses at each of the public parking lots within the Marina del Rey area were conducted in this study. Five major activity areas were identified and peak parking within these activity areas were determined. The supply needed to accommodate the current and future needs within each of the activity areas were also determined in this study and suggestions / recommendations for the same were made. The following executive summary highlighting the key findings of this study is presented.

- A total of 13 public parking lots and five activity areas were assessed within the study area for this project. The five activity areas are the Mother's Beach Activity area, Admiralty Park Activity area, Chace Park Activity area, Fiji Way Activity area and the North Channel Activity area.

- Parking supply surveys were conducted at each of the public parking lots within the study area by Los Angeles County Department of Beaches and Harbors staff and verified by Raju Associates. Based on the field inventory surveys, it was determined that the total public parking available within the studied Marina del Rey area was 2,699 spaces. This is different from the number of spaces noted in the Marina del Rey Land Use Plan (LUP) due to restriping of various lots after publication of the LUP to accommodate handicapped spaces and to improve efficiencies.

- Parking demand surveys at each of the public parking lots were conducted during the busiest weekends (Friday through Monday) of the years 2005 and 2007. Memorial Day, 4th of July and Labor Day weekends including the holidays were chosen to conduct the parking demand surveys. Additionally, a typical weekday and weekend day were chosen to conduct parking demand surveys to reflect typical conditions prevailing in the Marina for most of the year as it relates to parking.

- In addition to the demand surveys noted above, specialized surveys were conducted on a weekday and weekend day at all the parking lots where sharing of public parking spaces for private commercial uses are currently occurring. These were later utilized in determining the public parking demand component of the overall parking demand at these lots (as noted in the table above).

- The current peak public parking demand occupancies on typical weekdays and weekend days varies between 5% at Fiji Way activity area to 18% at Chace Park activity area during weekdays and 11% at Fiji Way activity area to 31% at Chace Park activity area during weekends. All other activity areas have parking occupancies of less than 18% and 31% on typical weekdays and weekend days, respectively. These occupancies are typical for most of the year (i.e., more than 300 days in a year).

- The current peak parking demand occupancies on peak holiday weekdays and weekend days varies between 10% at Fiji Way activity area to 43% at Chace Park activity area during weekdays and 21% at Fiji Way activity area to 68% at Chace Park activity area during weekend days. The Fiji Way activity area parking lots also accommodate parking demands associated with commercial and other uses adjacent to them. The public parking demand component only has been reflected in the numbers above. If the overall parking demand at the lots that serve the Fiji Way activity area including the commercial and other uses demand is examined then a 67% occupancy during peak weekdays and 92% during peak holiday weekends are observed. All other activity areas other than the Fiji Way activity area have parking occupancies of less than 43% and 68% on peak holiday weekdays and weekend days, respectively.

- The future anticipated peak parking demands on typical and peak holiday weekdays and weekend days were developed using anticipated ambient growth in the region as well as growth in public parking demand anticipated due to provision of additional public facilities within the Marina.

- Peak public parking demand estimates were developed by isolating the public parking demand component from various lots (Lot W, Dock 52 lot in Parcel 52, and Lot GR) and then applying the growth factors due to ambient growth and the additional demand associated with additional public facilities planned in the future. The public parking demand estimates from these lots were combined together to obtain the activity area public parking demands.

- These future anticipated demands varied greatly between activity areas as well as during typical and peak holiday weekdays and weekend days. Due to this wide variation in anticipated demands for each of the activity areas on weekdays and weekend days throughout the year, developing a measure of central tendency (such as mean or mode or median) was not meaningful. Instead, the 85th percentile and 90th percentile of the peak parking demands which are meaningful, in this context, were determined.

- The 90th percentile peak public parking demand at each of the activity areas represents that value of demand that 90% of all the peak public parking demands are less than or equal to. In technical terms, 90th – percentile is that position in a dataset that has 90% of the data equal to or less than it and 10% of the data greater than it. The 90th percentile value states that at least 90% of the values in the set are less than or equal to this value.

- The 90th percentile of peak public parking demand at each of the activity areas was determined to be the following - Mother's Beach: 360 spaces; Admiralty Park: 114 spaces;

Chace Park: 355 spaces; Fiji Way: 165 spaces; and North Channel: 100 spaces.

- The minimum public parking supply at each of the activity areas was determined using the 90th percentile peak parking demand and increasing the same by 10% to facilitate satisfactory operations within each of the parking lots serving the individual activity areas. The increased 10% supply over the peak demand by activity area would allow patrons to find parking spaces in the various parking lots serving the activity lot without having to move around or circle around between and within parking lots. The recommended minimum number of required public parking spaces by activity area is shown below.

	Activity Area	90th-Percentile Parking Demand (number of spaces)	Recommended Minimum Number of Required Public Parking Spaces
A	Mother's Beach Activity Area	360	400
B	Admiralty Park Activity Area	114	125
C	Chace Park Activity Area	355	390
D	Fiji Way Activity Area	165	180
E	North Channel Activity Area	100	110

- Although these parking supply requirements have been recommended by activity area, it should be emphasized that one could park in any activity area within the Marina and use the Water Taxi or the Shuttle to reach the final destination.

- An evaluation of currently proposed public parking supply within each of the activity areas in comparison to the recommended range of minimum parking requirements was made. It was determined that more than adequate public parking supply would continue to be available within each of the activity areas. Included in the evaluation was also the overall future demand of both public and private parking demand versus proposed supply within each of the activity areas. It was determined that adequate overall parking supply would be available within each of the activity areas even those that include commercial and other users sharing parking within the public parking lots as shown in the table on the following page.

Activity Area Name	Recommended Minimum Public Parking Supply (Number of Spaces)	Excess Parking Supply based on Proposed Parking Plan (Number of Spaces)
Mother's Beach (1)	400	117
Admiralty Park	125	217
Chace Park	390	294
Fiji Way (2)	180	92
North Shore	110	30

Note :
(1) – Parking lots in this activity area are shared by public and private uses. The Cheesecake Factory restaurant uses parking lot 11 on Parcel GR.
(2) – Parking lots in this activity area are also shared by public and private uses. Fisherman's Village, charter boats, the LACDBH office and others use parking lots 1 and Dock 52 within this activity area.

During peak holidays namely Independence Day, Labor Day, and Memorial Day, and special event days such as Halibut Derby Day and Boat Parade Day, the parking within the Marina would need to be managed. A specific parking management plan should be developed to accommodate the peak holiday demands and shuttle people to their various specific destinations, where needed. During weekends and holidays, the county has permission to use 860 legally-marked parking spaces in parcel 76 per the current parking covenant and this parking supply could be used during event days.

APPENDIX A1-A3

A-1 Parking Supply Inventory Table

A-2 Parking Demand Survey Data

A-3 Parking Demand Special Survey Data

APPENDIX A1

Marina Del Rey Right Sizing Parking Study

Comparison of Public Parking Spaces Available (Parking Supply Inventory)

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Parking Lot	General Parking Spaces	Handicap	Other	Total Available Spaces (3)	LADBH Count	LCP Count	Potential Reason for Differences
Dock 52	226	10	0	236	239	245	Restriping for Handicapped Spaces
Fisherman's	485	17	0	502	439	483	Overall restriping of the parking lot for better efficiency Also includes Parcel 55 spaces that LADBH count doesn't.
Overflow	245	7	0	252	n/a	n/a	
Lot 2	438 / 219 Boat Trailer Spaces	12	8 [1]	458 / 239	234	466 / 233	Restriping for Handicapped Spaces
Lot 4	133	7	0	140	152	124	Overall restriping of the parking lot for better efficiency
Lot 16	54	4	0	58	n/a	60	Restriping for Handicapped Spaces
Lot 5	198	3	19 [2]	220	222	240	Restriping for Handicapped Spaces and to improve circulation
Lot 7	115	5	0	120	120	118	Overall restriping of the parking lot for better efficiency
Lot 8	177	6	0	183	183	186	Restriping for Handicapped Spaces
Lot 9	180	6	0	186	187	191	Restriping for Handicapped Spaces
Lot 10	209	3	0	212	209	216	Restriping for Handicapped Spaces
Lot 11	254	8	0	262	263	264	Restriping for Handicapped Spaces
Lot 12	194	7	0	201	206	207	Restriping for Handicapped Spaces
Lot 13	136	4	0	140	138	140	No difference

Note : [1] These spaces are reserved for boat washing purposes.

[2]. These spaces are reserved for the Library by permit only.

[3] These spaces are based on Field inventory surveys conducted by Raju Associates, Inc. February 2009.

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APPENDIX A2
PARKING DEMAND UTILIZATION SURVEY SHEETS

5/27/2005

MAXIMUM NUMBER OF SPACES OCCUPIED FOR MEMORIAL DAY WEEKEND 2005

Parking Lot	10 A.M.	1 P.M.	4 P.M.	8 P.M.	Total Available Spaces [2]
Dock 52	N/A	N/A	N/A	N/A	236
(Public Component)	N/A	N/A	N/A	N/A	
Fishermans	N/A	N/A	N/A	N/A	502
(Public Component)	N/A	N/A	N/A	N/A	
Overflow	N/A	N/A	N/A	N/A	252
Lot 2	33	35	32	28	239
Lot 4	32	37	22	13	140
Lot 5	115	97	58	45	220
Lot 7	3	0	3	6	120
Lot 8	1	0	0	7	183
Lot 9	8	11	9	13	186
Lot 10	2	1	1	0	212
Lot 11	15	79	53	109	262
(Public Component)	5	29	19	40	
Lot 12	0	2	3	2	201
Lot 13	5	3	3	16	140

Mother's Beach Demand (8,9,10,11)	47	112	84	150	843
Public Component [1]	37	62	50	81	
Admiralty Park (5,7)	118	97	61	51	340
Chace Park (2,4,EE)	123	130	112	99	437
Fiji Way Demand (Fisherman's Village, Dock 52)	0	0	0	0	738
Public Component	0	0	0	0	
North Channel (13)	5	3	3	16	140
Lot 12	0	2	3	2	201

NOTE:
[1] Mother's Beach Activity area public parking demand also includes parking demand associated with Kayakers & other recreational users parking in Organic Panificio and Casa Escobar Parking Lots
[2] Total available supply based on Field inventory survey conducted by Raju Associates, Inc., February 2009

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APPENDIX A2
PARKING DEMAND UTILIZATION SURVEY SHEETS

5/28/2005

MAXIMUM NUMBER OF SPACES OCCUPIED FOR MEMORIAL DAY WEEKEND 2005

Parking Lot	10 A.M.	1 P.M.	4 P.M.	8 P.M.	Total Available Spaces [2]
Dock 52	N/A	N/A	N/A	N/A	236
(Public Component)	N/A	N/A	N/A	N/A	
Fishermans	N/A	N/A	N/A	N/A	502
(Public Component)	N/A	N/A	N/A	N/A	
Overflow	N/A	N/A	N/A	N/A	252
Lot 2	113	147	117	59	239
Lot 4	20	22	16	10	140
Lot 5	48	49	53	43	220
Lot 7	3	9	9	9	120
Lot 8	1	0	0	3	183
Lot 9	21	34	33	17	186
Lot 10	26	46	71	23	212
Lot 11	62	99	103	132	262
(Public Component)	7	11	11	15	
Lot 12	2	12	16	10	201
Lot 13	14	17	19	23	140

Mother's Beach Demand (8,9,10,11)	153	222	250	218	843
Public Component [1]	98	134	158	101	
Admiralty Park (5,7)	51	58	62	52	340
Chace Park (2,4,EE)	191	227	191	127	437
Fiji Way Demand (Fisherman's Village, Dock 52)	0	0	0	0	738
Public Component	0	0	0	0	
North Channel (13)	14	17	19	23	140
Lot 12	2	12	16	10	201

NOTE:
[1] Mother's Beach Activity area public parking demand also includes parking demand associated with Kayakers & other recreational users parking in Organic Panificio and Casa Escobar Parking Lots
[2] Total available supply based on Field inventory survey conducted by Raju Associates, Inc., February 2009

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APPENDIX A2
PARKING DEMAND UTILIZATION SURVEY SHEETS

5/29/2005

MAXIMUM NUMBER OF SPACES OCCUPIED FOR MEMORIAL DAY WEEKEND 2005

Parking Lot	10 A.M.	1 P.M.	4 P.M.	8 P.M.	Total Available Spaces [2]
Dock 52	N/A	N/A	N/A	N/A	236
(Public Component)	N/A	N/A	N/A	N/A	
Fishermans	N/A	N/A	N/A	N/A	502
(Public Component)	N/A	N/A	N/A	N/A	
Overflow	N/A	N/A	N/A	N/A	252
Lot 2	130	144	104	48	239
Lot 4	23	40	34	12	140
Lot 5	22	22	24	23	220
Lot 7	7	11	8	13	120
Lot 8	0	0	3	31	183
Lot 9	18	20	26	17	186
Lot 10	23	69	86	16	212
Lot 11	36	94	134	112	262
(Public Component)	4	10	15	12	
Lot 12	5	3	19	11	201
Lot 13	11	25	58	49	140

Mother's Beach Demand (8,9,10,11)	120	226	292	219	843
Public Component [1]	88	142	173	119	
Admiralty Park (5,7)	29	33	32	36	340
Chace Park (2,4,EE)	211	242	196	118	437
Fiji Way Demand (Fisherman's Village, Dock 52)	0	0	0	0	738
Public Component	0	0	0	0	
North Channel (13)	11	25	58	49	140
Lot 12	5	3	19	11	201

NOTE:
[1] Mother's Beach Activity area public parking demand also includes parking demand associated with Kayakers & other recreational users parking in Organic Panificio and Casa Escobar Parking Lots
[2] Total available supply based on Field inventory survey conducted by Raju Associates, Inc., February 2009

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APPENDIX A2
PARKING DEMAND UTILIZATION SURVEY SHEETS

5/30/2005

MAXIMUM NUMBER OF SPACES OCCUPIED FOR MEMORIAL DAY WEEKEND 2005

Parking Lot	10 A.M.	1 P.M.	4 P.M.	8 P.M.	Total Available Spaces [2]
Dock 52	N/A	N/A	N/A	N/A	236
Fishermans	N/A	N/A	N/A	N/A	502
Overflow	N/A	N/A	N/A	N/A	252
Lot 2	112	123	85	19	239
Lot 4	21	37	38	18	140
Lot 5	23	26	22	16	220
Lot 7	6	7	7	4	120
Lot 8	1	0	2	17	183
Lot 9	24	26	27	13	186
Lot 10	19	68	121	13	212
Lot 11	19	118	127	84	262
Lot 12	7	18	33	12	201
Lot 13	17	48	82	28	140

Mother's Beach Demand (8,9,10,11)	63	212	277	127	843
Admiralty Park (5,7)	29	33	29	20	340
Chace Park (2,4,EE)	191	218	181	95	437
North Channel (13)	17	48	82	28	140
Lot 12	7	18	33	12	201

NOTE:
[1] Mother's Beach Activity area public parking demand also includes parking demand associated with Kayakers & other recreational users parking in Organic Panificio and Casa Escobar Parking Lots
[2] Total available supply based on Field inventory survey conducted by Raju Associates, Inc., February 2009

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APPENDIX A2
PARKING DEMAND UTILIZATION SURVEY SHEETS

7/1/2005

MAXIMUM NUMBER OF SPACES OCCUPIED FOR 4TH OF JULY WEEKEND 2005

Parking Lot	10 A.M.	1 P.M.	4 P.M.	8 P.M.	Total Available Spaces [2]
Dock 52	102	123	86	204	236
(Public Component)	27	32	23	54	
Fishermans	60	168	124	246	502
(Public Component)	4	12	9	18	
Overflow	64	93	87	107	252
Lot 2	49	48	48	46	239
Lot 4	8	11	7	2	140
Lot 5	87	28	10	1	220
Lot 7	1	3	5	6	120
Lot 8	2	1	3	97	183
Lot 9	15	16	13	27	186
Lot 10	12	22	5	0	212
Lot 11	23	80	67	155	262
(Public Component)	8	29	24	56	
Lot 12	38	30	6	4	201
Lot 13	9	8	6	20	140

Mother's Beach Demand (8,9,10,11)	73	140	109	300	843
Public Component [1]	58	89	66	201	
Admiralty Park (5,7)	88	31	15	7	340
Chace Park (2,4,EE)	115	117	113	106	437
Fiji Way Demand (Fisherman's Village, Dock 52)	162	291	210	450	738
Public Component	31	44	32	72	
North Channel (13)	9	8	6	20	140
Lot 12	38	30	6	4	201

NOTE:

[1] Mother's Beach Activity area public parking demand also includes parking demand associated with Kayakers & other recreational users parking in Organic Panificio and Casa Escobar Parking Lots

[2] Total available supply based on Field inventory survey conducted by Raju Associates, Inc., February 2009

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APPENDIX A2
PARKING DEMAND UTILIZATION SURVEY SHEETS

7/2/2005

MAXIMUM NUMBER OF SPACES OCCUPIED FOR 4TH OF JULY WEEKEND 2005

Parking Lot	10 A.M.	1 P.M.	4 P.M.	8 P.M.	Total Available Spaces [2]
Dock 52	174	153	134	132	236
(Public Component)	70	62	54	53	
Fishermans	109	223	196	212	502
(Public Component)	14	28	25	27	
Overflow	85	126	121	96	252
Lot 2	142	169	124	66	239
Lot 4	15	28	18	5	140
Lot 5	7	11	9	0	220
Lot 7	9	7	6	8	120
Lot 8	8	3	4	2	183
Lot 9	25	36	34	22	186
Lot 10	9	34	66	49	212
Lot 11	18	112	113	104	262
(Public Component)	2	12	13	12	
Lot 12	5	15	16	7	201
Lot 13	24	34	48	35	140

Mother's Beach Demand (8,9,10,11)	103	228	260	220	843
Public Component [1]	87	128	160	128	
Admiralty Park (5,7)	16	18	15	8	340
Chace Park (2,4,EE)	215	255	200	129	437
Fiji Way Demand (Fisherman's Village, Dock 52)	283	376	330	344	738
Public Component	84	90	79	80	
North Channel (13)	24	34	48	35	140
Lot 12	5	15	16	7	201

NOTE:
[1] Mother's Beach Activity area public parking demand also includes parking demand associated with Kayakers & other recreational users parking in Organic Panificio and Casa Escobar Parking Lots
[2] Total available supply based on Field inventory survey conducted by Raju Associates, Inc., February 2009

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APPENDIX A2
PARKING DEMAND UTILIZATION SURVEY SHEETS

7/3/2005

MAXIMUM NUMBER OF SPACES OCCUPIED FOR 4TH OF JULY WEEKEND 2005

Parking Lot	10 A.M.	1 P.M.	4 P.M.	8 P.M.	Total Available Spaces [2]
Dock 52	171	186	217	94	236
(Public Component)	69	75	88	38	
Fishermans	83	304	331	264	502
(Public Component)	11	38	42	33	
Overflow	88	130	142	83	252
Lot 2	139	156	132	71	239
Lot 4	15	26	34	4	140
Lot 5	2	5	3	0	220
Lot 7	51	84	118	76	120
Lot 8	6	6	26	51	183
Lot 9	22	39	38	22	186
Lot 10	44	114	156	21	212
Lot 11	36	127	173	136	262
(Public Component)	4	14	19	15	
Lot 12	6	19	34	20	201
Lot 13	23	41	88	67	140

Mother's Beach Demand (8,9,10,11)	151	329	436	273	843
Public Component [1]	119	216	282	152	
Admiralty Park (5,7)	53	89	121	76	340
Chace Park (2,4,EE)	212	240	224	133	437
Fiji Way Demand (Fisherman's Village, Dock 52)	254	490	548	358	738
Public Component	80	113	130	71	
North Channel (13)	23	41	88	67	140
Lot 12	6	19	34	20	201

NOTE:
[1] Mother's Beach Activity area public parking demand also includes parking demand associated with Kayakers & other recreational users parking in Organic Panificio and Casa Escobar Parking Lots
[2] Total available supply based on Field inventory survey conducted by Raju Associates, Inc., February 2009

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APPENDIX A2
PARKING DEMAND UTILIZATION SURVEY SHEETS

7/4/2005

MAXIMUM NUMBER OF SPACES OCCUPIED FOR 4TH OF JULY WEEKEND 2005

Parking Lot	10 A.M.	1 P.M.	4 P.M.	8 P.M.	Total Available Spaces [2]
Dock 52	146	151	164	239	236
Fishermans	67	198	254	439	502
Overflow	64	116	168	265	252
Lot 2	103	125	158	161	239
Lot 4	17	151	152	152	140
Lot 5	2	9	29	174	220
Lot 7	66	113	120	120	120
Lot 8	8	24	77	156	183
Lot 9	25	78	187	187	186
Lot 10	44	182	209	209	212
Lot 11	32	213	263	263	262
Lot 12	17	62	66	66	201
Lot 13	88	138	138	138	140

Mother's Beach Demand (8,9,10,11)	109	497	736	815	843
Admiralty Park (5,7)	68	122	149	294	340
Chace Park (2,4,EE)	178	334	368	371	437
North Channel (13)	88	138	138	138	140
Lot 12	17	62	66	66	201

NOTE:
[1] Mother's Beach Activity area public parking demand also includes parking demand associated with Kayakers & other recreational users parking in Organic Panificio and Casa Escobar Parking Lots
[2] Total available supply based on Field inventory survey conducted by Raju Associates, Inc., February 2009

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APPENDIX A2
PARKING DEMAND UTILIZATION SURVEY SHEETS

9/2/2005

MAXIMUM NUMBER OF SPACES OCCUPIED OVER THE LABOR DAY WEEKEND 2005

Parking Lot	10 A.M.	1 P.M.	4 P.M.	8 P.M.	Total Available Spaces [2]
Dock 52	127	131	115	66	236
(Public Component)	33	34	30	17	
Fishermans	116	140	195	301	502
(Public Component)	8	10	14	22	
Overflow	84	102	127	98	252
Lot 2	37	44	45	39	239
Lot 4	78	73	69	50	140
Lot 5	90	58	10	0	220
Lot 7	1	1	0	3	120
Lot 8	1	1	1	59	183
Lot 9	11	9	14	13	186
Lot 10	3	5	5	1	212
Lot 11	26	59	55	166	262
(Public Component)	9	21	20	60	
Lot 12	2	2	3	4	201
Lot 13	12	9	11	26	140

Mother's Beach Demand (8,9,10,11)	62	95	96	260	843
Public Component [1]	45	57	61	154	
Admiralty Park (5,7)	91	59	10	3	340
Chace Park (2,4,EE)	173	175	172	147	437
Fiji Way Demand (Fisherman's Village, Dock 52)	243	271	310	367	738
Public Component	41	44	44	39	
North Channel (13)	12	9	11	26	140
Lot 12	2	2	3	4	201

NOTE:
[1] Mother's Beach Activity area public parking demand also includes parking demand associated with Kayakers & other recreational users parking in Organic Panificio and Casa Escobar Parking Lots
[2] Total available supply based on Field inventory survey conducted by Raju Associates, Inc., February 2009

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APPENDIX A2
PARKING DEMAND UTILIZATION SURVEY SHEETS

9/3/2005

MAXIMUM NUMBER OF SPACES OCCUPIED OVER THE LABOR DAY WEEKEND 2005

Parking Lot	10 A.M.	1 P.M.	4 P.M.	8 P.M.	Total Available Spaces [2]
Dock 52	168	152	121	81	236
(Public Component)	68	61	49	33	
Fishermans	136	294	323	284	502
(Public Component)	17	37	41	36	
Overflow	79	114	118	84	252
Lot 2	118	122	79	63	239
Lot 4	62	76	64	58	140
Lot 5	23	24	6	4	220
Lot 7	3	2	14	16	120
Lot 8	2	1	2	15	183
Lot 9	27	38	33	44	186
Lot 10	14	54	109	7	212
Lot 11	24	106	111	170	262
(Public Component)	3	12	12	19	
Lot 12	2	10	21	7	201
Lot 13	19	21	41	32	140

Mother's Beach Demand (8,9,10,11)	110	242	298	279	843
Public Component [1]	89	148	199	128	
Admiralty Park (5,7)	26	26	20	20	340
Chace Park (2,4,EE)	238	256	201	179	437
Fiji Way Demand (Fisherman's Village, Dock 52)	304	446	444	365	738
Public Component	85	98	90	69	
North Channel (13)	19	21	41	32	140
Lot 12	2	10	21	7	201

NOTE:
[1] Mother's Beach Activity area public parking demand also includes parking demand associated with Kayakers & other recreational users parking in Organic Panificio and Casa Escobar Parking Lots
[2] Total available supply based on Field inventory survey conducted by Raju Associates, Inc., February 2009

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APPENDIX A2
PARKING DEMAND UTILIZATION SURVEY SHEETS

9/4/2005

MAXIMUM NUMBER OF SPACES OCCUPIED OVER THE LABOR DAY WEEKEND 2005

Parking Lot	10 A.M.	1 P.M.	4 P.M.	8 P.M.	Total Available Spaces [2]
Dock 52	217	236	199	103	236
(Public Component)	88	95	80	42	
Fishermans	192	406	374	277	502
(Public Component)	24	51	47	35	
Overflow	97	126	141	86	252
Lot 2	141	159	106	56	239
Lot 4	67	77	75	46	140
Lot 5	0	3	1	1	220
Lot 7	7	4	10	8	120
Lot 8	1	1	5	2	183
Lot 9	37	38	30	24	186
Lot 10	29	81	161	19	212
Lot 11	36	109	147	136	262
(Public Component)	4	12	16	15	
Lot 12	6	24	32	14	201
Lot 13	23	68	63	36	140

Mother's Beach Demand (8,9,10,11)	146	272	386	224	843
Public Component [1]	114	175	255	103	
Admiralty Park (5,7)	7	7	11	9	340
Chace Park (2,4,EE)	266	294	239	160	437
Fiji Way Demand (Fisherman's Village, Dock 52)	409	642	573	380	738
Public Component	112	146	127	77	
North Channel (13)	23	68	63	36	140
Lot 12	6	24	32	14	201

NOTE:
[1] Mother's Beach Activity area public parking demand also includes parking demand associated with Kayakers & other recreational users parking in Organic Panificio and Casa Escobar Parking Lots
[2] Total available supply based on Field inventory survey conducted by Raju Associates, Inc., February 2009

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APPENDIX A2
PARKING DEMAND UTILIZATION SURVEY SHEETS

9/5/2005

MAXIMUM NUMBER OF SPACES OCCUPIED OVER THE LABOR DAY WEEKEND 2005

Parking Lot	10 A.M.	1 P.M.	4 P.M.	8 P.M.	Total Available Spaces [2]
Dock 52	134	159	221	91	236
Fishermans	113	253	284	186	502
Overflow	64	92	110	73	252
Lot 2	109	116	71	26	239
Lot 4	58	71	63	53	140
Lot 5	1	1	0	0	220
Lot 7	6	9	7	4	120
Lot 8	1	2	10	46	183
Lot 9	37	48	38	16	186
Lot 10	24	66	78	6	212
Lot 11	31	139	146	100	262
Lot 12	6	17	30	15	201
Lot 13	17	46	60	20	140

Mother's Beach Demand (8,9,10,11)	93	255	272	168	843
Admiralty Park (5,7)	7	10	7	4	340
Chace Park (2,4,EE)	225	245	192	137	437
North Channel (13)	17	46	60	20	140
Lot 12	6	17	30	15	201

NOTE:
[1] Mother's Beach Activity area public parking demand also includes parking demand associated with Kayakers & other recreational users parking in Organic Panificio and Casa Escobar Parking Lots
[2] Total available supply based on Field inventory survey conducted by Raju Associates, Inc., February 2009

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APPENDIX A2
PARKING DEMAND UTILIZATION SURVEY SHEETS

5/25/2007

MAXIMUM NUMBER OF SPACES OCCUPIED OVER THE MEMORIAL DAY WEEKEND 2007

Parking Lot	10 A.M.	1 P.M.	4 P.M.	8 P.M.	Total Available Spaces [2]
Dock 52	84	67	77	106	236
(Public Component)	22	18	20	28	
Fishermans	87	180	178	385	502
(Public Component)	6	13	13	28	
Overflow	49	54	65	85	252
Lot 2	53	41	34	20	239
Lot 4	54	82	75	14	140
Lot 5	23	20	14	4	220
Lot 7	15	14	5	4	120
Lot 8	0	0	0	53	183
Lot 9	20	17	18	20	186
Lot 10	1	5	7	9	212
Lot 11	51	64	40	88	262
(Public Component)	19	23	15	32	
Lot 12	6	3	4	4	201
Lot 13	13	10	8	16	140

Mother's Beach Demand (8,9,10,11)	93	107	86	191	843
Public Component [1]	61	66	61	135	
Admiralty Park (5,7)	38	34	19	8	340
Chace Park (2,4,EE)	165	181	167	92	437
Fiji Way Demand (Fisherman's Village, Dock 52)	171	247	255	491	738
Public Component	28	31	33	56	
North Channel (13)	13	10	8	16	140
Lot 12	6	3	4	4	201

NOTE:
[1] Mother's Beach Activity area public parking demand also includes parking demand associated with Kayakers & other recreational users parking in Organic Panificio and Casa Escobar Parking Lots
[2] Total available supply based on Field inventory survey conducted by Raju Associates, Inc., February 2009

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APPENDIX A2
PARKING DEMAND UTILIZATION SURVEY SHEETS

5/26/2007

MAXIMUM NUMBER OF SPACES OCCUPIED OVER THE MEMORIAL DAY WEEKEND 2007

Parking Lot	10 A.M.	1 P.M.	4 P.M.	8 P.M.	Total Available Spaces [2]
Dock 52	177	162	155	110	236
(Public Component)	71	65	63	44	
Fishermans	122	346	397	402	502
(Public Component)	15	44	50	51	
Overflow	46	86	75	55	252
Lot 2	101	122	69	43	239
Lot 4	26	38	23	4	140
Lot 5	4	8	7	7	220
Lot 7	12	15	13	8	120
Lot 8	0	0	1	39	183
Lot 9	32	34	28	33	186
Lot 10	16	44	55	28	212
Lot 11	13	78	89	175	262
(Public Component)	1	9	10	19	
Lot 12	7	20	14	23	201
Lot 13	28	26	34	52	140

Mother's Beach Demand (8,9,10,11)	104	199	216	318	843
Public Component [1]	92	130	137	162	
Admiralty Park (5,7)	16	23	20	15	340
Chace Park (2,4,EE)	185	218	150	105	437
Fiji Way Demand (Fisherman's Village, Dock 52)	299	508	552	512	738
Public Component	86	109	113	95	
North Channel (13)	28	26	34	52	140
Lot 12	7	20	14	23	201

NOTE:
[1] Mother's Beach Activity area public parking demand also includes parking demand associated with Kayakers & other recreational users parking in Organic Panificio and Casa Escobar Parking Lots
[2] Total available supply based on Field inventory survey conducted by Raju Associates, Inc., February 2009

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APPENDIX A2
PARKING DEMAND UTILIZATION SURVEY SHEETS

5/27/2007

MAXIMUM NUMBER OF SPACES OCCUPIED OVER THE MEMORIAL DAY WEEKEND 2007

Parking Lot	10 A.M.	1 P.M.	4 P.M.	8 P.M.	Total Available Spaces [2]
Dock 52	180	201	212	89	236
(Public Component)	73	81	86	36	
Fishermans	197	399	410	371	502
(Public Component)	25	51	52	47	
Overflow	57	89	92	59	252
Lot 2	104	177	189	51	239
Lot 4	17	29	32	16	140
Lot 5	4	4	3	0	220
Lot 7	30	34	93	107	120
Lot 8	1	36	39	45	183
Lot 9	28	31	36	30	186
Lot 10	23	60	76	20	212
Lot 11	17	63	131	112	262
(Public Component)	2	7	15	12	
Lot 12	15	19	27	20	201
Lot 13	34	37	69	55	140

Mother's Beach Demand (8,9,10,11)	112	233	325	250	843
Public Component [1]	97	177	209	150	
Admiralty Park (5,7)	34	38	96	107	340
Chace Park (2,4,EE)	179	264	279	125	437
Fiji Way Demand (Fisherman's Village, Dock 52)	377	600	622	460	738
Public Component	98	132	138	83	
North Channel (13)	34	37	69	55	140
Lot 12	15	19	27	20	201

NOTE:
[1] Mother's Beach Activity area public parking demand also includes parking demand associated with Kayakers & other recreational users parking in Organic Panificio and Casa Escobar Parking Lots
[2] Total available supply based on Field inventory survey conducted by Raju Associates, Inc., February 2009

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APPENDIX A2
PARKING DEMAND UTILIZATION SURVEY SHEETS

5/28/2007

MAXIMUM NUMBER OF SPACES OCCUPIED OVER THE MEMORIAL DAY WEEKEND 2007

Parking Lot	10 A.M.	1 P.M.	4 P.M.	8 P.M.	Total Available Spaces [2]
Dock 52	167	173	179	62	236
Fishermans	152	270	340	103	502
Overflow	37	51	67	28	252
Lot 2	84	107	92	15	239
Lot 4	43	69	71	9	140
Lot 5	2	4	9	0	220
Lot 7	9	7	5	3	120
Lot 8	3	1	2	2	183
Lot 9	44	31	27	15	186
Lot 10	28	47	41	5	212
Lot 11	15	74	111	82	262
Lot 12	9	24	31	11	201
Lot 13	33	27	26	39	140

Mother's Beach Demand (8,9,10,11)	90	153	181	104	843
Admiralty Park (5,7)	11	11	14	3	340
Chace Park (2,4,EE)	185	234	221	82	437
North Channel (13)	33	27	26	39	140
Lot 12	9	24	31	11	201

NOTE:
[1] Mother's Beach Activity area public parking demand also includes parking demand associated with Kayakers & other recreational users parking in Organic Panificio and Casa Escobar Parking Lots
[2] Total available supply based on Field inventory survey conducted by Raju Associates, Inc., February 2009

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APPENDIX A2
PARKING DEMAND UTILIZATION SURVEY SHEETS

7/4/2007

MAXIMUM NUMBER OF SPACES OCCUPIED FOR 4TH OF JULY 2007

Parking Lot	10 A.M.	1 P.M.	4 P.M.	8 P.M.	Total Available Spaces [2]
Dock 52	101	182	237	238	236
Fishermans	193	225	431	439	502
Overflow	52	69	79	250	252
Lot 2	103	126	171	181	239
Lot 4	98	133	136	150	140
Lot 5	10	13	169	200	220
Lot 7	13	23	98	120	120
Lot 8	4	8	72	89	183
Lot 9	26	186	186	185	186
Lot 10	71	209	209	209	212
Lot 11	24	261	263	263	262
Lot 12	64	68	68	52	201
Lot 13	134	134	134	134	140

Mother's Beach Demand (8,9,10,11)	125	664	730	746	843
Admiralty Park (5,7)	23	36	267	320	340
Chace Park (2,4,EE)	259	317	365	389	437
North Channel (13)	134	134	134	134	140
Lot 12	64	68	68	52	201

NOTE:

[1] Mother's Beach Activity area public parking demand also includes parking demand associated with Kayakers & other recreational users parking in Organic Panificio and Casa Escobar Parking Lots

[2] Total available supply based on Field inventory survey conducted by Raju Associates, Inc., February 2009

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APPENDIX A2
PARKING DEMAND UTILIZATION SURVEY SHEETS

8/31/2007

MAXIMUM NUMBER OF SPACES OCCUPIED OVER THE LABOR DAY WEEKEND 2007

Parking Lot	10 A.M.	1 P.M.	4 P.M.	8 P.M.	Total Available Spaces [2]
Dock 52	86	69	80	100	236
(Public Component)	23	18	21	26	
Fishermans	105	190	185	365	502
(Public Component)	8	14	13	26	
Overflow	53	54	68	81	252
Lot 2	62	45	38	24	239
Lot 4	62	86	71	10	140
Lot 5	30	25	17	7	220
Lot 7	21	13	8	6	120
Lot 8	2	3	4	5	183
Lot 9	35	21	21	25	186
Lot 10	4	7	10	11	212
Lot 11	60	68	35	82	262
(Public Component)	22	25	13	30	
Lot 12	9	5	6	8	201
Lot 13	15	13	10	19	140

Mother's Beach Demand (8,9,10,11)	122	120	91	144	843
Public Component [1]	84	77	69	92	
Admiralty Park (5,7)	51	38	25	13	340
Chace Park (2,4,EE)	182	189	167	92	437
Fiji Way Demand (Fisherman's Village, Dock 52)	191	259	265	465	738
Public Component	31	32	34	52	
North Channel (13)	15	13	10	19	140
Lot 12	9	5	6	8	201

NOTE:
[1] Mother's Beach Activity area public parking demand also includes parking demand associated with Kayakers & other recreational users parking in Organic Panificio and Casa Escobar Parking Lots
[2] Total available supply based on Field inventory survey conducted by Raju Associates, Inc., February 2009

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APPENDIX A2
PARKING DEMAND UTILIZATION SURVEY SHEETS

9/1/2007

MAXIMUM NUMBER OF SPACES OCCUPIED OVER THE LABOR DAY WEEKEND 2007

Parking Lot	10 A.M.	1 P.M.	4 P.M.	8 P.M.	Total Available Spaces [2]
Dock 52	181	169	159	115	236
(Public Component)	73	68	64	46	
Fishermans	129	362	412	385	502
(Public Component)	16	46	52	49	
Overflow	52	90	79	62	252
Lot 2	103	125	71	51	239
Lot 4	31	43	28	9	140
Lot 5	8	12	11	11	220
Lot 7	16	18	18	12	120
Lot 8	2	2	3	43	183
Lot 9	37	39	38	41	186
Lot 10	21	39	41	36	212
Lot 11	18	85	96	185	262
(Public Component)	2	9	11	21	
Lot 12	10	24	18	29	201
Lot 13	35	39	45	59	140

Mother's Beach Demand (8,9,10,11)	121	208	221	348	843
Public Component [1]	105	132	136	184	
Admiralty Park (5,7)	24	30	29	23	340
Chace Park (2,4,EE)	192	226	157	118	437
Fiji Way Demand (Fisherman's Village, Dock 52)	310	531	571	500	738
Public Component	89	114	116	95	
North Channel (13)	35	39	45	59	140
Lot 12	10	24	18	29	201

NOTE:

[1] Mother's Beach Activity area public parking demand also includes parking demand associated with Kayakers & other recreational users parking in Organic Panificio and Casa Escobar Parking Lots

[2] Total available supply based on Field inventory survey conducted by Raju Associates, Inc., February 2009

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APPENDIX A2
PARKING DEMAND UTILIZATION SURVEY SHEETS

9/2/2007

MAXIMUM NUMBER OF SPACES OCCUPIED OVER THE LABOR DAY WEEKEND 2007

Parking Lot	10 A.M.	1 P.M.	4 P.M.	8 P.M.	Total Available Spaces [2]
Dock 52	202	212	239	189	236
(Public Component)	82	86	97	76	
Fishermans	221	412	439	376	502
(Public Component)	28	52	56	48	
Overflow	65	92	116	61	252
Lot 2	112	189	195	65	239
Lot 4	21	36	45	28	140
Lot 5	7	7	6	2	220
Lot 7	35	41	102	101	120
Lot 8	3	41	48	52	183
Lot 9	36	45	65	29	186
Lot 10	35	86	102	71	212
Lot 11	19	69	135	101	262
(Public Component)	2	8	15	11	
Lot 12	19	28	35	20	201
Lot 13	23	41	88	67	140

Mother's Beach Demand (8,9,10,11)	136	284	393	296	843
Public Component [1]	119	223	273	206	
Admiralty Park (5,7)	42	48	108	103	340
Chace Park (2,4,EE)	191	283	298	151	437
Fiji Way Demand (Fisherman's Village, Dock 52)	423	624	678	565	738
Public Component	110	138	153	124	
North Channel (13)	23	41	88	67	140
Lot 12	19	28	35	20	201

NOTE:
[1] Mother's Beach Activity area public parking demand also includes parking demand associated with Kayakers & other recreational users parking in Organic Panificio and Casa Escobar Parking Lots
[2] Total available supply based on Field inventory survey conducted by Raju Associates, Inc., February 2009

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APPENDIX A2
PARKING DEMAND UTILIZATION SURVEY SHEETS

9/3/2007

MAXIMUM NUMBER OF SPACES OCCUPIED OVER THE LABOR DAY WEEKEND 2007

Parking Lot	10 A.M.	1 P.M.	4 P.M.	8 P.M.	Total Available Spaces [2]
Dock 52	120	200	216	89	236
Fishermans	158	200	238	165	502
Overflow	34	49	69	49	252
Lot 2	120	135	113	67	239
Lot 4	67	50	43	10	140
Lot 5	5	3	3	1	220
Lot 7	5	9	15	1	120
Lot 8	2	1	1	0	183
Lot 9	37	45	41	13	186
Lot 10	53	205	142	22	212
Lot 11	37	90	112	104	262
Lot 12	7	30	35	13	201
Lot 13	56	88	113	44	140

Mother's Beach Demand (8,9,10,11)	129	341	296	139	843
Admiralty Park (5,7)	10	12	18	2	340
Chace Park (2,4,EE)	245	243	214	135	437
North Channel (13)	56	88	113	44	140
Lot 12	7	30	35	13	201

NOTE:

[1] Mother's Beach Activity area public parking demand also includes parking demand associated with Kayakers & other recreational users parking in Organic Panificio and Casa Escobar Parking Lots

[2] Total available supply based on Field inventory survey conducted by Raju Associates, Inc., February 2009

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APPENDIX A2
PARKING DEMAND UTILIZATION SURVEY SHEETS

10/25/2007

MAXIMUM NUMBER OF SPACES OCCUPIED
TYPICAL WEEKDAY

Parking Lot	10 A.M.	1 P.M.	4 P.M.	8 P.M.	Total Available Spaces [2]
Dock 52	87	96	110	51	236
(Public Component)	23	25	29	13	
Fishermans	26	90	72	155	502
(Public Component)	2	6	5	11	
Overflow	78	90	81	63	252
Lot 2	16	17	17	24	239
Lot 4	18	31	19	6	140
Chace Park (EE)	9	32	24	15	58
Lot 5	15	19	19	7	220
Lot 7	5	7	11	10	120
Lot 8	3	4	1	1	183
Lot 9	9	10	15	9	186
Lot 10	24	65	22	16	212
Lot 11	14	33	20	82	262
(Public Component)	5	12	7	30	
Lot 12	17	16	6	4	201
Lot 13	10	7	4	15	140

Mother's Beach Demand (8,9,10,11)	71	133	79	129	843
Public Component [1]	62	112	66	77	
Admiralty Park (5,7)	20	26	30	17	340
Chace Park (2,4,EE)	43	80	60	45	437
Fiji Way Demand (Fisherman's Village, Dock 52)	113	186	182	206	738
Public Component	25	31	34	24	
North Channel (13)	10	7	4	15	140
Lot 12	17	16	6	4	201

NOTE:
[1] Mother's Beach Activity area public parking demand also includes parking demand associated with Kayakers & other recreational users parking in Organic Panificio and Casa Escobar Parking Lots
[2] Total available supply based on Field inventory survey conducted by Raju Associates, Inc., February 2009

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APPENDIX A2
PARKING DEMAND UTILIZATION SURVEY SHEETS

11/3/2007

MAXIMUM NUMBER OF SPACES OCCUPIED
TYPICAL WEEKEND DAY

Parking Lot	10 A.M.	1 P.M.	4 P.M.	8 P.M.	Total Available Spaces [2]
Dock 52	108	119	91	114	236
(Public Component)	44	48	37	46	
Fishermans	146	272	283	255	502
(Public Component)	18	34	36	32	
Overflow	73	90	94	73	252
Lot 2	52	70	62	40	239
Lot 4	25	27	24	14	140
Chace Park (EE)	23	29	51	32	58
Lot 5	14	12	7	3	220
Lot 7	11	37	91	-	120
Lot 8	17	18	2	11	183
Lot 9	15	11	12	10	186
Lot 10	13	24	20	11	212
Lot 11	44	70	78	105	262
(Public Component)	5	8	9	12	
Lot 12	6	7	5	6	201
Lot 13	30	27	12	32	140

Mother's Beach Demand (8,9,10,11)	132	166	155	180	843
Public Component [1]	93	104	86	87	
Admiralty Park (5,7)	25	49	98	3	340
Chace Park (2,4,EE)	100	126	137	86	437
Fiji Way Demand (Fisherman's Village, Dock 52)	254	391	374	369	738
Public Component	62	82	73	78	
North Channel (13)	30	27	12	32	140
Lot 12	6	7	5	6	201

NOTE:

[1] Mother's Beach Activity area public parking demand also includes parking demand associated with Kayakers & other recreational users parking in Organic Panificio and Casa Escobar Parking Lots

[2] Total available supply based on Field inventory survey conducted by Raju Associates, Inc., February 2009

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APPENDIX A2
PARKING DEMAND UTILIZATION SURVEY SHEETS

12/8/2007

MAXIMUM NUMBER OF SPACES OCCUPIED FOR THE HOLIDAY BOAT PARADE

Parking Lot	10 A.M.	1 P.M.	4 P.M.	8 P.M.	Total Available Spaces [2]
Dock 52	44	60	89	207	236
Fishermans	210	304	380	422	502
Overflow	46	64	69	233	252
Lot 2	6	10	28	93	239
Lot 4	16	24	27	29	140
Lot 5	10	12	15	51	220
Lot 7	90	120	120	117	120
Lot 8	14	23	27	45	183
Lot 9	16	20	21	22	186
Lot 10	46	54	34	44	212
Lot 11	38	53	59	173	262
Lot 12	8	12	12	47	201
Lot 13	32	44	73	137	140

Mother's Beach Demand (8,9,10,11)	114	150	141	284	843
Admiralty Park (5,7)	100	132	135	168	340
Chace Park (2,4,EE)	80	92	113	180	437
Fiji Way Demand (Fisherman's Village, Dock 52)	254	364	469	629	738
North Channel (13)	32	44	73	137	140
Lot 12	8	12	12	47	201

NOTE: [1] Mother's Beach Activity area public parking demand also includes parking demand associated with Kayakers & other recreational users parking in Organic Panificio and Casa Escobar Parking Lots

[2] Total available supply based on Field inventory survey conducted by Raju Associates, Inc., February 2009

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APPENDIX A3
LOT W / FISHERMAN VILLAGE PARKING LOT
PARKING UTILIZATION - PUBLIC USERS
THURSDAY, SEPTEMBER 18, 2008

Time	Number of Cars Inbound	Number of Cars Outbound	Number of Cars in Parking Lot	Number of Cars Parked	Percent Occupied
7:00 AM	1	0	1	38	7%
7:15 AM	0	0	1		
7:30 AM	1	0	2	30	6%
7:45 AM	0	0	2		
8:00 AM	0	0	2	29	6%
8:15 AM	0	0	2		
8:30 AM	1	0	3	21	4%
8:45 AM	1	0	4		
9:00 AM	0	0	4	47	9%
9:15 AM	0	1	3		
9:30 AM	0	0	3	47	9%
9:45 AM	0	1	2		
10:00 AM	0	0	2	45	9%
10:15 AM	2	0	4		
10:30 AM	0	0	4	49	10%
10:45 AM	2	0	6		
11:00 AM	0	1	5	63	12%
11:15 AM	1	0	6		
11:30 AM	0	0	6	68	13%
11:45 AM	1	0	7		
12:00 PM	0	2	5	98	19%
12:15 PM	1	0	6		
12:30 PM	1	0	7	100	20%
12:45 PM	0	0	7		
1:00 PM	0	1	6	113	22%
1:15 PM	0	1	5		
1:30 PM	1	1	5	109	21%
1:45 PM	2	0	7		
2:00 PM	1	1	7	115	23%
2:15 PM	1	1	7		
2:30 PM	0	0	7	99	20%
2:45 PM	0	0	7		
3:00 PM	0	3	4	105	21%
3:15 PM	0	0	4		
3:30 PM	1	0	5	88	17%
3:45 PM	1	1	5	81	16%
Total	19	14			

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APPENDIX A3
LOT W / FISHERMAN VILLAGE PARKING LOT
PARKING UTILIZATION - PUBLIC USERS
SATURDAY, SEPTEMBER 20, 2008

Time	Number of Cars		Parking Accumulation	Number of Cars Parked	Percent Occupied
	Inbound	Outbound			
7:00 AM	0	0	0	121	24%
7:15 AM	3	1	2		
7:30 AM	0	1	1		
7:45 AM	1	2	0		
8:00 AM	0	0	0	138	27%
8:15 AM	0	0	0		
8:30 AM	2	0	2		
8:45 AM	0	1	1		
9:00 AM	0	0	1	142	28%
9:15 AM	0	1	0		
9:30 AM	0	0	0		
9:45 AM	2	2	0		
10:00 AM	3	0	3	165	33%
10:15 AM	10	1	12		
10:30 AM	3	0	15	210	41%
10:45 AM	2	2	15		
11:00 AM	3	2	16	238	47%
11:15 AM	6	0	22		
11:30 AM	5	6	21	269	53%
11:45 AM	10	1	30		
12:00 PM	6	7	29	286	56%
12:15 PM	3	5	27		
12:30 PM	5	2	30	310	61%
12:45 PM	3	4	29		
1:00 PM	10	3	36	335	66%
1:15 PM	6	3	39		
1:30 PM	8	3	44	369	73%
1:45 PM	8	3	49		
2:00 PM	2	3	48	404	80%
2:15 PM	2	3	47		
2:30 PM	5	8	44	368	73%
2:45 PM	4	7	41		
3:00 PM	7	5	43	377	74%
3:15 PM	4	4	43		
3:30 PM	2	8	37	335	66%
3:45 PM	3	8	32	310	61%
Total	128	96			

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APPENDIX A3
Parking Survey for Casa Escobar (Parcel 27)
Thursday, September 25, 2008

Time	Arriving			Departing			Parking Demand
	Kayak	Jogger	Walking	Kayak	Jogger	Walking	
5:30 AM	3	0	0	0	0	0	14
5:45 AM	0	1	0	0	0	0	**15**
6:00 AM	0	0	0	0	1	0	14
6:15 AM	0	0	0	0	10	0	4
6:30 AM	0	0	0	0	0	0	4
6:45 AM	0	0	0	0	0	0	4
7:00 AM	0	0	0	0	0	0	4
7:15 AM	0	0	0	3	0	0	1
7:30 AM	0	0	0	0	1	0	0
7:45 AM	0	0	0	0	0	0	0
8:00 AM	0	0	0	0	0	0	0
8:15 AM	0	0	0	0	0	0	0
8:30 AM	0	0	0	0	0	0	0
8:45 AM	0	0	0	0	0	0	0

Parking Survey for The Organic Panificio (Parcel 33)
Thursday, September 25, 2008

Time	Arriving			Departing			Parking Demand
	Kayak	Jogger	Walking	Kayak	Jogger	Walking	
5:30 AM	0	1	0	0	0	0	6
5:45 AM	0	0	0	0	0	0	**6**
6:00 AM	0	0	0	0	0	0	6
6:15 AM	0	0	0	0	2	0	4
6:30 AM	0	0	0	0	0	0	4
6:45 AM	1	0	0	0	0	0	5
7:00 AM	0	0	0	0	0	0	5
7:15 AM	0	0	0	0	1	0	4
7:30 AM	0	0	0	0	0	0	4
7:45 AM	0	0	0	0	0	0	4
8:00 AM	0	0	0	0	0	0	4
8:15 AM	0	0	0	0	1	0	3
8:30 AM	0	0	0	0	0	0	3
8:45 AM	0	0	0	0	0	0	3

Parking Survey for L.A. County Parking Lot NR
Thursday, September 25, 2008

Time	Arriving			Departing			Parking Demand
	Kayak	Jogger	Walking	Kayak	Jogger	Walking	
5:30 AM	0	0	0	0	0	0	4
5:45 AM	0	0	0	0	0	0	**4**
6:00 AM	0	0	0	0	0	0	4
6:15 AM	0	0	0	0	0	0	4
6:30 AM	0	1	0	0	0	0	5
6:45 AM	0	0	0	0	0	0	5
7:00 AM	0	0	0	0	0	0	5
7:15 AM	0	1	0	0	0	0	6
7:30 AM	0	0	0	0	1	0	4
7:45 AM	0	0	0	0	0	0	4
8:00 AM	0	0	0	0	0	0	4
8:15 AM	1	0	0	0	0	0	5
8:30 AM	0	0	0	0	1	0	4
8:45 AM	0	0	0	0	0	0	4

Max Public Parking Demand = 15+6+4 = 25

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APPENDIX A3
Parking Survey for The Organic Panificio (Parcel 33)
Thursday, September 25, 2008

Time	Arriving			Departing			Parking Demand	Public Parking Demand
	Kayak	Jogger	Walking	Kayak	Jogger	Walking		
5:00 PM	5	0	0	0	0	0	20	5
5:15 PM	0	0	0	0	0	0	20	5
5:30 PM	5	0	0	0	0	0	25	10
5:45 PM	1	0	0	0	1	0	25	10
6:00 PM	0	0	0	0	0	0	25	10
6:15 PM	7	0	0	1	0	0	31	16
6:30 PM	1	0	0	0	0	0	32	**17**
6:45 PM	1	0	0	1	0	0	32	17

Max Public Parking Demand = 17

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APPENDIX A3
Parking Survey for The Organic Panificio (Parcel 33)
Saturday, September 27, 2008

Time	Arriving			Departing			Parking Demand
	Kayak	Jogger	Walking	Kayak	Jogger	Walking	
5:30 AM	0	1	0	0	0	0	8
5:45 AM	0	0	0	0	0	0	8
6:00 AM	0	0	0	0	0	0	8
6:15 AM	0	0	0	0	0	0	8
6:30 AM	0	0	0	0	0	0	8
6:45 AM	0	0	0	0	0	0	8
7:00 AM	1	0	0	2	1	0	6
7:15 AM	4	0	0	0	0	0	10
7:30 AM	7	0	0	1	0	0	16
7:45 AM	20	0	0	0	0	0	36
8:00 AM	3	1	0	0	0	0	40
8:15 AM	1	1	0	0	0	0	42
8:30 AM	0	0	0	0	0	0	42
8:45 AM	1	0	0	0	0	0	**43**

Parking Survey for L.A. County Parking Lot NR
Saturday, September 27, 2008

Time	Arriving			Departing			Parking Demand
	Kayak	Jogger	Walking	Kayak	Jogger	Walking	
5:30 AM	0	0	0	0	0	0	11
5:45 AM	0	0	0	0	0	0	11
6:00 AM	0	0	0	0	0	0	11
6:15 AM	0	0	1	0	0	0	12
6:30 AM	0	0	0	0	0	1	11
6:45 AM	0	0	0	0	0	0	11
7:00 AM	2	0	0	0	1	0	12
7:15 AM	0	0	0	0	0	0	12
7:30 AM	2	0	0	0	0	0	14
7:45 AM	2	0	0	0	0	0	16
8:00 AM	1	0	0	0	0	0	17
8:15 AM	0	0	1	0	0	0	18
8:30 AM	0	0	0	0	0	0	18
8:45 AM	0	0	0	0	0	0	**18**

Total Public Parking Demand = 43+18 = 61

APPENDIX A3
Parking Survey for The Organic Panificio (Parcel 33)
Saturday, September 27, 2008

Time	Arriving			Departing			Parking Demand
	Kayak	Jogger	Walking	Kayak	Jogger	Walking	
5:00 PM	0	0	0	0	0	0	24
5:15 PM	0	0	0	0	0	0	**24**
5:30 PM	0	0	0	0	0	0	24
5:45 PM	0	0	0	0	0	0	24
6:00 PM	0	0	0	10	0	0	14
6:15 PM	0	0	0	0	0	0	14
6:30 PM	0	0	0	0	0	0	14
6:45 PM	0	0	0	0	0	0	14

Parking Survey for L.A. County Parking Lot NR
Saturday, September 27, 2008

Time	Arriving			Departing			Parking Demand
	Kayak	Jogger	Walking	Kayak	Jogger	Walking	
5:00 PM	0	0	0	0	0	0	25
5:15 PM	0	0	0	0	0	0	**25**
5:30 PM	0	0	0	0	0	0	25
5:45 PM	0	0	0	0	0	0	25
6:00 PM	0	0	0	0	0	0	25
6:15 PM	0	0	0	4	0	0	21
6:30 PM	0	0	0	0	0	0	21
6:45 PM	0	0	0	0	0	0	21

Total Public Parking Demand = 24+25 = 49

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APPENDIX A3
Cheesecake Factory Parking Lot (Parcel 22)
Thursday, October 09, 2008

Time	Dry Cleaner		Employees		Delivery/Contractors		Customers		Cheesecake Factory Lot Parking Demand	Lot GR Cheesecake Factory Parking Demand	Total
	In	Out	In	Out	In	Out	In	Out			
9:00 AM	3	3	0	0	0	2	0	0	12	0	12
9:15 AM	3	3	0	0	2	0	0	0	14	0	14
9:30 AM	1	1	1	0	3	1	0	0	17	0	17
9:45 AM	0	0	0	0	1	1	0	0	17	0	17
10:00 AM	0	0	1	0	1	1	0	0	18	0	18
10:15 AM	2	3	2	0	1	2	0	0	18	0	18
10:30 AM	0	0	0	0	2	1	0	0	19	1	20
10:45 AM	2	2	0	0	2	0	0	0	21	1	22
11:00 AM	5	3	0	0	0	2	0	0	21	4	25
11:15 AM	1	2	0	0	0	0	10	0	30	7	37
11:30 AM	2	1	0	0	0	0	6	1	36	11	47
11:45 AM	1	1	0	0	0	0	6	1	41	18	59
12:00 PM	1	0	0	0	0	0	8	3	47	19	66
12:15 PM	1	2	0	0	0	0	7	3	50	19	69
12:30 PM	1	1	0	0	0	0	8	5	53	19	72
12:45 PM	2	1	0	0	0	0	8	6	56	20	76
1:00 PM	0	0	0	0	0	0	9	9	56	23	79
1:15 PM	0	1	0	0	0	0	5	7	53	31	84
1:30 PM	2	2	0	0	0	0	5	5	53	28	81
1:45 PM	1	1	0	0	0	0	7	11	49	30	79
2:00 PM	2	2	0	0	0	0	9	9	49	31	80
2:15 PM	3	3	0	0	0	0	7	3	53	29	82
2:30 PM	0	0	0	0	0	0	6	12	47	28	75
2:45 PM	1	1	0	0	0	0	4	8	43	21	64
3:00 PM	0	0	0	0	0	0	5	8	40	21	61
3:15 PM	0	0	0	0	0	0	11	7	44	19	63
3:30 PM	1	1	1	0	0	0	6	10	41	17	58
3:45 PM	1	1	0	0	0	0	6	5	42	14	56
4:00 PM	1	1	0	0	0	0	5	0	47	11	58
4:15 PM	2	2	0	0	0	0	4	6	45	14	59
4:30 PM	1	1	0	0	0	0	5	5	45	16	61
4:45 PM	4	4	0	1	0	0	9	7	46	21	67
5:00 PM	1	0	0	1	0	0	2	9	39	22	61
5:15 PM	1	1	0	0	0	0	3	2	40	23	63
5:30 PM	1	0	0	0	0	0	7	3	45	25	70
5:45 PM	1	2	0	0	0	0	8	3	49	30	79
6:00 PM	0	0	0	0	0	0	9	5	53	30	83
6:15 PM	0	0	0	1	0	0	19	10	60	32	92
6:30 PM	1	0	0	0	0	0	6	8	59	33	92
6:45 PM	1	2	0	0	0	0	5	4	59	43	102
Total	50	48	5	3	12	10	215	175			

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APPENDIX A3
Los Angeles County Lot GR
Thursday, October 09, 2008

Time	Recreational		Employees		Customers		Cheesecake Factory Parking Demand	Lot GR Public Parking Demand	Total
	In	Out	In	Out	In	Out			
9:00 AM	0	0	0	0	0	0	0	11	11
9:15 AM	0	0	0	0	0	0	0	11	11
9:30 AM	1	0	0	0	0	0	0	12	12
9:45 AM	0	0	0	0	0	0	0	12	12
10:00 AM	3	1	0	0	0	0	0	14	14
10:15 AM	0	0	0	0	0	0	0	14	14
10:30 AM	1	1	1	0	0	0	1	14	15
10:45 AM	0	0	0	0	0	0	1	14	15
11:00 AM	1	2	3	0	0	0	4	13	17
11:15 AM	1	1	3	0	0	0	7	13	20
11:30 AM	0	0	1	0	3	0	11	13	24
11:45 AM	0	0	7	0	0	0	18	13	31
12:00 PM	1	1	0	0	1	0	19	13	32
12:15 PM	1	1	0	0	0	0	19	13	32
12:30 PM	0	0	0	0	0	0	19	13	32
12:45 PM	0	0	0	0	1	0	20	13	33
1:00 PM	2	0	0	0	3	0	23	15	38
1:15 PM	0	0	0	0	8	0	31	15	46
1:30 PM	1	0	0	1	0	2	28	16	44
1:45 PM	0	2	1	0	1	0	30	14	44
2:00 PM	0	1	0	0	1	0	31	13	44
2:15 PM	0	1	0	1	1	2	29	12	41
2:30 PM	0	0	1	1	2	3	28	12	40
2:45 PM	1	1	0	0	0	7	21	12	33
3:00 PM	0	1	0	0	0	0	21	11	32
3:15 PM	0	0	0	1	0	1	19	11	30
3:30 PM	0	0	0	3	1	0	17	11	28
3:45 PM	0	0	0	2	0	1	14	11	25
4:00 PM	0	1	0	3	0	0	11	10	21
4:15 PM	0	1	3	0	0	0	14	9	23
4:30 PM	0	0	5	3	0	0	16	9	25
4:45 PM	0	0	6	1	0	0	21	9	30
5:00 PM	0	0	1	0	0	0	22	9	31
5:15 PM	0	0	3	1	0	1	23	9	32
5:30 PM	0	0	10	7	0	1	25	9	34
5:45 PM	0	0	4	2	3	0	30	9	39
6:00 PM	0	0	0	0	0	0	30	9	39
6:15 PM	0	0	2	0	1	1	32	9	41
6:30 PM	0	0	0	1	2	0	33	9	42
6:45 PM	0	0	2	0	8	0	43	9	52
Total	13	15	53	27	36	19			

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APPENDIX A3
Cheesecake Factory Parking Lot (Parcel 22)
Saturday, October 11, 2008

Time	Dry Cleaner		Employees		Delivery/Contractors		Customers		Cheesecake Factory Lot Parking Demand	Lot GR Cheesecake Factory Parking Demand	Total
	In	Out	In	Out	In	Out	In	Out			
7:00 AM	0	0	1	0	0	0	0	0	7	0	7
7:15 AM	0	0	4	0	1	0	0	0	12	0	12
7:30 AM	0	0	0	0	0	0	0	0	12	0	12
7:45 AM	0	0	3	2	0	1	0	0	12	0	12
8:00 AM	2	1	1	0	0	0	0	0	14	0	14
8:15 AM	0	0	2	0	0	0	0	0	16	1	17
8:30 AM	1	1	2	1	1	0	0	0	18	3	21
8:45 AM	3	1	1	2	0	0	0	0	19	6	25
9:00 AM	2	4	0	0	0	0	0	0	17	6	23
9:15 AM	5	4	0	0	0	0	0	0	18	6	24
9:30 AM	2	2	0	0	0	0	0	0	18	6	24
9:45 AM	2	1	0	0	2	3	0	0	18	6	24
10:00 AM	3	3	1	0	0	0	0	0	19	6	25
10:15 AM	4	4	1	0	0	0	0	0	20	8	28
10:30 AM	1	0	1	0	2	1	0	0	23	9	32
10:45 AM	2	2	1	1	0	0	1	0	24	10	34
11:00 AM	0	1	0	0	0	1	6	0	28	13	41
11:15 AM	4	0	0	0	0	0	13	0	45	16	61
11:30 AM	1	4	0	0	0	0	14	0	56	21	77
11:45 AM	1	1	0	0	0	0	10	1	65	23	88
12:00 PM	3	4	0	0	0	0	4	2	66	33	99
12:15 PM	3	3	0	0	0	0	1	2	65	37	102
12:30 PM	4	4	0	0	0	0	2	1	66	41	107
12:45 PM	2	2	0	0	0	0	6	9	63	44	107
1:00 PM	3	3	0	0	0	0	10	12	61	47	108
1:15 PM	3	3	0	0	0	0	10	7	64	52	116
1:30 PM	3	3	0	0	0	0	10	14	60	54	114
1:45 PM	4	3	0	0	0	0	10	5	66	57	123
2:00 PM	1	1	0	0	0	0	6	6	66	66	132
2:15 PM	1	1	0	0	0	0	7	10	63	62	125
2:30 PM	1	2	0	0	0	0	2	6	58	58	116
2:45 PM	1	1	0	0	0	0	4	10	52	63	115
3:00 PM	2	2	0	0	0	0	11	5	58	66	124
3:15 PM	1	1	0	0	0	0	3	8	53	66	119
3:30 PM	4	4	0	0	0	0	3	4	52	71	123
3:45 PM	1	1	0	0	0	0	6	11	47	70	117
4:00 PM	3	2	0	0	0	0	7	10	45	74	119
4:15 PM	3	5	0	0	0	0	5	5	43	74	117
4:30 PM	0	0	0	0	0	0	7	10	40	72	112
4:45 PM	4	4	0	0	0	0	10	2	48	77	125
5:00 PM	1	1	0	0	0	0	11	9	50	86	136
5:15 PM	0	0	0	0	0	0	13	12	51	83	134
5:30 PM	0	0	0	1	0	0	7	5	53	89	142
5:45 PM	0	0	0	0	0	0	9	3	59	96	155
6:00 PM	0	0	0	0	0	0	14	7	66	89	155
6:15 PM	0	0	0	0	0	0	4	4	66	89	155
6:30 PM	0	0	0	0	0	0	5	6	65	97	162
6:45 PM	0	0	0	0	0	0	3	3	65	101	166
Total	81	79	18	7	6	6	234	189			

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APPENDIX A3
Los Angeles County Lot GR
Saturday, October 11, 2008

Time	Recreational		Employees		Customers		Cheesecake Factory Parking Demand	Lot GR Public Parking Demand	Total Parking Demand
	In	Out	In	Out	In	Out			
7:00 AM	2	0	0	0	0	0	0	7	7
7:15 AM	2	0	0	0	0	0	0	9	9
7:30 AM	0	0	0	0	0	0	0	9	9
7:45 AM	0	0	0	0	0	0	0	9	9
8:00 AM	0	0	0	0	0	0	0	9	9
8:15 AM	0	0	1	0	0	0	1	9	10
8:30 AM	0	0	2	0	0	0	3	9	12
8:45 AM	0	0	3	0	0	0	6	9	15
9:00 AM	1	0	0	0	0	0	6	10	16
9:15 AM	0	1	0	0	0	0	6	9	15
9:30 AM	0	0	0	0	0	0	6	9	15
9:45 AM	0	0	0	0	0	0	6	9	15
10:00 AM	0	0	0	0	0	0	6	9	15
10:15 AM	0	0	2	0	0	0	8	9	17
10:30 AM	2	0	1	0	0	0	9	11	20
10:45 AM	0	0	1	0	0	0	10	11	21
11:00 AM	0	0	3	0	0	0	13	11	24
11:15 AM	0	0	3	0	0	0	16	11	27
11:30 AM	2	0	5	0	0	0	21	13	34
11:45 AM	0	2	3	1	0	0	23	11	34
12:00 PM	0	1	5	0	5	0	33	10	43
12:15 PM	0	1	0	0	4	0	37	9	46
12:30 PM	0	0	2	0	2	0	41	9	50
12:45 PM	0	1	1	0	2	0	44	8	52
1:00 PM	1	0	1	0	2	0	47	9	56
1:15 PM	0	0	0	0	5	0	52	9	61
1:30 PM	1	1	1	0	1	0	54	9	63
1:45 PM	0	1	0	0	3	0	57	8	65
2:00 PM	0	0	0	0	11	2	66	8	74
2:15 PM	0	0	0	0	0	4	62	8	70
2:30 PM	0	0	0	0	0	4	58	8	66
2:45 PM	0	2	0	0	7	2	63	6	69
3:00 PM	0	0	1	0	4	2	66	6	72
3:15 PM	1	0	0	0	3	3	66	7	73
3:30 PM	0	0	4	0	4	3	71	7	78
3:45 PM	2	0	0	0	4	5	70	9	79
4:00 PM	0	1	3	0	3	2	74	8	82
4:15 PM	1	0	1	0	1	2	74	9	83
4:30 PM	0	0	2	2	1	3	72	9	81
4:45 PM	0	0	3	0	4	2	77	9	86
5:00 PM	0	0	7	1	6	3	86	9	95
5:15 PM	1	1	0	1	0	4	83	9	92
5:30 PM	0	0	3	0	7	4	89	9	98
5:45 PM	0	0	3	2	8	2	96	9	105
6:00 PM	0	0	0	8	4	3	89	9	98
6:15 PM	1	0	0	0	2	2	89	10	99
6:30 PM	0	0	0	0	11	3	97	10	107
6:45 PM	0	0	0	0	9	5	101	10	111
Total	17	12	61	15	113	60			

APPENDIX B-1/B-2

Existing Conditions Parking Demand Analysis – Typical & Peak

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APPENDIX B-1
EXISTING CONDITIONS PUBLIC PARKING DEMAND ANALYSIS BY TIME OF DAY AND ACTIVITY AREA

#	Activity Area	Supply Existing Number of Spaces	Time	Public Demand & Utilization Profiles: Occupied Spaces on Weekdays						Occupied Spaces on Weekend Days											Occupied Spaces on Holidays **						
				Fri 5/27/05	Fri 7/1/05	Fri 9/2/05	Fri 5/25/07	Fri 8/31/07	Thur 10/25/07	Sat 5/28/05	Sun 5/29/05	Sat 7/2/05	Sun 7/3/05	Sat 9/3/05	Sun 9/4/05	Sat 5/26/07	Sun 5/27/07	Sat 9/1/07	Sun 9/2/07	Sat 11/3/07	Sat 12/8/07	Mon 5/30/05	Mon 7/4/05	Mon 9/5/05	Mon 5/28/07	Wed 7/4/07	Mon 9/3/07
1	Mother's Beach		10AM	37	58	45	61	84	62	98	88	87	119	89	114	92	97	105	119	93	114	63	109	93	90	125	129
			1PM	62	89	57	66	77	112	134	142	128	216	148	175	130	177	132	223	104	150	212	497	255	153	664	341
	(8-OT, 9-NR, 10-IR, 11-GR)		4PM	50	66	61	61	69	66	158	173	160	282	199	255	137	209	136	273	86	141	277	736	272	181	730	296
			8PM	81	201	154	135	92	77	101	119	128	152	128	103	162	150	184	206	87	284	127	815	168	104	746	139
			Peak	81	201	154	135	92	112	158	173	160	282	199	255	162	209	184	273	104	284	277	815	272	181	746	341
		843	Peak %	10%	24%	18%	16%	11%	13%	19%	21%	19%	33%	24%	30%	19%	25%	22%	32%	12%	34%	33%	97%	32%	21%	88%	40%
2	Admiralty Park		10AM	118	88	91	38	51	20	51	29	16	53	26	7	16	34	24	42	25	100	29	68	7	11	23	10
	(5-U, 7-Q)		1PM	97	31	59	34	38	26	58	33	18	89	26	7	23	38	30	48	49	132	33	122	10	11	36	12
			4PM	61	15	10	19	25	30	62	32	15	121	20	11	20	96	29	108	98	135	29	149	7	14	267	18
			8PM	51	7	3	8	13	17	52	36	8	76	20	9	15	107	23	103	3	168	20	294	4	3	320	2
			Peak	118	88	91	38	51	30	62	36	18	121	26	11	23	107	30	108	98	168	33	294	10	14	320	18
		340	Peak %	35%	26%	27%	11%	15%	9%	18%	11%	5%	36%	8%	3%	7%	31%	9%	32%	29%	49%	10%	86%	3%	4%	94%	5%
3	Chace Park		10AM	123	115	173	165	182	43	191	211	215	212	238	266	185	179	192	191	100	80	191	178	225	185	259	245
	(2-49R, 4-49M, EE)		1PM	130	117	175	181	189	80	227	242	255	240	256	294	218	264	226	283	126	92	218	334	245	234	317	243
			4PM	112	113	172	167	167	60	191	196	200	224	201	239	150	279	157	298	137	113	181	368	192	221	365	214
			8PM	99	106	147	92	92	45	127	118	129	133	179	160	105	125	118	151	86	180	95	371	137	82	389	135
			Peak	130	117	175	181	189	80	227	242	255	240	256	294	218	279	226	298	137	180	218	371	245	234	389	245
		437	Peak %	30%	27%	40%	41%	43%	18%	52%	55%	58%	55%	59%	67%	50%	64%	52%	68%	31%	41%	50%	85%	56%	54%	89%	56%
4	Fiji Way *		10AM	-	31	41	28	31	25	-	-	84	80	85	112	86	98	89	110	62	254	-	213	247	319	294	278
	(Overflow Lots, 1-Fisherman's Village, Dock 52)		1PM	-	44	44	31	32	31	-	-	90	113	98	146	109	132	114	138	82	364	-	349	412	443	407	400
			4PM	-	32	44	33	34	34	-	-	79	130	90	127	113	138	116	153	73	469	-	418	505	519	668	454
			8PM	-	72	39	56	52	24	-	-	80	71	69	77	95	83	95	124	78	629	-	678	277	165	677	254
			Peak		72	44	56	52	34			90	130	98	146	113	138	116	153	82	629		678	505	519	677	454
		738	Peak %		10%	6%	8%	7%	5%			12%	18%	13%	20%	15%	19%	16%	21%	11%	85%		92%	68%	70%	92%	62%
5	North Channel		10AM	5	9	12	13	15	10	14	11	24	23	19	23	28	34	35	23	30	32	17	88	17	33	134	56
	(13-3S)		1PM	3	8	9	10	13	7	17	25	34	41	21	68	26	37	39	41	27	44	48	138	46	27	134	88
			4PM	3	6	11	8	10	4	19	58	48	88	41	63	34	69	45	88	12	73	82	138	60	26	134	113
			8PM	16	20	26	16	19	15	23	49	35	67	32	36	52	55	59	67	32	137	28	138	20	39	134	44
			Peak	16	20	26	16	19	15	23	58	48	88	41	68	52	69	59	88	32	137	82	138	60	39	134	113
		140	Peak %	11%	14%	19%	11%	14%	11%	16%	41%	34%	63%	29%	49%	37%	49%	42%	63%	23%	98%	59%	99%	43%	28%	96%	81%
	Total		Overall Peak	292	406	369	322	363	256	436	459	525	845	551	695	506	791	541	920	388	1,398	569	1,809	1,036	961	2,266	1,095
		2,498	Utilization	12%	16%	15%	13%	15%	10%	17%	18%	21%	34%	22%	28%	20%	32%	22%	37%	16%	56%	23%	72%	41%	38%	91%	44%
			Time	1PM	8PM	8PM	1PM	10AM	1PM	1PM	4PM	1PM	4PM	4PM	4PM	1PM	4PM	1PM	4PM	1PM	8PM	4PM	8PM	4PM	4PM	8PM	4PM

NOTES:
* Overflow Lots owned by US Dept. of Fish & Game, not by county; as such, they are not included in the computation of demand and availability of supply in the report.
** Holiday parking demands include non-public use parking demands.

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APPENDIX B-2
EXISTING CONDITIONS PUBLIC PARKING DEMAND ANALYSIS BY DAY AND LOT

#	Activity Area	Lot Number - Parcel	Supply Existing Number of Spaces	Public Demand & Utilization Profiles: Max (Peak) Occupied Spaces on Weekdays						Max (Peak) Occupied Spaces on Weekend Days											Max Occupied Spaces on Holidays (Peak) **						
				Fri 5/27/05	Fri 7/1/05	Fri 9/2/05	Fri 5/25/07	Fri 8/31/07	Thur 10/25/07	Sat 5/28/05	Sun 5/29/05	Sat 7/2/05	Sun 7/3/05	Sat 9/3/05	Sun 9/4/05	Sat 5/26/07	Sun 5/27/07	Sat 9/1/07	Sun 9/2/07	Sat 11/3/07	Sat 12/8/07	Mon 5/30/0	Mon 7/4/05	Mon 9/5/05	Mon 5/28/07	Wed 7/4/07	Mon 9/3/07
1	Mother's Beach	8 - OT	183	7	97	59	53	5	4	3	31	8	51	15	5	39	45	43	52	18	45	17	156	46	3	89	2
		9 - NR	186	34	48	35	41	56	36	77	69	79	82	87	81	77	79	84	108	58	22	27	187	48	44	186	45
		10 - IR	212	2	22	5	9	11	65	71	86	66	156	109	161	55	76	41	102	24	54	121	209	78	47	209	205
		11 - GR	262	40	56	60	32	30	30	15	15	13	19	19	16	19	15	21	15	12	173	127	263	146	111	263	112
2	Admiralty Park	5 - U	220	115	87	90	23	30	19	53	24	11	5	24	3	8	4	12	7	14	51	26	174	1	9	200	5
		7 - Q	120	6	6	3	15	21	11	9	13	9	118	16	10	15	107	18	102	91	120	7	120	9	9	120	15
3	Chace Park	2 - 49R	239	35	49	45	53	62	24	147	144	169	156	122	159	122	189	125	195	70	93	123	161	116	107	181	135
		4 - 49M	140	37	11	78	82	86	31	22	40	28	34	76	77	38	32	43	45	27	29	38	152	71	71	150	67
		EE	58	58	58	58	58	58	32	58	58	58	58	58	58	58	58	58	58	51	58	58	58	58	58	58	58
4	Fiji Way	Overflow Lots *	252	n/a	107	127	85	81	90	n/a	n/a	126	142	118	141	86	92	90	116	94	233	n/a	265	110	67	250	69
		Fisherman's Village (1) - W	502	n/a	18	22	28	26	11	n/a	n/a	28	42	41	51	51	52	52	56	36	422	n/a	439	284	340	439	238
		Dock 52 - 52	236	n/a	54	34	28	26	29	n/a	n/a	70	88	68	95	71	86	73	97	48	207	n/a	239	221	179	238	216
5	North Channel	13 - 3S	140	16	20	26	16	19	15	23	58	48	88	41	68	52	69	59	88	32	137	82	138	60	39	134	113

NOTES:

* Overflow Lots owned by US Dept. of Fish & Game, not by county; as such, they are not included in the computation of demand and availability of supply in the report.

** Holiday parking demands include non-public use parking demands.

APPENDIX C-1/C-2

Future Anticipated Parking Demand Analysis – Typical & Peak

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APPENDIX C-1

FUTURE ANTICIPATED CONDITIONS PUBLIC PARKING DEMAND ANALYSIS BY TIME OF DAY AND ACTIVITY AREA

#	Activity Area	Supply: Proposed Number of Spaces	Time	Anticipated Future Public Parking Demand & Utilization Profiles: Occupied Spaces on Weekdays						Occupied Spaces on Weekend Days										
				Day 1	Day 2	Day 3	Day 4	Day 5	Day 6 (Typical)	Day 7	Day 8	Day 9	Day 10	Day 11	Day 12	Day 13	Day 14	Day 15	Day 16	Day 17 (Typical)
1	Mother's Beach		10AM	57	84	67	90	123	85	143	131	132	168	136	169	142	146	159	175	134
			1PM	86	120	80	94	108	143	191	193	185	286	209	239	186	237	190	296	145
	(8-OT, 9-NR, 10-IR, 11-GR)		4PM	72	92	87	89	99	93	217	231	220	360	263	326	191	277	195	363	125
			8PM	109	252	191	174	127	102	144	165	178	205	189	151	221	207	250	269	125
			Peak	109	252	191	174	127	143	217	231	220	360	263	326	221	277	250	363	145
		652	Peak %	17%	39%	29%	27%	19%	22%	33%	35%	34%	55%	40%	50%	34%	42%	38%	56%	22%
2	Admiralty Park		10AM	134	100	103	43	58	23	58	33	18	60	29	8	18	38	27	48	28
	(5-U, 7-Q)		1PM	110	35	67	38	43	29	66	37	20	101	29	8	26	43	34	54	55
			4PM	69	17	11	22	28	34	70	36	17	137	23	12	23	109	33	122	111
			8PM	58	8	3	9	15	19	59	41	9	86	23	10	17	121	26	117	3
			Peak	134	100	103	43	58	34	70	41	20	137	29	12	26	121	34	122	111
		342	Peak %	39%	29%	30%	13%	17%	10%	20%	12%	6%	40%	8%	4%	8%	35%	10%	36%	32%
3	Chace Park		10AM	140	130	202	192	214	51	226	250	256	251	285	319	218	210	227	226	120
	(2-49R, 4-49M, EE)		1PM	149	132	205	212	222	92	270	289	306	287	307	355	259	317	269	341	151
			4PM	126	127	201	195	195	70	226	231	237	267	238	286	174	336	182	360	159
			8PM	109	118	170	100	100	53	145	134	147	152	210	186	117	142	134	175	100
			Peak	149	132	205	212	222	92	270	289	306	287	307	355	259	336	269	360	159
		684	Peak %	22%	19%	30%	31%	33%	13%	39%	42%	45%	42%	45%	52%	38%	49%	39%	53%	23%
4	Fiji Way		10AM	-	35	46	32	35	28	-	-	95	91	96	127	97	111	101	125	70
	(Overflow Lots**, 1-Fisherman's Village, Dock 52)		1PM	-	50	50	35	36	35	-	-	102	128	111	165	123	149	129	156	93
			4PM	-	36	50	37	38	38	-	-	89	147	102	144	128	156	131	173	83
			8PM	-	82	44	63	59	27	-	-	91	80	78	87	108	94	108	140	88
		*	Peak		82	50	63	59	38			102	147	111	165	128	156	131	173	93
		1,012	Peak %		8%	5%	6%	6%	4%			10%	15%	11%	16%	13%	15%	13%	17%	9%
5	North Channel		10AM	6	10	14	15	17	11	16	12	27	26	22	26	32	38	40	26	34
	(13-3S)		1PM	3	9	10	11	15	8	19	28	38	46	24	77	29	42	44	46	31
			4PM	3	7	12	9	11	5	22	66	54	100	46	71	38	78	51	100	14
			8PM	18	23	29	18	22	17	26	55	40	76	36	41	59	62	67	76	36
			Peak	18	23	29	18	22	17	26	66	54	100	46	77	59	78	67	100	36
		138	Peak %	13%	17%	21%	13%	16%	12%	19%	48%	39%	72%	33%	56%	43%	57%	49%	72%	26%
	Total		Overall Peak	348	483	437	390	447	307	546	564	650	1,010	672	838	623	955	666	1,118	475
		2,828	Utilization	12%	17%	15%	14%	16%	11%	19%	20%	23%	36%	24%	30%	22%	34%	24%	40%	17%
			Time	1PM	8PM	8PM	1PM	10AM	1PM	1PM	4PM	1PM	4PM	4PM	4PM	1PM	4PM	1PM	4PM	1PM

Yearly Growth	0.6

NOTES:

* Includes parking supply for Fisherman's Village Development. Shared Parking is contemplated at this location.

** Overflow Lots owned by US Dept. of Fish & Game, not by county; as such, they are not included in the computation of demand and availability of supply in the report.

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APPENDIX C-2
FUTURE ANTICIPATED CONDITIONS PUBLIC PARKING DEMAND ANALYSIS BY DAY AND LOT

#	Activity Area	Lot Number - Parcel	Supply Proposed Number of Spaces	Anticipated Future Public Parking Demand & Utilization Profiles																
				Occupied Spaces on Weekdays						Occupied Spaces on Weekend Days										
				Day 1	Day 2	Day 3	Day 4	Day 5	Day 6 (Typical)	Day 7	Day 8	Day 9	Day 10	Day 11	Day 12	Day 13	Day 14	Day 15	Day 16	Day 17 (Typical)
1	Mother's Beach	8 - OT	92	8	110	67	60	6	5	3	35	9	58	17	6	44	51	49	59	20
		9 - NR	69	55	78	57	67	91	59	126	113	129	134	142	132	126	129	137	176	95
		10 - IR	109	2	25	6	10	12	74	80	97	75	177	123	182	62	86	46	115	27
		11 - GR	382	45	63	68	36	34	34	17	17	15	22	22	18	22	17	24	17	14
2	Admiralty Park	5 - U	222	130	98	102	26	34	22	60	27	12	6	27	3	9	5	14	8	16
		7 - Q	120	7	7	3	17	24	12	10	15	10	134	18	11	17	121	20	115	103
3	Chace Park	2 - 49R	234	44	62	57	67	78	30	185	181	212	196	153	200	153	238	157	245	88
		4 - 49M	450	47	14	98	103	108	39	28	50	35	43	96	97	48	40	54	57	34
		EE		58	58	58	58	58	32	58	58	58	58	58	58	58	58	58	58	51
4	Fiji Way	Overflow Lots*	314	n/a	121	144	96	92	102	n/a	n/a	143	161	134	160	97	104	102	131	106
		Fisherman's Village (1) - W	1,012**	n/a	20	25	32	29	12	n/a	n/a	32	48	46	58	58	59	59	63	41
		Dock 52 - 52	0	n/a	61	38	32	29	33	n/a	n/a	79	100	77	108	80	97	83	110	54
5	North Channel	13 - 3S	138	18	23	29	18	22	17	26	66	54	100	46	77	59	78	67	100	36

YEARLY GROWTH	0.6

NOTES:

* Overflow Lots owned by US Dept. of Fish & Game, not by county; as such, they are not included in the computation of demand and availability of supply in the report.

** Includes parking supply for Fisherman's Village Development. Shared Parking is contemplated at this location.

APPENDIX D-1/D-2

85th & 90th Percentile Parking Demand Analysis by Activity Area – Existing & Future Long-Term Conditions

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APPENDIX D-1
85TH & 90TH PERCENTILE DEMAND ANALYSIS BY ACTIVITY AREA - CURRENT CONDITIONS

Mother's Beach	
Date	Demand
5/27/2005	81
8/31/2007	92
11/3/2007	104
10/25/2007	112
5/25/2007	135
9/2/2005	154
5/28/2005	158
7/2/2005	160
5/26/2007	162
5/29/2005	173
9/1/2007	184
9/3/2005	199
7/1/2005	201
5/27/2007	209
9/4/2005	255
9/2/2007	273
7/3/2005	282

90th Percentile Peak Public Parking Demand	273

Admiralty Park	
Date	Demand
9/4/2005	11
7/2/2005	18
5/26/2007	23
9/3/2005	26
10/25/2007	30
9/1/2007	30
5/29/2005	36
5/25/2007	38
8/31/2007	51
5/28/2005	62
7/1/2005	88
9/2/2005	91
11/3/2007	98
5/27/2007	107
9/2/2007	108
5/27/2005	118
7/3/2005	121

90th Percentile Peak Public Parking	118

Chace Park	
Date	Demand
10/25/2007	80
7/1/2005	117
5/27/2005	130
11/3/2007	137
9/2/2005	175
5/25/2007	181
8/31/2007	189
5/26/2007	218
9/1/2007	226
5/28/2005	227
7/3/2005	240
5/29/2005	242
7/2/2005	255
9/3/2005	256
5/27/2007	279
9/4/2005	294
9/2/2007	298

90th Percentile Peak Public Parking	294

Fiji Way	
Date	Demand
10/25/2007	34
9/2/2005	44
8/31/2007	52
5/25/2007	56
7/1/2005	72
11/3/2007	82
7/2/2005	90
9/3/2005	98
5/26/2007	113
9/1/2007	116
7/3/2005	130
5/27/2007	138
9/4/2005	146
9/2/2007	153

90th Percentile Peak Public Parking	146

North Channel	
Date	Demand
10/25/2007	15
5/27/2005	16
5/25/2007	16
8/31/2007	19
7/1/2005	20
5/28/2005	23
9/2/2005	26
11/3/2007	32
9/3/2005	41
7/2/2005	48
5/26/2007	52
5/29/2005	58
9/1/2007	59
9/4/2005	68
5/27/2007	69
7/3/2005	88
9/2/2007	88

90th Percentile Peak Public Parking	88

LEGEND	
	85th Percentile
	90th Percentile

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APPENDIX D-2
85TH & 90TH PERCENTILE DEMAND ANALYSIS BY ACTIVITY AREA - FUTURE CONDITIONS

Mother's Beach	
Date	Demand
Day 1	109
Day 5	127
Day 6	143
Day 17	145
Day 4	174
Day 3	191
Day 7	217
Day 9	220
Day 13	221
Day 8	231
Day 15	250
Day 2	252
Day 11	263
Day 14	277
Day 12	326
Day 10	360
Day 16	363

90th Percentile Peak Public Parking	360

Admiralty Park	
Date	Demand
Day 12	12
Day 9	20
Day 13	26
Day 11	29
Day 6	34
Day 15	34
Day 8	41
Day 4	43
Day 5	58
Day 7	70
Day 2	100
Day 3	103
Day 17	111
Day 14	121
Day 16	122
Day 1	134
Day 10	137

90th Percentile Peak Public Parking *	114

Chace Park	
Date	Demand
Day 6	92
Day 2	132
Day 1	149
Day 17	159
Day 3	205
Day 4	212
Day 5	222
Day 13	259
Day 15	269
Day 7	270
Day 10	287
Day 8	289
Day 9	306
Day 11	307
Day 14	336
Day 12	355
Day 16	360

90th Percentile Peak Public Parking	355

Fiji Way	
Date	Demand
Day 5	38
Day 2	50
Day 4	59
Day 3	63
Day 1	82
Day 14	93
Day 6	102
Day 8	111
Day 10	128
Day 12	131
Day 7	147
Day 11	156
Day 9	165
Day 13	173

90th Percentile Peak Public Parking	165

North Channel	
Date	Demand
Day 6	17
Day 1	18
Day 4	18
Day 5	22
Day 2	23
Day 7	26
Day 3	29
Day 17	36
Day 11	46
Day 9	54
Day 13	59
Day 8	66
Day 15	67
Day 12	77
Day 14	78
Day 10	100
Day 16	100

90th Percentile Peak Public Parking	100

LEGEND	
	85th Percentile
	90th Percentile

Yearly Growth	0.6

Notes:
* 20 spaces in Admiralty Park Activity Area (specifically lot 5) have been leased to the Public Library.

APPENDIX E

FIJI WAY ACTIVITY AREA DETAILED PARKING DEMAND ANALYSIS

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Appendix E
Fiji Way Activity Area Parking Analyses

Estimated Parking Demand					
Weekday					
Time	**Fisherman Village / Commercial Demand [1]**	**Charter Boat Slip Demand [1]**	**Total Development Demand**	**Peak Public Parking Demand [2]**	**Total Demand**
2:00 PM	464	65	529	15	544
3:00 PM	354	65	419	20	439
4:00 PM	390	100	490	24	514
5:00 PM	499	135	634	29	663
6:00 PM	577	150	727	26	753
7:00 PM	591	180	771	17	788
Weekend Day					
Time	**Fisherman Village / Commercial Demand [1]**	**Charter Boat Slip Demand [1]**	**Total Development Demand**	**Peak Public Parking Demand [2]**	**Total Demand**
2:00 PM	399	240	639	49	695
3:00 PM	392	240	632	43	681
4:00 PM	389	275	664	32	700
5:00 PM	461	310	771	23	794
6:00 PM	571	310	881	20	901
7:00 PM	584	310	894	20	914
8:00 PM	599	310	909	21	930
Proposed Total Supply = 1,012 spaces					

Note : [1] Demand data obtained from "Traffic Impact Analysis Report for the Proposed Fisherman's Village Enhancement / Expansion Project," September 2000, prepared by Hirsch / Green Transportation Consulting, Inc.

[2] Public Parking Demand for Fiji Way Activity Area obtained from Parking Surveys conducted by Raju Associates, Inc.

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Jon Sanabria
Acting Director of Planning

NOTICE OF PUBLIC HEARING AND NOTICE OF COMPLETION AND AVAILABILITY DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE OCEANA RETIREMENT FACILITY/HOLIDAY HARBOR COURTS PROJECT STATE CLEARING HOUSE NUMBER 2007021133 LOS ANGELES COUNTY PROJECTS R2006-01510-(4) AND R2006-02726-(4)

Parcel OT	Parcel 21
Project R2006-01510	Project R2006-02726
RPA200600005	RPA200600010
RCDP200600002	RCDP200600003
RCUP200600115	RCUP200600223
RPKP200600009	RPKP200600015
RENV200600109	RENV200700177

Notice is hereby given that the Regional Planning Commission of Los Angeles County will conduct a public hearing concerning these proposed land developments on **October 21, 2009**, at 9:00 a.m., in Room 150, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. Interested persons will be given an opportunity to testify. The Draft Environmental Impact Report associated with this project will also be considered.*

General description of the proposal: The proposed project is the Oceana Retirement Facility and Holiday Harbor Courts Project on Parcels OT and 21. The project consists of two components requiring two **Coastal Development Permits**, two **Conditional Use Permits**, two **Parking Permits**, and two **Plan Amendments** to the Marina del Rey Local Coastal Program. Component One (Parcel OT) consists of demolishing an existing 186 space parking lot to build a 114-unit Senior Accommodations Facility. Component Two (Parcel 21) consists of demolishing two existing commercial buildings and a paved parking area to construct a new commercial building, a six-level parking structure, a pedestrian promenade, and a five foot wide sidewalk along the Panay Way frontage. Approximately 7,768 cubic yards of grading will be required with excess cut material to be exported to a landfill located in Los Angeles County.

General location of the properties: The proposed project sites are located within the Marina del Rey Specific Plan Area in the Playa del Rey Zoned District. Component One is an existing 186 space public parking lot located on Admiralty Way, near the intersection of Admiralty way and Palawan Way. The property is bordered by Washington Boulevard on the north, Admiralty Way on the south, and the Oxford retention basin on the east. Component Two is located on Panay Way and is currently developed with two commercial buildings and a paved parking area. It is bordered by Panay Way on the south, public parking lot GR on the west and Marina del Rey Basin D on the north.

The County of Los Angeles Department of Regional Planning acting in the capacity of "Lead Agency" under the County Environmental Document Reporting Procedures and Guidelines, Chapter III, Section 304, has filed a "Notice of Completion" of a Draft Environmental Impact Report (DEIR) for **The Oceana Retirement Facility and Holiday Harbor Courts Project.** This document has been prepared in accordance with, and pursuant to, the California Environmental Quality Act (CEQA), as amended; Public Resources Code, Section 21000 *et seq.;* and the "Guidelines for California Environmental Quality Act" (State CEQA Guidelines), and California Code of Regulation, Title 14, Chapter 3, Section 15000 *et seq.*

The formal public review period for the DEIR will be from **September 3, 2009 to October 19, 2009** (45 days). Written comments received on the Draft EIR prior to the close of the public hearing on the project will be considered in the Final EIR. Written comments should be submitted to Mr. Michael Tripp, Department of Regional Planning, Room 1362, 320

West Temple Street, Los Angeles, California 90012, or emailed to mtripp@planning.lacounty.gov. The Draft Environmental Impact Report will be available for review at the following libraries: **Lloyd Taber-Marina del Rey Library, 4533 Admiralty Way, Marina del Rey, CA 90292; Venice-Abbot Kinney Memorial Library (City of Los Angeles), 501 S. Venice Boulevard, Venice, CA 90291; and Culver City Julian Dixon Library, 4975 Overland Avenue, Culver City, CA 90230**.

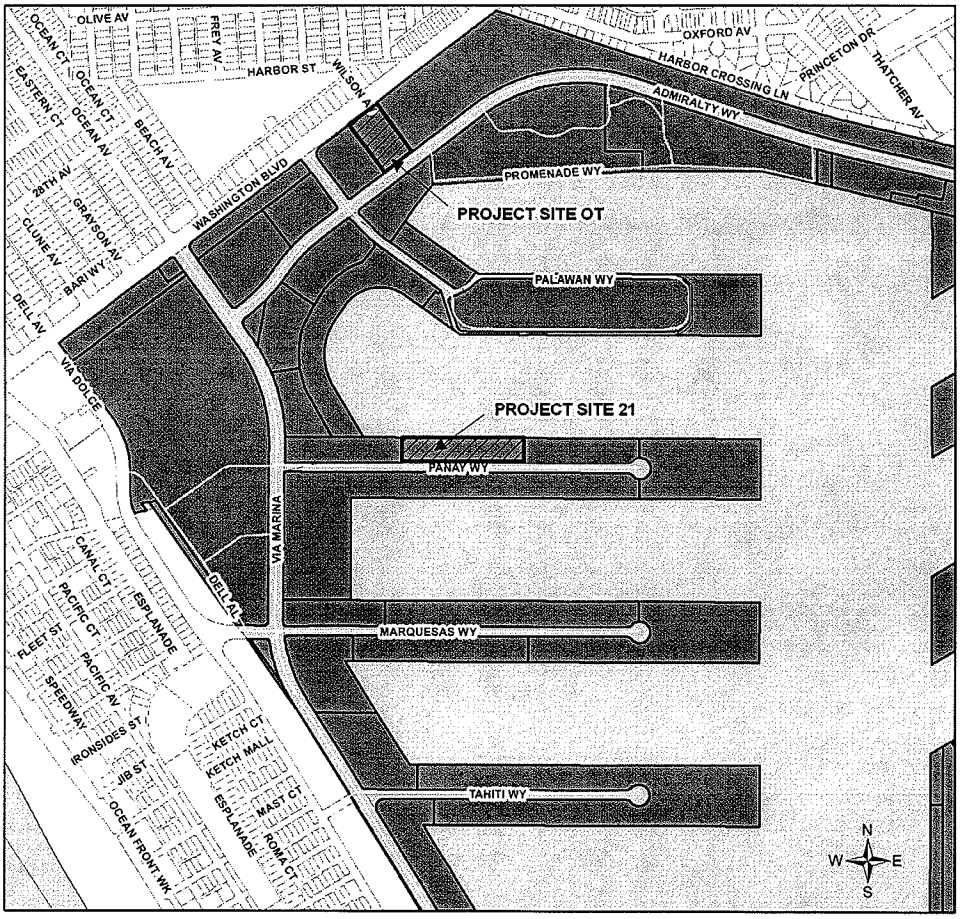
Case materials, including the environmental documentation, are available for review Monday through Thursday, between 7:30 AM and 6:00 PM, at the Department of Regional Planning, Hall of Records, Room 1362, 320 West Temple Street, Los Angeles, California 90012. Our office is closed on Fridays. Case materials will be available for review beginning **September 3, 2009** at the above-mentioned libraries. Selected materials will also be available on the Department of Regional Planning website at http://planning.lacounty.gov.

These cases do not affect the zoning of surrounding properties. If you are unable to attend the public hearing but wish to send written comments, please write to the Department of Regional Planning at the address given below, Attention: Michael Tripp. You may also obtain additional information concerning this case by phoning Michael Tripp at (213) 974-4813. Callers from North County areas may dial (805) 272-0964 (Antelope Valley) or (805) 253-0111 (Santa Clarita) and then ask to be connected to (213) 974-4813. Public service hours: 7:30 a.m. to 6:00 p.m., Monday through Thursday. Our office is closed on Fridays. If the final decision on this proposal is challenged in court, testimony may be limited to issues raised at the public hearing or by written correspondence delivered to the Regional Planning Commission at or prior to the public hearing.

La audiencia pública para considerar el proyecto y Redacto de el Reporte de Impacto Ambiental se llevara acabo el **21 de octubre de 2009**. El periodo para que el público evalue Redacto de el Reporte de Impacto Ambiental sera por 45 dias desde el 3 de septiembre hasta el 21 de octubre. Si necesita más información, o si quiere este aviso en Espanol, favor de llamar al Departamento de Planificacion al (213) 974-6466.

"ADA ACCOMMODATIONS: If you require reasonable accommodations or auxiliary aids and services such as material in alternate format or a sign language interpreter, please contact the ADA (Americans with Disabilities Act) Coordinator at (213) 974-6488 (Voice) or (213) 617-2292 (TDD), with at least three business days notice".

***The Draft EIR for this project covers two separate parcels (OT and 21) and two separate proposed developments (R2006-01510 and R2006-02726).**



NOTICE OF PREPARATION

DATE: March 1, 2007

PROJECT TITLE: Oceana Retirement Facility (Parcel OT) and Holiday Harbor Courts (Parcel 21) Project EIR
County Project Nos. R2006-01510 (OT) and R2006-02726 (21)
Environmental Nos. RENVT200600109 (OT) and RENVT200600177 (21)
Coastal Development Permit Nos. RCDPT200600002 (OT) and RCDPT200600003 (21)
Conditional Use Permit Nos. RCUPT200600115 (OT) and RCUPT200600223 (21)
Parking Permit Nos. RPKPT200600009 (OT) and RPKPT200600015 (21)
General Plan Amendment Nos. RPAT200600005 (OT) and RPAT200600010 (21)

PROJECT APPLICANT(s):

Parcel OT
MDR Oceana, LLC
5150 Overland Avenue
Culver City, California 90230

Parcel 21
Holiday-Panay Way Marina, L.P.
5150 Overland Avenue
Culver City, California 90230

LEAD AGENCY:

Rick Kuo
Los Angeles County Regional Planning Department
Department of Regional Planning
320 West Temple Street, Room 1348
Los Angeles, CA 90012
Tel: (626) 974-6461
Fax: (213) 626-0434

The County of Los Angeles, as lead agency under the California Environmental Quality Act (CEQA), will prepare an Environmental Impact Report (EIR) for the Oceana Retirement Facility and Holiday Harbor Courts Project. In compliance with CEQA Guidelines Section 15082, the County of Los Angeles is sending this Notice of Preparation (NOP) to responsible and trustee agencies involved in the project. The EIR may be utilized to provide environmental analysis pertaining to responsible and trustee agency approvals. As such, the purpose of the NOP is to solicit comments on the scope and content of the EIR germane to each agency's statutory responsibility with respect to the proposed project. This NOP is also being sent to other parties expressing interest in receiving such notices, for comment within their areas of interest.

The review period for the NOP will be from March 1 to March 30, 2007. Due to the time limits mandated by State law, your response must be received by our office at the earliest date possible, but not later than April 4, 2007. Please direct all written comments to the above address. In your written response, please include the name of a contact person in your agency.

PROJECT DESCRIPTION:

Holiday-Panay Way Marina, L.P. and MDR Oceana, LLC (applicants) are proposing residential and commercial development of Parcels OT and 21 of the Marina del Rey (Marina) Land Use Plan (LUP). The Los Angeles County (County) is the landowner of both Parcels, and the County Department of Beaches and Harbors serves as co-applicant on this and all projects on County-owned land within the Marina. Holiday-Panay Way Marina, L.P. and MDR Oceana, LLC. are therefore lessees of the sites.

MDR Oceana, LLC proposes the Oceana Retirement Facility for Parcel OT, which is a 2.10-acre site on Admiralty Way in the Oxford Development Zone (DZ) #6 of the Marina del Rey LUP. The proposed Oceana Retirement Facility (Parcel OT) is proposed to be developed with a six-floor, 114-unit retirement facility, which would house an estimated population of 145 residents (assuming a 90 percent occupancy at any given time).[1] The facility would include retail space, a lobby, two lounges, two card rooms, a chapel, administration and reception offices, a dining room, a library, arts and crafts room, laundry facilities, a trash and mailroom, a kitchen, a beauty salon, and on-site parking.

Holiday-Panay Way Marina, L.P. proposes the Holiday Harbor Courts commercial development for Parcel 21, which is a 2.55-acre site on Panay Way in the Panay Development Zone (DZ #4) of the Marina del Rey LUP. The proposed Holiday Harbor Courts project (Parcel 21) would replace existing on-site marine commercial office, health club, and retail uses with a new five-floor structure housing marine commercial office, health club, yacht club, and retail uses, as well as a public park plaza, promenade, and on-site parking.

PROJECT LOCATION:

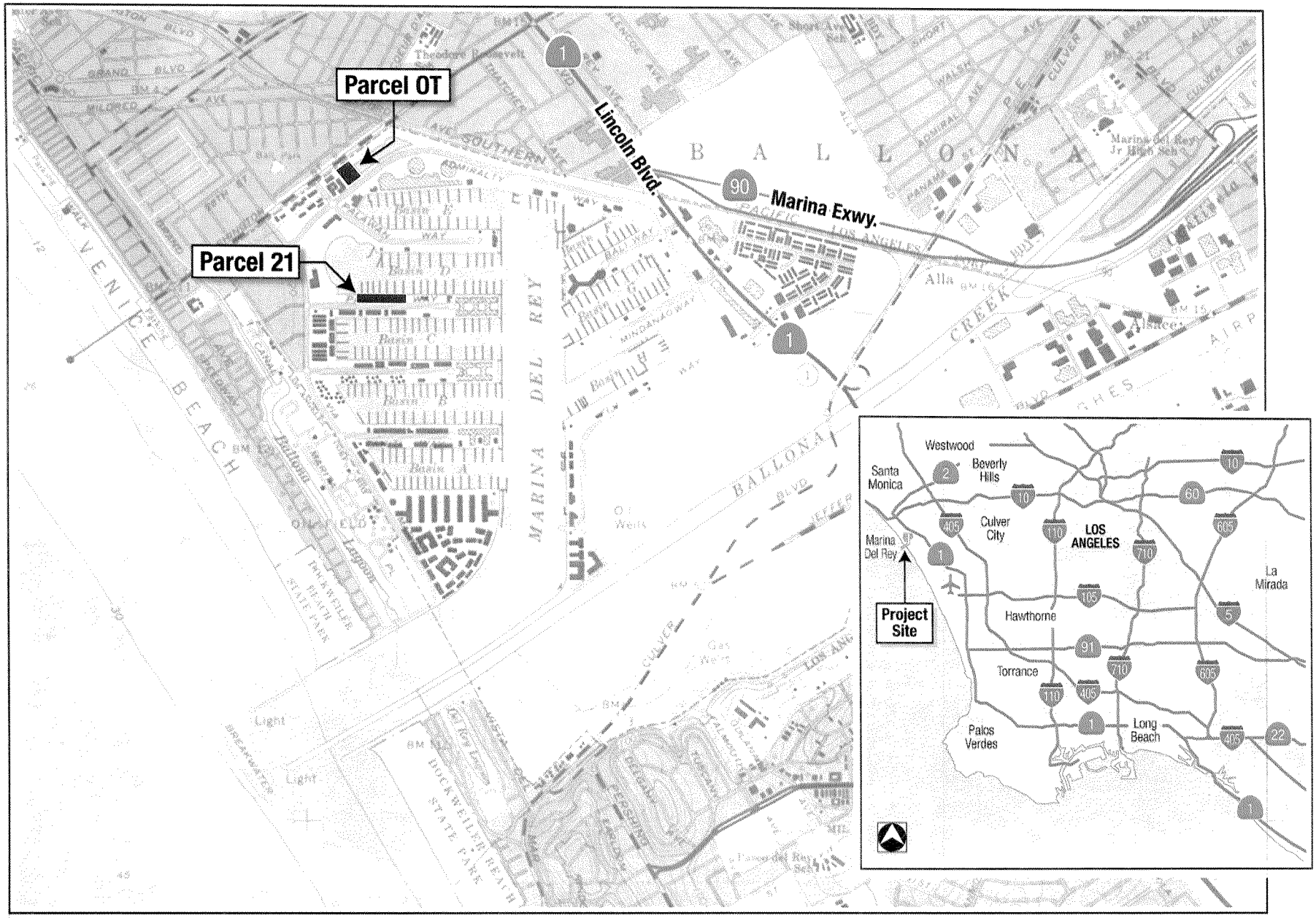
The proposed project is located within the unincorporated County community of Marina del Rey, with the surrounding region including the Pacific Ocean to the west, community of Venice to the north, community of Playa del Rey and the Los Angeles International Airport (LAX) to the south, and the terminus of State Highway 90 (Marina Expressway) at Lincoln Boulevard (State Highway 1) to the east (refer to **Figure 1**). Both developments are located on the United States Geological Survey (USGS) 7.5 minute Venice Topographic Quadrangle; however, the specific areas on which Parcels OT and 21 are sited were not covered by the Public Land Survey System (PLSS). Rather, they are identified as being part of the Spanish/Mexican Land Grant System, specifically Rancho Ballona. As depicted on the Venice Topographic Quadrangle, the location of Parcel OT is 33° 59' 5" north latitude and 118° 27' 20" west longitude, and the location of Parcel 21 is 33° 58' 45" north latitude and 118° 27' 15" west longitude. Parcel OT is also denoted as Assessor's Parcel Number (APN) 4224-006-900 at 4445 Admiralty Way, and Parcel 21 is APN 8940-370-022 at 14025 Panay Way.

ENVIRONMENTAL SETTING:

The Oceana Retirement Facility project site (Parcel OT) is approximately 92,000 sq. ft. in size, with dimensions of approximately 260 ft. wide along Admiralty Way and 355 ft. deep traversing from Washington Boulevard to Admiralty Way. The Parcel is currently used for public parking, with 186 parking spaces, is predominantly paved and relatively flat, and is bordered with flowerbeds containing shrubs and trees (mostly non-native vegetation). Parcel OT is bordered on the west by the Marina International Hotel, with a driveway separating the two uses; on the south by Admiralty Way and residential, hotel and restaurant uses; on the north by Washington Boulevard and single family homes north of Washington Boulevard; and on the east by a walkway/bike path and the Marina Lagoon (also known as the Oxford Retention Basin or Bird Sanctuary), as depicted in **Figure 2**.

The Holiday Harbor Courts project site, Parcel 21, is located on the Panay Way mole road atop a quay. The Holiday

[1] Occupancy assumptions are based upon developer's experience at multiple other facilities of this type. If occupancy were at 100 percent, the resident population would be 161.



Source: Venice, California, U.S.G.S. 7.5 Minute Topographic Quadrangle

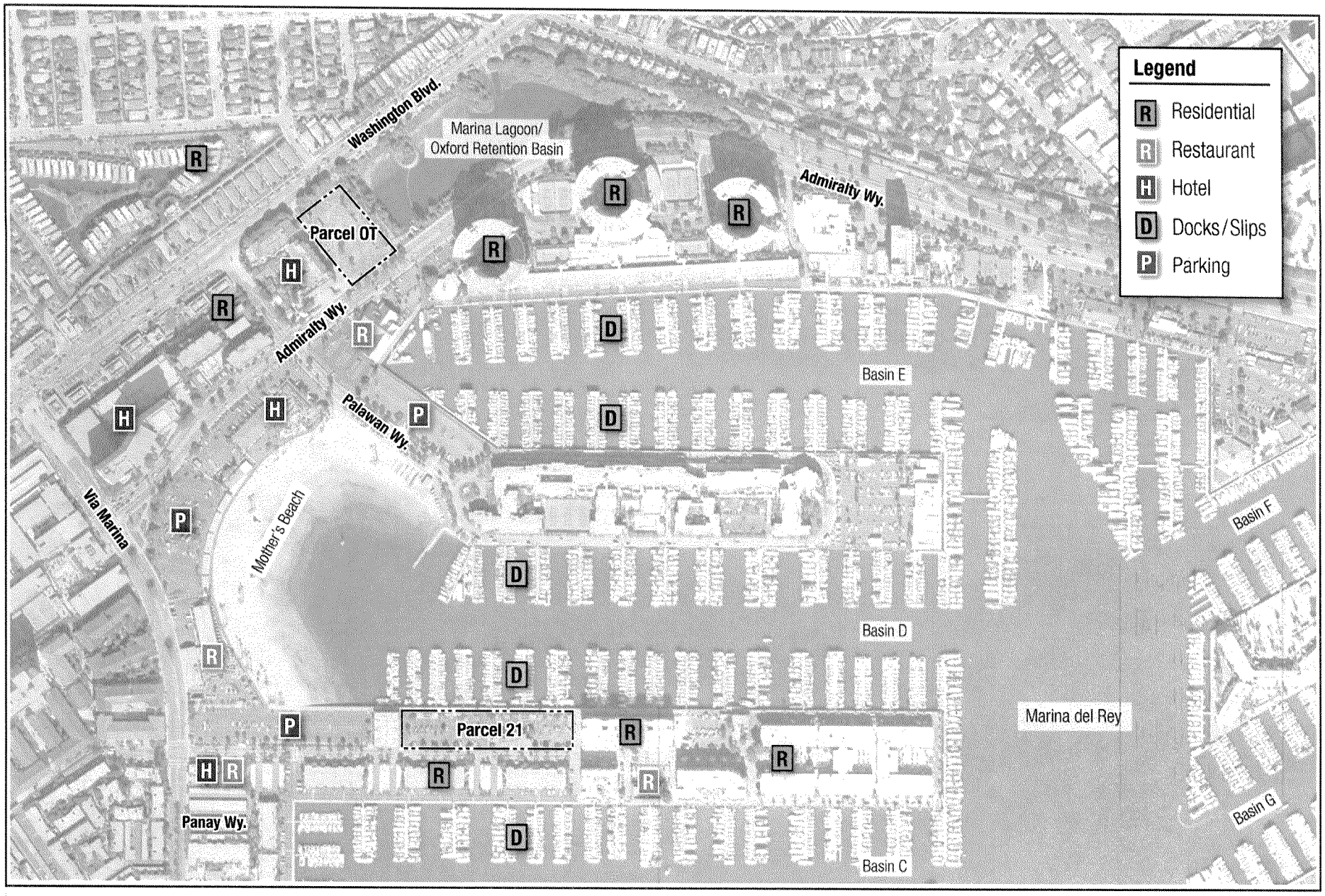
OCEANA RETIREMENT FACILITY AND HOLIDAY HARBOR COURTS NOP

ENVICOM CORPORATION

Project Location

FEET 0 1,000 2,000

FIGURE 1



Aerial Source: I.K. Curtis Services, Inc., September 2005.

OCEANA RETIREMENT FACILITY AND HOLIDAY HARBOR COURTS NOP

ENVICOM CORPORATION

Surrounding Land Use

FEET 0 250 500

FIGURE 2

Harbor Courts site measures approximately 741 ft. in width along the frontage of Panay Way and approximately 150 ft. in depth from Panay Way to the water. The Parcel is currently developed with two commercial structures and a paved parking area that serves the commercial structures and also provides parking for boaters using the adjacent docks. One structure consists of a health club and the other is comprised of retail and marine commercial offices. The site also contains some sparse landscaping and a pedestrian walkway along the water's edge. A six-story apartment building is adjacent to and east of Parcel 21, with an improved promenade along the water's edge adjacent to the apartment building. Other uses adjacent to Parcel 21 include apartments and a restaurant with parking to the south, as well as restaurants and retail space to the west (refer to Figure 2). Marina docks and slips (designated Marina Basin D in the LUP) are located immediately to the north of the site.

PROJECT CHARACTERISTICS:

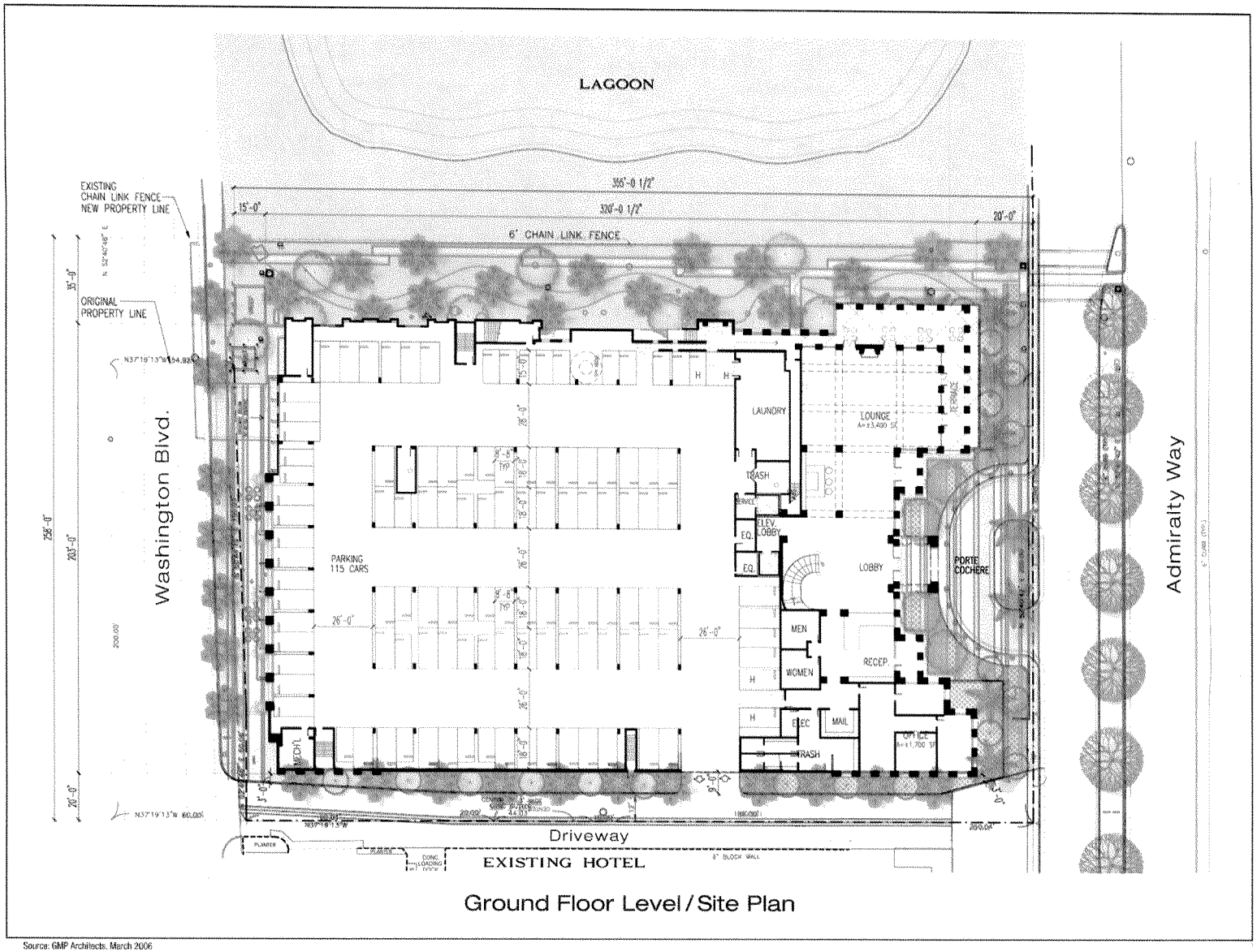
1. Proposed Land Uses

Parcel OT

The ground floor of the proposed site plan for Parcel OT is displayed in **Figure 3**, and all of the levels of the proposed structure and the floor area assigned to each use are listed in **Table 1**. As the proposed development on Parcel OT is a retirement facility, the structures have been designed with consideration given to senior citizens with physical disabilities, providing easier access to indoor and outdoor uses.

Table 1
Proposed Development Uses

Use (Category)	Area (sq. ft.)	Floor Level
Suites		
67 One Bedroom Suites (at approx. 700 sq. ft. ea.)	46,900	Various Floors
47 Two Bedroom Suites (at approx. 1,050 sq. ft. ea.)	49,350	Various Floors
Ancillary Facilities		
Computer Room	440	First Floor
Screening Room	1,030	First Floor
Café	535	First Floor
Gym	1,199	First Floor
Private Dining	540	First Floor
Retail Space	5,000	Lower Ground Level
Lounge One	3,400	Ground Floor
Administration Offices, Receptionist Area, Laundry, Trash & Mailroom	1,700	Ground Floor
Dining Room	4,145	Second Floor
Library	920	Second Floor
Arts & Crafts Room	1,065	Second Floor
Kitchen	1,630	Second Floor
Lounge Two	1,455	Second Floor
Beauty Salon	750	Second Floor
Card Room	810	Second Floor
Card Room	770	Third Floor
Total	**121,639**	



Ground Floor Level / Site Plan

Source: GMP Architects, March 2006

OCEANA RETIREMENT FACILITY AND HOLIDAY HARBOR COURTS NOP

ENVICOM CORPORATION

Oceana Retirement Facility Ground Floor Plan / Site Plan

FEET 0 20 40

FIGURE 3

Parcel 21

The proposed Holiday Harbor Courts development would replace existing on-site marine commercial office, health club, and retail uses with new marine commercial office, health club, yacht club, and retail uses, a public park plaza and promenade, and a 447-space parking structure. Uses approved for Parcel 20 but not built, including marine commercial offices and a yacht club, would also be transferred to Parcel 21. The proposed project would reduce the existing health club floor area by 6,000 sq. ft., with the remaining floor area planned for the additional marine commercial offices. With the transfer of land uses from Parcel 20, the proposed development on Parcel 21 would result in zero sq. ft. of net new leasable area within the Panay DZ #4 of the Marina del Rey LUP. The following tables describe the land use allocations on Parcels 20 and 21 today and as proposed by the project. **Table 2** illustrates the existing square footage on-site. Although approved development on Parcel 20 is not a part of this project, it is included on the table to demonstrate the transfer (donor) uses and locations. All existing development on Parcel 21 would be demolished and replaced with the development identified in **Table 3.**

Table 2
Existing Development

Existing Project Land Use	Net Leasable Commercial Area by Site (sq. ft.)		
	LUP Parcel 20	LUP Parcel 21	Total Existing
Health Club	0	16,000	16,000
Retail[1]	0	2,916	2,916
Marine Commercial Offices	0	0	0
Marine Commercial Offices[2]	0	3,132	3,132
Marine Commercial Offices[3]	2,300	0	2,300
Yacht Club[3]	5,000	0	5,000
Total Net Leasable Area (sq. ft.)	**7,300**	**22,048**	**29,348**

[1]Ship Store.
[2]Existing Tenants: California Sailing Academy, Golden West Yachts, Club Natique, and South Sea Publishing.
[3]Uses to be transferred from Parcel 20 to Parcel 21.

Table 3
Net New Proposed Development for Parcel 21

Proposed Project Land Use	Total Net Leasable Area (sq. ft.)		Net New Leasable Area (sq. ft.)
	Existing	*Proposed*	
Health Club	16,000	10,000	(-) 6,000
Retail[1]	2,916	2,916	0
Marine Commercial Offices	0	6,000	6,000
Marine Commercial Offices[2]	3,132	3,132	0
Marine Commercial Offices[3]	2,300	2,300	0
Yacht Club[3]	5,000	5,000	0
Subtotal	***29,348***	***29,348***	***0***
Total	**29,348**	**29,348**	**0**

[1]Ship Store.
[2]Existing Tenants: California Sailing Academy, Golden West Yachts, Club Natique, and South Sea Publishing.
[3]Includes transferred uses from Parcel 20 to Parcel 21.

As shown in **Figure 4**, the first floor of the Holiday Harbor Courts building would contain the new health club and a portion of the replacement uses of LUP Parcel 21 (retail and marine commercial offices). The second floor would contain the remainder of the replacement uses of LUP Parcel 21 (retail and marine commercial offices), the transfer of marine commercial offices from LUP Parcel 20, and 6,000 sq. ft. of new marine commercial offices. The third floor is devoted to parking (52 spaces), and the fourth floor would contain the yacht club. The yacht club has a high, vaulted ceiling that is roughly equivalent to two levels of parking. The final level consists of the roof of the yacht club and adjacent parking.

2. Project Amenities, Open Space, and Landscape

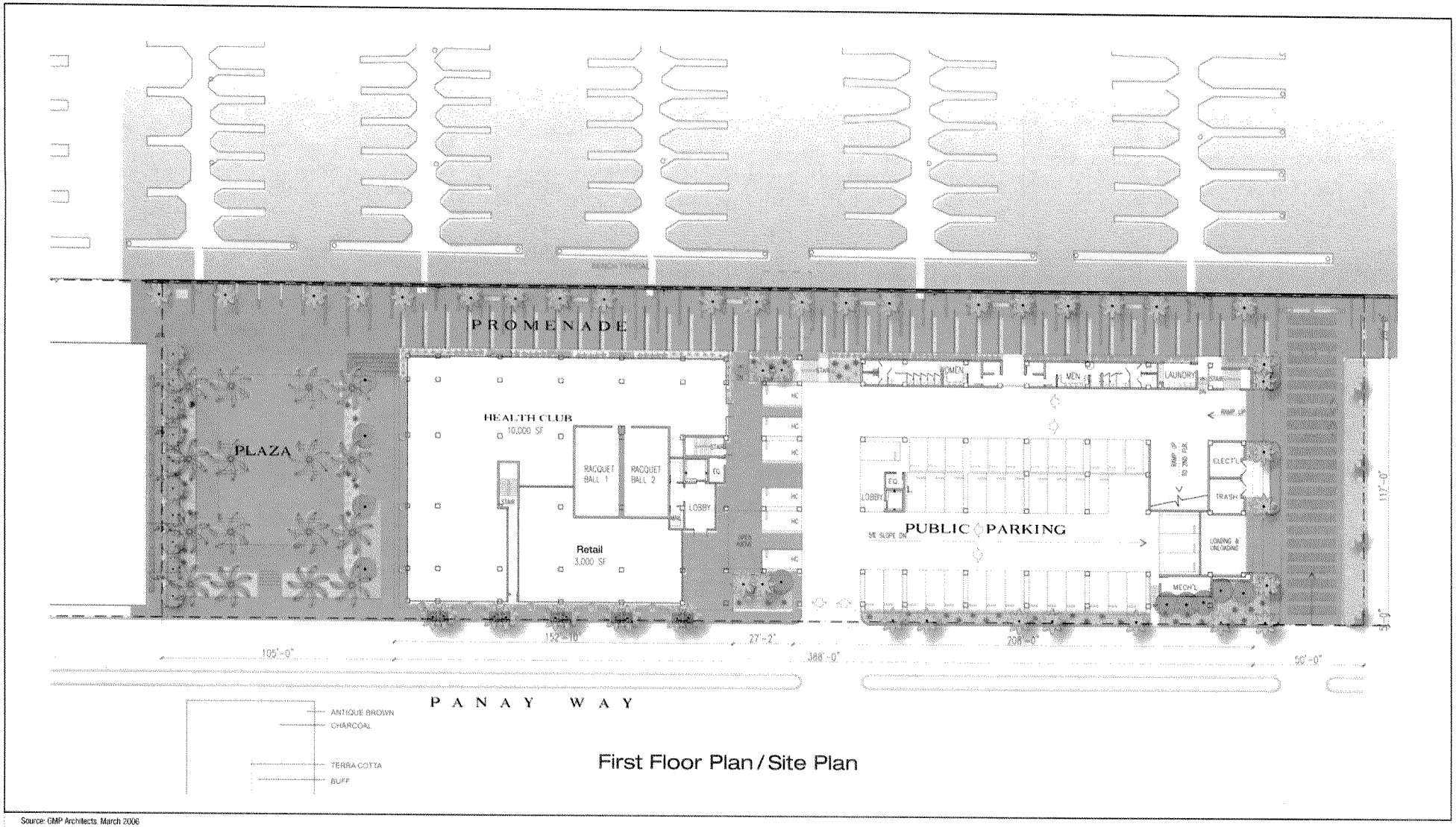
Parcel OT

The commercial retail space in the building, as well as individual retirement facility auxiliary rooms (arts and crafts, lounges, card rooms, chapel, etc.), would provide amenities for the retirement facility residents. Also, the surrounding Marina area provides additional amenities, including the Marina itself (boating, walking along promenades and other walkways, etc.), shopping, a health club, a beach, and restaurants. Many of these amenities are within walking distance of the project.

The project would include an improved, landscaped pedestrian and bicycle access way between Admiralty Way and Washington Boulevard, along the eastern boundary of the Parcel OT, just west of the existing lagoon. This linear passageway would be accomplished by extending the eastern boundary of Parcel OT to include a 35-foot strip of Parcel P, along the Parcels' shared boundary. The modification would be effectuated by the Department of Beaches and Harbors through revised legal descriptions for each of the two Parcels. The passageway would provide improved access for those currently traversing the limited access-way now, as well as the retirees at the proposed facility. These features would provide an improved open space and recreational buffer, which would also allow for improved public viewing access to the lagoon. County access would be provided on the southeast corner of the project site, for maintenance use to service on-site and adjacent utilities, including the retention basin/lagoon.

The Oceana Retirement Facility would include one internal courtyard in the middle of the floor plan on Level 1 for use by the retirees and their guests. The dining room has two terraces; one is a small private terrace and the second is a large terrace that wraps around the dining room and connects to another large terrace off the lounge. There is also an additional private terrace that wraps around the arts and crafts room, library, and computer room. The final terrace on Level 1 is located next to the library, across from the women's restrooms and the stairwell. Other recreation on this level includes an outdoor spa and an indoor gym, a screening room, and a cafe. All suites have their own private balcony. An additional community terrace is located off the second floor lounge.

The entrance of the facility would be framed by date palms (*Phoenix dactylifera*), and a small fountain would be located at the vehicular drop off area. The landscape plan extends into the linear passageway between the retirement facility and the existing retention basin/lagoon connecting Admiralty Way to Washington Boulevard, and would include trees and shrubs, a path approximately 20 ft. wide by 350 ft. long, and benches. The planting palette is divided into three zones; lower slope, middle slope and upper slope. Each zone would include both native and drought tolerant trees, shrubs and ground cover. The landscape area along the pathway is a combination of fan palms and flowering plum trees. The Washington Boulevard frontage is intended to be open for retail uses with fan palms as the street trees. The additional landscaping would center primarily on the perimeter of the building and would include the planting of 1,900 blue finger *(Senecio mandraliscae),* 5,600 sedge (*Carex* Spp.), 21 pink flowering plum trees (*Prunus blireiana*), and 17 New Zealand Christmas trees (*Metrosideros excelsus*), among many other species (number counts provided here are approximations).



First Floor Plan / Site Plan

Source: GMP Architects, March 2006

ENVICOM CORPORATION

Holiday Harbor Courts First Floor Plan / Site Plan

FEET 0 20 40

FIGURE 4

Parcel 21

A park plaza and improved promenade would also be developed as a part of the proposed project. The park plaza would be located west of the health club and would extend the existing promenade located on Parcel 20 (a developed apartment building). The visitors of the neighborhood park plaza and promenade would have a direct view of the Marina. The park plaza would include an open lawn area, terraced seating, trees, and a pedestrian path between the street and the promenade. A gravel-filled dry well is proposed below the lawn area to retain and recharge storm water run-off from the site.

The plaza and 28-foot wide promenade would offer views of the Marina and would serve a recreational function by allowing the public direct access to the waterfront; specifically Marina small craft harbor uses and Mother's Beach.

The promenade would incorporate a variety of different shaped and colored pavers with colors such as charcoal, antique brown, terra cotta and buff. The promenade would also include benches for pedestrians as well as lighting and shrubs. The promenade is also designed to serve as a fire lane, to satisfy Los Angeles County Fire Department requirements.

The landscaping for Parcel 21 would conform with and compliment the existing landscaping on Parcel 20, which is developed with apartments. The landscaping would consist of palm trees, perennial plants, and accent paving around the building entry. Other species to be used in the plant palette include big blue lily turf (*Liriope muscari*), bird of paradise (*Strelitzia reginae*), and New Zealand flax (*Phormium tenax*, or "Maori Maiden").

The project has been designed within the combined height and view corridor provisions of the LUP. The plan includes an allowable height limit of 45 ft. with a view corridor requirement of 20 percent of a project's total water frontage (LUP, page I-9). However, LUP policy allows for an increase in building height of 1.5 ft. for every corresponding one percent view corridor increase. The project building height is 56 ft. (with a five ft. setback), which is the same height as other adjacent properties on Panay Way. The marine commercial building's height of 56 ft. requires a view corridor equal to 27.33 percent of the frontage, which amounts to a required 146 ft. of view corridor. A total of 146 ft. (or greater) for the view corridor would be accommodated in the design. The view corridors on the project site would facilitate public views of the shoreline, providing views of the water, the harbor's docks and slips, and Mother's Beach. The plaza would form the primary view corridor for the Holiday Harbor Courts site, at 105 ft. in width. Two additional view corridors are provided. One is on the ground floor level between the parking structure and the commercial building, at 27.2 ft. in width, and the other is east of the parking structure and is 50 ft. in width.

3. Parking

Parcel OT

Of the 186 public spaces parking currently on Parcel OT, 94 spaces would be relocated to Parcel 21 as part of the Holiday Harbor Courts development, to be located to the south of Parcel OT on Panay Way. The Oceana Retirement Facility would provide parking for proposed uses, in accordance with the County Code, as well as retaining 92 of the existing public parking spaces. **Table 4** describes the parking to be provided on Parcel OT and that to be transferred to Parcel 21.

Table 4
Proposed Parking for Parcel OT and Parking Transfer to Parcel 21

Use	Existing Parking on Parcel OT	Proposed Parking	
		Parcel OT	Parcel 21
Public Parking	186	92	
Retirement Facility		42	
Retail		20	
Relocated/Transferred Public Parking			94
Total	186	**154**	**94**

Parcel 21

Parking for the proposed Holiday Harbor Courts development is to be provided in a six-level parking structure that is attached to the structure housing the yacht club and marine commercial uses. The parking structure would serve visitors to the Holiday Harbor Courts as well as provide for general public parking (for example, to serve visitors to Mother's Beach). This design allows for direct access to the commercial structure, in addition to close access to the Marina slips and Mother's Beach. As discussed above, Parcel 21 would include transferred parking from the proposed development on Parcel OT, which is located in the Oxford DZ #6 of the Marina del Rey LUP and is to be converted from a parking lot to a retirement facility, as well as parking transferred from Parcel 20. As shown in **Table 5** below, an estimated 447 parking spaces would be provided by the proposed project after the transfers are made from Parcels OT and 20.

Table 5
Parcel 21 Proposed Parking and Parking Replacement

Type of Parking	Amount
Replacement for on-site Parcel 21 uses	94
Yacht Club/ Marina Commercial Offices (replacement from Parcel 20, uses approved but not built)	112
New Uses	15
Replacement for Boater Parking	112
Replacement from Parcel OT	94
Replacement for Health Club	20
Total	**447**

4. Demolition of Existing Development and On-site Grading

Grading for Parcel OT is not expected to require any fill materials but will result in the estimated export of 4,755 cubic yards (c.y.) of cut materials. Grading for Parcel 21 is also not expected to require any fill materials but will result in the estimated export of 3,986 c.y. of cut materials. Additionally, the waste generated by the demolition of the existing structures and parking lot on Parcels OT and 21 would be hauled to the Community Recycling and Resource Recovery Center, which is operated by the Crown Disposal Company and located at 9147 De Garmo Avenue in Sun Valley. The remaining materials that can't be recycled will be hauled to a landfill.

POTENTIAL PROJECT IMPACTS:

The County of Los Angeles, as the Lead Agency, has identified in the Initial Study (see attachment) the following potential environmental impacts that will be discussed in the EIR:

- Geotechnical Hazards-liquefaction and tsunami inundation;
- Noise-construction generated noise and effects on adjacent residential uses;
- Water Quality-proximity to water bodies and National Pollutant Discharge Elimination System requirements;
- Air Quality-parking lot, parking structure and construction generated emissions;
- Biota-removal of trees for nesting;
- Cultural Resources-potential for prehistoric and historic archeological resources;
- Visual Qualities-height of proposed structures;
- Traffic/Access-cumulative impacts;
- Utilities (Water Supply)-water usage in Marina del Rey is near entitlement limit and project must obtain a "will serve" letter from Waterworks District No. 29;
- Environmental Safety-methane gas hazards on Parcel OT; and
- Land Use-LUP/LCP Amendment for Parcel OT to designate Parcel OT for Hotel land use with a Mixed Use Overlay Zone (MUZ)[2] and to transfer development potential to Parcel OT (114 hotel spaces and 5,000 sq. ft. of office space from the Admiralty DZ #7 to the Oxford DZ #6); modifications to LCP Amendment No. 01-01 for the transfer of 94 parking spaces from Parcel OT to Parcel 21 and for the transfer of the yacht club and marine commercial offices from Parcel 20 to Parcel 21.

In addition to evaluating the potential effects of the proposed project, the EIR will address a full range of project alternatives.

ENTITLEMENT REQUIREMENTS AND DISCRETIONARY APPROVALS:

The proposed project is an application for:

Parcel OT

- LUP/LCP Amendment to 1) change the land use designation from Parking to Hotel with a MUZ allowing for the mixed-use retirement facility and to 2) transfer development potential (114 hotel spaces and 5,000 sq. ft. of office space) to Parcel OT in the Oxford DZ #6 from the Admiralty DZ #7.
- Conditional Use Permit (CUP), Coastal Development Permit (CDP), and Parking Permit for the transfer of development potential, parking, and trip generations between Parcels OT, 21, and 20.

Parcel 21

- Modifications to LCP Amendment No. 01-01 for the 1) transfer of 94 parking spaces from Parcel OT to Parcel 21 and 2) the transfer of the yacht club and marine commercial offices from Parcel 20 to Parcel 21.
- Conditional Use Permit (CUP), Coastal Development Permit (CDP), and Parking Permit for the transfer of development potential, parking, and trip generations between Parcels OT, 21, and 20.

[2] The Marina LUP MUZ (LUP page 8-12) is intended to provide additional flexibility for development of creatively designed mixed-use projects on selected non-waterfront parcels. Parcels with this overlay zone are permitted to combine land use categories on an individual parcel, and are allowed to mix primary uses within a structure. Development potential available to each applicant is subject to the limitations of the zone in which the parcel resides. Parcels within a Mixed Use Overlay Zone designation may apply to convert existing residential and office development on their own parcel and allocated residential and office development available within their Development Zone to visitor-serving, marine commercial or other coastal-oriented uses.

STAFF USE ONLY

PROJECT NUMBERS: *R2006-01510 (OT) & R2006-02726 (21)*
CASES : *RCDPT200600002 & RCDPT200600003*
RENVT200600109 & RENVT200600177
RCUPT200600115 & RCUPT200600223
RPKPT200600009 & RPKPT200600015
RPAT200600005 & RPAT200600010

****** INITIAL STUDY ******

COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING

GENERAL INFORMATION

I.A. Map Date: *March 10, 2006 and May 2006* Staff Member: *Rick Kuo*

Thomas Guide: *671 - J6 and 671-J7 & 672-A7* USGS Quad: *Venice*

Location: *4445 Admiralty Way (Parcel OT), and 14025 Panay Way (Parcel 21), Marina Del Rey, CA*

Description of Project: *Proposed are two development projects requiring Conditional Use Permits, Coastal Development Permits, Parking Permits, and Plan Amendments to the Marina Del Rey Specific Plan for the transfer of development potential between Lots OT, 21, and 20. The Plan Amendment on Lot OT is to designate the parcel for Hotel land use with a mixed-use overlay and to transfer 114 hotel spaces and 5,000 s.f. of office space from the Admiralty Development Zone to the Oxford Development Zone. The project also proposes to build a six-story, 114-unit retirement facility with 5,000 s.f. of retail space with a 248-space, partially subterranean parking structure and to relocate 94 of its 186 existing and required parking spaces to lot 21. The proposed retirement facility will operate 24 hours a day and be staffed by 65 employees in 4 shifts with a maximum of 35 employees per shift. There are various non-native trees and shrubs on-site that will be removed. The proposed project on Lot 21 is to demolish two existing buildings and replace them with a new five-story, 29,348 s.f. marine commercial building with a 447-space parking structure. This marine commercial building will house the currently existing 2,916 s.f. of marine commercial retail space and 3,132 s.f. of marine commercial offices and a 5,000 s.f. yacht club and 2,300 s.f. of marine commercial office space transferred from Lot 20. In addition, a health club from the other existing building (16,000 s.f.) on Lot 21 will be relocated to the new proposed marine commercial building with a 10,000 s.f. health club and 6,000 s.f. of new marine commercial office space. The proposed marine commercial building will operate 8 to 12 hours a day and be staffed by 76 employees in 2 to 3 shifts with a maximum of 35 to 45 employees per shift. The City of Los Angeles Hyperion Treatment Plant and the Los Angeles County Waterworks District #80 will serve the two project sites. Project sites' accesses are from Admiralty Way and Washington Blvd. for Parcel OT and Panay Way for Parcel 21.*

Gross Area: *2.1 acres and 2.55 acres*

Environmental Setting: *Both project sites are located in the unincorporated Los Angeles County community of Marina Del Rey adjacent to its small craft harbor, and are approximately 3/4 mile west of Lincoln Boulevard (State Route 1) and south of Washington Boulevard. Surrounding land uses consist of single- and multi-family residences and commercial establishments. There is a brackish lagoon (Oxford Basin) immediately to the east of Parcel OT which is currently used as an open parking lot. Basin D of the Marina is directly north of Parcel 21. Both project sites are at approximately 10 feet above mean sea level.*

Zoning: *Parking (Parcel OT) and Marine Commercial (Parcel 21)*

General Plan: *Marina Del Rey Specific Plan*

Community/Area Wide Plan: *Marina Del Rey Land Use Plan*

Major projects in area:

Project Number	Description & Status
R2005-04106	*Addition of 69 new rooms to existing hotel (Pending).*
R2005-00728	*Sale of alcohol and expansion of existing parking lot (Pending).*
R2005-00234	*544-unit apartment community in 12 structures (Approved 6/7/06).*
CDP/CP3-029	*179 apartment units with density bonus (Approved 1/27/03).*
CDP/CP98134	*1022 apartment units/10,000 s.f. retail, 439 boat slips (Approved 12/6/00).*
CDP/CP98172	*99 apartment units, yacht club, offices, parking structure (Approved 10/2/00).*

NOTE: For EIRs, above projects are not sufficient for cumulative analysis.

REVIEWING AGENCIES

Responsible Agencies

- ☐ None
- ☒ Regional Water Quality Control Board
  - ☒ Los Angeles Region
  - ☐ Lahontan Region
- ☒ Coastal Commission
- ☒ Army Corps of Engineers
- ☒ *US Fish & Wildlife (Carlsbad)*

Trustee Agencies

- ☐ None
- ☒ State Fish and Game
- ☐ State Parks
- ☐ _____
- ☐ _____

Special Reviewing Agencies

- ☐ None
- ☐ Santa Monica Mountains Conservancy
- ☐ National Parks
- ☐ National Forest
- ☐ Edwards Air Force Base
- ☐ Resource Conservation District of the Santa Monica Mtns.
- ☒ *City of Los Angeles*
- ☒ *Culver City*
- ☒ *Los Angeles City Public Works*
- ☒ *AQMD*
- ☒ *Coalition to Save the Marina*
- ☒ *Native American Heritage Commission*

Regional Significance

- ☒ None
- ☐ SCAG Criteria
- ☐ Air Quality
- ☐ Water Resources
- ☐ Santa Monica Mtns. Area

County Reviewing Agencies

- ☐ Subdivision Committee
- ☒ DPW: *Traffic & Lighting, Geotechnical & Materials Engineering, Waterworks and Sewer Maintenance, EP*
- ☒ Health Services: *Environmental Hygiene*
- ☒ *Beaches and Harbors*
- ☒ *Sanitation Districts*
- ☒ *Sheriff's and Fire*

IMPACT ANALYSIS MATRIX

CATEGORY	FACTOR	Pg	Less than Significant Impact/No Impact	Less than Significant Impact with Project Mitigation	Potentially Significant Impact	Potential Concern
HAZARDS	1. Geotechnical	5	☐	☐	☒	*Liquefaction area*
	2. Flood	6	☐	☒	☐	*Tsunami inundation area (to be addressed with Geotechnical Hazards)*
	3. Fire	7	☒	☐	☐	
	4. Noise	8	☐	☐	☒	*Construction, adjacent residential uses*
RESOURCES	1. Water Quality	9	☐	☐	☒	*Proximity to water bodies, NPDES*
	2. Air Quality	10	☐	☐	☒	*Parking lot and parking structure, construction*
	3. Biota	11	☐	☒	☐	*Removal of trees for bird nesting*
	4. Cultural Resources	12	☐	☒	☐	*Potential for on-site prehistoric and historic archaeological resources*
	5. Mineral Resources	13	☒	☐	☐	
	6. Agriculture Resources	14	☒	☐	☐	
	7. Visual Qualities	15	☐	☐	☒	*Height of proposed structure*
SERVICES	1. Traffic/Access	16	☐	☐	☒	*Cumulative impacts*
	2. Sewage Disposal	17	☒	☐	☐	
	3. Education	18	☒	☐	☐	
	4. Fire/Sheriff	19	☒	☐	☐	
	5. Utilities	20	☐	☐	☒	*Water supply*
OTHER	1. General	21	☒	☐	☐	
	2. Environmental Safety	22	☐	☒	☐	*Methane gas hazard (Parcel OT)*
	3. Land Use	23	☐	☐	☒	*Plan Amendments sought*
	4. Pop./Hous./Emp./Rec.	24	☒	☐	☐	
	Mandatory Findings	25	☐	☐	☒	

DEVELOPMENT MONITORING SYSTEM (DMS) *

As required by the Los Angeles County General Plan, DMS shall be employed in the Initial Study phase of the environmental review procedure as prescribed by state law.

1. Development Policy Map Designation: *Category 2: Conservation/Maintenance*
2. ☐ Yes ☒ No Is the project located in the Antelope Valley, East San Gabriel Valley, Malibu/Santa Monica Mountains or Santa Clarita Valley planning area?
3. ☐ Yes ☒ No Is the project at urban density and located within, or proposes a plan amendment to, an urban expansion designation?

If both of the above questions are answered "yes", the project is subject to a County DMS analysis.

☐ Check if DMS printout generated (attached)

Date of printout: _____

☐ Check if DMS overview worksheet completed (attached)

*EIRs and/or staff reports shall utilize the most current DMS information available.

Environmental Finding:

FINAL DETERMINATION: On the basis of this Initial Study, the Department of Regional Planning finds that this project qualifies for the following environmental document:

☐ NEGATIVE DECLARATION, inasmuch as the proposed project will not have a significant effect on the environment.

An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was determined that this project will not exceed the established threshold criteria for any environmental/service factor and, as a result, will not have a significant effect on the physical environment.

☐ MITIGATED NEGATIVE DECLARATION, inasmuch as the changes required for the project will reduce impacts to insignificant levels (see attached discussion and/or conditions).

An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was originally determined that the proposed project may exceed established threshold criteria. The applicant has agreed to modification of the project so that it can now be determined that the project will not have a significant effect on the physical environment. The modification to mitigate this impact(s) is identified on the Project Changes/Conditions Form included as part of this Initial Study.

☒ ENVIRONMENTAL IMPACT REPORT*, inasmuch as there is substantial evidence that the project may have a significant impact due to factors listed above as "significant."

☐ At least one factor has been adequately analyzed in an earlier document pursuant to legal standards, and has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets (see attached Form DRP/IA 101). The EIR is required to analyze only the factors not previously addressed.

Reviewed by: Rick Kim Date: 1-30-07

Approved by: Paul McCarthy Date: 1-30-07

☐ This proposed project is exempt from Fish and Game CEQA filling fees. There is no substantial evidence that the proposed project will have potential for an adverse effect on wildlife or the habitat upon which the wildlife depends. (Fish & Game Code 753.5).

☐ Determination appealed--see attached sheet.

*NOTE: Findings for Environmental Impact Reports will be prepared as a separate document following the public hearing on the project.

HAZARDS - 1. Geotechnical

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☒	☐	☐	Is the project site located in an active or potentially active fault zone, Seismic Hazards Zone, or Alquist-Priolo Earthquake Fault Zone? *Liquefaction (State of CA Seismic Hazard Zones Map - Venice Quad).*
b.	☐	☒	☐	Is the project site located in an area containing a major landslide(s)? *(State of CA Seismic Hazard Zones Map - Venice Quad).*
c.	☐	☒	☐	Is the project site located in an area having high slope instability?
d.	☒	☐	☐	Is the project site subject to high subsidence, high groundwater level, liquefaction, or hydrocompaction? *Liquefaction (State of CA Seismic Hazard Zones Map - Venice Quad).*
e.	☐	☒	☐	Is the proposed project considered a sensitive use (school, hospital, public assembly site) located in close proximity to a significant geotechnical hazard?
f.	☐	☒	☐	Will the project entail substantial grading and/or alteration of topography including slopes of more than 25%? *Parcel OT - 4,755 c.y. and Parcel 21 - 3,986 c.y. with small quantity to be exported from both parcels.*
g.	☐	☒	☐	Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
h.	☐	☐	☐	Other factors?

STANDARD CODE REQUIREMENTS

☐ Building Ordinance No. 2225 C Sections 308B, 309, 310 and 311 and Chapters 29 and 70.

☐ **MITIGATION MEASURES** / ☐ **OTHER CONSIDERATIONS**

☐ Lot Size ☐ Project Design ☒ Approval of Geotechnical Report by DPW

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by, **geotechnical** factors?

☒ Potentially significant ☐ Less than significant with project mitigation ☐ Less than significant/No impact

HAZARDS - 2. Flood

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Is a major drainage course, as identified on USGS quad sheets by a dashed line, located on the project site? *(State of CA Seismic Hazard Zones Map - Venice Quad).*
b.	☐	☐	☒	Is the project site located within or does it contain a floodway, floodplain, or designated flood hazard zone? *Tsunami inundation area (LA County Safety Element - Flood Inundation Hazards Map).*
c.	☐	☒	☐	Is the project site located in or subject to high mudflow conditions?
d.	☐	☒	☐	Could the project contribute or be subject to high erosion and debris deposition from run off? *A brackish lagoon is located immediately to the east of Parcel OT. Surface runoff from project site during construction and throughout life of the project could affect the water quality of the lagoon. Runoff from Parcel 21 during construction may drain into the Marina to the north.*
e.	☐	☒	☐	Would the project substantially alter the existing drainage pattern of the site or area?
f.	☐	☐	☐	Other factors (e.g., dam failure)?

STANDARD CODE REQUIREMENTS

☐ Building Ordinance No. 2225 C Section 308A ☐ Ordinance No. 12,114 (Floodways)
☒ Approval of Drainage Concept by DPW

☒ MITIGATION MEASURES / ☒ OTHER CONSIDERATIONS

☐ Lot Size ☐ Project Design

Tsunami inundation to be addressed with Geotechnical Hazards. Runoff, SUSMP/SWPPP, and BMPs to be address with Water Quality.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by **flood (hydrological)** factors?

☐ Potentially significant ☒ Less than significant with project mitigation ☐ Less than significant/No impact

HAZARDS - 3. Fire

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Is the project site located in a Very High Fire Hazard Severity Zone (Fire Zone 4)? *(LA County Safety Element - Wildland and Urban Fire Hazards Map).*
b.	☐	☒	☐	Is the project site in a high fire hazard area and served by inadequate access due to lengths, widths, surface materials, turnarounds or grade? *Project site access for Parcel OT are from Admiralty Way and Washington Blvd., and Panay Way for Parcel 21.*
c.	☐	☒	☐	Does the project site have more than 75 dwelling units on a single access in a high fire hazard area?
d.	☐	☒	☐	Is the project site located in an area having inadequate water and pressure to meet fire flow standards? *Served by the LA County Waterworks District #80.*
e.	☐	☒	☐	Is the project site located in close proximity to potential dangerous fire hazard conditions/uses (such as refineries, flammables, explosives manufacturing)?
f.	☐	☒	☐	Does the proposed use constitute a potentially dangerous fire hazard?
g.	☐	☐	☐	Other factors?

STANDARD CODE REQUIREMENTS

☐ Water Ordinance No. 7834 ☐ Fire Ordinance No. 2947 ☐ Fire Regulation No. 8

☐ Fuel Modification/Landscape Plan

☐ **MITIGATION MEASURES** / ☐ **OTHER CONSIDERATIONS**

☐ Project Design ☐ Compatible Use

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by **fire hazard** factors?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

HAZARDS - 4. Noise

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Is the project site located near a high noise source (airports, railroads, freeways, industry)? *Both project sites are approximately 3/4 mile west of Lincoln Boulevard (State Route 1).*
b.	☒	☐	☐	Is the proposed use considered sensitive (school, hospital, senior citizen facility) or are there other sensitive uses in close proximity? *Residential uses are adjacent to the proposed project sites.*
c.	☐	☐	☒	Could the project substantially increase ambient noise levels including those associated with special equipment (such as amplified sound systems) or parking areas associated with the project? *Operational noises typical of urban evironment.*
d.	☒	☐	☐	Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project? *Noise from construction and construction equipment.*
e.	☐	☐	☐	Other factors? _____

STANDARD CODE REQUIREMENTS

☒ Noise Control – Chapter 12.8 ☐ Building Ordinance No. 2225--Chapter 35

☐ **MITIGATION MEASURES** / ☐ **OTHER CONSIDERATIONS**

☐ Lot Size ☐ Project Design ☐ Compatible Use

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by **noise**?

☒ Potentially significant ☐ Less than significant with project mitigation ☐ Less than significant/No impact

RESOURCES - 1. Water Quality

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Is the project site located in an area having known water quality problems and proposing the use of individual water wells? *Both project sites will be served by the LA County Waterworks District #80.*
b.	☐	☒	☐	Will the proposed project require the use of a private sewage disposal system? *Both project sites will be served by the Los Angeles City Hyperion Treatment Plant.*
	☐	☐	☐	If the answer is yes, is the project site located in an area having known septic tank limitations due to high groundwater or other geotechnical limitations *or* is the project proposing on-site systems located in close proximity to a drainage course?
c.	☐	☐	☒	Could the project's associated construction activities significantly impact the quality of groundwater and/or storm water runoff to the storm water conveyance system and/or receiving water bodies? *Surface runoff from Parcel 21 during construction may drain into the Marina.*
d.	☐	☐	☒	Could the project's post-development activities potentially degrade the quality of storm water runoff and/or could post-development non-storm water discharges contribute potential pollutants to the storm water conveyance system and/or receiving bodies? *NPDES permit required.*
e.	☐	☐	☒	Other factors? *Proximity to Mother's Beach and Marina (Parcel 21) and Oxford Basin (Parcel OT).*

STANDARD CODE REQUIREMENTS

☐ Industrial Waste Permit ☐ Health Code Ordinance No. 7583, Chapter 5

☐ Plumbing Code Ordinance No. 2269 ☒ NPDES Permit Compliance (DPW)

☐ **MITIGATION MEASURES** / ☐ **OTHER CONSIDERATIONS**

☐ Lot Size ☐ Project Design

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by, **water quality** problems?

☒ Potentially significant ☐ Less than significant with project mitigation ☐ Less than significant/No impact

RESOURCES - 2. Air Quality

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Will the proposed project exceed the State's criteria for regional significance (generally (a) 500 dwelling units for residential uses or (b) 40 gross acres, 650,000 square feet of floor area or 1,000 employees for nonresidential uses)?
b.	☐	☒	☐	Is the proposal considered a sensitive use (schools, hospitals, parks) and located near a freeway or heavy industrial use?
c.	☐	☐	☒	Will the project increase local emissions to a significant extent due to increased traffic congestion or use of a parking structure, or exceed AQMD thresholds of potential significance per Screening Tables of the CEQA Air Quality Handbook? *Two lower levels for parking structure on Parcel OT and transfer of 94 parking spaces to existing surface parking lot on Parcel 21.*
d.	☐	☐	☒	Will the project generate or is the site in close proximity to sources which create obnoxious odors, dust, and/or hazardous emissions? *Temporary construction.*
e.	☐	☒	☐	Would the project conflict with or obstruct implementation of the applicable air quality plan?
f.	☐	☒	☐	Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?
g.	☒	☐	☐	Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? *Project site in non-attainment area.*
h.	☐	☐	☐	Other factors:

STANDARD CODE REQUIREMENTS

☐ Health and Safety Code Section 40506

☐ **MITIGATION MEASURES** / ☐ **OTHER CONSIDERATIONS**

☐ Project Design ☒ Air Quality Report

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by, **air quality**?

☒ Potentially significant ☐ Less than significant with project mitigation ☐ Less than significant/No impact

RESOURCES - 3. Biota

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Is the project site located within a Significant Ecological Area (SEA), SEA Buffer, or coastal Sensitive Environmental Resource (ESHA, etc.), or is the site relatively undisturbed and natural? *SEA #29 (Ballona Creek) is one mile to the southeast of Parcels OT and 21.*
b.	☐	☒	☐	Will grading, fire clearance, or flood related improvements remove substantial natural habitat areas? *Grading in the amounts of 4,755 c.y. for Parcel OT and 3,986 c.y. for Parcel 21.*
c.	☐	☒	☐	Is a drainage course located on the project site that is depicted on USGS quad sheets by a dashed blue line or that may contain a bed, channel, or bank of any perennial, intermittent or ephemeral river, stream, or lake?
d.	☐	☐	☒	Does the project site contain a major riparian or other sensitive habitat (e.g., coastal sage scrub, oak woodland, sycamore riparian woodland, wetland, etc.)? *Parcel OT is adjacent to the Oxford Basin.*
e.	☐	☒	☐	Does the project site contain oak or other unique native trees (specify kinds of trees)?
f.	☐	☒	☐	Is the project site habitat for any known sensitive species (federal or state listed endangered, etc.)?
g.	☐	☐	☒	Other factors (e.g., wildlife corridor, adjacent open space linkage)? *Trees on Parcel OT may provide nesting for Black-crowned night herons.*

☒ MITIGATION MEASURES / ☐ OTHER CONSIDERATIONS

☐ Lot Size ☐ Project Design ☐ Oak Tree Permit ☐ ERB/SEATAC Review

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on **biotic resources**?

☐ Potentially significant ☒ Less than significant with project mitigation ☐ Less than significant/No impact

RESOURCES - 4. Archaeological / Historical / Paleontological

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☐	☒	Is the project site in or near an area containing known archaeological resources or containing features (drainage course, spring, knoll, rock outcroppings, or oak trees) which indicate potential archaeological sensitivity? *Historic Venice Landfill may have extended onto Parcels OT and 21, potential for prehistoric and historic archaeological resources.*
b.	☐	☒	☐	Does the project site contain rock formations indicating potential paleontological resources?
c.	☐	☒	☐	Does the project site contain known historic structures or sites?
d.	☐	☐	☒	Would the project cause a substantial adverse change in the significance of a historical or archaeological resource as defined in 15064.5? *Historic Venice Landfill may have extended onto Parcels OT and 21, potential for prehistoric and historic archaeological resources.*
e.	☐	☒	☐	Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
f.	☐	☐	☐	Other factors?

☒ **MITIGATION MEASURES** / ☐ **OTHER CONSIDERATIONS**

☐ Lot Size ☐ Project Design ☒ Phase I Archaeology Report

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **archaeological, historical**, or **paleontological** resources?

☐ Potentially significant ☒ Less than significant with project mitigation ☐ Less than significant/No impact

RESOURCES - 5. Mineral Resources

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
b.	☐	☒	☐	Would the project result in the loss of availability of a locally important mineral resource discovery site delineated on a local general plan, specific plan or other land use plan?
c.	☐	☐	☐	Other factors?

☐ **MITIGATION MEASURES** / ☐ **OTHER CONSIDERATIONS**

☐ Lot Size ☐ Project Design

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **mineral** resources?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

RESOURCES - 6. Agriculture Resources

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? *(Los Angeles County Important Farmland 2002 Map).*
b.	☐	☒	☐	Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?
c.	☐	☒	☐	Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?
d.	☐	☐	☐	Other factors?

☐ **MITIGATION MEASURES** / ☐ **OTHER CONSIDERATIONS**

☐ Lot Size ☐ Project Design

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **agriculture** resources?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

RESOURCES - 7. Visual Qualities

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☐	☒	Is the project site substantially visible from or will it obstruct views along a scenic highway (as shown on the Scenic Highway Element), or is it located within a scenic corridor or will it otherwise impact the viewshed? *The proposed marine commercial building may obstruct views of Mother's Beach and Basin D of the Marina; view corridor is required.*
b.	☐	☒	☐	Is the project substantially visible from or will it obstruct views from a regional riding or hiking trail? *(Los Angeles County Trail System Map).*
c.	☐	☒	☐	Is the project site located in an undeveloped or undisturbed area, which contains unique aesthetic features?
d.	☐	☒	☐	Is the proposed use out-of-character in comparison to adjacent uses because of height, bulk, or other features?
e.	☒	☐	☐	Is the project likely to create substantial sun shadow, light or glare problems? *Parcel OT proposes a six-story facility, two of which are partially subterranean.*
f.	☐	☐	☐	Other factors (e.g., grading or land form alteration):

☐ **MITIGATION MEASURES** / ☐ **OTHER CONSIDERATIONS**

☐ Lot Size ☐ Project Design ☐ Visual Report ☐ Compatible Use

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on **scenic** qualities?

☒ Potentially significant ☐ Less than significant with project mitigation ☐ Less than significant/No impact

SERVICES - 1. Traffic/Access

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☒	☐	☐	Does the project contain 25 dwelling units, or more and is it located in an area with known congestion problems (roadway or intersections)? *Proposed 114-unit retirement facility on Parcel OT and commercial offices on Parcel 21.*
b.	☐	☒	☐	Will the project result in any hazardous traffic conditions?
c.	☐	☐	☒	Will the project result in parking problems with a subsequent impact on traffic conditions? *Required parking provided with a 248-space parking structure on Parcel OT and 447 parking spaces on Parcel 21.*
d.	☐	☐	☒	Will inadequate access during an emergency (other than fire hazards) result in problems for emergency vehicles or residents/employees in the area? *Fire lane required along Marina-side of parcel.*
e.	☐	☐	☒	Will the congestion management program (CMP) Transportation Impact Analysis thresholds of 50 peak hour vehicles added by project traffic to a CMP highway system intersection or 150 peak hour trips added by project traffic to a mainline freeway link be exceeded?
f.	☐	☒	☐	Would the project conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?
g.	☒	☐	☐	Other factors? *Cumulative Marina traffic impacts.*

☐ **MITIGATION MEASURES** / ☐ **OTHER CONSIDERATIONS**

☐ Project Design ☒ Traffic Report ☒ Consultation with Traffic & Lighting Division

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **traffic/access** factors?

☒ Potentially significant ☐ Less than significant with project mitigation ☐ Less than significant/No impact

SERVICES - 2. Sewage Disposal

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	If served by a community sewage system, could the project create capacity problems at the treatment plant? *To be serviced by the City of Los Angeles Hyperion Treatment Plant.*
b.	☐	☒	☐	Could the project create capacity problems in the sewer lines serving the project site? *Existing County and City of Los Angeles sewage infrastructure is adequate to serve the proposed projects.*
c.	☐	☐	☐	Other factors? _____

STANDARD CODE REQUIREMENTS

☐ Sanitary Sewers and Industrial Waste Ordinance No. 6130

☐ Plumbing Code Ordinance No. 2269

☐ MITIGATION MEASURES / ☐ OTHER CONSIDERATIONS

_____

_____

_____

_____

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **sewage disposal** facilities?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

SERVICES - 3. Education

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Could the project create capacity problems at the district level? *Senior residential and commercial/office uses proposed.*
b.	☐	☒	☐	Could the project create capacity problems at individual schools which will serve the project site?
c.	☐	☒	☐	Could the project create student transportation problems?
d.	☐	☒	☐	Could the project create substantial library impacts due to increased population and demand?
e.	☐	☐	☐	Other factors?

☐ **MITIGATION MEASURES** / ☐ **OTHER CONSIDERATIONS**

☐ Site Dedication ☐ Government Code Section 65995 ☐ Library Facilities Mitigation Fee

Student-generating residential uses not proposed.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **educational** facilities/services?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impac

SERVICES - 4. Fire/Sheriff Services

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Could the project create staffing or response time problems at the fire station or sheriff's substation serving the project site?
b.	☐	☒	☐	Are there any special fire or law enforcement problems associated with the project or the general area?
c.	☐	☐	☐	Other factors?

☐ **MITIGATION MEASURES** / ☒ **OTHER CONSIDERATIONS**

☐ Fire Mitigation Fees

Nearest Fire station is less than a mile away at 4433 Admiralty Way, Marina Del Rey, CA 90292.

Nearest Sheriff's station is less than a mile away at 13851 Fiji Way, Marina Del Rey, CA 90292.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **fire/sheriff** services?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

SERVICES - 5. Utilities/Other Services

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☐	☒	Is the project site in an area known to have an inadequate public water supply to meet domestic needs or to have an inadequate ground water supply and proposes water wells? *Water supply will be provided by the LA County Waterworks District #80.*
b.	☐	☐	☒	Is the project site in an area known to have an inadequate water supply and/or pressure to meet fire fighting needs? *Water usage in the Marina Del Rey is near the entitlement limit.*
c.	☐	☒	☐	Could the project create problems with providing utility services, such as electricity, gas, or propane?
d.	☐	☐	☒	Are there any other known service problem areas (e.g., solid waste)? *Solid waste generated by demolition/construction and operation of mixed-use retirement facility and commercial offices.*
e.	☐	☒	☐	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services or facilities (e.g., fire protection, police protection, schools, parks, roads)?
f.	☐	☐	☐	Other factors?

STANDARD CODE REQUIREMENTS

☐ Plumbing Code Ordinance No. 2269 ☐ Water Code Ordinance No. 7834

☐ **MITIGATION MEASURES** / ☒ **OTHER CONSIDERATIONS**

☐ Lot Size ☐ Project Design

The applicant shall obtain proof of availability of adequate water supply to Parcels OT and 21 and provide a recycling plan addressing waste generated during project operation. Solid waste generated by demolition/construction to be addressed in the EIR Project Description.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **utilities/services**?

☒ Potentially significant ☐ Less than significant with project mitigation ☐ Less than significant/No impact

OTHER FACTORS - 1. General

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Will the project result in an inefficient use of energy resources?
b.	☐	☒	☐	Will the project result in a major change in the patterns, scale, or character of the general area or community?
c.	☐	☒	☐	Will the project result in a significant reduction in the amount of agricultural land?
d.	☐	☐	☐	Other factors?

STANDARD CODE REQUIREMENTS

☐ State Administrative Code, Title 24, Part 5, T-20 (Energy Conservation)

☐ MITIGATION MEASURES / ☐ OTHER CONSIDERATIONS

☐ Lot size ☐ Project Design ☐ Compatible Use

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to any of the above factors?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

OTHER FACTORS - 2. Environmental Safety

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Are any hazardous materials used, transported, produced, handled, or stored on-site?
b.	☐	☒	☐	Are any pressurized tanks to be used or any hazardous wastes stored on-site?
c.	☐	☒	☐	Are any residential units, schools, or hospitals located within 500 feet and potentially adversely affected?
d.	☐	☒	☐	Have there been previous uses that indicate residual soil toxicity of the site or is the site located within two miles downstream of a known groundwater contamination source within the same watershed?
e.	☒	☐	☐	Would the project create a significant hazard to the public or the environment involving the accidental release of hazardous materials into the environment? *Parcel OT lies within Methane Buffer Zone for the Playa Del Rey and Venice fields (LA County Department of Building and Safety.*
f.	☐	☒	☐	Would the project emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
g.	☐	☒	☐	Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or environment?
h.	☐	☒	☐	Would the project result in a safety hazard for people in a project area located within an airport land use plan, within two miles of a public or public use airport, or within the vicinity of a private airstrip?
I.	☐	☒	☐	Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
j.	☐	☒	☐	Other factors?

☐ **MITIGATION MEASURES** / ☒ **OTHER CONSIDERATIONS**

☐ Toxic Clean up Plan

Mitigation improvements are typically required where subsurface methane concentrations exceeds 5,000 ppm, and concentrations as high as 28,000 ppm were measured at Parcel OT.

CONCLUSION

Considering the above information, could the project have a significant impact relative to **public safety**?

☐ Potentially significant ☒ Less than significant with project mitigation ☐ Less than significant/No impact

OTHER FACTORS - 3. Land Use

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☒	☐	☐	Can the project be found to be inconsistent with the plan designation(s) of the subject property? *Plan Amendment for Lot OT to change land use from Parking to Hotel and to transfer 114 hotel spaces and 5,000 s.f. of office space from the Admiralty Development Zone to the Oxford Development Zone.*
b.	☒	☐	☐	Can the project be found to be inconsistent with the zoning designation of the subject property? *Retirement facility is proposed on Parcel OT, and 94 proposed parking spaces are transferred to Parcel 21 which is 3/5 mile away.*
c.				Can the project be found to be inconsistent with the following applicable land use criteria:
	☐	☒	☐	Hillside Management Criteria?
	☐	☒	☐	SEA Conformance Criteria?
	☐	☐	☐	Other?
d.	☐	☒	☐	Would the project physically divide an established community?
e.	☐	☐	☐	Other factors?

☐ **MITIGATION MEASURES** / ☐ **OTHER CONSIDERATIONS**

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **land use** factors?

☒ Potentially significant ☐ Less than significant with project mitigation ☐ Less than significant/No impact

OTHER FACTORS - 4. Population/Housing/Employment/Recreation

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Could the project cumulatively exceed official regional or local population projections?
b.	☐	☒	☐	Could the project induce substantial direct or indirect growth in an area (e.g., through projects in an undeveloped area or extension of major infrastructure)?
c.	☐	☒	☐	Could the project displace existing housing, especially affordable housing?
d.	☐	☒	☐	Could the project result in a substantial job/housing imbalance or substantial increase in Vehicle Miles Traveled (VMT)?
e.	☐	☐	☒	Could the project require new or expanded recreational facilities for future residents? *Project will increase residential units for seniors, which requires additional recreational facilities in the Marina area.*
f.	☐	☒	☐	Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?
g.	☐	☐	☐	Other factors?

☐ **MITIGATION MEASURES** / ☒ **OTHER CONSIDERATIONS**

Development on Parcel OT will increase residential units for senior but will provide on-site recreational amenities. Parcel 21 includes a park plaza and pedestrian promenade.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **population, housing, employment**, or **recreational** factors?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

MANDATORY FINDINGS OF SIGNIFICANCE

Based on this Initial Study, the following findings are made:

	Yes	No	Maybe	
a.	☐	☒	☐	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?
b.	☐	☐	☒	Does the project have possible environmental effects which are individually limited but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. *Traffic, Air Quality*
c.	☐	☐	☒	Will the environmental effects of the project cause substantial adverse effects on human beings, either directly or indirectly? *Geotechnical Hazards, Water Quality, Air Quality, Noise, Environmental Safety*

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the environment?

☒ Potentially significant ☐ Less than significant with project mitigation ☐ Less than significant/No impact

NOTICE OF PREPARATION

DATE: March 1, 2007

PROJECT TITLE: Oceana Retirement Facility (Parcel OT) and Holiday Harbor Courts (Parcel 21) Project EIR
County Project Nos. R2006-01510 (OT) and R2006-02726 (21)
Environmental Nos. RENVT200600109 (OT) and RENVT200600177 (21)
Coastal Development Permit Nos. RCDPT200600002 (OT) and RCDPT200600003 (21)
Conditional Use Permit Nos. RCUPT200600115 (OT) and RCUPT200600223 (21)
Parking Permit Nos. RPKPT200600009 (OT) and RPKPT200600015 (21)
General Plan Amendment Nos. RPAT200600005 (OT) and RPAT200600010 (21)

PROJECT APPLICANT(s):

Parcel OT
MDR Oceana, LLC
5150 Overland Avenue
Culver City, California 90230

Parcel 21
Holiday-Panay Way Marina, L.P.
5150 Overland Avenue
Culver City, California 90230

LEAD AGENCY:

Rick Kuo
Los Angeles County Regional Planning Department
Department of Regional Planning
320 West Temple Street, Room 1348
Los Angeles, CA 90012
Tel: (626) 974-6461
Fax: (213) 626-0434

The County of Los Angeles, as lead agency under the California Environmental Quality Act (CEQA), will prepare an Environmental Impact Report (EIR) for the Oceana Retirement Facility and Holiday Harbor Courts Project. In compliance with CEQA Guidelines Section 15082, the County of Los Angeles is sending this Notice of Preparation (NOP) to responsible and trustee agencies involved in the project. The EIR may be utilized to provide environmental analysis pertaining to responsible and trustee agency approvals. As such, the purpose of the NOP is to solicit comments on the scope and content of the EIR germane to each agency's statutory responsibility with respect to the proposed project. This NOP is also being sent to other parties expressing interest in receiving such notices, for comment within their areas of interest.

The review period for the NOP will be from March 1 to March 30, 2007. Due to the time limits mandated by State law, your response must be received by our office at the earliest date possible, but not later than April 4, 2007. Please direct all written comments to the above address. In your written response, please include the name of a contact person in your agency.

PROJECT DESCRIPTION:

Holiday-Panay Way Marina, L.P. and MDR Oceana, LLC (applicants) are proposing residential and commercial development of Parcels OT and 21 of the Marina del Rey (Marina) Land Use Plan (LUP). The Los Angeles County (County) is the landowner of both Parcels, and the County Department of Beaches and Harbors serves as co-applicant on this and all projects on County-owned land within the Marina. Holiday-Panay Way Marina, L.P. and MDR Oceana, LLC. are therefore lessees of the sites.

MDR Oceana, LLC proposes the Oceana Retirement Facility for Parcel OT, which is a 2.10-acre site on Admiralty Way in the Oxford Development Zone (DZ) #6 of the Marina del Rey LUP. The proposed Oceana Retirement Facility (Parcel OT) is proposed to be developed with a six-floor, 114-unit retirement facility, which would house an estimated population of 145 residents (assuming a 90 percent occupancy at any given time).[1] The facility would include retail space, a lobby, two lounges, two card rooms, a chapel, administration and reception offices, a dining room, a library, arts and crafts room, laundry facilities, a trash and mailroom, a kitchen, a beauty salon, and on-site parking.

Holiday-Panay Way Marina, L.P. proposes the Holiday Harbor Courts commercial development for Parcel 21, which is a 2.55-acre site on Panay Way in the Panay Development Zone (DZ #4) of the Marina del Rey LUP. The proposed Holiday Harbor Courts project (Parcel 21) would replace existing on-site marine commercial office, health club, and retail uses with a new five-floor structure housing marine commercial office, health club, yacht club, and retail uses, as well as a public park plaza, promenade, and on-site parking.

PROJECT LOCATION:

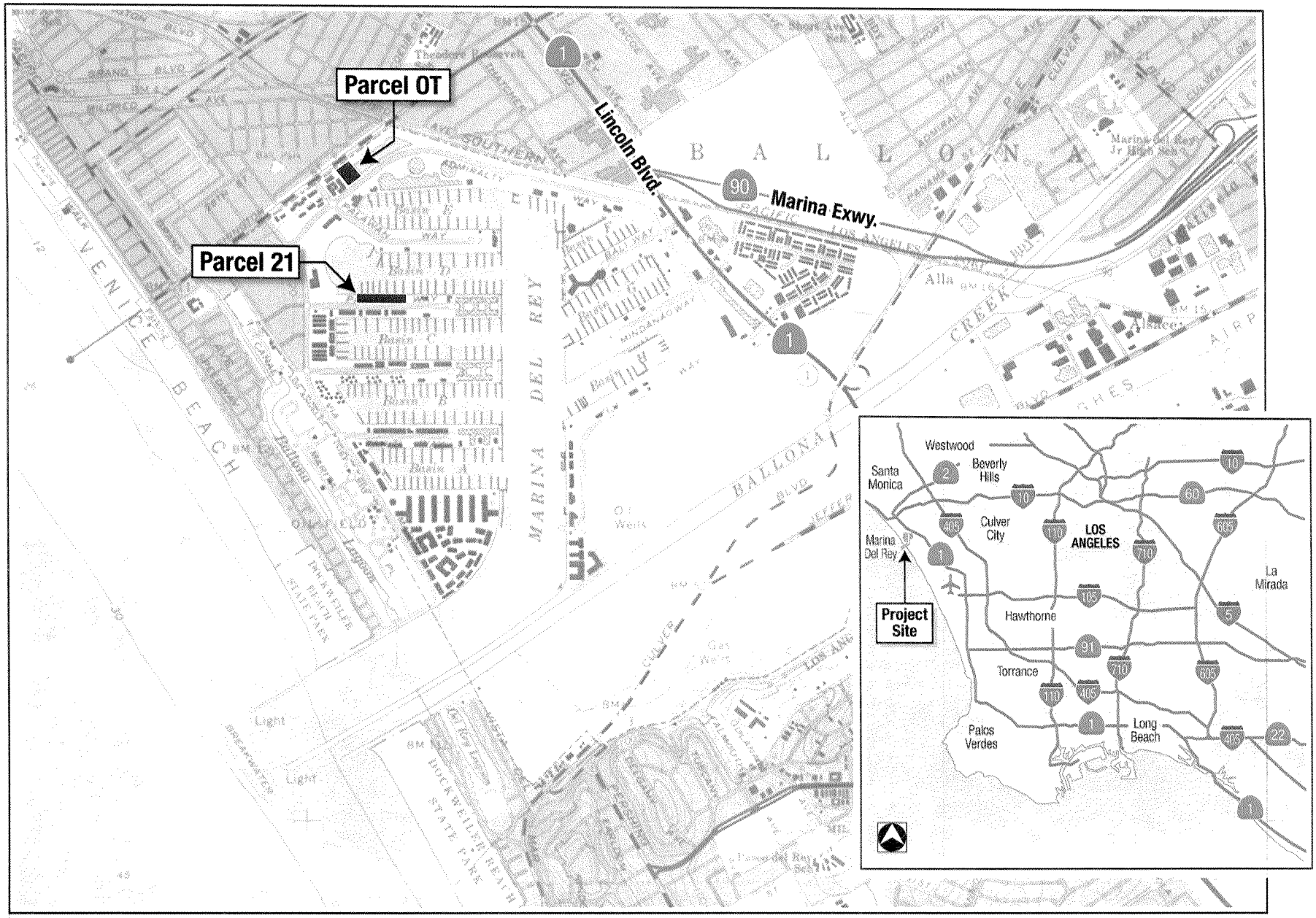
The proposed project is located within the unincorporated County community of Marina del Rey, with the surrounding region including the Pacific Ocean to the west, community of Venice to the north, community of Playa del Rey and the Los Angeles International Airport (LAX) to the south, and the terminus of State Highway 90 (Marina Expressway) at Lincoln Boulevard (State Highway 1) to the east (refer to **Figure 1**). Both developments are located on the United States Geological Survey (USGS) 7.5 minute Venice Topographic Quadrangle; however, the specific areas on which Parcels OT and 21 are sited were not covered by the Public Land Survey System (PLSS). Rather, they are identified as being part of the Spanish/Mexican Land Grant System, specifically Rancho Ballona. As depicted on the Venice Topographic Quadrangle, the location of Parcel OT is 33° 59' 5" north latitude and 118° 27' 20" west longitude, and the location of Parcel 21 is 33° 58' 45" north latitude and 118° 27' 15" west longitude. Parcel OT is also denoted as Assessor's Parcel Number (APN) 4224-006-900 at 4445 Admiralty Way, and Parcel 21 is APN 8940-370-022 at 14025 Panay Way.

ENVIRONMENTAL SETTING:

The Oceana Retirement Facility project site (Parcel OT) is approximately 92,000 sq. ft. in size, with dimensions of approximately 260 ft. wide along Admiralty Way and 355 ft. deep traversing from Washington Boulevard to Admiralty Way. The Parcel is currently used for public parking, with 186 parking spaces, is predominantly paved and relatively flat, and is bordered with flowerbeds containing shrubs and trees (mostly non-native vegetation). Parcel OT is bordered on the west by the Marina International Hotel, with a driveway separating the two uses; on the south by Admiralty Way and residential, hotel and restaurant uses; on the north by Washington Boulevard and single family homes north of Washington Boulevard; and on the east by a walkway/bike path and the Marina Lagoon (also known as the Oxford Retention Basin or Bird Sanctuary), as depicted in **Figure 2**.

The Holiday Harbor Courts project site, Parcel 21, is located on the Panay Way mole road atop a quay. The Holiday

[1] Occupancy assumptions are based upon developer's experience at multiple other facilities of this type. If occupancy were at 100 percent, the resident population would be 161.



Source: Venice, California, U.S.G.S. 7.5 Minute Topographic Quadrangle

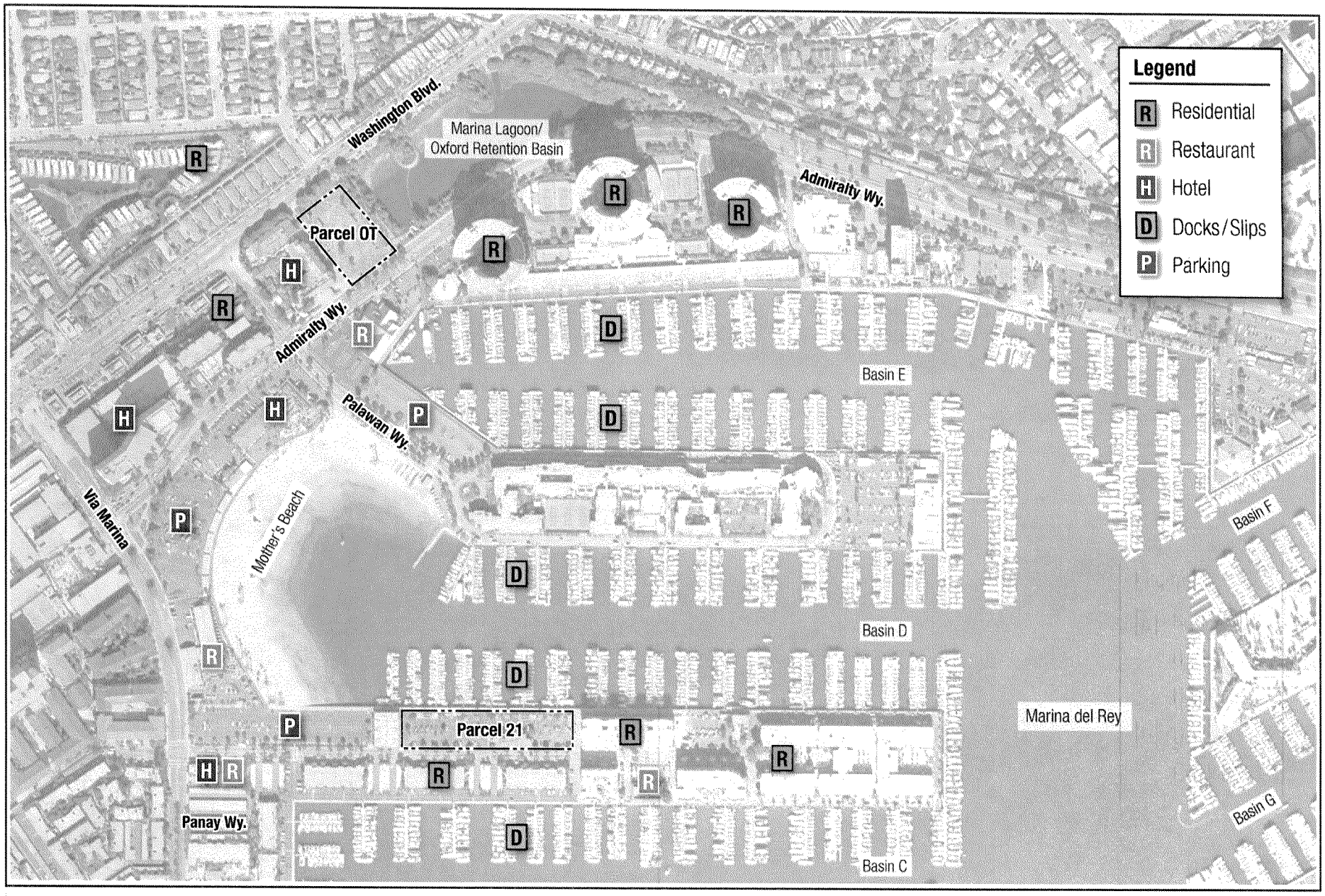
OCEANA RETIREMENT FACILITY AND HOLIDAY HARBOR COURTS NOP

ENVICOM CORPORATION

Project Location

FEET 0 1,000 2,000

FIGURE 1



Aerial Source: I.K. Curtis Services, Inc., September 2005.

OCEANA RETIREMENT FACILITY AND HOLIDAY HARBOR COURTS NOP

ENVICOM CORPORATION

Surrounding Land Use

FEET 0 250 500

FIGURE 2

Harbor Courts site measures approximately 741 ft. in width along the frontage of Panay Way and approximately 150 ft. in depth from Panay Way to the water. The Parcel is currently developed with two commercial structures and a paved parking area that serves the commercial structures and also provides parking for boaters using the adjacent docks. One structure consists of a health club and the other is comprised of retail and marine commercial offices. The site also contains some sparse landscaping and a pedestrian walkway along the water's edge. A six-story apartment building is adjacent to and east of Parcel 21, with an improved promenade along the water's edge adjacent to the apartment building. Other uses adjacent to Parcel 21 include apartments and a restaurant with parking to the south, as well as restaurants and retail space to the west (refer to Figure 2). Marina docks and slips (designated Marina Basin D in the LUP) are located immediately to the north of the site.

PROJECT CHARACTERISTICS:

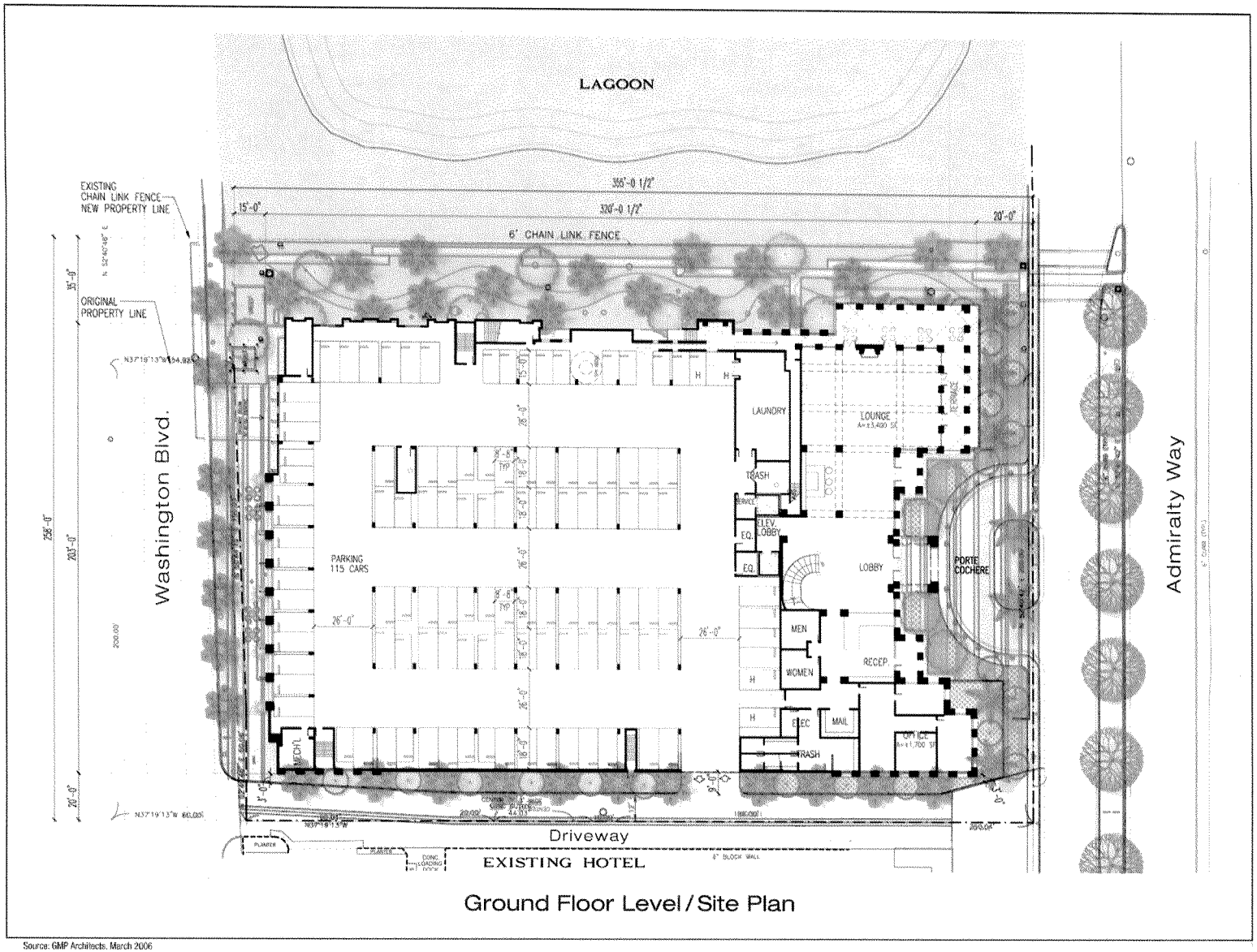
1. Proposed Land Uses

Parcel OT

The ground floor of the proposed site plan for Parcel OT is displayed in **Figure 3**, and all of the levels of the proposed structure and the floor area assigned to each use are listed in **Table 1**. As the proposed development on Parcel OT is a retirement facility, the structures have been designed with consideration given to senior citizens with physical disabilities, providing easier access to indoor and outdoor uses.

Table 1
Proposed Development Uses

Use (Category)	Area (sq. ft.)	Floor Level
Suites		
67 One Bedroom Suites (at approx. 700 sq. ft. ea.)	46,900	Various Floors
47 Two Bedroom Suites (at approx. 1,050 sq. ft. ea.)	49,350	Various Floors
Ancillary Facilities		
Computer Room	440	First Floor
Screening Room	1,030	First Floor
Café	535	First Floor
Gym	1,199	First Floor
Private Dining	540	First Floor
Retail Space	5,000	Lower Ground Level
Lounge One	3,400	Ground Floor
Administration Offices, Receptionist Area, Laundry, Trash & Mailroom	1,700	Ground Floor
Dining Room	4,145	Second Floor
Library	920	Second Floor
Arts & Crafts Room	1,065	Second Floor
Kitchen	1,630	Second Floor
Lounge Two	1,455	Second Floor
Beauty Salon	750	Second Floor
Card Room	810	Second Floor
Card Room	770	Third Floor
Total	**121,639**	



Ground Floor Level / Site Plan

Source: GMP Architects, March 2006

OCEANA RETIREMENT FACILITY AND HOLIDAY HARBOR COURTS NOP

ENVICOM CORPORATION

Oceana Retirement Facility Ground Floor Plan / Site Plan

FEET 0 20 40

FIGURE 3

Parcel 21

The proposed Holiday Harbor Courts development would replace existing on-site marine commercial office, health club, and retail uses with new marine commercial office, health club, yacht club, and retail uses, a public park plaza and promenade, and a 447-space parking structure. Uses approved for Parcel 20 but not built, including marine commercial offices and a yacht club, would also be transferred to Parcel 21. The proposed project would reduce the existing health club floor area by 6,000 sq. ft., with the remaining floor area planned for the additional marine commercial offices. With the transfer of land uses from Parcel 20, the proposed development on Parcel 21 would result in zero sq. ft. of net new leasable area within the Panay DZ #4 of the Marina del Rey LUP. The following tables describe the land use allocations on Parcels 20 and 21 today and as proposed by the project. **Table 2** illustrates the existing square footage on-site. Although approved development on Parcel 20 is not a part of this project, it is included on the table to demonstrate the transfer (donor) uses and locations. All existing development on Parcel 21 would be demolished and replaced with the development identified in **Table 3.**

Table 2
Existing Development

Existing Project Land Use	Net Leasable Commercial Area by Site (sq. ft.)		
	LUP Parcel 20	LUP Parcel 21	Total Existing
Health Club	0	16,000	16,000
Retail[1]	0	2,916	2,916
Marine Commercial Offices	0	0	0
Marine Commercial Offices[2]	0	3,132	3,132
Marine Commercial Offices[3]	2,300	0	2,300
Yacht Club[3]	5,000	0	5,000
Total Net Leasable Area (sq. ft.)	**7,300**	**22,048**	**29,348**

[1]Ship Store.
[2]Existing Tenants: California Sailing Academy, Golden West Yachts, Club Natique, and South Sea Publishing.
[3]Uses to be transferred from Parcel 20 to Parcel 21.

Table 3
Net New Proposed Development for Parcel 21

Proposed Project Land Use	Total Net Leasable Area (sq. ft.)		Net New Leasable Area (sq. ft.)
	Existing	*Proposed*	
Health Club	16,000	10,000	(-) 6,000
Retail[1]	2,916	2,916	0
Marine Commercial Offices	0	6,000	6,000
Marine Commercial Offices[2]	3,132	3,132	0
Marine Commercial Offices[3]	2,300	2,300	0
Yacht Club[3]	5,000	5,000	0
Subtotal	***29,348***	***29,348***	***0***
Total	**29,348**	**29,348**	**0**

[1]Ship Store.
[2]Existing Tenants: California Sailing Academy, Golden West Yachts, Club Natique, and South Sea Publishing.
[3]Includes transferred uses from Parcel 20 to Parcel 21.

As shown in **Figure 4**, the first floor of the Holiday Harbor Courts building would contain the new health club and a portion of the replacement uses of LUP Parcel 21 (retail and marine commercial offices). The second floor would contain the remainder of the replacement uses of LUP Parcel 21 (retail and marine commercial offices), the transfer of marine commercial offices from LUP Parcel 20, and 6,000 sq. ft. of new marine commercial offices. The third floor is devoted to parking (52 spaces), and the fourth floor would contain the yacht club. The yacht club has a high, vaulted ceiling that is roughly equivalent to two levels of parking. The final level consists of the roof of the yacht club and adjacent parking.

2. Project Amenities, Open Space, and Landscape

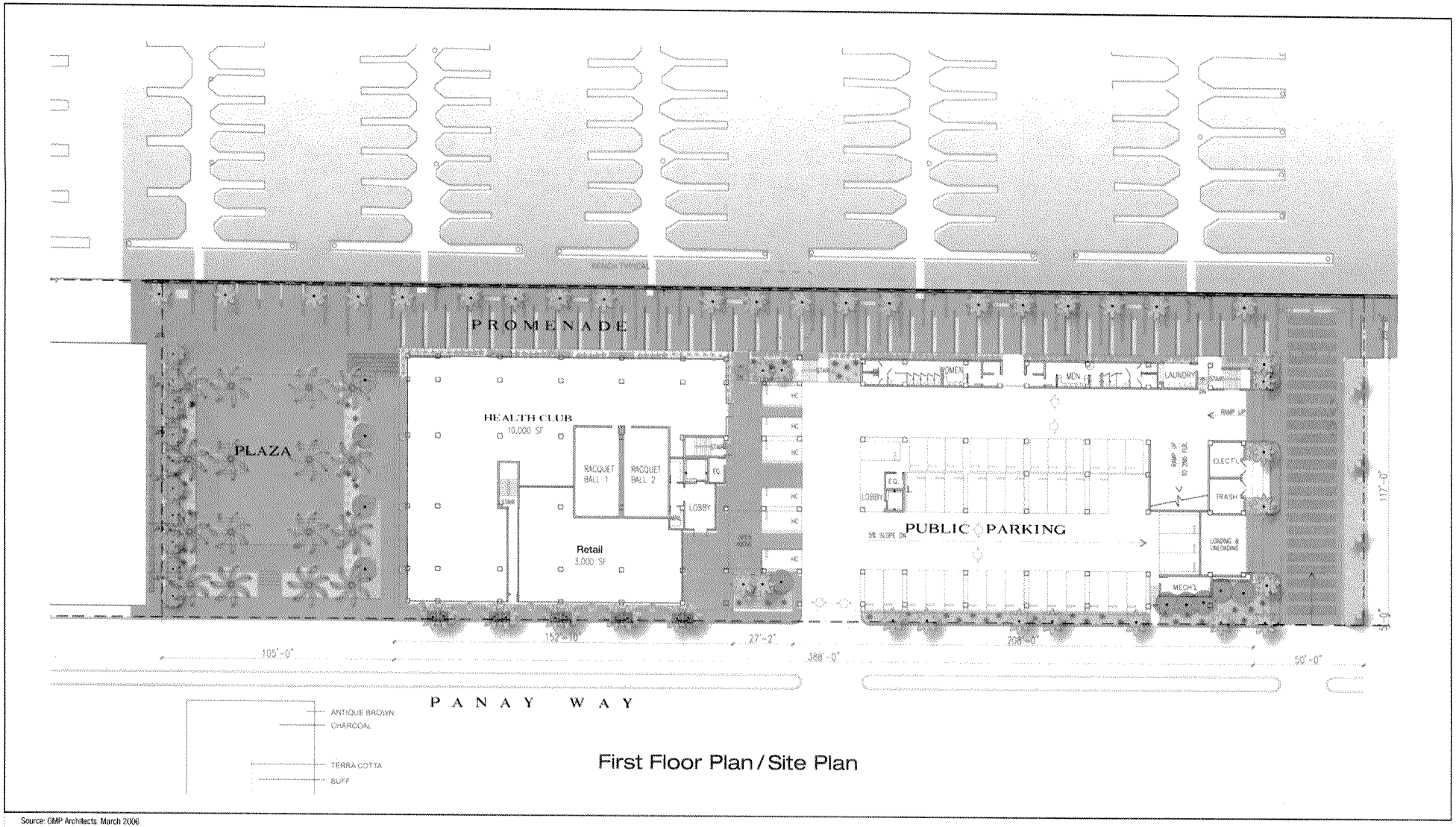
Parcel OT

The commercial retail space in the building, as well as individual retirement facility auxiliary rooms (arts and crafts, lounges, card rooms, chapel, etc.), would provide amenities for the retirement facility residents. Also, the surrounding Marina area provides additional amenities, including the Marina itself (boating, walking along promenades and other walkways, etc.), shopping, a health club, a beach, and restaurants. Many of these amenities are within walking distance of the project.

The project would include an improved, landscaped pedestrian and bicycle access way between Admiralty Way and Washington Boulevard, along the eastern boundary of the Parcel OT, just west of the existing lagoon. This linear passageway would be accomplished by extending the eastern boundary of Parcel OT to include a 35-foot strip of Parcel P, along the Parcels' shared boundary. The modification would be effectuated by the Department of Beaches and Harbors through revised legal descriptions for each of the two Parcels. The passageway would provide improved access for those currently traversing the limited access-way now, as well as the retirees at the proposed facility. These features would provide an improved open space and recreational buffer, which would also allow for improved public viewing access to the lagoon. County access would be provided on the southeast corner of the project site, for maintenance use to service on-site and adjacent utilities, including the retention basin/lagoon.

The Oceana Retirement Facility would include one internal courtyard in the middle of the floor plan on Level 1 for use by the retirees and their guests. The dining room has two terraces; one is a small private terrace and the second is a large terrace that wraps around the dining room and connects to another large terrace off the lounge. There is also an additional private terrace that wraps around the arts and crafts room, library, and computer room. The final terrace on Level 1 is located next to the library, across from the women's restrooms and the stairwell. Other recreation on this level includes an outdoor spa and an indoor gym, a screening room, and a cafe. All suites have their own private balcony. An additional community terrace is located off the second floor lounge.

The entrance of the facility would be framed by date palms (*Phoenix dactylifera*), and a small fountain would be located at the vehicular drop off area. The landscape plan extends into the linear passageway between the retirement facility and the existing retention basin/lagoon connecting Admiralty Way to Washington Boulevard, and would include trees and shrubs, a path approximately 20 ft. wide by 350 ft. long, and benches. The planting palette is divided into three zones; lower slope, middle slope and upper slope. Each zone would include both native and drought tolerant trees, shrubs and ground cover. The landscape area along the pathway is a combination of fan palms and flowering plum trees. The Washington Boulevard frontage is intended to be open for retail uses with fan palms as the street trees. The additional landscaping would center primarily on the perimeter of the building and would include the planting of 1,900 blue finger *(Senecio mandraliscae),* 5,600 sedge (*Carex* Spp.), 21 pink flowering plum trees (*Prunus blireiana*), and 17 New Zealand Christmas trees (*Metrosideros excelsus*), among many other species (number counts provided here are approximations).



First Floor Plan / Site Plan

Source: GMP Architects, March 2006

ENVICOM CORPORATION

Holiday Harbor Courts First Floor Plan / Site Plan

FEET 0 20 40

FIGURE 4

Parcel 21

A park plaza and improved promenade would also be developed as a part of the proposed project. The park plaza would be located west of the health club and would extend the existing promenade located on Parcel 20 (a developed apartment building). The visitors of the neighborhood park plaza and promenade would have a direct view of the Marina. The park plaza would include an open lawn area, terraced seating, trees, and a pedestrian path between the street and the promenade. A gravel-filled dry well is proposed below the lawn area to retain and recharge storm water run-off from the site.

The plaza and 28-foot wide promenade would offer views of the Marina and would serve a recreational function by allowing the public direct access to the waterfront; specifically Marina small craft harbor uses and Mother's Beach.

The promenade would incorporate a variety of different shaped and colored pavers with colors such as charcoal, antique brown, terra cotta and buff. The promenade would also include benches for pedestrians as well as lighting and shrubs. The promenade is also designed to serve as a fire lane, to satisfy Los Angeles County Fire Department requirements.

The landscaping for Parcel 21 would conform with and compliment the existing landscaping on Parcel 20, which is developed with apartments. The landscaping would consist of palm trees, perennial plants, and accent paving around the building entry. Other species to be used in the plant palette include big blue lily turf (*Liriope muscari*), bird of paradise (*Strelitzia reginae*), and New Zealand flax (*Phormium tenax*, or "Maori Maiden").

The project has been designed within the combined height and view corridor provisions of the LUP. The plan includes an allowable height limit of 45 ft. with a view corridor requirement of 20 percent of a project's total water frontage (LUP, page I-9). However, LUP policy allows for an increase in building height of 1.5 ft. for every corresponding one percent view corridor increase. The project building height is 56 ft. (with a five ft. setback), which is the same height as other adjacent properties on Panay Way. The marine commercial building's height of 56 ft. requires a view corridor equal to 27.33 percent of the frontage, which amounts to a required 146 ft. of view corridor. A total of 146 ft. (or greater) for the view corridor would be accommodated in the design. The view corridors on the project site would facilitate public views of the shoreline, providing views of the water, the harbor's docks and slips, and Mother's Beach. The plaza would form the primary view corridor for the Holiday Harbor Courts site, at 105 ft. in width. Two additional view corridors are provided. One is on the ground floor level between the parking structure and the commercial building, at 27.2 ft. in width, and the other is east of the parking structure and is 50 ft. in width.

3. Parking

Parcel OT

Of the 186 public spaces parking currently on Parcel OT, 94 spaces would be relocated to Parcel 21 as part of the Holiday Harbor Courts development, to be located to the south of Parcel OT on Panay Way. The Oceana Retirement Facility would provide parking for proposed uses, in accordance with the County Code, as well as retaining 92 of the existing public parking spaces. **Table 4** describes the parking to be provided on Parcel OT and that to be transferred to Parcel 21.

Table 4
Proposed Parking for Parcel OT and Parking Transfer to Parcel 21

Use	Existing Parking on Parcel OT	Proposed Parking	
		Parcel OT	Parcel 21
Public Parking	186	92	
Retirement Facility		42	
Retail		20	
Relocated/Transferred Public Parking			94
Total	186	**154**	**94**

Parcel 21

Parking for the proposed Holiday Harbor Courts development is to be provided in a six-level parking structure that is attached to the structure housing the yacht club and marine commercial uses. The parking structure would serve visitors to the Holiday Harbor Courts as well as provide for general public parking (for example, to serve visitors to Mother's Beach). This design allows for direct access to the commercial structure, in addition to close access to the Marina slips and Mother's Beach. As discussed above, Parcel 21 would include transferred parking from the proposed development on Parcel OT, which is located in the Oxford DZ #6 of the Marina del Rey LUP and is to be converted from a parking lot to a retirement facility, as well as parking transferred from Parcel 20. As shown in **Table 5** below, an estimated 447 parking spaces would be provided by the proposed project after the transfers are made from Parcels OT and 20.

Table 5
Parcel 21 Proposed Parking and Parking Replacement

Type of Parking	Amount
Replacement for on-site Parcel 21 uses	94
Yacht Club/ Marina Commercial Offices (replacement from Parcel 20, uses approved but not built)	112
New Uses	15
Replacement for Boater Parking	112
Replacement from Parcel OT	94
Replacement for Health Club	20
Total	**447**

4. Demolition of Existing Development and On-site Grading

Grading for Parcel OT is not expected to require any fill materials but will result in the estimated export of 4,755 cubic yards (c.y.) of cut materials. Grading for Parcel 21 is also not expected to require any fill materials but will result in the estimated export of 3,986 c.y. of cut materials. Additionally, the waste generated by the demolition of the existing structures and parking lot on Parcels OT and 21 would be hauled to the Community Recycling and Resource Recovery Center, which is operated by the Crown Disposal Company and located at 9147 De Garmo Avenue in Sun Valley. The remaining materials that can't be recycled will be hauled to a landfill.

POTENTIAL PROJECT IMPACTS:

The County of Los Angeles, as the Lead Agency, has identified in the Initial Study (see attachment) the following potential environmental impacts that will be discussed in the EIR:

- Geotechnical Hazards-liquefaction and tsunami inundation;
- Noise-construction generated noise and effects on adjacent residential uses;
- Water Quality-proximity to water bodies and National Pollutant Discharge Elimination System requirements;
- Air Quality-parking lot, parking structure and construction generated emissions;
- Biota-removal of trees for nesting;
- Cultural Resources-potential for prehistoric and historic archeological resources;
- Visual Qualities-height of proposed structures;
- Traffic/Access-cumulative impacts;
- Utilities (Water Supply)-water usage in Marina del Rey is near entitlement limit and project must obtain a "will serve" letter from Waterworks District No. 29;
- Environmental Safety-methane gas hazards on Parcel OT; and
- Land Use-LUP/LCP Amendment for Parcel OT to designate Parcel OT for Hotel land use with a Mixed Use Overlay Zone (MUZ)[2] and to transfer development potential to Parcel OT (114 hotel spaces and 5,000 sq. ft. of office space from the Admiralty DZ #7 to the Oxford DZ #6); modifications to LCP Amendment No. 01-01 for the transfer of 94 parking spaces from Parcel OT to Parcel 21 and for the transfer of the yacht club and marine commercial offices from Parcel 20 to Parcel 21.

In addition to evaluating the potential effects of the proposed project, the EIR will address a full range of project alternatives.

ENTITLEMENT REQUIREMENTS AND DISCRETIONARY APPROVALS:

The proposed project is an application for:

Parcel OT

- LUP/LCP Amendment to 1) change the land use designation from Parking to Hotel with a MUZ allowing for the mixed-use retirement facility and to 2) transfer development potential (114 hotel spaces and 5,000 sq. ft. of office space) to Parcel OT in the Oxford DZ #6 from the Admiralty DZ #7.
- Conditional Use Permit (CUP), Coastal Development Permit (CDP), and Parking Permit for the transfer of development potential, parking, and trip generations between Parcels OT, 21, and 20.

Parcel 21

- Modifications to LCP Amendment No. 01-01 for the 1) transfer of 94 parking spaces from Parcel OT to Parcel 21 and 2) the transfer of the yacht club and marine commercial offices from Parcel 20 to Parcel 21.
- Conditional Use Permit (CUP), Coastal Development Permit (CDP), and Parking Permit for the transfer of development potential, parking, and trip generations between Parcels OT, 21, and 20.

[2] The Marina LUP MUZ (LUP page 8-12) is intended to provide additional flexibility for development of creatively designed mixed-use projects on selected non-waterfront parcels. Parcels with this overlay zone are permitted to combine land use categories on an individual parcel, and are allowed to mix primary uses within a structure. Development potential available to each applicant is subject to the limitations of the zone in which the parcel resides. Parcels within a Mixed Use Overlay Zone designation may apply to convert existing residential and office development on their own parcel and allocated residential and office development available within their Development Zone to visitor-serving, marine commercial or other coastal-oriented uses.

STAFF USE ONLY

PROJECT NUMBERS: *R2006-01510 (OT) & R2006-02726 (21)*
CASES : *RCDPT200600002 & RCDPT200600003*
RENVT200600109 & RENVT200600177
RCUPT200600115 & RCUPT200600223
RPKPT200600009 & RPKPT200600015
RPAT200600005 & RPAT200600010

****** INITIAL STUDY ******

COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING

GENERAL INFORMATION

I.A. Map Date: *March 10, 2006 and May 2006* Staff Member: *Rick Kuo*

Thomas Guide: *671 - J6 and 671-J7 & 672-A7* USGS Quad: *Venice*

Location: *4445 Admiralty Way (Parcel OT), and 14025 Panay Way (Parcel 21), Marina Del Rey, CA*

Description of Project: *Proposed are two development projects requiring Conditional Use Permits, Coastal Development Permits, Parking Permits, and Plan Amendments to the Marina Del Rey Specific Plan for the transfer of development potential between Lots OT, 21, and 20. The Plan Amendment on Lot OT is to designate the parcel for Hotel land use with a mixed-use overlay and to transfer 114 hotel spaces and 5,000 s.f. of office space from the Admiralty Development Zone to the Oxford Development Zone. The project also proposes to build a six-story, 114-unit retirement facility with 5,000 s.f. of retail space with a 248-space, partially subterranean parking structure and to relocate 94 of its 186 existing and required parking spaces to lot 21. The proposed retirement facility will operate 24 hours a day and be staffed by 65 employees in 4 shifts with a maximum of 35 employees per shift. There are various non-native trees and shrubs on-site that will be removed. The proposed project on Lot 21 is to demolish two existing buildings and replace them with a new five-story, 29,348 s.f. marine commercial building with a 447-space parking structure. This marine commercial building will house the currently existing 2,916 s.f. of marine commercial retail space and 3,132 s.f. of marine commercial offices and a 5,000 s.f. yacht club and 2,300 s.f. of marine commercial office space transferred from Lot 20. In addition, a health club from the other existing building (16,000 s.f.) on Lot 21 will be relocated to the new proposed marine commercial building with a 10,000 s.f. health club and 6,000 s.f. of new marine commercial office space. The proposed marine commercial building will operate 8 to 12 hours a day and be staffed by 76 employees in 2 to 3 shifts with a maximum of 35 to 45 employees per shift. The City of Los Angeles Hyperion Treatment Plant and the Los Angeles County Waterworks District #80 will serve the two project sites. Project sites' accesses are from Admiralty Way and Washington Blvd. for Parcel OT and Panay Way for Parcel 21.*

Gross Area: *2.1 acres and 2.55 acres*

Environmental Setting: *Both project sites are located in the unincorporated Los Angeles County community of Marina Del Rey adjacent to its small craft harbor, and are approximately 3/4 mile west of Lincoln Boulevard (State Route 1) and south of Washington Boulevard. Surrounding land uses consist of single- and multi-family residences and commercial establishments. There is a brackish lagoon (Oxford Basin) immediately to the east of Parcel OT which is currently used as an open parking lot. Basin D of the Marina is directly north of Parcel 21. Both project sites are at approximately 10 feet above mean sea level.*

Zoning: *Parking (Parcel OT) and Marine Commercial (Parcel 21)*

General Plan: *Marina Del Rey Specific Plan*

Community/Area Wide Plan: *Marina Del Rey Land Use Plan*

Major projects in area:

Project Number	Description & Status
R2005-04106	*Addition of 69 new rooms to existing hotel (Pending).*
R2005-00728	*Sale of alcohol and expansion of existing parking lot (Pending).*
R2005-00234	*544-unit apartment community in 12 structures (Approved 6/7/06).*
CDP/CP3-029	*179 apartment units with density bonus (Approved 1/27/03).*
CDP/CP98134	*1022 apartment units/10,000 s.f. retail, 439 boat slips (Approved 12/6/00).*
CDP/CP98172	*99 apartment units, yacht club, offices, parking structure (Approved 10/2/00).*

NOTE: For EIRs, above projects are not sufficient for cumulative analysis.

REVIEWING AGENCIES

Responsible Agencies

- ☐ None
- ☒ Regional Water Quality Control Board
  - ☒ Los Angeles Region
  - ☐ Lahontan Region
- ☒ Coastal Commission
- ☒ Army Corps of Engineers
- ☒ *US Fish & Wildlife (Carlsbad)*

Trustee Agencies

- ☐ None
- ☒ State Fish and Game
- ☐ State Parks
- ☐ _____
- ☐ _____

Special Reviewing Agencies

- ☐ None
- ☐ Santa Monica Mountains Conservancy
- ☐ National Parks
- ☐ National Forest
- ☐ Edwards Air Force Base
- ☐ Resource Conservation District of the Santa Monica Mtns.
- ☒ *City of Los Angeles*
- ☒ *Culver City*
- ☒ *Los Angeles City Public Works*
- ☒ *AQMD*
- ☒ *Coalition to Save the Marina*
- ☒ *Native American Heritage Commission*

Regional Significance

- ☒ None
- ☐ SCAG Criteria
- ☐ Air Quality
- ☐ Water Resources
- ☐ Santa Monica Mtns. Area

County Reviewing Agencies

- ☐ Subdivision Committee
- ☒ DPW: *Traffic & Lighting, Geotechnical & Materials Engineering, Waterworks and Sewer Maintenance, EP*
- ☒ Health Services: *Environmental Hygiene*
- ☒ *Beaches and Harbors*
- ☒ *Sanitation Districts*
- ☒ *Sheriff's and Fire*

IMPACT ANALYSIS MATRIX

CATEGORY	FACTOR	Pg	Less than Significant Impact/No Impact	Less than Significant Impact with Project Mitigation	Potentially Significant Impact	Potential Concern
HAZARDS	1. Geotechnical	5	☐	☐	☒	*Liquefaction area*
	2. Flood	6	☐	☒	☐	*Tsunami inundation area (to be addressed with Geotechnical Hazards)*
	3. Fire	7	☒	☐	☐	
	4. Noise	8	☐	☐	☒	*Construction, adjacent residential uses*
RESOURCES	1. Water Quality	9	☐	☐	☒	*Proximity to water bodies, NPDES*
	2. Air Quality	10	☐	☐	☒	*Parking lot and parking structure, construction*
	3. Biota	11	☐	☒	☐	*Removal of trees for bird nesting*
	4. Cultural Resources	12	☐	☒	☐	*Potential for on-site prehistoric and historic archaeological resources*
	5. Mineral Resources	13	☒	☐	☐	
	6. Agriculture Resources	14	☒	☐	☐	
	7. Visual Qualities	15	☐	☐	☒	*Height of proposed structure*
SERVICES	1. Traffic/Access	16	☐	☐	☒	*Cumulative impacts*
	2. Sewage Disposal	17	☒	☐	☐	
	3. Education	18	☒	☐	☐	
	4. Fire/Sheriff	19	☒	☐	☐	
	5. Utilities	20	☐	☐	☒	*Water supply*
OTHER	1. General	21	☒	☐	☐	
	2. Environmental Safety	22	☐	☒	☐	*Methane gas hazard (Parcel OT)*
	3. Land Use	23	☐	☐	☒	*Plan Amendments sought*
	4. Pop./Hous./Emp./Rec.	24	☒	☐	☐	
	Mandatory Findings	25	☐	☐	☒	

DEVELOPMENT MONITORING SYSTEM (DMS) *

As required by the Los Angeles County General Plan, DMS shall be employed in the Initial Study phase of the environmental review procedure as prescribed by state law.

1. Development Policy Map Designation: *Category 2: Conservation/Maintenance*
2. ☐ Yes ☒ No Is the project located in the Antelope Valley, East San Gabriel Valley, Malibu/Santa Monica Mountains or Santa Clarita Valley planning area?
3. ☐ Yes ☒ No Is the project at urban density and located within, or proposes a plan amendment to, an urban expansion designation?

If both of the above questions are answered "yes", the project is subject to a County DMS analysis.

☐ Check if DMS printout generated (attached)

Date of printout: _____

☐ Check if DMS overview worksheet completed (attached)

*EIRs and/or staff reports shall utilize the most current DMS information available.

Environmental Finding:

FINAL DETERMINATION: On the basis of this Initial Study, the Department of Regional Planning finds that this project qualifies for the following environmental document:

☐ NEGATIVE DECLARATION, inasmuch as the proposed project will not have a significant effect on the environment.

An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was determined that this project will not exceed the established threshold criteria for any environmental/service factor and, as a result, will not have a significant effect on the physical environment.

☐ MITIGATED NEGATIVE DECLARATION, inasmuch as the changes required for the project will reduce impacts to insignificant levels (see attached discussion and/or conditions).

An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was originally determined that the proposed project may exceed established threshold criteria. The applicant has agreed to modification of the project so that it can now be determined that the project will not have a significant effect on the physical environment. The modification to mitigate this impact(s) is identified on the Project Changes/Conditions Form included as part of this Initial Study.

☒ ENVIRONMENTAL IMPACT REPORT*, inasmuch as there is substantial evidence that the project may have a significant impact due to factors listed above as "significant."

☐ At least one factor has been adequately analyzed in an earlier document pursuant to legal standards, and has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets (see attached Form DRP/IA 101). The EIR is required to analyze only the factors not previously addressed.

Reviewed by: Rick Kim Date: 1-30-07

Approved by: Paul McCarthy Date: 1-30-07

☐ This proposed project is exempt from Fish and Game CEQA filling fees. There is no substantial evidence that the proposed project will have potential for an adverse effect on wildlife or the habitat upon which the wildlife depends. (Fish & Game Code 753.5).

☐ Determination appealed--see attached sheet.

*NOTE: Findings for Environmental Impact Reports will be prepared as a separate document following the public hearing on the project.

HAZARDS - 1. Geotechnical

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☒	☐	☐	Is the project site located in an active or potentially active fault zone, Seismic Hazards Zone, or Alquist-Priolo Earthquake Fault Zone? *Liquefaction (State of CA Seismic Hazard Zones Map - Venice Quad).*
b.	☐	☒	☐	Is the project site located in an area containing a major landslide(s)? *(State of CA Seismic Hazard Zones Map - Venice Quad).*
c.	☐	☒	☐	Is the project site located in an area having high slope instability?
d.	☒	☐	☐	Is the project site subject to high subsidence, high groundwater level, liquefaction, or hydrocompaction? *Liquefaction (State of CA Seismic Hazard Zones Map - Venice Quad).*
e.	☐	☒	☐	Is the proposed project considered a sensitive use (school, hospital, public assembly site) located in close proximity to a significant geotechnical hazard?
f.	☐	☒	☐	Will the project entail substantial grading and/or alteration of topography including slopes of more than 25%? *Parcel OT - 4,755 c.y. and Parcel 21 - 3,986 c.y. with small quantity to be exported from both parcels.*
g.	☐	☒	☐	Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
h.	☐	☐	☐	Other factors?

STANDARD CODE REQUIREMENTS

☐ Building Ordinance No. 2225 C Sections 308B, 309, 310 and 311 and Chapters 29 and 70.

☐ **MITIGATION MEASURES** / ☐ **OTHER CONSIDERATIONS**

☐ Lot Size ☐ Project Design ☒ Approval of Geotechnical Report by DPW

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by, **geotechnical** factors?

☒ Potentially significant ☐ Less than significant with project mitigation ☐ Less than significant/No impact

HAZARDS - 2. Flood

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Is a major drainage course, as identified on USGS quad sheets by a dashed line, located on the project site? *(State of CA Seismic Hazard Zones Map - Venice Quad).*
b.	☐	☐	☒	Is the project site located within or does it contain a floodway, floodplain, or designated flood hazard zone? *Tsunami inundation area (LA County Safety Element - Flood Inundation Hazards Map).*
c.	☐	☒	☐	Is the project site located in or subject to high mudflow conditions?
d.	☐	☒	☐	Could the project contribute or be subject to high erosion and debris deposition from run off? *A brackish lagoon is located immediately to the east of Parcel OT. Surface runoff from project site during construction and throughout life of the project could affect the water quality of the lagoon. Runoff from Parcel 21 during construction may drain into the Marina to the north.*
e.	☐	☒	☐	Would the project substantially alter the existing drainage pattern of the site or area?
f.	☐	☐	☐	Other factors (e.g., dam failure)?

STANDARD CODE REQUIREMENTS

☐ Building Ordinance No. 2225 C Section 308A ☐ Ordinance No. 12,114 (Floodways)
☒ Approval of Drainage Concept by DPW

☒ MITIGATION MEASURES / ☒ OTHER CONSIDERATIONS

☐ Lot Size ☐ Project Design

Tsunami inundation to be addressed with Geotechnical Hazards. Runoff, SUSMP/SWPPP, and BMPs to be address with Water Quality.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by **flood (hydrological)** factors?

☐ Potentially significant ☒ Less than significant with project mitigation ☐ Less than significant/No impact

HAZARDS - 3. Fire

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Is the project site located in a Very High Fire Hazard Severity Zone (Fire Zone 4)? *(LA County Safety Element - Wildland and Urban Fire Hazards Map).*
b.	☐	☒	☐	Is the project site in a high fire hazard area and served by inadequate access due to lengths, widths, surface materials, turnarounds or grade? *Project site access for Parcel OT are from Admiralty Way and Washington Blvd., and Panay Way for Parcel 21.*
c.	☐	☒	☐	Does the project site have more than 75 dwelling units on a single access in a high fire hazard area?
d.	☐	☒	☐	Is the project site located in an area having inadequate water and pressure to meet fire flow standards? *Served by the LA County Waterworks District #80.*
e.	☐	☒	☐	Is the project site located in close proximity to potential dangerous fire hazard conditions/uses (such as refineries, flammables, explosives manufacturing)?
f.	☐	☒	☐	Does the proposed use constitute a potentially dangerous fire hazard?
g.	☐	☐	☐	Other factors?

STANDARD CODE REQUIREMENTS

☐ Water Ordinance No. 7834 ☐ Fire Ordinance No. 2947 ☐ Fire Regulation No. 8

☐ Fuel Modification/Landscape Plan

☐ **MITIGATION MEASURES** / ☐ **OTHER CONSIDERATIONS**

☐ Project Design ☐ Compatible Use

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by **fire hazard** factors?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

HAZARDS - 4. Noise

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Is the project site located near a high noise source (airports, railroads, freeways, industry)? *Both project sites are approximately 3/4 mile west of Lincoln Boulevard (State Route 1).*
b.	☒	☐	☐	Is the proposed use considered sensitive (school, hospital, senior citizen facility) or are there other sensitive uses in close proximity? *Residential uses are adjacent to the proposed project sites.*
c.	☐	☐	☒	Could the project substantially increase ambient noise levels including those associated with special equipment (such as amplified sound systems) or parking areas associated with the project? *Operational noises typical of urban evironment.*
d.	☒	☐	☐	Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project? *Noise from construction and construction equipment.*
e.	☐	☐	☐	Other factors? _____

STANDARD CODE REQUIREMENTS

☒ Noise Control – Chapter 12.8 ☐ Building Ordinance No. 2225--Chapter 35

☐ **MITIGATION MEASURES** / ☐ **OTHER CONSIDERATIONS**

☐ Lot Size ☐ Project Design ☐ Compatible Use

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by **noise**?

☒ Potentially significant ☐ Less than significant with project mitigation ☐ Less than significant/No impact

RESOURCES - 1. Water Quality

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Is the project site located in an area having known water quality problems and proposing the use of individual water wells? *Both project sites will be served by the LA County Waterworks District #80.*
b.	☐	☒	☐	Will the proposed project require the use of a private sewage disposal system? *Both project sites will be served by the Los Angeles City Hyperion Treatment Plant.*
	☐	☐	☐	If the answer is yes, is the project site located in an area having known septic tank limitations due to high groundwater or other geotechnical limitations *or* is the project proposing on-site systems located in close proximity to a drainage course?
c.	☐	☐	☒	Could the project's associated construction activities significantly impact the quality of groundwater and/or storm water runoff to the storm water conveyance system and/or receiving water bodies? *Surface runoff from Parcel 21 during construction may drain into the Marina.*
d.	☐	☐	☒	Could the project's post-development activities potentially degrade the quality of storm water runoff and/or could post-development non-storm water discharges contribute potential pollutants to the storm water conveyance system and/or receiving bodies? *NPDES permit required.*
e.	☐	☐	☒	Other factors? *Proximity to Mother's Beach and Marina (Parcel 21) and Oxford Basin (Parcel OT).*

STANDARD CODE REQUIREMENTS

☐ Industrial Waste Permit ☐ Health Code Ordinance No. 7583, Chapter 5

☐ Plumbing Code Ordinance No. 2269 ☒ NPDES Permit Compliance (DPW)

☐ **MITIGATION MEASURES** / ☐ **OTHER CONSIDERATIONS**

☐ Lot Size ☐ Project Design

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by, **water quality** problems?

☒ Potentially significant ☐ Less than significant with project mitigation ☐ Less than significant/No impact

RESOURCES - 2. Air Quality

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Will the proposed project exceed the State's criteria for regional significance (generally (a) 500 dwelling units for residential uses or (b) 40 gross acres, 650,000 square feet of floor area or 1,000 employees for nonresidential uses)?
b.	☐	☒	☐	Is the proposal considered a sensitive use (schools, hospitals, parks) and located near a freeway or heavy industrial use?
c.	☐	☐	☒	Will the project increase local emissions to a significant extent due to increased traffic congestion or use of a parking structure, or exceed AQMD thresholds of potential significance per Screening Tables of the CEQA Air Quality Handbook? *Two lower levels for parking structure on Parcel OT and transfer of 94 parking spaces to existing surface parking lot on Parcel 21.*
d.	☐	☐	☒	Will the project generate or is the site in close proximity to sources which create obnoxious odors, dust, and/or hazardous emissions? *Temporary construction.*
e.	☐	☒	☐	Would the project conflict with or obstruct implementation of the applicable air quality plan?
f.	☐	☒	☐	Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?
g.	☒	☐	☐	Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? *Project site in non-attainment area.*
h.	☐	☐	☐	Other factors:

STANDARD CODE REQUIREMENTS

☐ Health and Safety Code Section 40506

☐ **MITIGATION MEASURES** / ☐ **OTHER CONSIDERATIONS**

☐ Project Design ☒ Air Quality Report

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by, **air quality**?

☒ Potentially significant ☐ Less than significant with project mitigation ☐ Less than significant/No impact

RESOURCES - 3. Biota

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Is the project site located within a Significant Ecological Area (SEA), SEA Buffer, or coastal Sensitive Environmental Resource (ESHA, etc.), or is the site relatively undisturbed and natural? *SEA #29 (Ballona Creek) is one mile to the southeast of Parcels OT and 21.*
b.	☐	☒	☐	Will grading, fire clearance, or flood related improvements remove substantial natural habitat areas? *Grading in the amounts of 4,755 c.y. for Parcel OT and 3,986 c.y. for Parcel 21.*
c.	☐	☒	☐	Is a drainage course located on the project site that is depicted on USGS quad sheets by a dashed blue line or that may contain a bed, channel, or bank of any perennial, intermittent or ephemeral river, stream, or lake?
d.	☐	☐	☒	Does the project site contain a major riparian or other sensitive habitat (e.g., coastal sage scrub, oak woodland, sycamore riparian woodland, wetland, etc.)? *Parcel OT is adjacent to the Oxford Basin.*
e.	☐	☒	☐	Does the project site contain oak or other unique native trees (specify kinds of trees)?
f.	☐	☒	☐	Is the project site habitat for any known sensitive species (federal or state listed endangered, etc.)?
g.	☐	☐	☒	Other factors (e.g., wildlife corridor, adjacent open space linkage)? *Trees on Parcel OT may provide nesting for Black-crowned night herons.*

☒ MITIGATION MEASURES / ☐ OTHER CONSIDERATIONS

☐ Lot Size ☐ Project Design ☐ Oak Tree Permit ☐ ERB/SEATAC Review

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on **biotic resources**?

☐ Potentially significant ☒ Less than significant with project mitigation ☐ Less than significant/No impact

RESOURCES - 4. Archaeological / Historical / Paleontological

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☐	☒	Is the project site in or near an area containing known archaeological resources or containing features (drainage course, spring, knoll, rock outcroppings, or oak trees) which indicate potential archaeological sensitivity? *Historic Venice Landfill may have extended onto Parcels OT and 21, potential for prehistoric and historic archaeological resources.*
b.	☐	☒	☐	Does the project site contain rock formations indicating potential paleontological resources?
c.	☐	☒	☐	Does the project site contain known historic structures or sites?
d.	☐	☐	☒	Would the project cause a substantial adverse change in the significance of a historical or archaeological resource as defined in 15064.5? *Historic Venice Landfill may have extended onto Parcels OT and 21, potential for prehistoric and historic archaeological resources.*
e.	☐	☒	☐	Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
f.	☐	☐	☐	Other factors?

☒ **MITIGATION MEASURES** / ☐ **OTHER CONSIDERATIONS**

☐ Lot Size ☐ Project Design ☒ Phase I Archaeology Report

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **archaeological, historical**, or **paleontological** resources?

☐ Potentially significant ☒ Less than significant with project mitigation ☐ Less than significant/No impact

RESOURCES - 5. Mineral Resources

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
b.	☐	☒	☐	Would the project result in the loss of availability of a locally important mineral resource discovery site delineated on a local general plan, specific plan or other land use plan?
c.	☐	☐	☐	Other factors?

☐ **MITIGATION MEASURES** / ☐ **OTHER CONSIDERATIONS**

☐ Lot Size ☐ Project Design

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **mineral** resources?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

RESOURCES - 6. Agriculture Resources

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? *(Los Angeles County Important Farmland 2002 Map).*
b.	☐	☒	☐	Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?
c.	☐	☒	☐	Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?
d.	☐	☐	☐	Other factors?

☐ **MITIGATION MEASURES** / ☐ **OTHER CONSIDERATIONS**

☐ Lot Size ☐ Project Design

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **agriculture** resources?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

RESOURCES - 7. Visual Qualities

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☐	☒	Is the project site substantially visible from or will it obstruct views along a scenic highway (as shown on the Scenic Highway Element), or is it located within a scenic corridor or will it otherwise impact the viewshed? *The proposed marine commercial building may obstruct views of Mother's Beach and Basin D of the Marina; view corridor is required.*
b.	☐	☒	☐	Is the project substantially visible from or will it obstruct views from a regional riding or hiking trail? *(Los Angeles County Trail System Map).*
c.	☐	☒	☐	Is the project site located in an undeveloped or undisturbed area, which contains unique aesthetic features?
d.	☐	☒	☐	Is the proposed use out-of-character in comparison to adjacent uses because of height, bulk, or other features?
e.	☒	☐	☐	Is the project likely to create substantial sun shadow, light or glare problems? *Parcel OT proposes a six-story facility, two of which are partially subterranean.*
f.	☐	☐	☐	Other factors (e.g., grading or land form alteration):

☐ **MITIGATION MEASURES** / ☐ **OTHER CONSIDERATIONS**

☐ Lot Size ☐ Project Design ☐ Visual Report ☐ Compatible Use

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on **scenic** qualities?

☒ Potentially significant ☐ Less than significant with project mitigation ☐ Less than significant/No impact

SERVICES - 1. Traffic/Access

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☒	☐	☐	Does the project contain 25 dwelling units, or more and is it located in an area with known congestion problems (roadway or intersections)? *Proposed 114-unit retirement facility on Parcel OT and commercial offices on Parcel 21.*
b.	☐	☒	☐	Will the project result in any hazardous traffic conditions?
c.	☐	☐	☒	Will the project result in parking problems with a subsequent impact on traffic conditions? *Required parking provided with a 248-space parking structure on Parcel OT and 447 parking spaces on Parcel 21.*
d.	☐	☐	☒	Will inadequate access during an emergency (other than fire hazards) result in problems for emergency vehicles or residents/employees in the area? *Fire lane required along Marina-side of parcel.*
e.	☐	☐	☒	Will the congestion management program (CMP) Transportation Impact Analysis thresholds of 50 peak hour vehicles added by project traffic to a CMP highway system intersection or 150 peak hour trips added by project traffic to a mainline freeway link be exceeded?
f.	☐	☒	☐	Would the project conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?
g.	☒	☐	☐	Other factors? *Cumulative Marina traffic impacts.*

☐ **MITIGATION MEASURES** / ☐ **OTHER CONSIDERATIONS**

☐ Project Design ☒ Traffic Report ☒ Consultation with Traffic & Lighting Division

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **traffic/access** factors?

☒ Potentially significant ☐ Less than significant with project mitigation ☐ Less than significant/No impact

SERVICES - 2. Sewage Disposal

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	If served by a community sewage system, could the project create capacity problems at the treatment plant? *To be serviced by the City of Los Angeles Hyperion Treatment Plant.*
b.	☐	☒	☐	Could the project create capacity problems in the sewer lines serving the project site? *Existing County and City of Los Angeles sewage infrastructure is adequate to serve the proposed projects.*
c.	☐	☐	☐	Other factors? _____

STANDARD CODE REQUIREMENTS

☐ Sanitary Sewers and Industrial Waste Ordinance No. 6130

☐ Plumbing Code Ordinance No. 2269

☐ MITIGATION MEASURES / ☐ OTHER CONSIDERATIONS

_____

_____

_____

_____

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **sewage disposal** facilities?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

SERVICES - 3. Education

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Could the project create capacity problems at the district level? *Senior residential and commercial/office uses proposed.*
b.	☐	☒	☐	Could the project create capacity problems at individual schools which will serve the project site?
c.	☐	☒	☐	Could the project create student transportation problems?
d.	☐	☒	☐	Could the project create substantial library impacts due to increased population and demand?
e.	☐	☐	☐	Other factors?

☐ **MITIGATION MEASURES** / ☐ **OTHER CONSIDERATIONS**

☐ Site Dedication ☐ Government Code Section 65995 ☐ Library Facilities Mitigation Fee

Student-generating residential uses not proposed.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **educational** facilities/services?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impac

SERVICES - 4. Fire/Sheriff Services

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Could the project create staffing or response time problems at the fire station or sheriff's substation serving the project site?
b.	☐	☒	☐	Are there any special fire or law enforcement problems associated with the project or the general area?
c.	☐	☐	☐	Other factors?

☐ **MITIGATION MEASURES** / ☒ **OTHER CONSIDERATIONS**

☐ Fire Mitigation Fees

Nearest Fire station is less than a mile away at 4433 Admiralty Way, Marina Del Rey, CA 90292.

Nearest Sheriff's station is less than a mile away at 13851 Fiji Way, Marina Del Rey, CA 90292.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **fire/sheriff** services?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

SERVICES - 5. Utilities/Other Services

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☐	☒	Is the project site in an area known to have an inadequate public water supply to meet domestic needs or to have an inadequate ground water supply and proposes water wells? *Water supply will be provided by the LA County Waterworks District #80.*
b.	☐	☐	☒	Is the project site in an area known to have an inadequate water supply and/or pressure to meet fire fighting needs? *Water usage in the Marina Del Rey is near the entitlement limit.*
c.	☐	☒	☐	Could the project create problems with providing utility services, such as electricity, gas, or propane?
d.	☐	☐	☒	Are there any other known service problem areas (e.g., solid waste)? *Solid waste generated by demolition/construction and operation of mixed-use retirement facility and commercial offices.*
e.	☐	☒	☐	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services or facilities (e.g., fire protection, police protection, schools, parks, roads)?
f.	☐	☐	☐	Other factors?

STANDARD CODE REQUIREMENTS

☐ Plumbing Code Ordinance No. 2269 ☐ Water Code Ordinance No. 7834

☐ **MITIGATION MEASURES** / ☒ **OTHER CONSIDERATIONS**

☐ Lot Size ☐ Project Design

The applicant shall obtain proof of availability of adequate water supply to Parcels OT and 21 and provide a recycling plan addressing waste generated during project operation. Solid waste generated by demolition/construction to be addressed in the EIR Project Description.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **utilities/services**?

☒ Potentially significant ☐ Less than significant with project mitigation ☐ Less than significant/No impact

OTHER FACTORS - 1. General

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Will the project result in an inefficient use of energy resources?
b.	☐	☒	☐	Will the project result in a major change in the patterns, scale, or character of the general area or community?
c.	☐	☒	☐	Will the project result in a significant reduction in the amount of agricultural land?
d.	☐	☐	☐	Other factors?

STANDARD CODE REQUIREMENTS

☐ State Administrative Code, Title 24, Part 5, T-20 (Energy Conservation)

☐ MITIGATION MEASURES / ☐ OTHER CONSIDERATIONS

☐ Lot size ☐ Project Design ☐ Compatible Use

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to any of the above factors?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

OTHER FACTORS - 2. Environmental Safety

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Are any hazardous materials used, transported, produced, handled, or stored on-site?
b.	☐	☒	☐	Are any pressurized tanks to be used or any hazardous wastes stored on-site?
c.	☐	☒	☐	Are any residential units, schools, or hospitals located within 500 feet and potentially adversely affected?
d.	☐	☒	☐	Have there been previous uses that indicate residual soil toxicity of the site or is the site located within two miles downstream of a known groundwater contamination source within the same watershed?
e.	☒	☐	☐	Would the project create a significant hazard to the public or the environment involving the accidental release of hazardous materials into the environment? *Parcel OT lies within Methane Buffer Zone for the Playa Del Rey and Venice fields (LA County Department of Building and Safety.*
f.	☐	☒	☐	Would the project emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
g.	☐	☒	☐	Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or environment?
h.	☐	☒	☐	Would the project result in a safety hazard for people in a project area located within an airport land use plan, within two miles of a public or public use airport, or within the vicinity of a private airstrip?
I.	☐	☒	☐	Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
j.	☐	☒	☐	Other factors?

☐ **MITIGATION MEASURES** / ☒ **OTHER CONSIDERATIONS**

☐ Toxic Clean up Plan

Mitigation improvements are typically required where subsurface methane concentrations exceeds 5,000 ppm, and concentrations as high as 28,000 ppm were measured at Parcel OT.

CONCLUSION

Considering the above information, could the project have a significant impact relative to **public safety**?

☐ Potentially significant ☒ Less than significant with project mitigation ☐ Less than significant/No impact

OTHER FACTORS - 3. Land Use

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☒	☐	☐	Can the project be found to be inconsistent with the plan designation(s) of the subject property? *Plan Amendment for Lot OT to change land use from Parking to Hotel and to transfer 114 hotel spaces and 5,000 s.f. of office space from the Admiralty Development Zone to the Oxford Development Zone.*
b.	☒	☐	☐	Can the project be found to be inconsistent with the zoning designation of the subject property? *Retirement facility is proposed on Parcel OT, and 94 proposed parking spaces are transferred to Parcel 21 which is 3/5 mile away.*
c.				Can the project be found to be inconsistent with the following applicable land use criteria:
	☐	☒	☐	Hillside Management Criteria?
	☐	☒	☐	SEA Conformance Criteria?
	☐	☐	☐	Other?
d.	☐	☒	☐	Would the project physically divide an established community?
e.	☐	☐	☐	Other factors?

☐ **MITIGATION MEASURES** / ☐ **OTHER CONSIDERATIONS**

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **land use** factors?

☒ Potentially significant ☐ Less than significant with project mitigation ☐ Less than significant/No impact

OTHER FACTORS - 4. Population/Housing/Employment/Recreation

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Could the project cumulatively exceed official regional or local population projections?
b.	☐	☒	☐	Could the project induce substantial direct or indirect growth in an area (e.g., through projects in an undeveloped area or extension of major infrastructure)?
c.	☐	☒	☐	Could the project displace existing housing, especially affordable housing?
d.	☐	☒	☐	Could the project result in a substantial job/housing imbalance or substantial increase in Vehicle Miles Traveled (VMT)?
e.	☐	☐	☒	Could the project require new or expanded recreational facilities for future residents? *Project will increase residential units for seniors, which requires additional recreational facilities in the Marina area.*
f.	☐	☒	☐	Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?
g.	☐	☐	☐	Other factors?

☐ **MITIGATION MEASURES** / ☒ **OTHER CONSIDERATIONS**

Development on Parcel OT will increase residential units for senior but will provide on-site recreational amenities. Parcel 21 includes a park plaza and pedestrian promenade.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **population, housing, employment**, or **recreational** factors?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

MANDATORY FINDINGS OF SIGNIFICANCE

Based on this Initial Study, the following findings are made:

	Yes	No	Maybe	
a.	☐	☒	☐	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?
b.	☐	☐	☒	Does the project have possible environmental effects which are individually limited but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. *Traffic, Air Quality*
c.	☐	☐	☒	Will the environmental effects of the project cause substantial adverse effects on human beings, either directly or indirectly? *Geotechnical Hazards, Water Quality, Air Quality, Noise, Environmental Safety*

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the environment?

☒ Potentially significant ☐ Less than significant with project mitigation ☐ Less than significant/No impact

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Jon Sanabria
Acting Director of Planning

October 29, 2009

TO: Leslie G. Bellamy, Chair
Wayne Rew, Vice Chair
Esther L. Valadez, Commissioner
Harold V. Helsley, Commissioner
Pat Modugno, Commissioner

FROM: Samuel Dea
Section Head
Special Projects Section

SUBJECT: AGENDA ITEM NOS. 6(y) and 6(z)
R2006-01510 and R2006-02726

On October 21, 2009, your Commission held a public hearing on the above-mentioned projects. Staff gave a presentation on the proposed projects and the applicant and interested members of the public provided testimony. The hearing was continued to February 10, 2010 to allow the applicant time to address issues raised by members of the public, staff the opportunity to address issues raised in a letter from the Department of Toxic Substances Control and so that the cases would be heard sequentially with the proposed projects on Parcels 9, 10, and FF.

Following the October 21, 2009 hearing, staff received a letter from the Los Angeles County Department of Beaches and Harbors requesting that an earlier continued hearing date be considered (Attachment). At the October 28, 2009 meeting, your Commission directed staff to place the items on the November 4, 2009 agenda to allow the Commission an opportunity to discuss the possibility of changing the February 10, 2010 continued hearing date.

SD:MRT:mrt

Attachment: Letter from the Department of Beaches and Harbors

To enrich lives through effective and caring service

Los Angeles County
Department of Beaches & Harbors
Caring for Your Coast

Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

October 27, 2009

Regional Planning Commission
150 Hall of Records
320 West Temple Street
Los Angeles, CA 90012

Dear Commissioners:

As co-applicants for Parcels OT and 21 in Marina del Rey, and as sole applicant for the Local Coastal Program Amendment for Parcel OT, the County of Los Angeles, Department of Beaches and Harbors, respectfully requests that the Commission reconsider the hearing date established on October 21, 2009 for this project.

At the hearing, and after the public hearing portion had closed, the Commission discussed continuance to a certain date. It continued this item to February 10, 2010 to follow another much larger Department item to be heard on February 3, 2010. The Commission lost its quorum at 1 p.m. that day, preventing the applicants from answering the Commission's questions. The Department was ready and able to answer those questions the day of the hearing, and believes that had a response to those questions been made, the Commission would have been satisfied with the answers.

We respectfully request that the Commission reconsider the extended continuance of this Parcel OT and 21 item. First, although the rationale for the long hearing continuance was the loss of public parking, in fact this item does not eliminate public parking at all. The proposed projects are staggered in terms of implementation, and replace every space that is currently on the ground, albeit with respect to 94 spaces in a different location more convenient to users of Mothers' Beach. We do not believe that the issues presented are the same. Additionally, we will incorporate into the final EIR our pro-forma response to the comments made in the Department of Toxic Substances Control's October 12, 2009 letter to the Department of Regional Planning.

We understand that this request, if accepted, may require noticing those who attended the meeting or sent in written comments. We request a hearing date of December 9, 2009 for this item. If a presentation from the Department of Beaches and Harbors on the Right Sizing Parking Study would assist the Commission, we would be pleased to provide such a presentation.

13837 Fiji Way • Marina del Rey • CA 90292 ● 310.305.9503 • fax 310.821.6345 ● internet: http://marinadelrey.lacounty.gov

We await your response to our request. If you have questions or need additional information, please contact Gary Jones, Deputy Director, at (310) 574-6787.

Very truly yours,

SANTOS H. KREIMANN, DIRECTOR

Gary Jones
Deputy Director

Sherman Gardner
Co- Applicant

SHK:tm
c: Jon Sanabria, Acting Director
Regional Planning Department

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Jon Sanabria
Acting Director of Planning

December 3, 2009

TO: Leslie G. Bellamy, Chair
Wayne Rew, Vice Chair
Esther L. Valadez, Commissioner
Harold V. Helsley, Commissioner
Pat Modugno, Commissioner

FROM: Samuel Dea
Section Head
Special Projects Section

SUBJECT: Oceana Retirement Facility and Holiday Harbor Courts. Project Nos. R2006-01510, R2006-02726 (Item Nos. 7 and 8)

A public hearing on the above-mentioned projects was held before the Regional Planning Commission on October 21, 2009. At that hearing, your commission instructed staff and the applicants to address some of the questions and concerns raised by members of the public and the Commission. The following is a summary of the October 21, 2009 hearing and responses from Staff and the applicant.

October 21, 2009 Public Hearing

On October 21, 2009, your commission conducted a public hearing on the above-mentioned projects (Project). At that hearing, your commission heard the staff presentation and testimony from the project applicants and interested members of the public. Commissioners Bellamy, Rew, Valadez, Modugno and Helsley were present at the hearing.

Your commission continued the hearing to February 10, 2009 and directed staff and the project applicants to prepare responses to the issues raised during the hearing. Staff was also asked to address a letter received from the California Department of Toxic Substances.

Prior to the February 10, 2010 public hearing, a letter was received from the Department of Beaches and Harbors requesting that an earlier hearing date be considered **(Attachment 1)**. Your Commission considered and the discussed the request at the November 4, 2009 hearing and voted to change the continued hearing date to December 16, 2009 with proper noticing to members of the public. Commissioners Bellamy, Rew, Valadez and Helsley were present. Commissioner Modugno was absent.

Response to Public Comments

At the October 21, 2009 public hearing, the Commission directed Staff, and the applicants to respond to issues and concerns raised by the Commission and members of the public. Staff and the applicants have prepared written responses addressing issues and. **(Attachment Nos. 2, and 3)**

STAFF EVALUATION
Project No. R2006-01510

Issues
Pursuant to Sections 22.46.1550, Title 22 of the County Code (Zoning Ordinance) a Senior Accommodations Facility or similar facilities are not permissible on a parcel with the Parking land use category in the Marina del Rey Specific Plan (Specific Plan). The Parking land use category is intended for public uses such as parks or parking facilities. Because of the subject parcel's Parking land use designation, to accommodate the proposed development, the following amendments to the Marina del Rey Local Coastal Program (LCP) are required: to authorize the transfer of development potential between Development Zones (114 hotel units from the Admiralty DZ #7 and 5,000 square feet of retail space from the Palawan/Beach DZ #5 to the Oxford DZ #6); to change Parcel OT's land use designation from "Parking" to the "Active Senior Accommodations Facility" designation with a Mixed Use Overlay Zone; to transfer 94 of the LCP permitted 186 public parking spaces on Parcel OT to Parcel 21, to create an Active Seniors Accommodations Land Use Category in the LCP and re-designate Parcel OT as an Active Seniors Accommodations parcel, to adjust the parcel and land use boundaries between Parcel OT and Parcel P.

Staff is of the opinion that the expanding senior population in West Los Angeles provides sufficient justification for plan amendments to convert a parking lot that is underutilized for most of the year into a senior accommodations facility. In addition, the public parking spaces that are currently on Parcel OT will not be lost. The applicant is proposing to transfer 94 of the existing 186 spaces currently developed on the site to Parcel 21 and is maintaining the remaining 92 spaces onsite. Currently, patrons using the parking facility on Parcel OT who wish to visit Marina Beach, must cross Admiralty Way, a busy Secondary Highway. Transferring the spaces to Parcel 21 provides visitors to Marina del Rey closer and more access to Marina Beach.

Provided that the proposed plan amendments are approved and Parcel OT's Land Use Category is changed from, "Parking," to "Senior Accommodations Facility," then pursuant to Title 22 of the County Code (Zoning Ordinance) senior accommodations facility will be a permitted use in the Marina del Rey Specific Plan. A Coastal Development Permit is required to undertake any development in the Coastal Zone. Staff finds that the proposed senior accommodations facility is consistent with the requirements for a Coastal Development Permit if the amendment is approved as proposed

A Conditional Use Permit would be required to authorize a parking lot in the proposed Senior Accommodations Facility land use Category and for retail uses on a parcel with a proposed Mixed Use Overlay Zone. Staff finds that the proposed project is consistent with the requirements of Section 22.56.040 of the Los Angeles County Code.

As proposed, the project would require a Parking Permit to authorize the transfer of parking spaces from Marina del Rey Parcel OT to Parcel 21. Staff finds that the proposed project is consistent with the requirements of Section 22.56.1020 of the Los Angeles County Code.

Both the Marina del Rey Land Use Plan (Recreation and Visitor-Serving Facilities Page 2-5) and the Right Sizing Parking Study have concluded that Parcel OT is an underutilized public parking lot during most of the year. The applicant is proposing to move 94 of the 186 existing spaces to Parcel 21 where they can be better utilized and provide closer and more direct

access to Marina Beach and other waterfront facilities. In addition, the applicant has agreed to help finance a portion of the County's Oxford Basin enhancement project which will provide the public with improved access to the Oxford Basin Bird Sanctuary.

At the time that the 1996 Major Amendment to the LCP was drafted, a use such as an Active Senior Accommodations Facility had not yet been contemplated. The proposed facility would provide active seniors with services very similar to those found in a hotel. The rooms will not have individual kitchens, but rather one central kitchen, from which the tenants may have food delivered to their rooms or eat together in a communal dining area. This type of facility is needed to serve the expanding senior population in Los Angeles County.

In addition, the facility will reduce vehicle trips versus a typical residential building by providing seniors with facilities such as a card room, library, screening room, arts and crafts area, beauty shop, gym and retail shopping area all onsite.

The proposed project will relocate 94 parking spaces from an underutilized public parking lot to a location where they can better serve visitors to Marina del Rey. Furthermore, the proposed Senior Accommodations Facility/Mixed Use project will not only improve the quality of life for County residents, but will also provide much needed revenue for the General Fund versus the current underutilized parking lot.

STAFF RECOMMENDATION

Approval

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing.

Staff recommends APPROVAL of Coastal Development Permit No. 200600002-(4), Conditional Use Permit No. 200600115-(4) and Parking Permit No. 200600009-(4) subject to the attached conditions. Staff also recommends that the Regional Planning Commission prepare a resolution recommending approval of Plan Amendment No. 200600109-(4) to the Board of Supervisors.

SUGGESTED MOTIONS

I move that the public hearing be continued to a date certain and that Regional Planning Commission instruct staff to prepare the Final Environmental Impact Report and prepare a resolution recommending the approval of Plan Amendment No. 200600109-(4) to the Board of Supervisors and prepare findings and conditions of approval for Coastal Development Permit No. 200600002-(4), Conditional Use Permit No. 200600115-(4) and Parking Permit No. 200600009-(4).

STAFF EVALUATION

Project No. R2006-02726

Issues

Pursuant to Sections 22.46.1440 and 22.46.1710, Title 22 of the County Code (Zoning Ordinance) a commercial center with a parking structure is permissible on a parcel with the Marine Commercial Land Use Category and a Waterfront Overlay Zone in the Marina del Rey Specific Plan. A Coastal Development Permit is required to undertake any development in the

Coastal Zone. Staff finds that the proposed commercial center is consistent with the requirements for a Coastal Development Permit and provisions of the LCP.

A Conditional Use Permit is required for a parking structure, a yacht club, 2,916 square feet of Visitor Serving/Convenience Commercial uses, a health club and offices for boating related activities in the Marine Commercial/Waterfront Overlay Zone Land Use Category of the Marina del Rey Specific Plan. Staff finds that the proposed project is consistent with the requirements of Section 22.56.040 of the Los Angeles County Code and the Specific Plan.

The proposed project requires an amendment to the Marina del Rey Land Use Plan to authorize the redrawing of the parcel boundary line between Marina del Rey Parcels 21 and GR to transfer of 31,050 square feet on the westerly portion of Parcel 21 to Parcel GR. It would be appropriate for the Commission to consider this request as increasing the size of public parking lot GR, which serves Marina Beach, facilitates public access to the coast.

As proposed, the project would require a Parking Permit to authorize the transfer of parking spaces from Marina del Rey Parcel OT to Parcel 21. Staff finds that the proposed project is consistent with the requirements of Section 22.56.1020 of the Los Angeles County Code.

There are many aspects of the proposed project that are not only beneficial to the County, but also serve LCP goals of increasing coastal access, encouraging recreational uses in the Marina, and maintaining the physical and economic viability of the marina. The project will demolish outdated buildings and uncovered parking spaces and replace them with modern buildings with covered parking. Not only would the proposed project replace 6,000 square feet of health club space with 6,000 square feet of Marine Commercial uses, it would also add a 5,000 square foot yacht club to the subject parcel, a vital amenity to the Marina. In addition, covered parking is preferable in a setting like the Marina, because there is far less likelihood that runoff will cause auto related contaminates to enter the harbor. The proposed project maintains and improves recreational opportunities in the Marina by preserving all boaters parking on site, upgrading boater showers and restrooms and moving public parking spaces from Parcel OT to Parcel 21, allowing the public easier access to Marina Beach.

Lastly, the proposed plan amendment increases the size of public parking lot GR, thus further increasing visitor-serving and recreational opportunities in the Marina.

STAFF RECOMMENDATION

Approval

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing.

Staff recommends APPROVAL of Coastal Development Permit No. 200600003-(4), Conditional Use Permit No. 200600223-(4) and Parking Permit No. 200600015-(4) subject to the attached conditions. Staff also recommends that the Regional Planning Commission prepare a resolution recommending approval of Plan Amendment No. 200600010-(4) to the Board of Supervisors.

SUGGESTED MOTIONS

I move that the public hearing be continued to a date certain and that Regional

Planning Commission instruct staff to prepare the Final Environmental Impact Report and prepare a resolution recommending the approval of Plan Amendment No. 200600010-(4) to the Board of Supervisors and prepare findings and conditions of approval for Coastal Development Permit No. 200600003-(4), Conditional Use Permit No. 200600223-(4) and Parking Permit No. 200600015-(4).

If you need further information, please call Mr. Michael Tripp of my staff at (213) 974-4813 or mtripp@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

SZD:mrt

Attachements:

1. Correspondence from the Department of Beaches and Harbors
2. Response by DRP Staff
3. Response by Envicom

ATTACHMENT 1

To enrich lives through effective and caring service

Los Angeles County
Department of Beaches & Harbors
Caring for Your Coast

Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

October 27, 2009

Regional Planning Commission
150 Hall of Records
320 West Temple Street
Los Angeles, CA 90012

Dear Commissioners:

As co-applicants for Parcels OT and 21 in Marina del Rey, and as sole applicant for the Local Coastal Program Amendment for Parcel OT, the County of Los Angeles, Department of Beaches and Harbors, respectfully requests that the Commission reconsider the hearing date established on October 21, 2009 for this project.

At the hearing, and after the public hearing portion had closed, the Commission discussed continuance to a certain date. It continued this item to February 10, 2010 to follow another much larger Department item to be heard on February 3, 2010. The Commission lost its quorum at 1 p.m. that day, preventing the applicants from answering the Commission's questions. The Department was ready and able to answer those questions the day of the hearing, and believes that had a response to those questions been made, the Commission would have been satisfied with the answers.

We respectfully request that the Commission reconsider the extended continuance of this Parcel OT and 21 item. First, although the rationale for the long hearing continuance was the loss of public parking, in fact this item does not eliminate public parking at all. The proposed projects are staggered in terms of implementation, and replace <u>every space</u> that is currently on the ground, albeit with respect to 94 spaces in a different location more convenient to users of Mothers' Beach. We do not believe that the issues presented are the same. Additionally, we will incorporate into the final EIR our pro-forma response to the comments made in the Department of Toxic Substances Control's October 12, 2009 letter to the Department of Regional Planning.

We understand that this request, if accepted, may require noticing those who attended the meeting or sent in written comments. We request a hearing date of December 9, 2009 for this item. If a presentation from the Department of Beaches and Harbors on the Right Sizing Parking Study would assist the Commission, we would be pleased to provide such a presentation.

13837 Fiji Way • Marina del Rey • CA 90292 • 310.305.9503 • fax 310.821.6345 • internet: http://marinadelrey.lacounty.gov

We await your response to our request. If you have questions or need additional information, please contact Gary Jones, Deputy Director, at (310) 574-6787.

Very truly yours,

SANTOS H. KREIMANN, DIRECTOR

Gary Jones
Deputy Director

Sherman Gardner
Co- Applicant

SHK:tm
c: Jon Sanabria, Acting Director
Regional Planning Department

ATTACHMENT 2

Department of Regional Planning Response to Issues Raised during the October 21, 2009 Public Hearing on Marina del Rey Parcels OT and 21

The following questions and statements were made by the public and members of the Commission during the October 21, 2009 public hearing regarding the Oceana Retirement Facility and the Holiday Harbor Courts commercial project on Marina del Rey Parcels OT and 21. This list represents the major issues that were raised at the hearing.

1. How does the height of the proposed senior facility on Parcel OT compare with other buildings in the vicinity?

   Staff Response: The proposed building is approximately 67 feet tall on the Admiralty Way frontage and 75 feet tall on the Washington Blvd frontage. Buildings in the immediate area are of the following heights:

   <u>North:</u> Residences in the City of Los Angeles are located to the north of the site. The residences located across Washington Blvd are varying in height from one to two stories.
   <u>East:</u> To the east of the project site is the Oxford Basin and the Ritz Carlton. The Ritz is 166 feet in height.
   <u>South:</u> To the south are the Marina City Club buildings at 172 to 182 feet in height and the FantaSea Yachts and Organic Panificio buildings are approximately two stories in height.
   <u>West:</u> To the west of the project site, is the Marina International Hotel at 40 feet in height, Villas at Admiralty Way at 61 to 73 feet in height and the Marriott at 152 feet in height. (Please see attached map)

2. Public parking spaces on Parcel OT should be preserved so that they may be available to Marina visitors that wish to visit the Oxford Basin after it is rehabilitated by the Department of Public Works.

   Staff Response: The proposed project will maintain 92 public parking spaces onsite. In addition, the western side of the Oxford Basin is bordered by a 120-space public parking lot.

3. The California Coastal Commission and the Marina del Rey Local Coastal Program (LCP) only allows public parking lots to be turned into parks.

   Staff Response: The Marina del Rey Land Use Plan is contradictory in that in some places it contemplates converting parking lots to residential uses and in other parts, it states that the lots may only be converted to parks. The proposed project requires a plan amendment to the LCP to change Parcel OT's land use from, "Parking," to, "Senior Accommodations Facility." This amendment requires approval by the Board of Supervisors and the California Coastal Commission.

4. The proposed project will result in a loss of public parking.

   Staff Response: As proposed, the project will not result in the loss of any public parking spaces. Parcel OT is currently developed with 186 parking spaces. The project is proposing to maintain 92 public spaces onsite and to replace the remaining 94 spaces on Parcel 21 near Marina Beach.

5. The Parcel 21 project should not be reviewed because it does not include the waterside (docks) portion of the project. The applicant is not telling the Planning Commission that they are intending to reduce boater parking spaces from 140 dedicated spaces to 75.

   Staff Response: The California Coastal Commission retains permitting authority over the waterside areas of Marina del Rey. Any proposed change to the configuration of the docks requires a Coastal Development Permit issued by the Coastal Commission rather than the Regional Planning Commission.

   The applicant is proposing to replace all 183 boater parking spaces currently available onsite. (Please see the attached Table III-5 of the Draft EIR)

6. The current process is out of order. The Coastal Commission should approve plan amendments before they are considered by the Regional Planning Commission.

   Staff Response: The Marina del Rey Local Coastal Program is a Los Angeles County document certified by the California Coastal Commission. Consequently, It gives the County the authority to issue Coastal Development Permits within the LCP area. Any proposed changes to this document must be reviewed and approved by the Board of Supervisors. Prior to their reviewing the changes, the Board requires the Regional Planning Commission to evaluate and recommend approval or disapproval of any proposed changes to the document. This is the same process that would be required if a request was made to amend the Los Angeles County General Plan. If the Regional Planning Commission and the Board of Supervisors agree to an amendment to the LCP, the amendment must then be brought to the Coastal Commission so that they may ensure that the proposed amendment is consistent with the Coastal Act.

   The California Coastal Act requires that proposed amendments to a certified local coastal program undergo a public hearing and receive approval from the local legislative authority prior to submission to the California Coastal Commission for its consideration.

7. A Request for Proposals (RFP) was never released for Parcel OT

   Staff Response: The RFP for Parcel OT was released on 09/20/2000. On 07/31/2001 the Chief Administrative Officer and the Director of the Department of Beaches and Harbors were authorized to enter into exclusive negotiations for lease options on Parcel OT. (Please see attached RFP and Authorization for Lease Negotiations)

8. The Design Control Board (DCB) was against this project and did not approve it in its current form. The project returned to the DCB in February 2006 and was not approved.

   Staff Response: The Design Control Board approved this project on August 18, 2005 (Please see attached minutes).

   A phase II plan for Parcel 21 involved the Department of Beaches and Harbors constructing their own public parking lot on the western portion of Parcel 21. The applicant agreed to give control of this area of the lot back to the Department of Beaches and Harbors as part of the Phase I development. The phase II project was heard by the DCB on February 16, 2006, but never moved past the DCB review. Currently, the Department of Beaches and Harbors is not planning to build a second parking structure on the western portion of Parcel 21.

9. The Design Control Board did not approve this project to have market rate housing. The DCB requested that the county scale back the proposed projects and find different locations for them.

   Staff Response: The DCB review of this project made no mention of whether or not the proposed project would include market rate housing. Staff can find no record in the DCB minutes of the DCB requesting these projects to be scaled back or placed in different locations.

10. The County is currently preparing a Major LCP amendment for "Pipeline" projects that contains a Cumulative Impact Assessment. No projects should be considered by the Regional Planning Commission until after they have reviewed the Major LCP Amendment and Cumulative Impact Assessment.

    Staff Response: The proposed projects on Parcels OT and 21 were submitted to the Department of Regional Planning in 2006. Since that time, the applications have been deemed complete and a Draft Environmental Impact Report has been completed and circulated for public review.

    The Permit Streamlining Act and the California Environmental Quality Act do not allow the Department of Regional Planning to place projects on hold indefinitely once an application has been deemed complete. "Pipeline" projects are not precluded from being processed independently of each other as they are required by CEQA to analyze each project's impacts along with cumulative impacts of all identified related projects.

11. The Department of Toxic Substances submitted a letter on October 14, 2009 that expressed concerns about possible soil toxicity. How will this letter be addressed?

    The Final Draft Environmental Impact Report will address the concerns raised by the Department of Toxic Substances. In addition, the Mitigation Monitoring Program will include the suggested mitigation measures mentioned in the letter.

ATTACHMENT 3

ENVICOM CORPORATION

Environmental Analysis & Compliance

Urban Planning & Design

Real Estate Development & Entitlement

Environmental Restoration

Real Estate Economics & Valuation

November 24, 2009

Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Attn: Mr. Michael Tripp

Subj: Responses to Comments Received During the October 21, 2009 Planning Commission Hearing – Marina Parcels OT/21

Dear Mr. Tripp:

Pursuant to comments received during testimonies provided on Agenda Items #10 and #11 from the October 21, 2009 Planning Commission hearing, we have prepared the attached responses. As noted in the responses, additional information will be provided at the December 16, 2009 Planning Commission hearing.

Sincerely,

Travis Cullen
Chief Operating Officer

28328 Agoura Road
Agoura Hills, California 91301

Tel. (818) 879-4700
Fax (818) 879-4711

www.envicomcorporation.com

RESPONSES TO COMMENTS

LOS ANGELES COUNTY
REGIONAL PLANNING COMMISSION MEETING
PUBLIC HEARING
OCTOBER 21, 2009

AGENDA ITEMS 10 & 11: PROPOSED PROJECT ON PARCELS OT & 21

Testifier Ruth Galanter

In Support of the Proposed Project: And I want to speak strongly in support of both of these projects because I believe that this is an opportunity to provide recreational access to people who do not need to drive to the beach.

The comments in support of the proposed project are noted.

Testifier Dr. Gottlieb

Construction Phase Hauling: I searched on 4,446 cubic yards and it has many different positions. It comes up four times and one time we're told that the 4,446 cubic yards is the sum of something from Parcel OT and from Parcel 21; whereas the original thing has it as just coming from Parcel 21, something like that...4,446 cubic yards of waste involves, I think, the Parcel 21. And the 7,768 cubic yards of soil is mentioned for the -- as the export of soil from Parcel OT. Now, OT is only going to have 74 loads, while the other one -- 21 -- is going to have 647 loads. But the obvious thing to do is to divide the number of cubic yards by the number of truckloads and find out what the value of the truck is. There's nowhere in the Volume I of the DEIR, which says how big these trucks are, what their noise volume is, what their traffic thing is.

As stated on page III-32 of the Draft EIR, demolition activities associated with redevelopment of Parcels OT and 21 would result in the hauling of 4,446 cubic yards (c.y.) of waste (246 c.y. for Parcel OT and 4,200 c.y. for Parcel 21). Grading activities for Parcels OT and 21 would result in exporting 7,768 c.y. of soil (6,500 c.y. for Parcel OT and 1,268 c.y. for Parcel 21). This information is internally consistent and references to the 4,446 c.y. estimate be found on pages IV.B-9 and IV.D-12 of the Draft EIR. The project (i.e., Parcel OT and 21 combined), is expected to generate 4,446 c.y. of waste and would require 74 loads; during grading 7,768 c.y. of soil export are expected and would require 647 loads. Generally, dirt weighs approximately 2,600 to 3,000 lbs. per c.y. and debris weighs approximately 250 to 500 lbs. per c.y. The actual weight varies depending on the water content of the soil and the type of debris being hauled; however, the weights described are generally accepted in the trucking industry. Soils would be hauled by a bottom dump truck that will hold approximately 11 to 12 c.y and debris would be hauled by an end dump truck that holds approximately 60 c.y. The typical street weight limit including the truck is 80,000 lbs and the trucks weigh about 30,000 lbs leaving about 50,000 lbs for debris or soil. Typically a full load of dirt is between 28,000 and 33,000 lbs depending on water content in the soil.

As discussed on page IV.B-10 of the Noise section in the Draft EIR, Assuming a 35 mile per hour (mph) travel speed, the above number of trucks would provide the following noise signature at 50 feet from the roadway centerline: 49.7 dB CNEL during demolition and 54.7 dB CNEL during grading. The maximum potential project impact attributed to truck hauling activity noise during demolition and construction is +0.3 dB CNEL. This is less than the significance threshold of +3 dB CNEL. The Draft EIR concluded that truck haul noise during both the 15 days of grading activities and seven days of demolition activity would therefore be less than significant. Construction of the project would require the designation of construction vehicle and haul routes and construction period management of roadways, sidewalks, and public transportation routes. The Draft EIR determined that the proposed project would result in potentially significant, but temporary, construction traffic impacts that would be reduced to a less-than-significant level through the implementation of Mitigation Measure TA-1. With respect to truck size, in is anticipated that standard sized heavy-duty diesel haul trucks would be used during construction.

Testifier John Rizzo
Affordable Housing: We need affordable housing, and today, we need affordable housing more than ever. We need affordable -- and it's public land. It's supposed to be affordable.

As discussed in section IV.K, Land Use, the proposed project does not include an affordable housing component. The project is requesting that Parcel OT be re-zoned with a new Active Seniors Accommodations designation; with approval, dwelling units in this zone would not be considered residential uses for purposes of assessing affordable housing requirements and impacts would be less than significant.

[[NOTE: The Applicant will further address this comment at the hearing on December 16, 2009.]]

Testifier John Rizzo
Parking on Parcel OT: That lot on [Parcel OT] on peak days is totally full. Underutilized? There's no parking on it [the parking lot on Parcel OT]. And so what I'm saying is this. Is that we need that parking lot for public parking for the beach, for that 14 million dollar park [the Oxford Basin project] we're making.

The parking analysis in the Draft EIR concluded that the project would not reduce area parking capacity as it would replace all of the parking spaces that would be removed with project development. The project would provide 92 spaces on Parcel OT, which would be clearly marked with appropriate signage for easy access by the public, and 94 public spaces on Parcel 21, which is located to the south of Parcel OT on Panay Way. The relocation of 94 spaces to Parcel 21 is expected to provide safer and more convenient parking for Mother's Beach, as visitors will no longer have to cross two public streets, as is currently the case with the public parking on Parcel OT.

With respect to the Oxford Basin project, the Project design, including parking, and implementation requires approval from and coordination with the Los Angeles County Department of Public Works and the County Department of Beaches and Harbors. Additionally, the Oxford Basin project is in the conceptual stage and not underway such that it would be considered a "related project."

[[NOTE: The Applicant will further address this comment at the hearing on December 16, 2009.]]

Testifier John Nahas
Affordable Housing: We need affordable housing, and today, we need affordable housing more than ever. We need affordable -- and it's public land. It's supposed to be affordable.

As discussed in section IV.K, Land Use, the proposed project does not include an affordable housing component. The project is requesting that Parcel OT be re-zoned with a new Active Seniors Accommodations designation; with approval, dwelling units in this zone would not be considered residential uses for purposes of assessing affordable housing requirements.

Testifier John Nahas
Land Use Plan on Parcel OT: The Coastal Commission was very clear on what they asked for parking lots, and what could be designated for parking lots. It's very clear in the Local Coastal Program that you were supposed to oversee. Parking lots can only be turned into what? They can only be turned into parks.

Though the Land Use Plan (LUP) of the Local Coastal Program contemplated the potential conversion of Parcel OT to residential uses and states that it was underutilized throughout most of the year, the testifier is correct in that the LUP states that no designated public parking areas, including Parcel OT, shall be converted to uses other than public parking or public park purposes. However, as discussed in section IV.K, Land Use, of the Draft EIR, the 1995 California Coastal Commission staff report (revised findings, Marina del Rey LCPA 1-94, December 1995) states that public parking on Parcel OT will be converted to commercial and residential uses. Additionally, the County Department of Beaches and Harbors set forth a Request for Proposals (RFP) in June 2000 for development of hotel/motel, restaurant, retail, and/or other uses on Parcel OT.

[[NOTE: The Applicant will further address this comment at the hearing on December 16, 2009.]]

Testifier John Nahas
Parking on Parcel OT: The public was told and given this opportunity that OT would be for the lagoon – for the new, redeveloped lagoon...they're going to have a lot of these new participants in this area. Where's the parking for them? We need that parking lot to stay for the public area, for the public arena. We're losing parking here. You're saying that we're somehow going to retain parking. Where?

The parking analysis in the Draft EIR concluded that the project would not reduce area parking capacity as it would replace all of the parking spaces that would be removed with project development. The project would provide 92 spaces on Parcel OT, which would be clearly marked with appropriate signage for easy access by the public, and 94 public spaces on Parcel 21, which is located to the south of Parcel OT on Panay Way. The relocation of 94 spaces to Parcel 21 is expected to provide safer and more convenient parking for Mother's Beach, as visitors will no longer have to cross two public streets, as is currently the case with the public parking on Parcel OT.

With respect to the Oxford Basin project, the Project design, including parking, and implementation requires approval from and coordination with the Los Angeles County Department of Public Works and the County Department of Beaches and Harbors.

Additionally, the Oxford Basin project is in the conceptual stage and not underway such that it would be considered a "related project."

Testifier John Nahas
Parking on Parcel OT (Fantasea Yachts): The parking lot is currently being utilized by Fantasy Yachts.

The proposed project would replace all of the parking spaces that would be removed with project development, including parking associated with FantaSea Yachts and Yacht Club. The project would provide 92 spaces on Parcel OT, which would be clearly marked with appropriate signage for easy access by the public, and 94 public spaces on Parcel 21, which is located to the south of Parcel OT on Panay Way. It should be noted that, in addition to the use of these spaces for Mother's Beach and special events, the FantaSea Yachts and Yacht Club retains a Coastal Development Permit for the non-exclusive right to use up to 92 public parking spaces on Parcel OT after 6:00 pm and on weekends and holidays. See also Response to Comment Letter No.1

Testifier John Nahas
Open Space on Parcels OT & P: Staff has said is that they're going to fence off the lagoon. Walling off on the Marina. The destruction of open space is continuing this walling off.

The chain link fence that currently surrounds the Oxford Retention Basin area would remain in place with project development. The project would not preclude existing access through the construction of walls. As discussed in section IV.K, Land Use, the proposed project would adjust Parcel OT boundary to include 19,755 s.f. of Parcel P, which is designated open space in the LCP. The proposed building would encroach approximately 30 to 35 feet (or 9,397 s.f.) into what is currently Parcel P, leaving approximately 20 to 25 feet for a pathway and transitional landscaping compatible with the future enhancement of Oxford Basin. Currently, the surface parking lot on Parcel OT encroaches approximately 21 feet into Parcel P (an area of 6,665 s.f.); therefore, the proposed building on Parcel OT would encroach into Parcel P by an additional nine to 14 feet and 2,732 s.f. The Department of Beaches and Harbors intends to offset the reduction of open space on Parcel P via the planned expansion of Burton W. Chace Park.

Testifier John Nahas
Boats Slips and Parking on Parcel 21: The developer is proposing a reduction in boat slips in Parcel 21. They're not telling you that today -- 50 percent reduction. The loss of 95 boat slips, and more importantly, a reduction of 140 boater-dedicated parking spaces going down to 75 boater-dedicated parking spaces. They're not saying that.

The proposed project would not include the reduction of boat slips or associated boater-dedicated parking spaces. It should be noted that Parcel 21 would provide a surplus of approximately seven spaces above the number required. In addition, through a partial lease termination, Parcel 21 would be reduced by 207 feet, or 31,050 s.f., with a corresponding increase in the area of Parcel GR. Under separate proposal, the Los Angeles County Department of Beaches and Harbors is considering expanding the number of existing surface parking spaces provided on Parcel GR to include surface

parking on the proposed area of expansion. Therefore, the project would facilitate the provision of additional public parking within the Marina.

Testifier John Nahas
Project Design Review Process: If you would please, just do some further investigation with Design Control Board (DCB). The DCB had major concerns.

With respect to the comments regarding DCB Approval, on August 18, 2005 the DCB passed a motion unanimously to approve the proposed project in concept. All proposed designs would be subject to review and approval of the DCB to ensure that the project meets the specifications and minimum standards for architectural treatment and construction. See also Response to Comment Letter No. 9

[[NOTE: The Applicant will further address this comment at the hearing on December 16, 2009.]]

Testifier John Nahas
Project Review Process: [T]his should be going as an LCP amendment to the Coastal Commission and then back to this Planning Commission, not vice versa.

[[NOTE: The Applicant will address this comment at the hearing on December 16, 2009.]]

Testifier David Barish "We are Marina del Rey"
Request for Proposals on Parcel OT: And as far as I know, there is no RFP submitted for OT.

The County Department of Beaches and Harbors set forth a Request for Proposals (RFP) in June 2000 for development of hotel/motel, restaurant, retail, and/or other uses on Parcel OT as well as several other lots.

Testifier David Barish "We are Marina del Rey"
Project Review Process-Piecemealing: The piecemealing of the County's overall Marina del Rey redevelopment project. And furthermore, in terms of just the piecemealing, you haven't seen the projects that are going to be -- two additional projects that are proposed for Mother's Beach that are in between these projects. Parcel IR and Mother's Beach, a two-building structure, a hotel, and the Zuker project on Parcel 33 NR, which has not come through yet. Those are major changes all surrounding this area that are not being looked at in a -- in a cumulative fashion by your Commission.

The Draft EIR includes a list of related projects based on information obtained from the Los Angeles County Regional Planning Department, the City of Los Angeles Department of Transportation, and from the Cities of Santa Monica and Culver City (refer to Table IV.H-10). The related projects identified include the hotel development proposed on Parcel IR (related project #14) and mixed-use development proposed on Parcel 33/NR (related project #20). The Draft EIR includes cumulative analyses for each environmental issue area based on the list of related projects and, as such, the project's relationship and any potential impacts related to development on Parcels IR and 33/NR were considered in forming cumulative impact conclusions. It should be noted that the project and related projects within Marina del Rey are subject to review by the Regional Planning Commission. See also Response to Comment Letter No. 9

Testifier David Barish "We are Marina del Rey"
LCP Amendment Cumulative Impact Assessment: The second thing -- the other thing is that during the LCP amendment there will be a cumulative impact assessment that is being prepared. I don't know what -- what's going to be in it, but they're preparing it. Why are we hearing these projects now before that's done -- before that impact assessment comes before this Commission. It is out of order, and if you proceed today to a final EIR, you are violating [CEQA], Coastal Act, and your own rules. Furthermore, the second reason why we need to continue these -- these projects, is because these projects are part of the bundle of projects, labeled by the L.A. County Department of Beaches and Harbors and Regional Planning as pipeline projects; okay? It is premature and out of order to hear these individual projects now prior to the drafting of a compound LCD amendment that would allow these projects to proceed, let alone prior to any action being taken on it -- by your Commission, by the Board of Supervisors, by the California Coastal Commission -- all required steps that need to be completed before these projects can ultimately be approved.

[[NOTE: The Applicant will address this comment at the hearing on December 16, 2009.]]

Testifier David Barish "We are Marina del Rey"
Project Design Review Process: First, the Design Control Board (DCB) has not reviewed nor conceptually approved the current project as it is before you today. On August 18, 2005, the DCB agenda was they considered a new building on a severance of the westernmost portion of Parcel 21 for future use as public parking. That was what was approved. And it was confirmed in next month's meeting, when it said, "Approval of the Record of the DCB's August 2005 action for conditional approval of a new building that includes a yacht club, office space, parking, and a public park. The project that was granted conceptual approval was the remaining eastern portion of Parcel 21 to be used for construction of a new building, including yacht club, office space, outside parking for its users, and an adjacent park. The Department of Beaches and Harbors went back to the DCB in February to consider the public parking on the western portion of Parcel 21. That was continued, and it has been continued indefinitely -- it has not gone back. This project as it sits before you has not been reviewed or conceptually approved by the DCB, and I urge you to continue this -- these projects that are integrated together until the DCB sees it and approves it.

The proposed project received conceptual approval from the DCB, on August 18, 2005, which found the project to meet the requirements of the LCP (refer to Appendix A of the Draft EIR). The testifier is correct in that some changes have occurred with respect to the site plan that was submitted at that time; however, the project would be constructed so as to comply with the Marina del Rey LCP height, density, and view corridor requirements. All proposed designs would be subject to review and approval of the DCB to ensure that the project meets the specifications and minimum standards for architectural treatment and construction. See also Response to Comment Letter No. 9.

Testifier Carla Andress
Alternatives to the Proposed Project – Parcel OT: Alternatives for this site should have been considered: A park-and-ride -- I mean parking. It should be parking. It's close to the beach. You should be able to park there and walk down to the beach or cycle down to the beach from there. You have a bicycle rental there. You have a park-and-ride so that people can get on a shuttle, leave their cars there, and go off to the beach and start relieving the traffic in Venice. And it would honor our LCP, which is a unique idea, with additional open space, the parking that we need, we could -- if there's a little extra space, throw in a few picnic tables so that we can enjoy that atmosphere, along with the Oxford Flood Basin and its expensive renovation.

The proposed project responds to the County Department of Beaches and Harbors' Request for Proposals (RFP) for development of hotel/motel, restaurant, retail, and/or other uses on Parcel OT, as well as several other lots. The Draft EIR considered a reasonable range of feasible alternatives to the project including a "No Project" alternative, under which no development would occur and Parcel OT would remain a parking lot. However, the No Project alternative would not respond the RFP nor fulfill the project's basic objectives.

With respect to the LCP, the Land Use Plan (LUP) contemplated the potential conversion of Parcel OT to residential uses and states that it was utilized throughout most of the year. However, as discussed in section IV.K, Land Use, of the Draft EIR, the 1995 California Coastal Commission staff report (revised findings, Marina del Rey LCPA 1-94, December 1995) states that public parking on Parcel OT will be converted to

commercial and residential uses. [[NOTE: The Applicant will further address this comment at the hearing on December 16, 2009.]]

In terms of outdoor amenities adjacent to the Oxford Basin, the project proposes a landscaped passageway, which would provide opportunities for residents and the general public for walking and passive recreation (such as bird watching). Benches would also be provided.

Testifier Carla Andress

Parcel 21: As for Parcel 21, you shouldn't consider it -- it shouldn't be considered until the condition for Parcel 20 is fulfilled. Parcel 20 is where the yacht club was going to go. The remainder of 20 was to be marine commercial. The yacht club was anticipated for that, but the yacht club has agreed to move on top of the four-level parking structure. That's their choice. But that does not redesignate marine commercial. It's supposed to be marine commercial; that was one of the conditions. That was the only other condition that he was able to build this 99 units. Parcel 21 eliminates parking for boaters, and takes the modest restroom facilities, which are stand-alone buildings and tucks them into the parking structure, and this violates the certified LCP. The LCP does discuss this issue about restrooms and putting them -- okay. 21 shouldn't be considered until Waterside is considered. 21 Waterside wants to eliminate boater parking and small slips regardless of the Coastal Commission's recommendations.

The proposed project would require the transfer of the yacht club and marine commercial uses from Parcel 20, Phase II, to Parcel 21 and the enlargement of Parcel GR with a corresponding reduction in size of Parcel 21. The proposed project would not include the reduction of boat slips or associated boater-dedicated parking spaces. It should be noted that Parcel 21 would provide a surplus of approximately seven spaces above the number required. In addition, through a partial lease termination, Parcel 21 would be reduced by 207 feet, or 31,050 s.f., with a corresponding increase in the area of Parcel GR. Under separate proposal, the Los Angeles County Department of Beaches and Harbors is considering expanding the number of existing surface parking spaces provided on Parcel GR to include surface parking on the proposed area of expansion. Therefore, the project would facilitate the provision of additional public parking within the Marina.

Testifier Nancy Vernon-Moreno "We are Marina del Rey"
Land Use on Parcel OT: I'd like to address the Active Seniors Accommodation Land Use Category.

The County Department of Beaches and Harbors set forth a Request for Proposals (RFP) in June 2000 for development of hotel/motel, restaurant, retail, and/or other uses on Parcel OT as well as several other lots. Due to the nature of the project being a service-oriented residential complex for seniors without a medical care component, neither hotel or senior housing land use singularly describe the uses proposed. Planners often create new land use categories to respond to changing market circumstances and changing ways people live. [[NOTE: The Applicant will further address this comment at the hearing on December 16, 2009.]]

Testifier Nancy Vernon-Moreno "We are Marina del Rey"
DCB Approval: The DCB did not approve a project for market-rate housing, which is what is anticipated here. They also asked the County to revisit approvals of five projects, which did not, as they had been assured, have the required parking on site, and they asked the County to please consider scaling back or finding new locations for these projects. OT was one of those ones that was included in that request.

[[NOTE: The Applicant will address this comment at the hearing on December 16, 2009.]]

Testifier Nancy Vernon-Moreno "We are Marina del Rey"
DCB Review-Parking:
The DCB approved these with, I believe, it's something over 40 parking spaces. I looked and I tried to find how many parking spaces are provided for residents, but it's well under the 114 units. You are going to have a serious parking shortage. They say they follow County Code, but it followed County Code based on being a congregate care-type facility for the old and the infirm.

Regarding the commenter's concern about the amount of parking provided for the proposed active seniors accommodations, this component is unique since it would provide transportation services to residents via limousines that would dramatically reduce the need to own and park a vehicle. Since no rates are set in the parking code for active seniors accommodations that provide this type of transportation service, the parking rate of 0.36 space per unit used in the parking analysis for the proposed project was based on parking observations at a similar retirement facility site. Based on the parking rate of 0.36 spaces per unit, the proposed active seniors accommodations on Parcel OT would require approximately 41 spaces. The project proposes to provide 42 spaces for the active seniors accommodations, or a surplus of two parking spaces above the number of parking spaces required. Thus, sufficient parking would be provided for the active seniors accommodations.

Testifier Nancy Vernon-Moreno "We are Marina del Rey"
Parking on Parcel OT: The parking lot is underserved by recreation, and we finally have a project moving forward to put some recreation there, and you're taking it away.

The parking analysis in the Draft EIR concluded that the project would not reduce area parking capacity as it would replace all of the parking spaces that would be removed

with project development. The project would provide 92 spaces on Parcel OT, which would be clearly marked with appropriate signage for easy access by the public, and 94 public spaces on Parcel 21, which is located to the south of Parcel OT on Panay Way. The relocation of 94 spaces to Parcel 21 is expected to provide safer and more convenient parking for Mother's Beach, as visitors will no longer have to cross two public streets, as is currently the case with the public parking on Parcel OT.

With respect to the Oxford Basin project, the Project design, including parking, and implementation requires approval from and coordination with the Los Angeles County Department of Public Works and the County Department of Beaches and Harbors. Additionally, the Oxford Basin project is in the conceptual stage and not underway such that it would be considered a "related project." [[NOTE: The Applicant will further address this comment at the hearing on December 16, 2009.]]

Testifier Larry Koch
In Support of the Proposed Project: I'm in favor of this project...

The comment in support of the proposed project is noted.