FILE 70-910

GRAY DAVIS, Governor

STATE OF CALIFORNIA - THE RESOURCES AGENCY

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071

May 9, 2002

James E. Hartl
Director of Planning
Los Angeles County
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Re: Certification of Marina del Rey LCP amendment 1-01

Dear Mr. Hartl:

You are hereby notified that the County of Los Angeles' Marina del Rey Local Coastal Plan amendment 1-01 was approved, as submitted, by the California Coastal Commission on January 7, 2002. The Commission's approval of Local Coastal Program Amendment No. 01-01 effectively certified County Board of Supervisors' resolution approving Local Coastal Plan Amendment Case No. 98-172-(4), effecting amendments to the Marina del Rey Land Use Plan and Specific Plan, and Ordinance No. 2002-0010 amending Title 22-Planning and Zoning of the Los Angeles County Code, relating to the Marina del Rey Specific Plan.

The approved amendment changes the Land Use Plan and Land Use Map, and the Specific Plan, which is part of the Implementation Plan, and contains the zoning maps and development standards, applying to Parcel 20, from Marine Commercial-Waterfront Overlay Zone to Residential IV-Waterfront Overlay Zone. The amendment would also authorize the transfer of 97 potential development units from Development Zone 1 (Bora Bora Development Zone) to Development Zone 4 (Panay Development Zone).

The Commission's approval of LCP Amendment No. 1-01 effectively certifies the County's Ordinance No. 2001-0010 for implementation in the County's coastal zone. The LCP amendment is fully effective as of the date of approval, January 7,2002.

Thank you for your cooperation and we look forward to working with you and your staff in the future. Please call Al J. Padilla or myself at the above number if you have any questions regarding this matter.

Sincerely,

Teresa Henry
District Manager

Cc: Stan Wisniewski,

a. **Application No. 5-02-95 (Westmoreland, Zimmerman, Jankov, Mah, San Filippo, Rieth, Hetherington**, Huntington Beach) Application of Alex Westmoreland, Sharon Zimmerman, Dusan Mah, Vincent San Filippo, Rod Rieth, Alex Mirand, Michael Chang and Joseph & Rosann Hetherington enhance 610 discontinuous linear feet of existing bulkhead or seawall by placing geotextile fabric a rock slope protection against toe of seawall, at 4047Mistral Dr., 3798 Humboldt Dr., 16571 Ensign Cir., 16602 Ensign Cir., 16592 Ensign Cir., 16582 Ensign Cir., 16432 Barnstable Cir., & 3681 Escap Huntington Beach, Orange County. (KS-LB)

b. **Application No. 5-02-119 (Schuster & Zingheim**, Hermosa Beach) Application of Jay Schust to demolish 1-story structure, and construct commercial & residential building consisting of 2 grour commercial spaces, two 2,373 sq.ft. apartments above, and 12 parking spaces with rear alley acce Avenue, Hermosa Beach , Los Angeles County. (MS-LB)

c. **Application No. 5-02-128 (Los Angeles Dept. of Recreation & Parks, San Pedro nature p** Application of Los Angeles Department of Recreation & Parks to restore 102 acres for nature preser native vegetation and plant native vegetation on more than 90 acres, install native plant demonstr trails, temporary and semi-permanent irrigation system, 36-in-high perimeter fence, interpretive si public off-street 66-vehicle parking, remove debris, and remove six former military buildings, at 16 San Pedro, Los Angeles, Los Angeles County. (AJP-LB)

d. **Application No. 5-02-201 (McSorley**, Hermosa Beach) Application of Martin McSorley to dem home, and construct 25-ft-high (over basement) 5,778 sq.ft. single-family home, three parking spa Jacuzzi, on 4,603 sq.ft. beachfront lot, at 3301 The Strand, Hermosa Beach, Los Angeles County. (

16. **PERMIT AMENDMENTS**. See AGENDA HEADINGS. An Amendment below may be moved to th for this area by the Executive Director when, prior to taking up the Consent Calendar, staff and the agreement on the staff recommendation. If an item is moved to the Consent Calendar it will be pro Consent Calendar items (See above) except that if that item is subsequently removed from the Cor vote of 3 or more commissioners, the item will be acted upon at the meeting in the order in which i on this Meeting Notice and in the manner material amendments are processed.

a. **Permit No. 5-94-10-A5 (Shoreline Village**, Long Beach) Request by Shoreline Village Enterpi Shoreline Village shopping center parking lot configuration to increase parking spaces from 426 to drains, enhance landscaped areas, and build fountain or monument sign at southwest corner of Sh Shoreline Village Drive, at 401-435 Shoreline Village Drive, Long Beach, Los Angeles County. (CP-L

b. **Permit No. 5-01-261-A (LA Co. Beaches & Harbors,** Los Angeles) Request by LA County De Beaches and Harbors for three ADA access ramps descending across 10' high slope to beach at Will Beach, Los Angeles, Los Angeles County. (AM-LB)

c. **Permit No. 5-01-376-A (Bahia Corinthian Yacht Club**, Newport Beach) Request by Bahia Co to increase 12" diameter piles from three to six, to support approved boat hoist platform, and Insta during construction only, at 1601 Bayside Drive, Newport Beach, Orange County. (MV-LB)

17. **FINDINGS.** See AGENDA HEADINGS.

a. **Los Angeles Co. LCP Amendment No. MDR-MAJ-1-01 (Parcel 20)**. Los Angeles County gra Marina del Rey certified Local Coastal Program to change LCP parcel 20 from Marine Commercial-W Zone to Residential IV-Waterfront Overlay Zone, and transfer 97 potential development units (trip from Development Zone 1 (Bora Bora Development Zone) to Development Zone 4 Panay Developm

b. **Application No. 5-00-351 & A5-01-272 (Elster,** Los Angeles) Don Elster granted permit with single-family home, on 2,908 sq.ft. canal front lot, at 3511 Via Dolce, Venice, Los Angeles, Los Ang

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Department of Beaches and Harbors
JUL 31 '02
Director | Chief Deputy Director | Deputy Director | Executive Assistant | Admin. Services | Asset Management | Facilities Property Mtce | Community Services | Planning | Info | Act

July 25, 2002

TU 17a

TO Commissioners and Interested Parties

FROM: Deborah Lee, Deputy Director
Teresa Henry, District Manager, South Coast District
Pam Emerson, Los Angeles County Area Supervisor
Al Padilla, Coastal Program Analyst

SUBJECT: Revised Findings for Certification of Major Amendment Request No. 1-01 to the Los Angeles County Marina del Rey certified Local Coastal Program (for public hearing and Commission action at the August 6-9, 2002 meeting in San Luis Obispo).

Don Cline
• more than one mos. delay

Commissioners eligible to Vote on revised Findings:

1:45p

Dettloff, Estolano, Hart, Kruer, McClain-Hill, McCoy, Soto.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends the Commission APPROVE the revised findings for the LCP amendment for the Marina del Rey segment of Los Angeles County as submitted.

LIST OF EXHIBITS

1. Location map
2. Map of Marina del Rey
3. Map of Existing Marina Development
4. Parcel Map from Certified 1995 Land Use Plan.
5. Minutes of the Board of Supervisors, meeting of January 23, 2001; project No. 98-172-4.
6. County Board of Supervisors Resolution, LCPA Case No. 98-172-(4)
7. Proposed Land Use Plan Map change.
8. Proposed LUP Use and Zone changes.
9. County Board of Supervisors approved Mitigation Measures.
10. Proposed LIP Ordinance changes.
11. Proposed LIP Map changes
12. County Certificate of Changes.
13. Planning Commission Findings and Conditions, project No. 98-172-4 adopted August 30, 2000

14. County analysis of Marine Commercial designated parcels in Marina del Rey James E Hartl, Director of Planning, letters; summary and justifications, County certified LCP amendment.
15. County analysis of Existing Marina del Rey visitor-Serving/Convenience Commercial and Hotel Use.
16. Excerpts from Regional Planning staff report.
17. Letter from County to Commission staff regarding Lease Information, July 16, 2001.
18. County Map showing Redevelopment Scenario for the marina.
19. Asset Management Strategy report
20. Memorandum from Stan Wisniewski, Director, and David E. Janssen, Chief Administrative Officer, Department of Beaches and Harbors, to Los Angeles County Board of Supervisors: "Authorize the Chief Administrative Officer and Director of the Department of Beaches and Harbors to enter into exclusive negotiations for lease options and lease extensions for three development projects on the East side of Marina del Rey, July 5, 2001 (East Side, Fisherman's' Village and Parcel 44 Projects).
21. Memorandum from Stan Wisniewski, Director, Department of Beaches and Harbors to Small Craft Harbor Commission: "Authorize the Chief Administrative Officer and Director of the Department of Beaches and Harbors to enter into exclusive negotiations for lease options and lease extensions for nine development projects in the Marina Beach area of Marina del Rey, July 5, 2001 (West Side "Mother's Beach" Projects). (Excerpts)
22. Summary of Landside changes approved in 1995 LCPA.
23. Excerpt from 1995 LCPA Commission Revised Findings.
24. Excerpt from 1995 LCPA Commission Revised Findings.
25. Map of Development Zones and Development Potential
26. 1995 LCPA Height Standards.
27. Excerpt from August 1999, Crain and Associates, traffic study.
28. James Noyes, Los County Director of Public Works, Request by Al Padilla Conditional Use Permit 98172, Parcel 20 13953 Panay Way, Marina del Rey, " March 26, 2001.
29. Judith A. Fries, Principal Deputy County Counsel, Memorandum: "Density Bonus Request, Conditional Use Permit No. 98-13, November 7, 2000, (calculations of Development Units in the Panay Way Development Zone)
30. Map showing existing Marine Commercial parcels
31. Map showing Asset Management Strategy proposed land uses.

I. STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the Revised Findings.

Motion. Staff recommends a **YES** vote on the following motion:

I move that the Commission adopt the following revised findings in support of the Commission's action on January 7, 2002 certifying the Land Use Plan Amendment MDR 01-01 as submitted by Los Angeles County.

2001

[Passage of this motion will result in the adoption of revised findings as set forth in this staff report. Adoption of findings requires a majority vote of the members from the prevailing side present at the meeting, with at least three of the prevailing members present and voting (Public Resources Code Section 30315.1) Only those commissioners on the prevailing side of the Commission's action are eligible to vote on the revised findings.

RESOLUTION TO ADOPT REVISED FINDINGS:

The Commission hereby adopts the findings set forth below for the Commission's certification of the Land Use Plan Amendment MDR 01-01 as submitted by Los Angeles County on the ground that the findings support the Commission's decision made on January 7, 2002, and accurately reflect the reasons for it.

(2001)

II. FINDINGS

A. PROPOSED AMENDMENT

The proposed amendment MDR LCP 1-01 would modify the Land Use Plan (LUP) and Implementation Plan (LIP) Land Use designations and maps applying to Parcel 20, which is located on Panay Way, a mole road in Marina del Rey. The proposed amendment would not change the content of the development standards of the Local Implementation Ordinance (Specific Plan), but would change the use designations that apply to Parcel 20 from Marine Commercial (essentially boating related) uses, to Residential IV "medium high density residential". The present Waterfront Overlay Zone (WOZ) overlay, which permits hotels and boating facilities as an optional use on designated parcels and protects existing boating-support uses, would not change.

Changing Land Use designations can, under normal circumstances, affect allowable height limits. In this case, however, the maximum heights will remain the same regardless of the changes effected by this amendment. Maximum height for Marine Commercial is 45 feet, except that dry stack storage may extend to 75 feet. The maximum height for the new Residential IV designation is 140 feet. However, on Parcel 20, which is located on a mole road, two additional sets of location-specific conditions apply. First, "normal height" for *any* zone designation on this mole is 45 feet. Second, the Land Use Plan and the specific plan include height incentives based on view corridor policies and both documents include location dependent height limits. Pursuant to these incentives, height may extend to 75 feet only if the applicant provides a 40% view corridor on the parcel. These are independent restrictions that would exist regardless of whether the LCP amendment were certified, and which will limit the heights on this parcel to the same maximums that currently apply. Thus, in this case due to the location of the parcel, the height restrictions would remain in place either way.

The certified LCP allows a limited number of apartments in the Panay Way Development Zone. The LCP limits the total number of vehicle trips generated at build-out to the number that both the internal roads and the major roads leading to the Marina can accommodate, even with planned road widening. The LCP allocates a limited number of

new peak hour vehicle trips along the ring (collector) roads-- Fiji Way, Admiralty Way and Via Marina-- by limiting the number of new trips that can be generated in fourteen Development Zones (see Exhibit No. 25) identified by the adjacent mole roads. The County LCP limits the total number of new apartments to 2,420 dwelling units to limit the total impact of Phase II[1] Marina del Rey development to approximately 2,812 evening peak-hour trips.

The Development Zone limit for new development in the Panay Way Development Zone in the certified LUP is 250 dwelling units, 75 congregate care units, ten thousand square feet of retail and 76 additional boat slips. In May 1995, the Commission approved a development that included 75 congregate care units and 68 residential units on Parcel 18, in the Panay Way Development Zone [CDP No. A-5-MDR 95-017 (Goldrich and Kest)]. This left 182 potential development dwelling units remaining in the Panay Way Development Zone. In December 2000, Los Angeles County approved a coastal development permit [No. 98-134-(4)] that authorized demolition of 288 residential units and construction of 585 residential units, for a net increase of 297 residential units on Parcel 15, which is located in the Panay Way Development Zone. In that case, the County granted a 117-unit density bonus because 47 units, 10% of the units proposed on Parcel 15, were for very low-income tenants. In February 2001, the Commission found no Substantial Issue on an appeal [A-5-MDR-01-014(Marina Two)] of the County permit. With the approval of permit No. 98-134(4), the County basically allocated all of the allowable residential units in the Panay Way Development Zone in which Parcel 20 is located. After all residential units in a Development Zone are claimed, the LCP permits no additional new residential units in that particular Development Zone.

To comply with the Marina del Rey-wide traffic caps, and at the same time approve additional new residential units within the Panay Way Development Zone, the County proposes to amend its LCP to reallocate allowable residential units from Bora Bora Way, reducing the number of residential units possible to build in the Bora Bora Way Development Zone, and increasing the number of residential units possible to build in the Panay Way Development Zone. The proposed amendment would reallocate traffic impacts (units) from the southwest end of the marina (Bora Bora Way) to Panay Way (Parcel 20), which is located in the northwestern portion of the marina. The proposed amendment would not affect the total number of trips allowed in the Marina del Rey as a whole. The amendment applies to the Land Use Plan and the certified implementation ordinance (Specific Plan).

B. SUMMARY OF PUBLIC PARTICIPATION:

Section 30503 of the Coastal Act requires public input in Local Coastal Program development. It states:

> During the preparation, approval, certification, and amendment of any local coastal program, the public, as well as all affected governmental agencies, including

[1] Phase II development includes recycling, intensification, or conversion of the marina's initial existing development.

special districts shall be provided maximum opportunities to participate. Prior to submission of a local coastal program for approval, local governments shall hold a public hearing or hearings on that portion of the program which has not been subjected to public hearings within four years of such submission.

In this case Los Angeles County combined hearings on the entitlements required for the development proposed on this parcel with its action on the LCP amendment. The County processed a Mitigated Negative Declaration, a Conditional Use Permit, a variance and a coastal development permit at the same time as it processed this LCPA. The development approved by the Planning Commission is described as:

> Coastal development permit conditional use permit and variance case nos. 98-172-(4) Phase I) A 56 foot tall, 99-unit apartment building (49 one-bedroom and 50 two-bedroom apartment units) over two levels of parking (200 parking spaces total); (Phase II) a 35 foot tall, five-level structure (two levels to be constructed below grade containing 231 parking spaces, 2,300 square feet of professional office space, and an approximately 6,025 square foot yacht club with 200 parking spaces and a three-story 6,885 sq. ft. building with 163 parking spaces. [Staff note: There is a 28% view corridor based on the total street frontage, which will accommodate some parking.]

In 1998, the Los Angeles County Department of Beaches and Harbors approved a preliminary lease to Goldrich Kest industries for Parcels 20 and 21. County staff indicates that the terms of the tentatively approved lease of Parcel 20 are confidential. It is the County's practice not to execute a lease that requires a zone change or other entitlements until all entitlements are granted. The tentatively approved lease includes all of Parcel 20, which is currently developed with Trade Winds Marina, a 157 slip Marina and the responsibility to maintain parking and access to that Marina. [2]

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[2] In response a question concerning lease terms, Roger Moliere, senior officer of the Department of Beaches and Harbors stated: "It is our practice not to present the final lease or option agreement for approval by the Board until a proposed project has gone through the regulatory process so that any changes in the project required by regulatory authorities, including the Regional Planning Commission and Coastal Commission) can be incorporated in the lease and the lease document does not have to return to the Board for amendments to comply with regulatory issues, once the Board has approved same.
It is, however, our practice to fully negotiate all of the language in the documents, pending such approvals by the various regulatory agencies. Therefore, although the Parcel 20 Amended Lease and Option has not yet been presented in public session to the Board, we do have a fully completed set of documents, subject to regulatory and Board final approval. The full construction requirements that are part of the draft lease requirements, and were made a part of lessee's submission to Regional Planning, demonstrate the replacement of all existing parking and full parking for all added uses and square footage.
To answer your question directly then, the draft lease does, and the final lease will require that all marina and commercial tenant parking be maintained, as well as to require new residential parking per code. Additionally, we have required that the lessee, as a condition precedent to demolition of the existing commercial building, enter into a new sublease with the current yacht club tenant, offering at least the same amount of space as the yacht club now occupies under its current lease and at a lowered commercial rate, based on a percentage of construction cost for the new square footage. We have thus attempted to additionally protect the marine commercial uses on the parcel while allowing the construction of new slips and yacht club space - maintaining all parking for those uses."

On October 15, 1998, the ~~Small Craft Harbors~~ Marina del Rey Design ~~Review~~ Control Board held hearings concerning the design and scale of the initial proposal by Goldrich and Kest to construct 95 luxury units on this parcel and to also relocate a 60 unit luxury senior citizen development that had been previously approved on Parcel 18 to Parcel 20. The applicant also proposed to replace the yacht club and boater parking. The Design ~~Review~~ Control Board discussed the conformity of the project with the height and view corridor standards of the certified LCP and also informed the applicant an LCP amendment would be required. On October 29, 1998 after a second hearing, the Design ~~Review~~ Control Board granted an approval that was valid for one year, requiring the applicant to return after approval of the coastal development permit.

The applicant submitted a proposal to the Los Angeles County Department of Regional Planning for a coastal development permit, a Mitigated Negative Declaration and an LCP amendment. The Planning Commission provided notice to interested parties, owners, and occupants within 500 feet. It held six hearings on this LCP amendment and the related coastal development permit application. During that time most changes related to the project that were subject to the related coastal development permit application. (The applicant reduced the number of units, reduced the lateral extent of the structures, removed an earlier proposal to relocate an approved 65 unit building from Parcel 18, expanded the yacht club and yacht club parking, applied for a yard variance and secured 97 residential development units from leaseholders in the Bora Bora Development Zone. The applicant provided a written revised project description incorporating these changes.) There was considerable opposition before the Planning Commission; many people testified and more corresponded on the issue. The public objected on grounds of impacts on traffic, on boating and on the community character of the Marina del Rey.

The Planning Commission approved the LCPA and Mitigated Negative Declaration and the related variance, Conditional Use Permit and Coastal Development Permit on August 30, 2000. In approving the change of use and the development unit transfer, the Los Angeles County Planning Commission made findings in support of its action. In addition, the Planning Commission made findings concerning the final projects' conformity to LCP public access, public recreation, view corridor, promenade and traffic mitigation policies, that addressed land use issues and supported the changes in the LCP land use designations and the changes in the LCP traffic policies (reallocating traffic generation limits, "units"), among Development Zones. The following are the most relevant of the Planning Commission's findings and conclusions concerning the LCP amendment (See Exhibit No. 13 for complete findings):

- (15) The subject parcel is located near the end of the Panay Way mole road. Most commercial uses in the Marina do not make good neighbors in residential areas and do not succeed financially. As evidence of this fact, there has been a long succession of failed restaurants and underachieving stores on the Marina's mole roads. Commercial uses, alternatively, perform better in the Marina when they can be seen and found along major thoroughfares, such as Via Marina, Admiralty Way and Fiji Way [the ring roads].
- (16) The subject parcel is presently underutilized and is bordered to the east and south by parcels developed with multi-family residential uses. As such the

proposed residential use would be consistent with development in the vicinity of the project site.

- (17) Increased demand for housing within the region and Marina del Rey, affordable senior housing in particular, justifies the plan amendment from marine commercial WOZ to Residential IV [3]
- (18) The Water Overlay Zone designation is intended to provide additional flexibility for development of coastal related and marine dependent land uses, primarily on waterfront parcels.
- (19) The requested amendment is consistent with Water Overlay Zone development standards specified in the certified LCP in that it does not contemplate development that would displace existing public recreation visitor serving or coastal dependent boating uses.
- (20) The proposed transfer of the development allocation among different Development Zones is consistent with the certified LCP in that 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.
- (35) Consistent with policy No 3 of Chapter 3 ("Recreational Boating") of the certified Marina del Rey land use plan, the project ensures that replacement of existing boater support and marine commercial uses on Parcel 20 will occur prior to development of the use which displaces them (i.e., construction of project Phase II) may commence.

The Planning Commission conditionally approved the revised project, the LCP amendment and Mitigated Negative Declaration on August 30, 2000. The permit actions were not appealed to the Board of Supervisors. Instead, the opponents appealed coastal development permit 98-172-4 to the Coastal Commission. It is possible to appeal the coastal development permit directly to the Coastal Commission because the County imposes a fee to file an appeal with the Board of Supervisors (Section 13573(2), California Code of Regulations.)

The Mitigated Negative Declaration and the LCP amendment were automatically elevated to the Board of Supervisors. On January 23, 2001, the Los Angeles County Board of Supervisors held a hearing on the proposed amendment to the Local Coastal program and on the Mitigated Negative Declaration. No interested persons testified. In its resolution of approval, the Board found that the LCP amendment "is consistent with the goals policies and programs of the County General Plan, including the Marina del Rey Local Coastal Program elements." The Board adopted many of the Planning Commission's findings verbatim, including PC findings 15, 16, 17 and 20 quoted above. Additional Board findings pertinent to the LCPA included:

- (9) Surrounding land use categories in the vicinity of Parcel 20 include Residential III, which permits 35 units per acre, to the east; Residential IV which permits 45 units per acre to the south; and Marine Commercial, which provides for coastal dependent and or coastal related uses to the west. Parcel designations located northerly of Parcel 20 and across Small Craft Harbor Basin E include Marine

[3] The project is not an affordable housing project, but was conditioned by the County to include no fewer than 10% affordable units, see finding 39. .

Commercial and Residential III.

- (11) The requested amendment would transfer 97 dwelling units from Bora Bora Development Zone, which has a total allocation of 610 dwelling units to Panay Development Zone which currently has a development allocation of 182 dwelling units and 15 congregate care units. The traffic and lighting division of the County Department of Public Works has reviewed the unit transfer and has determined that it will not impact traffic or circulation patterns within or outside the Marina.

- (18) Consistent with Sections 30250 and 30251 of the California Coastal Act and Chapter 8 ("Land Use Plan") of the Marina del Rey Land Use Plan, the subject parcel is located within, contiguous with or in close proximity to existing developed areas able to accommodate the uses allowable under the proposed local coastal program amendment. In addition the proposed use is designed to protect views to and along the ocean and scenic coastal areas, to minimize alteration of natural landforms and to be visually compatible with the character of the surrounding areas, and to enhance visual quality.

- (30) In conformance with Sections 30210 and 30212 of the California Coastal Act and Chapter 1 ("Shoreline Access") of the Marina del Rey Land Use Plan, the proposed Local Coastal Program Amendment would provide for public pedestrian access and ensure passive recreational use to and along all portions of the Parcel 20 bulkhead.

- (34) The subject property is located in a seismic hazard zone. Based on information resulting from studies conducted on sites in the immediate vicinity, of the subject property and of similar soil composition to the subject property, a geotechnical report is not required to define and delineate any potential seismic hazards, and the requirement for such geotechnical report is waived pursuant to section 2697 of the California Public Resources Code. The applicant has agreed to provide a geotechnical report prior to approval of any building permit for development of the subject property in conformance with the proposed Local Coastal Program amendment.

Mitigation measures included requirements for enforcement of height, view corridor, public access, traffic mitigation and water quality requirements of the certified LCP. (See Exhibit No. 9)

C. STAFF NOTE ON THE LCP AMENDMENT REQUEST

The matter before the Commission is the LCP amendment only: (1) the change in Land Use designation and zoning of Parcel 20 from Marine Commercial to Residential IV, and (2) the reallocation of 97 development units from Development Zone 1 (Bora Bora Development Zone) to Development Zone 4 (Panay Way Development Zone). Along with its approval of the proposed LCP amendment, the Los Angeles County Planning Commission approved a coastal development permit [CDP 98-172-(4)] for development proposed on Parcel 20. The Planning Commission approved CDP 98-172-(4) contingent

on the certification of the LCP amendment. The coastal development permit would allow construction of 99 apartments over two levels of parking, a yacht club, 59 open parking spaces, and a small office on the top deck of a 35-foot high, five-level, 172 car parking garage.

The County's LUP and LIP, which includes the Specific Plan, are parallel planning documents. Generally, when a change to one is proposed, a corresponding change is required for the other. As is usually the case, in this amendment, changes to the LUP require changes to the corresponding implementation ordinances in the LIP. The County submitted amendment includes changes to the LUP and LIP.

D. LCP HISTORY

In 1984, the Commission approved the Marina del Rey/Ballona LUP, which established land use designations and development standards for the Summa Corporation property (which included the Ballona wetland) and for the Marina del Rey. The land uses adopted for the Marina del Rey reflected the zoning present at the time, which provided for a "bowl concept"—low rise residential and commercial development adjacent to the water, several hotel sites, and some higher intensity residential and commercial uses away from the water. In 1984, all but three parcels in the Marina had already been developed with the uses allowed in the plan. In 1987, after the City of Los Angeles annexed the Summa (Playa Vista) holdings outside the Coastal Zone (and much of the Ballona Wetlands), the Commission certified an amended version of the 1984 LUP. This amended LUP removed all references to areas that were no longer in the County's jurisdiction, specifically Ballona (Playa Vista) Areas B and C. The 1987 LUP included no changes in land use designations applying to areas still located within the County's jurisdiction. (The amended LUP still included a requirement that no further residential or commercial development could occur until a new road, the Marina Bypass, was extended from the end of Route 90 to Washington Blvd.)

In 1991, at the County's request, the Commission approved segmentation of the Marina del Rey proper from the 112-acre portion of the Ballona wetlands that remained within the County's jurisdiction (Area A). Most parcels in the Marina del Rey were already developed and the Playa Vista property was undeveloped. A settlement of a lawsuit had required the landowner of Area A to petition the County and the Coastal Commission for amendments to the LUP. The new owner had not yet requested the amendments and therefore the County had not been able to consider them. In approving segmentation, the Commission found that it could analyze development in the Marina del Rey separately from other areas within the jurisdiction of the County without direct or cumulative impacts on public access or coastal resources.

In 1991, the Commission certified a Local Implementation Plan—a zoning ordinance and a permit-issuing ordinance, consistent with the 1984-87 Land Use Plan for the Marina del Rey. The Local Implementation Plan allowed development in the Marina to proceed according to the land use designations adopted in 1984 and again in 1987, and still

required the completion of the Marina Bypass[4] before any significant development could go forward.

In December 1994, the County of Los Angeles requested an amendment to the certified Local Coastal Program for the Marina del Rey segment of its Coastal Zone. On March 9, 1995, the Commission again approved segmentation of Playa Vista Area A from the Marina del Rey and agreed to consider the amendment separately from any proposed changes in the certified Land Use Plan, which again were not yet before the Commission. The proposed amendment to the LCP would apply only to the publicly owned Marina del Rey, an existing developed 804-acre marina.

The County's purpose in seeking the 1994 amendment was to allow recycling of the older development in the marina with newer development at higher intensities. Marina del Rey had been developed in the mid-sixties and early seventies with low-rise "stick-built" apartments. These apartments blocked views of, and access to, the water, but were intense enough, the County contended, that there was no economic incentive for lessees to redevelop and provide increased income to the County or improve public access or public views. The Local Coastal Program amendment, as eventually approved, substantially modified development standards affecting Marina del Rey. The 1994 amendment to the Marina del Rey LUP allows redevelopment at a higher intensity with a significant increase in height and density. These increased heights were granted in exchange for the establishment of 20% "view corridors" across all parcels that are located adjacent to the water. As an incentive to widen view corridors the LCP allows greater heights to developers who proposed wider view corridors.

The second major change requested in 1994, was the adoption of an alternative traffic mitigation system that did not require the development of the Marina Bypass. The previously certified LCP allowed no redevelopment with the exception of some hotels, until the Marina Bypass was completed. In effect, this was a moratorium. The City of Los Angeles had opposed the Marina Bypass and, in the intervening years, had approved residential condominiums on the proposed right-of-way. The alternative traffic mitigation was a program to limit traffic generated by Phase II development in Marina del Rey and to mitigate its impacts. The mitigation plan established internal development limits (based on evening peak-hour trip caps) allocated to the entire Marina, and then to each of the mole roads (Development Zones). Secondly, it established a total cap of 2,812 evening peak-hour trips for the Marina. Finally it required contributions by developers to mitigate the impacts of their development to traffic improvements inside the Marina and to the subregional transportation system outside the Marina proper. The LCP defined the subregional transportation system as Lincoln Boulevard and the major highways that intersected it. The total number of units authorized under the base zoning of the LCP exceeded the number of units that the traffic system could accommodate or that the traffic limits would allow, even with mitigation. The LCP explicitly included this first-come first-serve strategy to encourage re-development of the marina. Therefore, there is no guarantee that zoning of a certain density, on any given parcel, would allow

[4] The Marina Bypass was a road segment routed along the Pacific Electric Right-of-way between Lincoln Boulevard and Washington Boulevard. Its purpose was to reduce traffic levels at the intersection of Lincoln Boulevard and Washington Boulevard. Adjacent neighbors opposed it.

development at that density. The County anticipated no "taking" issues, arguing that all lessees already had reasonable use of the leaseholds, the leases were on public property and that it would not extend leases that would result in the exceeding of the traffic limits of the plan.

On May 10, 1995, the California Coastal Commission denied the proposed amendment to the Marina del Rey LCP as submitted and adopted suggested modifications to policies and implementation ordinances regarding height, view corridors, open space, traffic limits, hotel development and other public access and natural resource issues. The Commission approved greater heights as long as view corridors were provided, and required wide, publicly accessible walkways along the bulkhead of the entire marina. On February 8, 1996, following the County's acceptance of the suggested modifications, the revised Marina del Rey LCP was effectively certified.

After the LCP was certified, the County developed an Asset Management Strategy (AMS) for the Marina (Exhibit No. 19), which established priorities for lease extensions and redevelopment. While in many ways consistent with the LCP (for example in advocating public access, views of the water and the provision of visitor serving facilities), its main purpose was to encourage re-investment. The AMS states that it is a proactive strategy designed to accomplish three objectives:

1. Provide a framework within which to make short term Marina del Rey leasing and development decisions so that they remain consistent with redevelopment goals when the Marina leases expire, largely between 2020 and 2030

2. Provide programs to encourage redevelopment and refurbishment while ensuring quality maintenance of leasehold facilities during remaining lease terms; and,

3. Effect a strategy for the Marina's second-generation development that better integrates recreational and commercial /residential areas, recognizing the need to establish Marina del Rey as an exciting and user-friendly attraction to both southern California residents and tourists alike.

The four elements of AMS are (1) its long-term vision for Marina del Rey; (2) catalytic development projects to draw people on a regional basis, support further leasehold development and set a standard for design quality; (3) development mechanisms to encourage leasehold redevelopment proposals consistent with its long-term vision, and lastly, (4) other mechanisms to encourage refurbishment and ensure quality maintenance of those leaseholds that will not be redeveloped during the remaining terms of their leases. (Marina del Rey Asset Management Strategy, April 15, 1997)

Several major projects advocated in the Asset Management Strategy will require LCP amendments. Redevelopment of this Marine Commercial parcel for residential use is not one of the priority "catalytic" projects identified in the Asset Management Strategy. County reports on lease negotiations note that the County's objective is to attract commercial uses that will both provide water-oriented recreational activities, "liveliness" in the Marina and increased revenue (Exhibit No.20 and 21).

The Commission has recently entered into a settlement agreement with the Coalition to Save the Marina, Inc., to conduct a periodic review of the County's LCP, pursuant to Section 30519.5 of the Coastal Act. Section 30519.5 states:

> *(a) The commission shall, from time to time, but at least once every five years after certification, review every certified local coastal program to determine whether such program is being effectively implemented in conformity with the policies of this division. If the commission determines that a certified local coastal program is not being carried out in conformity with any policy of this division it shall submit to the affected local government recommendations of corrective actions that should be taken. Such recommendations may include recommended amendments to the affected local government's local coastal program.*
>
> *(b) Recommendations submitted pursuant to this section shall be reviewed by the affected local government and, if the recommended action is not taken, the local government shall, within one year of such submission, forward to the commission a report setting forth its reasons for not taking the recommended action. The commission shall review such report and, where appropriate, report to the Legislature and recommend legislative action necessary to assure effective implementation of the relevant policy or policies of this division.*

Commission staff has begun the process of reviewing the LCP and working with Los Angeles County staff to determine its conformance with the Chapter 3 policies of the Coastal Act. Once the review is completed, staff will report to the Commission.

E. COASTAL DEPENDENT USES/ VISITOR SERVING USES.

The Coastal Act states that uses that require the presence of water, and recreational uses shall have priority over other uses:

Section 30220

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Section 30221

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Section 30222

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Section 30224

Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.

Section 30255

Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

The certified Marina del Rey LCP contains parallel language:

Policy framework for Phase II Development:

In terms of use, the first priority of the entire Marina is to maximize the public boating facilities; the second priority is to provide boating related facilities and services for the boating public and for traditional boating organizations. The water area is reserved for boating uses, and recreational activities, which require a wa[illegible] surface such as swimming and wind surfing. County parcels, not leased to priva[illegible] developers are dedicated to public uses such as dry boat storage, public boat ramps, public park areas, including a public beach, public parking, a segment of the coastal bike path, dinghy storage at the beach and view piers on the north jetty. (Certified LUP page 8-3)

Policy 8 discusses non-priority uses:

8. **Coastal Housing not a Priority.** Although construction of housing is not a priority use in the coastal zone, additional opportunities for coastal housing may be provided, where appropriate.

All development of coastal housing shall be contingent upon meeting all applicable policies and development standards of the certified LCP, including, but not limited to adequate parking, view corridors, public access to the shoreline, provision of new usable public recreation and open space and visitor serving recreational uses in the plan segment, provision of adequate traffic capacity and any provisions for low and moderate income and senior citizen housing subsequently certified by the California Coastal Commission. (Certified LUP page 8-9)

The proposed change to Residential IV-WOZ on Parcel 20 allows the development of 99 units of housing. Residential IV allows 45 dwelling units per acre, and requires the improvement and opening of a 28-foot wide pedestrian promenade. Because the County

retained the waterfront overlay WOZ[5], the LCP amendment protects the existing low intensity water-oriented recreational use that is on the parcel by prohibiting the displacement of the existing public recreational use or requiring relocation within the marina. The water-oriented use is a yacht club, which provides a gathering area, a bar and a meeting room for members. The LCP defines the Marine Commercial designation as indicated below:

> **"Marine Commercial:** Permitting coastal dependent uses associated with operation, sales, storage and repair of boats and marine support facilities. Uses include public boat launching (and associated launch 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, and associated ancillary retail and office uses. Height limit of 45 feet for habitable structures and up to 75 feet for public dry stack boat storage." (Certified LUP page 8-11)

Because the WOZ will continue to apply to this parcel, these uses will continue to be permitted. In addition, the LCP (Policy No. 3, Recreational Boating) requires that presently existing boating support use be preserved or replaced in like size and function somewhere in the Marina before instituting the use that is expected to displace it.

The Commission finds that because existing levels of boating support uses are protected in the proposed zone change, that there will be no impact on boating support facilities presently available in Marina del Rey to serve the boating public. County conditions on the related coastal development permit protect the yacht club and offices that exist on the site. The County based its evaluation of the change of uses on several factors, including existing levels of visitor-serving and boating support uses throughout the marina, the viability of such uses on the mole road, and surrounding uses. In its view, all of these factors outweighed the consideration of the "priority" use under the Coastal Act and the LCP. The Commission found that in this case, a mixed use development supports the level of visitor-serving commercial/boating use that is likely to occupy the parcel in this location irrespective of the presence of residential housing.

a) Suitability of the site for visitor-serving commercial use, such as a restaurant, versus a marine-commercial use.

The County found that the mole roads were poor locations for commercial uses, further stating that a commercial use that is not well located, and lacking consumer visibility, will

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[5] "Waterfront Overlay Zone (**WOZ**). The Waterfront Overlay Zone is intended to provide additional flexibility for development of coastal related, and marine dependent land uses, primarily on waterfront parcels. Permitted uses include Hotel, Visitor Serving Commercial, Open space, Boat Storage, and Marine Commercial. Any applicant, with this overlay zone designation, may apply for any of the three categories of land use permitted under this category regardless of the principal permitted use on the specific parcel. **Development in the WOZ may not displace existing public recreation, visitor serving or coastal dependent boating use, although development may proceed if the use is relocated within the Marina. The development potential available to each applicant is subject to the limitations of the zone in which the parcel resides. Height limits [are] subject to the standards of each land use category noted above.** (Marina del Rey LIP 1995 Emphasis add.)

not attract large numbers of people and will not be viable. As evidence of the unsuitably of the site for marine commercial use, the County evaluated the current use of the site as a visitor-serving use and found that such uses are not viable. According to a report that was prepared by Wald Realty Advisors, December 10, 2001, there have been 28 business failures over the past 20 years on mole roads. Businesses that have failed range from yacht clubs to restaurants. The report states that the Marina del Rey market:

> *has not embraced commercial uses in mole road locations, particularly typical convenience commercial retail uses, such as restaurants and retail service stores.*

According to the report, there are a number of factors that contribute to business failures on Parcel 20, and other mole road commercial locations. These factors include:

> *Lack of Visibility- The locations are not visible to the visitor market driving around Marina del Rey, a critical element of commercial location criteria.*
>
> *Lack of Passerby Traffic- This is a key to commercial locations, especially for visitor-serving commercial uses that rely more on impulse consumer behavior than do resident markets.*
>
> *Lack of Critical Mass- Development of isolated small commercial nodes of activity is illogical in the context of consumer market behavior, and undoubtedly has been a contributory factor in the high rate of business failures on mole roads in Marina del Rey. Convenience of multi-outlet shopping at nearby existing and planned retail and commercial locations makes it difficult if not impossible for the isolated single outlet to survive, particularly in an inferior location.*
>
> *Destination Locations- Isolated commercial locations can attract patrons if they are able to develop a strong regional market penetration because of outstanding value/price/product and become regional destination by themselves…*

The report concludes that based on historical evidence of business failure, Parcel 20 is not a viable location for any visitor-serving/convenience commercial use.

The County found and Commission concurs that the actual use in this location is a private club, an office, and a building supply company. These uses are not public, not high intensity, and have not resulted in high levels of revenue for the County. Another factor that contributes to the non-viability of a visitor-serving commercial use of this site is the adequate supply of such uses already existing in the marina. The County provides support for the conclusion that there are more than enough non-boating visitor serving facilities in Marina del Rey, pointing out that there are 28 operating restaurants in the Marina. It cites the number of restaurants and food stands as an indication that it has accommodated visitor-serving uses, and intends to continue this in the future.

According to an analysis of marine commercial land uses in Marina del Rey (*Analysis of Marine Commercial Land Use at Marina del Rey, December 7, 2001*), the marina has the highest ratio of marine commercial space to berths than any other area in Southern

California. Marine commercial space in the Marina del Rey convenience market area is over 18 square feet per berth, compared to a median of less than 11 square feet per berth at all other Southern California harbors/marinas and an average of less than 14 square feet at the harbors/marinas with the highest ratios. The report concludes that:

> *Marina del Rey has the most well established and substantial inventory of marine commercial retail/service support businesses among all harbor/marina areas in Southern California. This is to be expected since Marina del Rey historically has served a larger boating population than most other areas and is the location of a major marine commercial support industry that is well established over many years. As a result, there is no evidence of any foreseeable need for additional marine commercial land use at Marina del Rey.*

The Commission finds that the County's analysis of the existing land uses indicate that Marina del Rey is well served by existing marine commercial uses, and although marine commercial and other visitor-serving commercial recreational uses have priority over residential use, the viability of the site for commercial use must be considered. The County has indicated that the parcels location on a mole road makes the site not economically viable for commercial uses. Furthermore, the Residential-IV Waterfront Overlay Zone designation would preserve the current aggregate amount of boating-related and recreational uses on the site. The Commission further finds that the re-designation of the 2.2 acre parcel to allow residential development will not have a significant impact on public opportunities for coastal recreation within the marina and is consistent with Sections 30220, 30221, 30222, 30224 and 30255 of the Coastal Act.

b) Marine commercial uses are not retail visitor-serving. They are specialized uses that serve boaters, who are only one segment of the general public.

The Marina is designed to serve boaters, and facilities designed to serve them are protected under the Coastal Act (Section 30220, 30221, 30222, and 30255). In evaluating the parcel's suitability for visitor-serving commercial use, the County noted and the Commission concurs that the current yacht club does not serve the general public and if they provide recreational accommodations, they serve only members.

While it is true that boating can be specialized and often is an expensive sport (requiring special training and investment in or rental of expensive equipment), there are also a great number of water-based activities that are available to novices, such as boat tours, sea kayaking, etc. Thus, although many of the activities will not find a general public market, some Marine Commercial uses could potentially be operated to serve vacationers, day-visitors or the general boating public. However, as stated by the County, the marina is well served with marine support facilities throughout the marina and surrounding inland area, such as boat tours, boat rentals, and boating/sailing learning establishments. The Commission finds that the redesignation of this 2.2 acre parcel from marine commercial to residential will not have a significant impact on these uses within the marina and will not significantly impact the County's ability to continue to provide the public with adequate marine support facilities consistent with Section 30220, 30221, 30222, and 30255 of the Coastal Act.

c) Compatibility with adjacent residential uses.

The County further rejected the alternative of a marine commercial use as incompatible with adjacent residential development. While the Commission finds that a standard of priority should be applied the other way—the Coastal Act and the LCP require that residential uses should be approved only if they are compatible with boating uses. Under the LCP, policy No. 1 of the Land use Plan states:

> *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.*
>
> *Development shall not detract from, nor interfere with the use of existing or planned boating facilities, nor the ancillary uses which support these facilities.*

In support of the amendment, the County notes that marine commercial uses would be incompatible with recently County approved residential uses on parcel 20. However, the parcel directly adjacent to this parcel on the west, Parcel 21, is designated Marine Commercial. An equal argument could be made that approving residential uses here would reduce opportunities to develop the adjacent parcel as a boat rental or boat storage facility. The issue of neighborhood compatibly is a valid argument, but not in a County owned public boating facility, when the certified LCP states that residential use is a non-priority use, and, as indicated above, in this case, it could be viewed to support or to prohibit the proposed change.

The County further argues that the parcel is not suitable for restaurant or retail use because of its location, although the parcel is adjacent to another marine commercial parcel (Parcel 21) and it is located close to the area designated for hotels (along Admiralty Way). In analyzing requests for development on the adjacent parcel (Parcel 21), the Small Craft Harbors Commission rejected a proposal to construct a dry stack boat storage facility. The reason given was that the use was not compatible with residential uses.

Thus, the Commission finds that although parcel 20 is suitable for marine commercial because of its location adjacent to the water. Nevertheless, as indicated above, the County currently has other locations that provide marine commercial uses and areas that are more suitable for such uses in terms of viability and maximizing public use.

d) <u>Patterns and Percentages of Uses in the Marina del Rey</u>

Although the Marina del Rey is a public boating facility, Marine Commercial and Boat Storage uses occupy a relatively small percentage of the land in the Marina del Rey (see Tables No. 1 and 2 below). As noted in the tables, Marine Commercial uses represent only about 9.6% of the land area of the Marina del Rey leased for private use.
In the report to the Planning Commission, County staff provided a chart that indicated that residential land use was the land use category with the greatest percentage (46.2%) of Marina del Rey land area. They also provided a correction to their Planning Commission staff report. That table addressed the issue by separating off all land except

public parks and calculating the percentage of that land that was marine commercial, including the parking lots, which are operated by the County.

Table 1. COUNTY LAND USE BASED ON REGIONAL PLANNING DEPARTMENT DATA.

LAND USE	TOTAL ACRES	% OF TOTAL LAND AREA	% OF TOTAL AREA
Residential (all)	**154.1 ac.**	**46.2 %**	**22.0 %**
Hotel	30.3 ac.	9.1 %	4.3 %
Visitor /Convenience Commercial	32.2 ac.	9.6 %	4.6%
Office	5.4 ac/	1.6 %	7.7 %
Marine Commercial	**31.9 ac.**	**9.6 %**	**4.6 %**
Boat Storage	18.0 ac	5.4 %	2.8 %
Parking	19.2 ac.	5.8 %	2.8 %
Public Facilities	7.2 ac.	2.2 %	1.0 %
Open Space	38.3 ac.	11.5 %	5.5 %
TOTAL LAND AREA	**333.6 AC.**	**100 %**	**47.8 %**
WATER AREA	364.5 ac.		52.0 %
TOTAL LAND AND WATER AREAS, not including streets	698.1		

According to the County's staff report, the tabulations in Table 1 were generated using the Regional Planning Department's computer mapping system. County staff has recalculated these figures based on County Lease Maps, see Table 2. The results are similar, although in Table 2, the County considered certain publicly owned parking lots as "leased".

Table 2. COUNTY LAND USE DISTRIBUTION BASED ON LEASE INFORMATION

LCP Land Use Designation	Landside Acreage	% of Landside Acreage	Landside Acreage after this LCPA	% of Landside Acreage after this LCPA
Marine Commercial	**31.32**	**10.68%**	**29.12**	**9.9%**
Visitor-Serving/Convenience Commercial	30.45	10.39%	30.45	10.39%
Hotel	26.51	9.04%	26.51	9.04%
Office	5.21	1.78%	5.21	1.78%
Boat Storage	19.43	6.63%	19.43	6.63%
Parking	18.03	6.15%	18.03	6.15%
Public Facilities	7.03	2.40%	7.03	2.40%
Residential (R-III, R-IV and R-V)	**155.22**	**52.94%**	**157.42**	**53.69%**
Total lease land	293.2	100%	293.2	100%

The proposed change will reduce the amount of land area designated Marine Commercial by 2.2 acres and increase the percentage of land area in the marina devoted to Residential use to approximately 47%. The Commission notes that due to the requirements of the Waterfront Overlay Zone, and of the existing waterside lease, the County will not permit the applicant to develop the entire land area of the lot for residential use. There are 157 boat slips on the water adjacent to the site. Under the coastal development permit approved by the County, which is subject to the approval of this LCP amendment and the Commission's action on the appeal of that CDP, the applicant is required to provide parking and restrooms for the boat owners. The County approved a 35 foot high 5 level parking structure with 172 spaces, which will incorporate a yacht club and offices on the top deck[6]. To meet the County's requirement of 231 parking spaces, the applicant must devote one of the view corridors to boater and yacht club parking. All uses served by the structure, within the structure and within the boater parking lot, will be used for marine commercial purposes, that is, as approved by the County. This will require approximately 35,760 square feet of land (about 0.8 acres) to be reserved for the existing yacht club and boater parking. The Commission finds that the proposed amendment will continue to allow marine commercial use of the site and the loss of 2.2 acres is not a significant reduction in the amount of land devoted to marine commercial use in the Marina del Rey.

e. Marine and Boating Support Uses in the Marina Del Rey.

In its search for "catalytic" projects to encourage new construction and economic growth in the Marina del Rey, the Los Angeles County Board of Supervisors has authorized its staff to negotiate with developers who propose projects on parcels with existing public parking lots, commercial boating areas, boat storage, or marine commercial facilities. Recently, the County Small Craft Harbor Commission authorized its staff to begin to negotiate with developers who propose projects, that are listed in Table No. 3 below. According to County staff, those projects, and a proposed four-level commercial recreation project on the public boat launch ramp are not intended to displace existing marine support uses. The County's objective is to allow developers to envision new projects that incorporate boat launching and public parking into newer commercial oriented facilities. Open parking lots will be converted to parking structures, and other uses, as is proposed here will be located on top of or under parking structures. County staff sees these proposals as an opportunity to cover up the parking lots, which consultants have seen as visual blight, as well as a way of increasing visitors to the area.

The strategy advocated by the Department of Beaches and Harbors is to locate boating support on the east side of the Marina, and residential uses and hotels on the west side. Proposals under consideration would require the relocation of mast up storage, a boating school, and parking for Mother's Beach, much of which would be located 1,200 feet away and on the other side of Admiralty Way (Lot OT). Additional considerations include,

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[6] The applicant is required in the coastal development permit, issued by the County, to provide 231 parking spaces including parking spaces for boat owners (118), the assembly room bar (66.3), yacht club office (2.6), and storage area (4.97). The structure accommodates 172 parking spaces. County Planning Commission required the applicant to replace the remaining 59 parking spaces on the top deck of the parking structure and in the view corridor.

adjustment of parking schedules to accommodate existing staff parking for the Marina International Hotel, the Marina City Club, and the Fantasea charters, all of whom use the parking lot located on Lot OT, as do peak holiday (Fourth of July and Christmas boat parade) visitors. There is another pending project which includes an entertainment complex to be constructed above the public boat launch ramp and boat trailer parking area. The project is proposed to be constructed 15 feet above the parking facility to avoid interference with boat masts.

The following are the projects under consideration that involve conversion of Marine Commercial uses, Parking or recreation support uses such as public parking. Many of them, especially the construction on parking lots, will require amendments to the LCP.

Table 3. Lease Negotiation Parcels

Proposals under negotiation

Parcel	Proposal	Current use	LCPA required
9	20 story vacation time-share	Vacant	**yes**
44	226 rm. hotel offices yacht clubs boat dealer restaurants hotel	Boat dealer	**yes**
77	Dry stack boat storage parking structure	Mast up boat storage	**Yes**
55,56,W Fisherman's village	144 rm. hotel ,restaurant retail	Parking retail	**Yes** Development unit transfer e of ng lot for hotel
GR	Marriott hotel 145 rm.	Public parking	**Yes**
OT	Parking for hotels	Public parking	**Yes**
IR	Marriott Hotel 200 rooms	Parking for Mother's beach	**Yes**
145	276 rm. Hotel	Hotel	no
27	Hotel	Hotel	no
100, 101	Apartments	Apartments	no
K-6	Self storage	Maintenance yard	**Yes**
140	Apartments	Apartments	no
95/LLS	Retail	Retail	no

The County cites these potential projects to show that it is aggressively and proactively searching for recreational and visitor-serving uses in the Marina.

Commission staff has just recently begun the periodic review process for the County's LCP. The assertions that a periodic review is required are accompanied by challenges to the density allowed in the current LCP, the market segment to be served by the new development, and the traffic and visual impacts of the development permitted in the certified LCP. Opponents assert that the Marina del Rey cannot accommodate the amount of density that is anticipated in the land use plan, that the balance of uses in the marina will not serve recreational visitors and/or low and moderate income visitors. Opponents further assert that the traffic generated by new uses will result in rendering the lower cost and boating uses in the marina inaccessible to the public. The Commission rejected similar assertions in approving the amended LCP in 1995.

Approving a change in use on Parcel 20 before the other future proposed changes come before the Commission is not premature. The currently certified LCP was approved with maximum development caps for residential, commercial, and boating uses, that were allocated among the various Development Zones. The development that would be allowed by the amendment is consistent with those maximum development caps, therefore, the amendment will not exceed those impacts already considered and addressed in the certified LCP. The current amendment basically affects a single 2.2 acre parcel and changes it from a land use designation that allows visitor-serving use to residential use. The marina, which consists of approximately 333 acres of land area, currently has approximately 31 acres of land area designated as Marine Commercial. The amendment will reduce the amount of land area designated as Marine Commercial by 2.2 acres, a reduction of less than one percent. Furthermore, the Waterfront Overlay Zone will still apply and protects the existing low intensity water-oriented recreational use (yacht club) that is on the parcel by prohibiting the displacement of the existing public recreational use or requiring relocation within the marina. Therefore, the change to allow residential use on this small parcel will not have a significant impact on the recreational and visitor-serving uses in the marina.

The Commission finds that the proposed amendment will have an insignificant impact on marine commercial uses since the 2.2 acre parcel is small and is not a viable location for marine commercial uses. Therefore, the proposed LCP amendment is approved.

F. TRAFFIC

Consideration of traffic impacts was a major issue in all of the Commission's actions on the Marina del Rey Land Use Plan and Implementation ordinances. The development and public access policies of the Coastal Act require the Commission to assure that the cumulative effects of development do not overload coastal access routes. Protection of transportation facilities and encouragement of alternative transportation protects the public's ability to reach the beach and other public recreation areas.

Section 30252

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

Marina del Rey and the roads leading to it have limited capacity for traffic. The certified LCP deals with these limits by allowing new development to create a limited number of peak hour trips. The plan allows 2,812 new evening peak hour trips. In implementing this

policy, the LCP converts these trips into residential units and square feet for the various uses. The LCP then imposes maximum caps on the number of residential units, hotel rooms and commercial square footage that are allowed in the marina as a whole, and allocates those limits among 15 Development Zones. Since Marina del Rey is zoned for a maximum number of residential units and commercial square footage, Development Zones have two functions: one function is to distribute new trips along the principal collector streets-- Via Marina, Admiralty Way and Fiji Way; the second function is to distribute development opportunities throughout the marina within the 15 Development Zones.

Four developments have been approved in Marina del Rey since the LCPA was approved. Three conformed to these traffic limits, one did not, but the applicant in that case successfully argued that 47 low income units allowed it to exceed traffic limits under other state laws and LCP policies. The County allowed the extra units as long as the developer contributed to improvements to mitigate impacts on local streets resulting from the project.

The conversion of this parcel to residential use will not result in a significant number of additional trips in the marina. However, the certified LCP addresses both individual and cumulative impacts on the traffic system. The LCP established a limit on the number of trips that can be generated from Panay Way Development Zone without significant cumulative impacts on the traffic system. That limit has been reached by prior development approvals. Exceeding these limits could have significant cumulative impacts on the marina's traffic system and cumulatively on the public's ability to reach and enjoy Marina del Rey and nearby beaches.

The County's proposed amendment does not change the limits on total development in the certified LCP. To avoid significant cumulative impacts on traffic the County is suggesting an amendment to the LCP that would reallocate "development caps" from a different Development Zone (Bora Bora Development Zone) and apply these trips to the Panay Way Development Zone. The developer on Parcel 20 (Panay Way Development Zone) would use the 97 "units" that could otherwise be generated in the Bora Bora Development Zone. By reallocating development units rather than exceeding traffic limits, the County asserts that it has avoided cumulative impacts on the traffic limitation program, and cumulative impacts on the traffic system would not occur.

The certified LCP anticipates the following impacts with its mitigation measures in place. Future traffic volumes on key intersections were estimated at build out.

	INTERSECTIONS	AM PEAK	PM PEAK
1	Via Marina & Washington Blvd.	2,835	3,358
2	Via Marina & Admiralty Way	2,542	3,289
3	Via Marina & Panay Way	2,036	2,385
4	Via Marina & Marquises Way	1,739	1,885
5	Via Marina & Tahiti Way	1,162	1,527
6	Via Marina & Bora Bora Way	850	1,103

The applicant's consultant, Crain and Associates, studied impacts at key intersections. However, the level of traffic at key intersections based on the development potential of the amendment were considerably lower than the County anticipated in calculating for levels of traffic at build-out of all development authorized in the LCP. These project-driven calculations showed that the project was a small project. However, it did not address the question of whether the change in the location of trip generation would result in greater impacts to the ring (collector) roads, Via Marina and Admiralty Way, after build out, than anticipated by the LCP.

In response to staff's questions about the impact of changing the location of the principal traffic generator (the Development Zone unit counts), the County staff prepared a study of impacts of the change along Via Marina. The Bora Bora Development Zone is located at the south end of Via Marina at the southwestern corner of the Marina del Rey. Most trips generated in the Bora Bora Development Zone add to the traffic stream on Via Marina, and then enter either Admiralty Way or Washington Boulevard in Venice. The County found that the impact of moving the traffic generator nearer Admiralty Way would not be significant. County consultants provided statistics with respect to traffic levels after the development authorized in the LCP builds out with the new configuration of development zone limits (D.Z. units):

Traffic generated at either Bora Bora Way or Panay Way would impact the intersection of the two principal ring (collector) roads, Via Marina and Admiralty Way. The County analysis shows the intersections that are south of the key intersection, Via Marina and Admiralty, will be impacted no differently by the old pattern or the new.

INTERSECTION	WITHOUT TRANSFER V/C LOS	WITH TRANSFER V/C LOS
Via Marina/ Marquesas Way	.45 A	.44 A
Via Marina/ Tahiti Way	.37 A	.37 A
Via Marina /Bora Bora Way	.37 A	.35 A

The location of the origins of the trips does not change with impacts on the key intersection at Via Marina and Admiralty Way. The County does not propose to change

the outside limit on traffic generation applicable to the Marina del Rey in other LCP policies.

One issue in evaluating a change in the implementation ordinance is whether the reallocation of the development zone limits is consistent with and adequate to carry out the policies of the certified LCP. The County has provided evidence that the change in allocation is consistent with the underlying traffic cap in the Marina del Rey and is adequate to carry it out. The Commission finds, as proposed, the change in the certified land use plan with regards to traffic capacity reallocation is consistent with Sections 30210, 30211 and 30253 of the Coastal Act.

G. HEIGHTS AND VISUAL QUALITY

The Coastal Act provides for protection of the scenic and visual quality of the coast.

Section 30251

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

The County does not propose to change the height policies of the LUP or of the Marina del Rey Specific Plan as part of this amendment. Because the allowable heights applying to any use on this parcel are identical, no height difference would result from the change in Land Use designation. Both land uses must comply with view corridor standards. However, the change of use designation does allow and encourage a more intense use of the lot. The County establishes the number of allowable units based on the size of the parcel. The County staff does not subtract the area devoted to replacement of boating support required by the WOZ overlay from the lot area when they determine the number of units permitted. The certified LUP would allow 99 units on any 2.2-acre R-IV lot, and require 200 parking spaces for residential use. There is an incentive to construct a higher building in order to maximize residential development when it is combined with marine commercial uses that have a certain amount of space on the lot reserved for them. The combination of policies that are built into the presently certified LUP allows and encourages a more intense use of the land to achieve protection of existing water-oriented uses while allowing redevelopment. These incentives apply to any residential lot with a WOZ overlay.

The County does not propose to change view corridor policies of the Specific Plan or of the certified Land Use Plan in this amendment. In 1995, the Commission found the visual quality, height, and view protection policies of the LUP and of the Specific Plan consistent with Chapter 3 of the Coastal Act. At that time the Commission heard a number of points

of view on these issues and voted to approve the increased heights and intensities. In that action, the Commission also found that the Implementation portion of the Specific Plan was consistent with and adequate to carry out the policies of the land use plan as approved in 1995. Therefore, the Commission finds, because this proposed LCPA would not change the view corridor policies, it does not raise any issues of consistency with the visual quality policies of the Coastal Act.

H. PUBLIC SHORELINE ACCESS

The existing LCP has very strong public access polices, requiring a combined 20 foot fire lane and 8 foot access way open to the public along all bulkheads. This walkway is now identified as the Marina del Rey Waterfront Promenade. The certified LCP requires that leaseholders dedicate the promenade upon extension of all leases and upon the redevelopment of all parcels. This LCPA does not propose to change that standard. Therefore, the Commission finds that the proposed LCPA does not raise any issues of consistency with the public access policies of the Coastal Act.

I. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Pursuant to the California Environmental Quality Act (CEQA) and the California Code of Regulations [Title 14, Sections 13540(f), 13542(a), 13555(b)] the Commission's review of this LCP amendment must be based in part on its consistency with CEQA Section 21080.5(d)(2)(A). That section of the Public Resources Code requires that the Commission not approve or adopt an LCP:

> *...if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.*

The Commission finds that for the reasons discussed in this report, there are no feasible alternatives or feasible mitigation measures available that could substantially reduce any adverse environmental impacts of the proposed amendment. The consideration of feasibility is based in part on the fact that the land is publicly owned and leaseholders pay rent as a percentage of the income of the leasehold.

The Commission finds that the proposed amendment is consistent with the policies of the Coastal Act and is consistent with and adequately carries out the certified Marina del Rey LCP. The Commission further finds that the proposed LCP amendment is consistent with Section 21080.5(d)(2)(A) of the Public Resources Code.

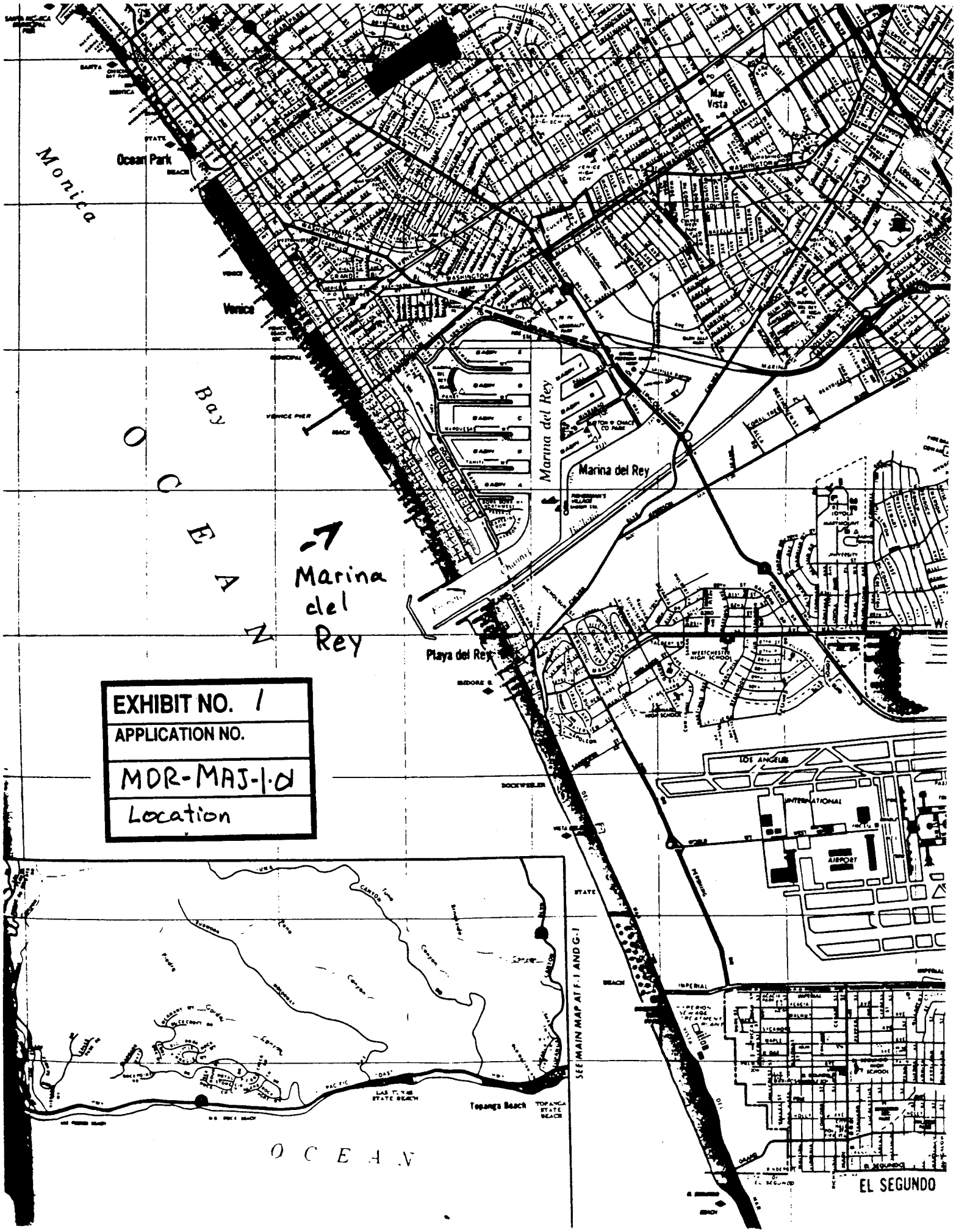
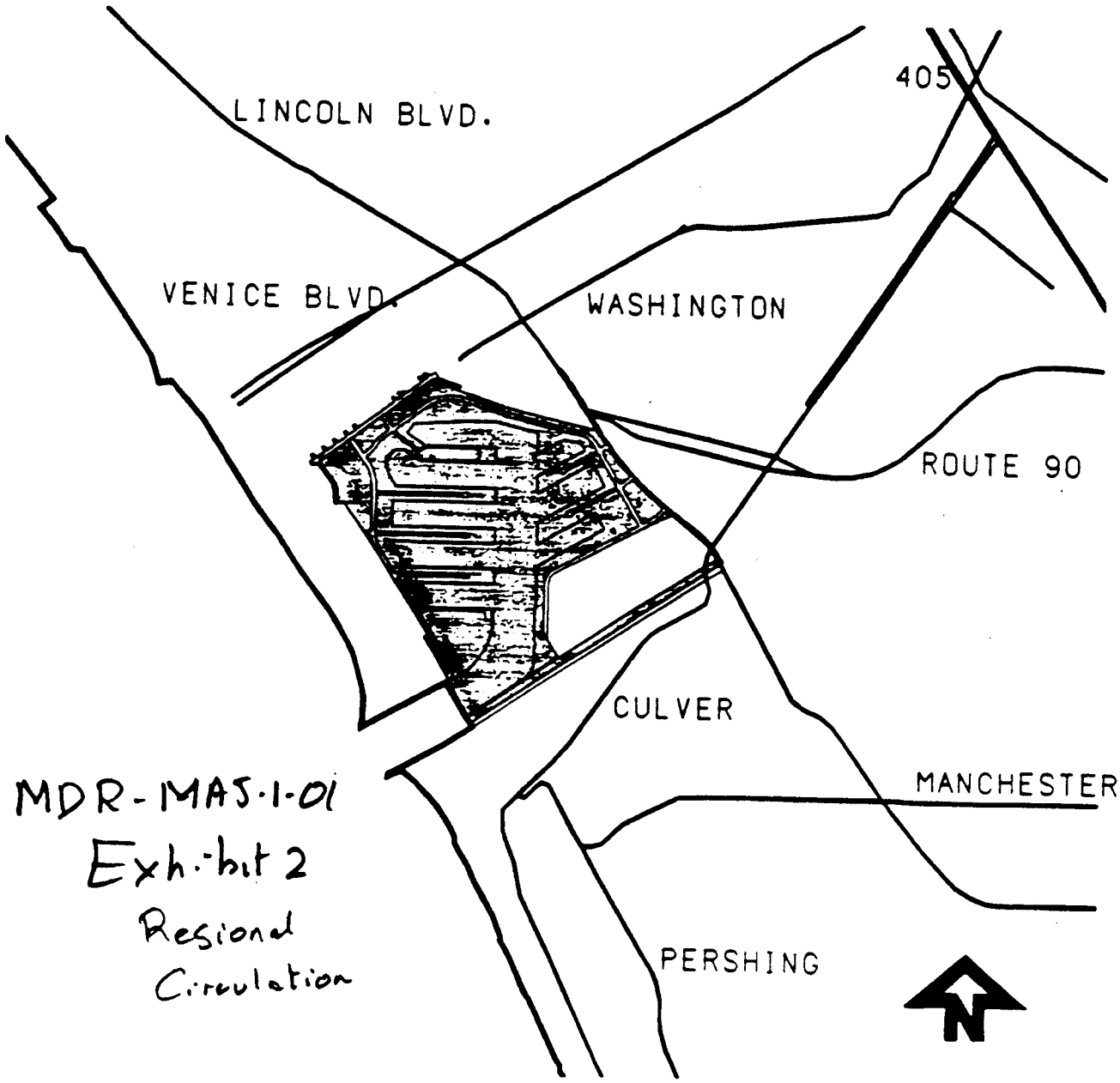


EXHIBIT NO. 1
APPLICATION NO.
MDR-MAJ-1-0
Location

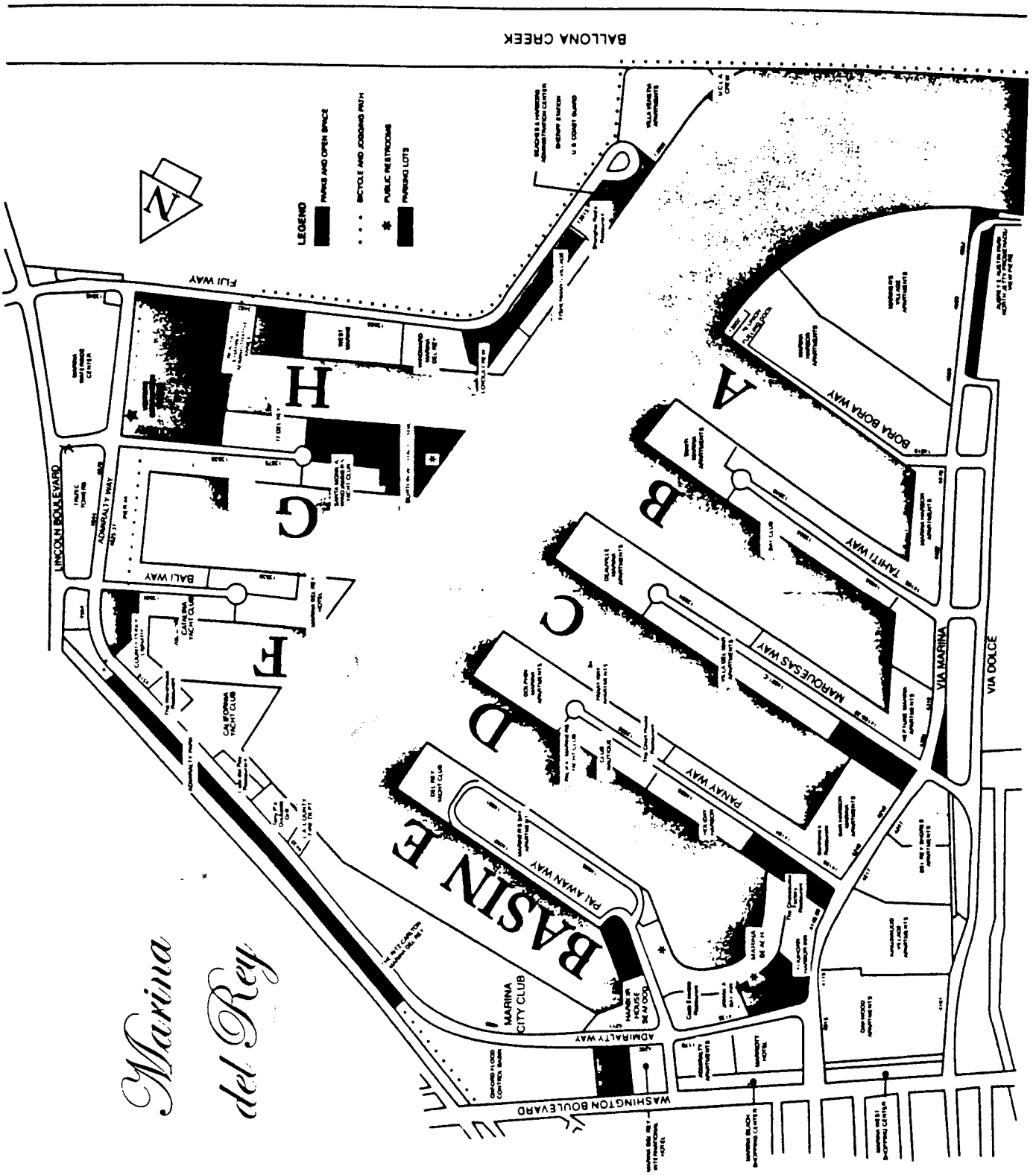
REGIONAL CIRCULATION SYSTEM

MAP 24

COUNTY UNINCORPORATED LAND - MARINA DEL REY LCP



MDR-MAJ-1-01
Exhibit 2
Regional
Circulation



MDR MAJ 1.01
Exhibit 3 Existing development

ANALYSIS

This ordinance amends the Marina Del Rey Specific Plan, contained in Title 22 of the Los Angeles County Code, to authorize the transfer of 97 potential development units from Bora Bora Development Zone 1 to Panay Development Zone 4 in Marina Del Rey and to change the land use classification of Parcel 20 from Marine Commercial to Residential IV.

This ordinance makes the Specific Plan consistent with the Marina Del Rey Land Use Plan, as amended by the Board of Supervisors.

This ordinance will not take effect unless and until it has been certified by the California Coastal Commission in compliance with the California Coastal Act of 1976, as amended to date.

LLOYD W. PELLMAN
County Counsel

By _____
JUDITH A. FRIES
Principal Deputy County Counsel
Public Works Division

JAF:cnz

12/18/00

Exhibit 10
MDR. MAJ. 1-01
Ordinance LIP
p1

HOA.363801.1

ORDINANCE NO. 2001-0010

An ordinance amending Title 22 – Planning and Zoning of the Los Angeles County Code, relating to the Marina Del Rey Specific Plan.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 22.46.1800 is hereby amended to read as follows:

22.46.1800 Bora Bora Development Zone 1 (Exhibit 5).

Parcels 1, 3, 112, 113, BR Development allocation:	~~610~~ 513 dwelling units Conversion potential
-- Parcel 1 Categories:	Marine Commercial Water
-- Parcel 3 ~~Category:~~ Categories:	Parking Open Space
-- Parcel 112 Categories:	Residential V Water Waterfront Overlay
-- Parcel 113 Categories:	Residential V Waterfront Overlay

MDR.MAJ.1.01
Ordinance changes
p 2
Exhibit 10

– Parcel BR
Category: Open Space

Required public improvements:

- Development shall provide waterfront public pedestrian access consistent with Section 22.46.1150 of this Specific Plan.
- A continuous 28-foot-wide pedestrian promenade shall be provided and maintained along all bulkheads. Seating and landscaping shall be provided along the bulkheads consistent with Section 22.46.1060 of this Specific Plan. New development or intensification on Parcels 112 and 113 shall require reservation of public open space and the construction of a public pedestrian promenade consistent with the 28-foot-wide standard.
- Public vehicular access shall be maintained along Bora Bora Way. No fewer than 10 public parking spaces shall be provided in a landscaped parking area adjacent to the gas dock.
- A small waterfront viewing park not less than 500 square feet in area shall be provided on Parcel 112 in conjunction with Phase II development.

MDR MAJ-1-01
Exhibit 10
p 3
Ordinance changes

- A small waterfront viewing park not less than 500 square feet in area shall be provided on Parcel 113 on a platform over the bulkhead, in conjunction with Phase II development.
- Park and picnic facilities, including a restroom shall be installed in Parcel 3 in conjunction with new development in the Bora Bora development zone.

Special development considerations:

-- New building construction on Parcel 112 shall relate to Bora Bora Way and landscaping shall be enhanced.

-- Parcel 1, Parcel 3 -- Height category 1: building height not to exceed 25 feet.

-- Parcel 112, Parcel 113 -- Height category 6: building height not to exceed 225 feet.

MDR.MAJ.1.01
Exhibit 10
p 41
Ordinance changes

SECTION 2. Section 22.46.1830 is hereby amended to read as follows:

22.46.1830 Panay Development Zone 4 (Exhibit 8).

Parcels 15, 18, 20, 21, 22, GR Development allocation:	~~250~~ 347 dwelling units 75 congregate care units 10 KSF retail 76 boat slips Conversion potential
-- Parcel 15 Categories:	Residential IV Water Waterfront Overlay
-- Parcel 18 Categories:	Residential III (mole terminus) Residential IV (south side of mole road) Water Waterfront Overlay
-- Parcel 20 Categories:	~~Marine Commercial~~ Residential IV Water Waterfront Overlay
-- Parcel 21 Categories:	Marine Commercial Water Waterfront Overlay
-- Parcel 22 Categories:	Hotel Waterfront Overlay

MDR. MAS. 1. 01
ORDINANCE
CHANGES
Exhibit 10
P5

– Parcel GR
Category: Parking

Required public improvements:

– A continuous 28-foot-wide pedestrian promenade shall be provided and maintained along all bulkheads. Seating and landscaping shall be provided along the bulkheads consistent with Section 22.46.1060 of this Specific Plan.

Special development considerations:

-- Parcel 18 (mole terminus portion), Parcel 22, Parcel GR -- Height category 2: Building height not to exceed 45 feet.

-- Parcel 15, Parcel 18 (western portion along mole), Parcel 20, Parcel 21 -- Height category 3: Building height not to exceed 45 feet, unless an expanded view corridor is provided in accordance with Section 22.46.1060 in which case the height shall not exceed a maximum of 75 feet.

-- Development on Parcel 22 shall provide shadow studies indicating the proposed development will not shadow the public beach on Parcel H between the hours of 9:00 a.m. and 5:00 p.m. after April 15th and before September 15th.

MDR.MAS.1.01
Exhibit 10
PC
ORDINANCE
changes

LAND USE PLAN

MAP 7

- RESIDENTIAL III
- RESIDENTIAL IV
- RESIDENTIAL V
- HOTEL
- OFFICE
- MARINE COMMERCIAL
- BOAT STORAGE
- OPEN SPACE
- PUBLIC FACILITIES
- VISITOR-SERVING/CONVENIENCE COMMERCIAL
- PARKING
- WATER
- WATERFRONT OVERLAY
- MIXED USE OVERLAY

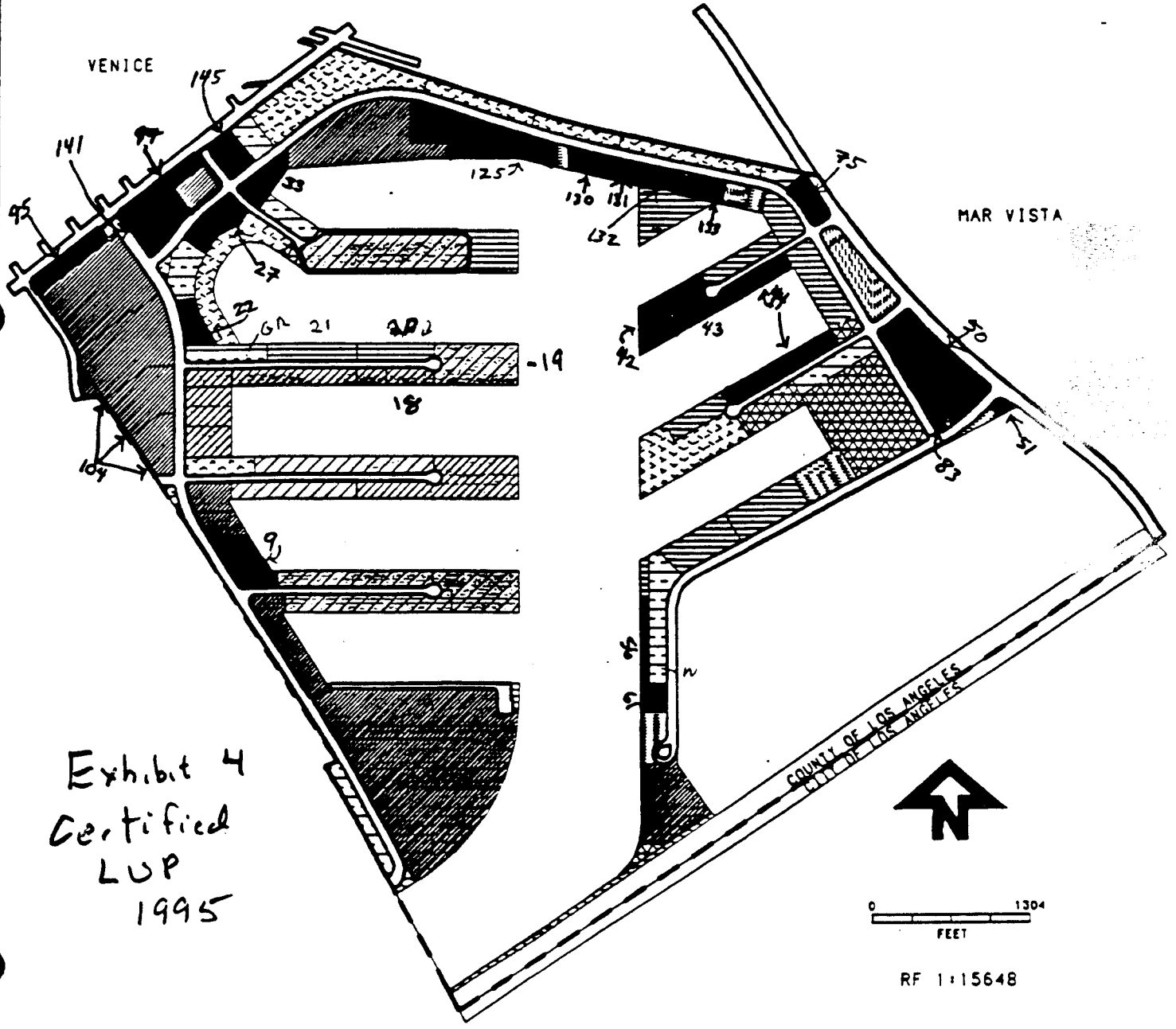


Exhibit 4
Certified
LUP
1995

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Violet Varona-Lukens, Executive Officer-
Clerk of the Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

RECEIVED
FEB 12 2001
CALIFORNIA COASTAL COMMISSION

Director of Planning

At its meeting held January 23, 2001, the Board took the following action:

16

The following item was called up:

Deliberation and possible decision on Local Coastal Plan Amendment Case No. 98-172-(4), and on Mitigated Negative Declaration, to amend 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 from Marine Commercial - Water Overlay Zone to Residential IV - Water Overlay Zone; and to amend the Marina del Rey Land Use Plan and the Marina del Rey Specific Plan to authorize the transfer of 97 potential development units from Development Zone 1 to Development Zone 4, for the purpose of accommodating the development of a 99-unit apartment building at 13953 Panay Wy., Marina del Rey, Playa del Rey Zoned District, petitioned by Goldrich & Kest Industries, LLC.

Opportunity was given for interested persons to address the Board. No interested persons addressed the Board.

On motion of Supervisor Knabe, seconded by Supervisor Antonovich, unanimously carried, the Board took the following actions:

1. Approved and certified that the attached Mitigated Negative Declaration has been completed in compliance with the California Environmental Quality Act and the State and County guidelines related thereto and reflects the independent judgment and analysis of the County;

2. Determined that the conditions of approval and mitigation measures contained in the Mitigated Negative Declaration are feasible and will reduce impacts to insignificant levels;

EXHIBIT NO. 5
APPLICATION NO.
MDR-MAJ-1-01
Board LCPA action

(Continued on Page 2)

3. Made a finding that the Local Plan Amendment is consistent with the goals, policies and programs of the County General Plan, including the Marina del Rey Local Coastal Program elements;

4. Adopted the attached resolution approving Local Coastal Plan Amendment Case No. 98-172-(4), effecting amendments to the Marina del Rey Land Use Plan and Specific Plan; and

5. Adopted the attached Ordinance No. 2001-0010 entitled, "An ordinance amending Title 22 – Planning and Zoning of the Los Angeles County Code, relating to the Marina del Rey Specific Plan". This ordinance shall take effect February 22, 2001 and shall become operative pursuant to Section 5 of the Ordinance.

04012300-16

Attachments

Copies distributed:
Each Supervisor
County Counsel
Director of Internal Services
Director of Public Works
Goldrich & Kest Industries, LLC

MDR MAJ. 1. 01
Exhibit 5
p 2

LOCAL COASTAL PROGRAM AMENDMENT CASE NO. 98-172-(4)

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES APPROVING AN AMENDMENT TO THE CERTIFIED LOCAL COASTAL PROGRAM FOR MARINA DEL REY, CONSISTING OF (1) AMENDMENTS TO THE MARINA DEL REY LAND USE PLAN, AN ELEMENT OF THE LOS ANGELES COUNTY GENERAL PLAN, AND (2) AMENDMENTS TO THE MARINA DEL REY SPECIFIC PLAN, AS SET FORTH IN CHAPTER 22.46 OF TITLE 22 (ZONING ORDINANCE) OF THE LOS ANGELES COUNTY CODE, AND SUBMITTING SAID AMENDMENT CASE NO. 98-172-(4) TO THE CALIFORNIA COASTAL COMMISSION

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, said amendment to the Marina Del Rey Local Coastal Program consists of (1) amendments to the Land Use Plan, which is an element of the Los Angeles County General Plan, and (2) amendments to the Local Implementation Program, which includes the Marina Del Rey Specific Plan, as set forth in Chapter 22.46 of Title 22 (Zoning Ordinance) of the Los Angeles County Code; and

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, Article 2 of Chapter 4 of Division 1 of Title 7 of the Government Code of the State of California (commencing with section 65850) provides for the adoption of amendments to county zoning ordinances; and

WHEREAS, an amendment to the Marina Del Rey Land Use Plan 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

MDR-MAT 1.0

Exhibit 6
Board Supervisor
Resolution
page 1

WHEREAS, said amendment to the Marina Del Rey Local Coastal Program includes modifications to the Land Use Policy Map of the Marina Del Rey Land Use Plan and related text and to the Land Use Map of the Marina Del Rey Specific Plan and related text, for the unincorporated area of Marina Del Rey commonly known as Parcel "20"; and

WHEREAS, the Regional Planning Commission conducted concurrent public hearings on Local Coastal Program Amendment Case No. 98-172-(4), Coastal Development Permit No. 98-172-(4), Conditional Use Permit No. 98-172-(4), and Variance No. 98-172-(4) on January 12, 2000; March 8, 2000; April 3, 2000; June 5, 2000; June 14, 2000; August 23, 2000; August 30, 2000; and September 27, 2000; and

WHEREAS, the Regional Planning Commission, on October 2, 2000, recommended approval of the proposed Local Coastal Program Amendment Case No. 98-172-(4), amending the Land Use Policy Map of the Marina Del Rey Land Use Plan, and related text, and the Land Use Map of the Marina Del Rey Specific Plan, and related text, to change the designation on the subject parcel from "Marine Commercial (Water Overlay Zone)" to "Residential IV (Water Overlay Zone)," and further to authorize the transfer of 97 potential development units from Development Zone-1 (Bora Bora Development Zone) to Development Zone-4 (Panay Development Zone); and

WHEREAS, the Board of Supervisors, after holding a public hearing on November 28, 2000, December 5, 2000; and December 19, 2000, has duly considered the recommendation of the Regional Planning Commission, public testimony, the recommendations and testimony of the Regional Planning Department staff, and the Mitigated Negative Declaration, including the documentation within each file; and

WHEREAS, the Board of Supervisors finds as follows:

1. The subject property is located at 13953 Panay Way, Marina Del Rey, and within the Panay Development Zone as specified in the Marina Del Rey Local Coastal Program (certified LCP).

2. The project site is designated as "Parcel 20" in the certified LCP.

3. The proposed development site is rectangular in shape, level, and 2.2 acres in size.

MDR MAJ 1-01
Exhibit 6
Resolution
p 2

4. The site is accessed via Panay Way, a mole road, and Basin E of the Marina Del Rey Small Craft Harbor.

5. Two addresses have been assigned to Parcel 20 that correspond to the existing building improvements: 13593 Panay Way is a one-story office building; 13915 Panay Way is a two-story building occupied by professional offices and the Pacific Mariners Yacht Club. Existing waterside improvements on the property include an anchorage for 157 boats.

6. Sewer, water, and utilities services are available to service the property.

7. The subject property's zoning is Specific Plan (SP) as set forth in the Marina Del Rey Specific Plan.

8. The project site is presently designated Marine Commercial (MC) - Waterfront Overlay Zone (WOZ) on the Land Use Policy Map of the certified local coastal program.

9. Surrounding land use categories in the vicinity of Parcel 20 include Residential III, which permits 35 units per acre, to the east; Residential IV, which permits 45 units per acre, to the south; and Marine Commercial, which provides for coastal-dependent and/or coastal related uses, to the west. Parcel designations located northerly of Parcel 20 and across small craft harbor Basin E include Marine Commercial and Residential III.

10. The applicant is requesting an amendment to 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 to change the designation on the subject parcel from "Marine Commercial (Water Overlay Zone)" to "Residential IV (Water Overlay Zone)," and to further amend the Marina Del Rey Land Use Plan and the Marina Del Rey Specific Plan to authorize the transfer of 97 potential development units from Development Zone-1 (Bora Bora Development Zone) to Development Zone-4 (Panay Development Zone). This request constitutes a general plan amendment and a change to the zoning ordinance.

11. The requested amendment would transfer 97 dwelling units from the Bora Bora Development Zone, which has a total allocation of 610 dwelling units, to the Panay Development Zone, which currently has a development allocation of 182 dwelling units and 15 congregate care units. The Traffic and Lighting Division of the County

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Exhibit 6
p 3
Resolution

Department of Public Works has reviewed the unit transfer and has determined that it will not impact traffic or circulation patterns within or outside the Marina.

12. During the public hearings conducted by the Regional Planning Commission and the Board of Supervisors regarding the project, numerous speakers testified in opposition. Persons testifying expressed concern about the applicant's request to change the Parcel 20 land use designation from Marina Commercial to Residential IV.

13. The applicant submitted evidence which satisfies the burden of proof for the requested local coastal program amendment, addressing the need for the development, the appropriateness of the amendment, and that the amendment will be in the interest of the public heath, safety, and general welfare and in conformity with good planning practices.

14. The Regional Planning Commission and the Board of Supervisors also heard and considered the input of staff and other local and state agencies, with respect to the best means of implementing the various objectives of the certified local coastal program on the subject property.

15. Adequate vehicular and emergency access to the site is provided via Panay Way, which fronts the subject property to the south.

16. The subject parcel is located near the end of the Panay Way mole road. Most commercial uses in the Marina do not make good neighbors in residential areas and do not succeed financially. As evidence of this fact, there has been a long succession of failed restaurants and under-achieving stores on the Marina's mole roles. Commercial uses, alternatively, perform better in the Marina when they can be seen and found along major thoroughfares, such as Via Marina, Admiralty Way, and Fiji Way.

17. The subject parcel is presently underutilized and is bordered to the east and south by parcels developed with multi-family residential uses. As such, the proposed residential use would be consistent with development in the vicinity of the project site.

18. Consistent with Sections 30250 and 30251 of the California Coastal Act and Chapter 8 ("Land Use Plan") of the Marina Del Rey Land Use Plan, the subject parcel is located within, contiguous with, or in close proximity to, existing developed areas able to accommodate the uses allowable under the proposed local coastal program amendment.

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Exhibit 6
p 4
Resolution

In addition, the proposed use is designed to protect views to and along the ocean and scenic coastal areas, to minimize alteration of natural land forms, to be visually compatible with the character of the surrounding areas, and to enhance visual quality.

19. Increased demand for housing within the region and Marina Del Rey justifies the plan amendment from Marine Commercial (WOZ) to Residential IV.

20. The Water Overlay Zone designation is intended to provide additional flexibility for development of coastal-related and marine-dependent land uses, primarily on waterfront parcels.

21 The requested amendment is consistent with Water Overlay Zone development standards specified in the certified local coastal program in that it does not contemplate development that would displace existing public recreation, visitor-serving or coastal-dependent boating uses.

22. Consistent with Section 30252 of the California Coastal Act and Chapter 8 ("Land Use Plan") of the Marina Del Rey Land Use Plan, the requested amendment would provide commercial facilities within or adjoining residential development in order that use of coastal access routes will be minimized.

23. The proposed transfer of the development allocation among different development zones is consistent with the certified local coastal program in that it will neither result in additional development as contemplated in the certified local coastal program nor result in additional traffic impacts as contemplated in the certified LCP.

24. The requested amendment is consistent with the goals, policies, and programs of the Los Angeles County General Plan and the certified local coastal program.

25. Establishment of the proposed land use category for the subject property and the transfer of development units between development zones is in the interest of the public health, safety, and general welfare and in conformity with good planning and zoning practice.

26. Concurrently with the above-described local coastal program amendment, the applicant has requested a coastal development permit, conditional use permit, and variance to authorize development of a two-phase development project, as follows: (Phase I) a

MDR MAS 101
Exhibit 6
p5
Resolution

56-foot tall, 99-unit apartment building (49 one-bedroom and 50 two-bedroom apartment units) over two levels of parking (200 parking spaces total); (Phase II) a 35-foot tall, 5-level structure (two levels to be constructed below grade) containing 231-parking spaces, 2,300 square feet of professional office space, and an approximately 6,025-square-foot yacht club.

27. A conditional use permit is required to authorize the proposed construction, operation, and maintenance of the above-referenced yacht club and also to authorize the proposed sale of a full line of alcoholic beverages for on-site consumption at the yacht club.

28. A variance is required to authorize the proposed front- and rear-yard setbacks of less then ten feet on portions of the relevant parcel for the project.

29. On October 2, 2000, the Regional Planning Commission approved the requested coastal development permit, conditional use permit, and variance subject to the adoption by the Board of Supervisors and certification by the California Coastal Commission of Local Coastal Program Amendment Case No. 98-172-(4).

30. 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 proposed local coastal program amendment would provide for public pedestrian access and ensure passive recreational use to and along all portions of the Parcel 20 bulkhead.

31. The uses allowed under the proposed local coastal program amendment are compatible with the surrounding area in terms of land use patterns, designs, and established community character.

32. The subject property is reasonably proximate to public transit and necessary services and facilities.

33. The addition of new residential uses on Parcel 20, as contemplated under the subject local coastal program amendment, will act to reinforce and strengthen the existing residential character of Panay Way.

34. The subject property is located in a seismic hazard zone. Based on information resulting from studies conducted on sites in the immediate vicinity of the subject property and of

MDR MAJ-1 01
Exhibit 6
Resolution
p6

similar soil composition to the subject property, a geotechnical report is not required to define and delineate any potential seismic hazards, and the requirement for such a geotechnical report is waived pursuant to section 2697 of the California Public Resources Code. The applicant has agreed to provide a geotechnical report prior to approval of any building permit for development of the subject property in conformance with the proposed local coastal program amendment.

35. The proposed local coastal program amendment is consistent with the "Phase II" development program approved by the County as part of the certified LCP.

36. The proposed local coastal program amendment is consistent with the goal of the certified local coastal program to encourage controlled change in the Marina over the next 30 years. The project is also consistent with the certified local coastal program's goal to encourage private lessees within the Marina to replace and update facilities to maintain the physical and economic viability of the Marina.

37. In summary, the proposed local coastal program amendment:

(a) Avoids premature conversion of undeveloped land to urban uses;

(b) Promotes distribution of population consistent with service system capacity, resources 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 flood prone areas, active fault zones, steep hillside areas, and fire hazard areas;

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

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

MDR-MAJ 1-01
Exhibit C p7
Resolution

(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

38. A Mitigated Negative Declaration for the project has been prepared in accordance with the California Environmental Quality Act and the State and County guidelines relating thereto. As stated in the Mitigated Negative Declaration, the initial study identified potentially significant effects of the project on the environment, but revisions in the project, agreed to by the applicant before the proposed mitigated negative declaration and initial study were released for public review, would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and there is no substantial evidence, in light of the whole record before the Board, that the project as revised may have a significant effect on the environment.

39 The recommended local coastal program 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 and the Mitigated Negative Declaration prepared for the project.

WHEREAS, based upon the findings of fact described in paragraphs 1-39, the Board of Supervisors, having completed an independent review and analysis of the project, concludes that

1. The site is suitable for the allowable use and intensity as provided in the recommended general plan amendment.

2. The recommended general plan amendment will not place an undue burden upon the community's ability to provide necessary facilities and services.

3. The recommended general plan 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 general plan amendment is in the interest of public health, safety, and general welfare and is in conformity with good planning practice.

MDR MAJ 1-01
Exhibit C
p 8
Resolution

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Los Angeles hereby:

1. Certifies that the Mitigated Negative Declaration prepared for the project has been completed in compliance with the California Environmental Quality Act and the State CEQA Guidelines and County guidelines relating thereto;

2. Considers the Mitigated Negative Declaration together with any comments received during the public review process, finds on the basis of the whole record before the Board that there is no substantial evidence that the project will have a significant effect on the environment, finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Board, and adopts the Mitigated Negative Declaration;

3. Specifies that the location and custodian of the record of proceedings upon which adoption of the Mitigated Negative Declaration is based is the County of Los Angeles Department of Regional Planning , Current Planning Division, 320 West Temple Stree 13th Floor, Los Angeles, California 90012;

4. Determines that the conditions of approval and mitigation measures discussed in the Mitigated Negative Declaration are feasible and will reduce impacts to insignificant levels and adopts a mitigation monitoring program, attached hereto as Exhibit "C," to monitor those project changes that are required to mitigate or avoid significant environmental effects;

5. Finds that Local Coastal Program Amendment Case No. 98-172-(4) is consistent with the goals, policies, and programs of the County General Plan, including the Marina Del Rey Local Coastal Program elements, and with the California Coastal Act;

6. Approves amendments to the Land Use Plan of the Marina Del Rey Local Coastal Program, which plan is an element of the Los Angeles County General Plan, as described herein and as reflected in the attached exhibits "A" and "B," which amendments shall not take effect until Local Coastal Program Amendment Case No. 98-172-(4) has been certified by the California Coastal Commission pursuant to the provisions of the California Coastal Act;

MDR.MAJ 1.01
Exhibit 6
p 9
Resolution

7. Adopts an ordinance amending the Marina Del Rey Specific Plan, Chapter 22.46 of Title 22 of the Los Angeles County Code, and thereby amending the Local Implementation Program of the Marina Del Rey Local Coastal Program;

8. Approves Local Coastal Program Amendment Case No. 98-172-(4) as described herein;

9. Certifies its intent to carry out the Local Coastal Program as amended in full conformity with the California Coastal Act; and

10. Instructs the Director of Planning to transmit Local Coastal Program Amendment Case No. 98-172-(4) to the California Coastal Commission.

The foregoing resolution was on the 23rd day of January, 2001, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

VIOLET VARONA-LUKENS, Executive Officer-
Clerk of the Board of Supervisors of
the County of Los Angeles

Charlotte R. Bradfield
Deputy

APPROVED AS TO FORM

LLOYD W. PELLMAN
County Counsel

By _____
Deputy

MDR MAJ 101
Exhibit 6
Resolution

Exhibit 7
MDR MAJ-1-01
Board Exhibit A

PROPOSED
MAP and Language
changes

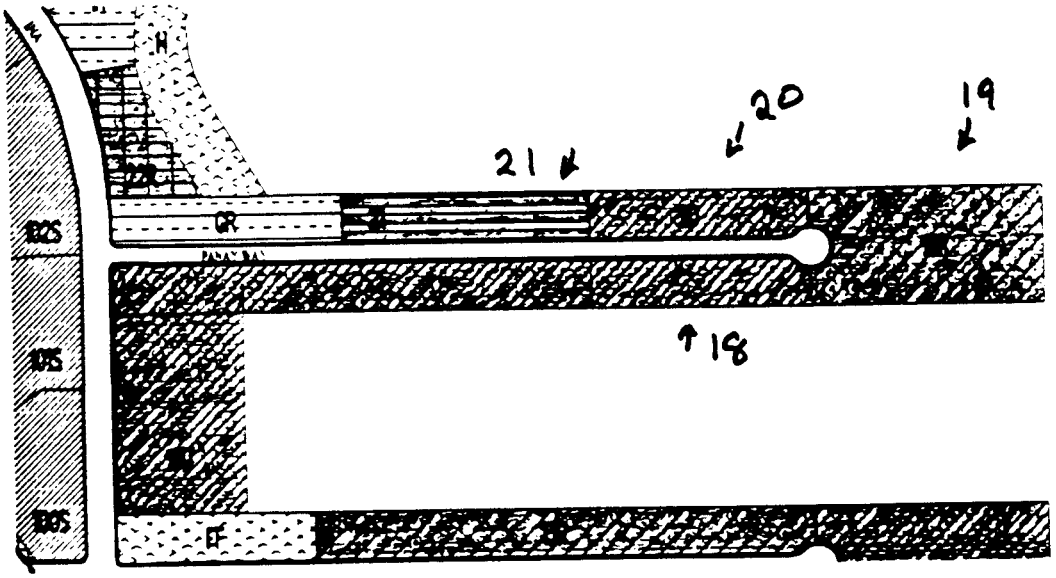
p 1

EXHIBIT "A"

PANAY DZ LANU USE

MAP 12

- RESIDENTIAL III
- RESIDENTIAL IV
- RESIDENTIAL V
- HOTEL
- OFFICE
- MARINE COMMERCIAL
- BOAT STORAGE
- OPEN SPACE
- PUBLIC FACILITIES
- VISITOR-SERVING/CONVENIENCE COMMERCIAL
- PARKING
- WATER
- WATERFRONT OVERLAY
- MIXED USE OVERLAY



MAP change LU

Proposed new use

MDR.MAJ.1.01
Exhibit 7
p 2
"Board Exhibit A"

MARINA DEL REY LAND USE PLAN
EXHIBIT A
LOCAL COASTAL PLAN AMENDMENT 98-172-(4)

MARINA DEL REY

LOCAL COASTAL PROGRAM

Exhibit B
Board Exhibit B
proposed Development
Zone Changes

p1

EXHIBIT "B"

EXHIBIT "B"
LOCAL COASTAL PLAN AMENDMENT CASE NO. 98-172-(4)

AMENDMENT TO PART 2 – MAPPED POLICY FOR THE LAND USE PLAN, OF POLICY SECTION C.8. OF THE MARINA DEL REY LAND USE PLAN, AT PAGE 8-14:

...

Development Potential by Zone

...

1. Bora Bora DZ ~ ~ See Map 9
   Parcels: 1, 3, 112, 113, BR
   Development Potential for Zone –
   Residential Units: ~~610~~ 513

...

AMENDMENT TO PART 2 – MAPPED POLICY FOR THE LAND USE PLAN, OF POLICY SECTION C.8. OF THE MARINA DEL REY LAND USE PLAN, AT PAGES 8-15 THROUGH 8-16:

...

4. Panay DZ ~ ~ See Map 12
   Parcels: 15, 18, 20, 21, GR
   Development Potential for Zone –
   Residential Units: ~~250~~ 347 dwelling units & 75 congregate care units

...

Principal Permitted Use by Parcel –

...

WOZ Parcel 20 – ~~Marina Commercial~~ Residential IV
– Water

...

MDR.MAJ.1.01
Exhibit 8, p2
"Board Exhibit B"
Proposed use & Development Zone change (1)

Exhibit 9
"Board Exhibit C"
Mitigation Measures
P. 1

EXHIBIT "C"

MITIGATION MONITORING PROGRAM FOR PROJECT NO. 98-172- (4)

IMPACT	MITIGATION	PARTY RESPONSIBLE FOR MITIGATION	MONITORING ACTION	ENFORCEMENT AGENCY/ TIMING
GEOTECHNICAL Seismic Hazard Zone/Liquefaction	GS-1 The applicant shall comply with all County Code requirements that mitigate potential impacts due to geotechnical characteristics of the project site as identified in the Initial Study. The applicant shall process a grading plan for the new buildings with the Department of Public Works (DPW) prior to any permanent construction. This shall be ensured and monitored through the filing of the appropriate development permits with the DPW.	Project applicant	Review of grading plan	DPW / Prior to grading permit
	GS-2 The proposed development shall utilize earthquake resistant construction and engineering practices. A detailed geotechnical report prepared by certified engineering geologist shall be submitted for approval by the DPW, prior to the issuance of any grading or development permits, in accordance with Section 22.46.1180(5) of the Zoning Code.	Project applicant	Review of geotechnical report	DPW / Prior to grading permit
CULTURAL Archaeological	C-1 The applicant shall agree to suspend construction in the vicinity of a cultural, historical or palaeontological resource encountered during development of the site, and leave the resource in place until a qualified archaeologist or palaeonotologist can examine them and determine appropriate mitigation measures. The applicant shall agree to comply with the mitigation measures recommended by the archaeologist/palaeontologist and approved by the DRP.	Project applicant	Upon discovery	DRP / During construction
VISUAL Views of small craft harbor	V-1 The applicant shall provide an uninterrupted view corridor(s) from Panay Way to the harbor consisting of 27.33% of the project width for the proposed 56 feet height building	Project applicant	Review of project design	DCB / Prior to building permit

MDR-MAJ.1-01 Exhibit 9 p2
[illegible] Measures

IMPACT	MITIGATION	PARTY RESPONSIBLE FOR MITIGATION	MONITORING ACTION	ENFORCEMENT AGENCY/ TIMING
FIRE				
Public safety	F-1 The applicant shall comply with all County Fire Department code and ordinance requirements for construction, access, water mains, fire flows and hydrants that mitigate potential impacts due to fire hazard characteristics of the project site as identified in the Initial Study and the Fire Department comment letter of April 23, 1999. The applicant shall provide 28-feet wide "Fire Lane", and designated as such, along the water's edge, designed to tie into similar fire lanes planned to eventually encircle the entire mole. Fire flows up to 5,000 gallons per minute at 20 pounds per square inch residual pressure for up to a five-hour duration are required for multiple residential projects. All on-site driveways shall provide a minimum unobstructed width of 28 feet clear-to-sky. The on-site driveway is to be within 150 feet of all portions of the exterior wall of the first story of any building. The applicant shall participate in an appropriate financing mechanism to provide funds for fire protection facilities which are required by new residential development in an amount proportionate to the demand created by this project. The applicant shall contact the Los Angeles County Fire Department at (213) 881-2404 to discuss mitigation arrangements.	Project applicant	Review of site plans	LACo FD / Prior to construction
	F-2 The applicant shall provide sprinklers in all structures in accordance with Los Angeles County Building Code, Chapter 38, Sections 3802(b)5 and 3802(h).	Project applicant	Review of site plans	LACo FD / Prior to construction
GENERAL		Project applicant	Review of project design	DBH / Duration of lease
Public access/Wind	PA-1 The applicant shall take measures to provide uninterrupted public access to the harbor			
	W-1 The applicant shall design the project to enhance wind circulation throughout Marina del Rey, as prescribed in the Marina del Rey Local Implementation Plan, unless the burden of proof for a plan amendment allowing a modification can be met	Project applicant	Review of project design	DCB / Prior to building permit

MDP MAJ-1-01 Exhibit 9 p3

Revised Exhibit Mitigation Measures

IMPACT	MITIGATION	PARTY RESPONSIBLE FOR MITIGATION	MONITORING ACTION	ENFORCEMENT AGENCY/ TIMING
WATER QUALITY				
Urban pollutants	WQ-1 The applicant shall provide, to the satisfaction of the Los Angeles County Department of Health Services, the DPW and the California Regional Water Quality Control Board (CRWQCB), adequate water and sewage facilities in compliance with County and State requirements.	Project applicant	Review of building permit application	DPW / Prior to building permit
	WQ-2 The applicant shall comply with National Pollutant Discharge Elimination System requirements (Order No. 96054) of the California Regional Water Quality Control Board (Permit CAS614001) and the Los Angeles County DPW. The applicant shall comply with all stormwater quality management programs of the Federal, State and County agencies. This shall be ensured and monitored through the filing of the appropriate development permits with the DPW.	Project applicant	NPDES compliance & review of development permits	DPW & RWQCB / Permit approval
	WQ-3 The applicant shall provide estimates of the quantity and quality of project wastewater discharge to Wastewater Program Management Division of the City of Los Angeles Department of Public Works prior to the issuance of sewer connection permits.	Project applicant	Review of building permit application	DPW & LA City DPW / Prior to building permit
TRAFFIC				
Cumulative	T-1 In order to mitigate traffic impacts, the applicant shall pay, prior to the issuance of a building permit for each phase, all required trip mitigation fees at a rate to be determined by the DPW but not less than of $5,690 per p.m. peak period trip (ppmpht) for 41 ppmpht, in order to help finance necessary road improvements, as determined by the DPW. Prior to the issuance of the grading permit, applicant shall make payment to Public Works, Fiscal Division, Attention: Claudia Hinojos	Project applicant	Review of building permit application	DPW / Prior to building permit

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Exhibit 9
Board exhibit P4
Mitigation Measures

IMPACT	MITIGATION	PARTY RESPONSIBLE FOR MITIGATION	MONITORING ACTION	ENFORCEMENT AGENCY/ TIMING
TRAFFIC (continued)	T-2 The applicant shall provide parking in accordance with the Los Angeles County Planning and Subdivision Code.	Project applicant	Review of Exhibit "A"	DRP / Prior to permit approval

Agency abbreviations

DBH - Department of Beaches & Harbors
DCB - Design Control Board
DPW - Department of Public Works
DRP - Department of Regional Planning
LA City DPW - City of Los Angeles, Department of Public Works
LACoFD - L.A. County Fire Department
RWQCB - Regional Water Quality Control Board

Exhibit 9 p5
Board exhibit C
Mitigation Measure

– Deck parking structures may be provided on Parcel GR, limited to 45 feet maximum, consistent with the view and site design standards and requirements of this Specific Plan, including the requirement that any development provide shadow studies indicating the proposed development will not shadow the public beach on Parcel H between the hours of 9:00 a.m. and 5:00 p.m. after April 15th and before September 15th.

SECTION 3. Table 1 of Part 3 of Chapter 22.46 is amended to read as follows:

PHASE II DEVELOPMENT POTENTIAL ALLOCATED BY DEVELOPMENT ZONE

1) **Bora Bora Development Zone**
~~610~~ 513 dwelling units

2) **Tahiti Development Zone**
275 dwelling units
288 hotel rooms
76 boat slips

3) **Marquesas Development Zone**
320 dwelling units
15 KSF Visitor-Serving Commercial
76 boat slips

9) **Mindanao Development Zone**
14.5 KSF Visitor-Serving Commercial
26 KSF Office

10) **Fisherman's Village Development Zone**
20 KSF Visitor-Serving Commercial
350 restaurant seats
Ferry terminal site

11) **Harbor Gateway Development Zone**
255 dwelling units
34 boat slips

MDR MAJ. 1-01
Exhibit 10
p 7
Ordinance Cha

4) **Panay Development Zone**
~~250~~ 347 dwelling units
75 congregate care units
10 KSF Visitor-Serving Commercial
76 boat slips

5) **Palawan/Beach Development Zone**
180 dwelling units
200 hotel rooms
42 KSF Visitor-Serving Commercial
410 restaurant seats

6) **Oxford Development Zone**

7) **Admiralty Development Zone**
200 hotel rooms
275 restaurant seats
32 KSF Office
3 KSF library expansion

8) **Bali Development Zone**
382 hotel rooms
40 KSF conference center
75 KSF Visitor-Serving Commercial
3 KSF Marine Science Center
500 restaurant seats
Ferry terminal site
86 boat slips

12) **Via Marina Development Zone**
530 dwelling units
30 KSF Visitor-Serving Commercial
340 restaurant seats

13) **North Shore Development Zone**
Open space, road frontage buffer

14) **Fiji Way Development Zone**
2 KSF Visitor-Serving Commercial

15) Reserved

Notes: Noncoastal development may be converted to Hotel, Visitor-Serving Commercial or Marine Commercial uses consistent with the conversion provisions of subsection (C)(6) of Section 22.46.1090.

1 KSF = 1,000 square feet of floor area

SECTION 4. Exhibit 8 of Part 3 of Chapter 22.46 is deleted and replaced with the attached map entitled "Panay DZ Land Use, Exhibit 8."

SECTION 5. This ordinance shall not take effect until Local Coastal Program Amendment Case No. 98-172-(4) has been certified by

MOR MAJ-1-01
Exhibit 10 p 8
Ordinance changes

the California Coastal Commission pursuant to the provisions of the California Coastal Act of 1976, as amended to date.

[22461800RWCOC]

MDR.MAJ-1.01
Exhibit 10, pg
Ordinance
changes

MDR MAS 1.01

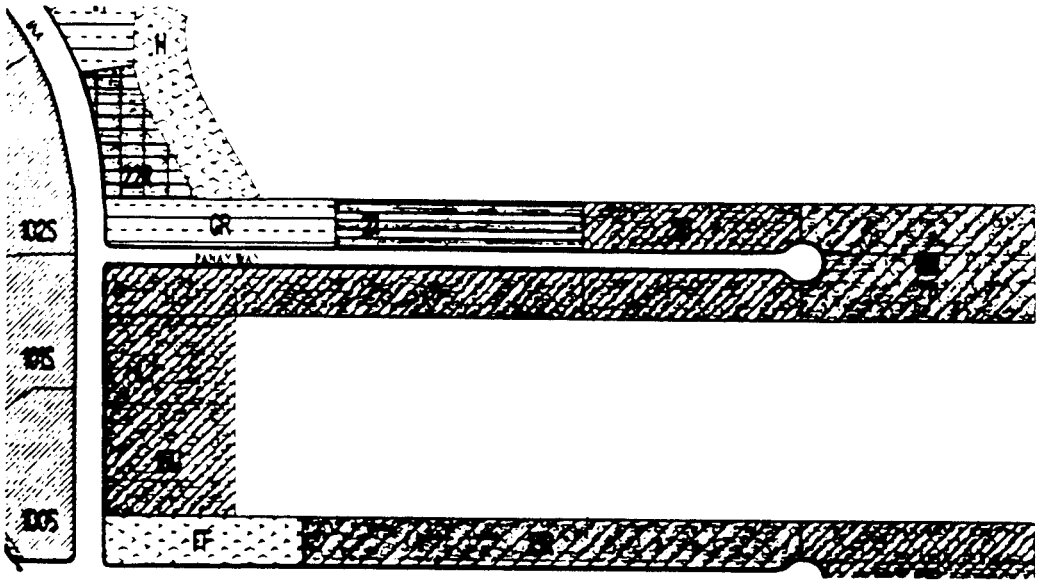
Board Exhibit D
MAP change LIP
Exhibit 11 pl

EXHIBIT "D"

PANAY DZ LANL USE

EXHIBIT "D"
EXHIBIT 8

- RESIDENTIAL III
- RESIDENTIAL IV
- RESIDENTIAL V
- HOTEL
- OFFICE
- MARINE COMMERCIAL
- BOAT STORAGE
- OPEN SPACE
- PUBLIC FACILITIES
- VISITOR-SERVING/CONVENIENCE COMMERCIAL
- PARKING
- WATER
- WATERFRONT OVERLAY
- MIXED USE OVERLAY



MAP change LIP
MDR MAJ 1.01
Exhibit 11
p2

MARINA DEL REY SPECIFIC PLAN

LOCAL COASTAL PLAN AMENDMENT 98-172-(4)

N

MARINA DEL REY

LOCAL COASTAL PROGRAM

a newspaper printed and published in the County of Los Angeles.

Mike Antonovich
Mayor

ATTEST:

Violet Varona-Lukens
Executive Officer - Clerk of the Board of
Supervisors of the County of Los Angeles

I hereby certify that at its meeting of January 23, 2001, the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

	Ayes		Noes
Supervisors	Gloria Molina	Supervisors	None
	Yvonne Brathwaite Burke		
	Zev Yaroslavsky		
	Don Knabe		
	Michael D. Antonovich		

Effective Date: February 22, 2001

Operative Date: See Section 5

Violet Varona-Lukens
Executive Officer - Clerk of the Board of
Supervisors of the County of Los Angeles

I hereby certify that pursuant to
Section 25103 of the Government Code,
delivery of this document has been made.
VIOLET VARONA-LUKENS
Executive Officer
Clerk of the Board of Supervisors
By Sydney Solomon Bowling
Deputy

APPROVED AS TO FORM:
LLOYD W. PELLMAN
County Counsel
By
Raymond G. Fortner, Jr.
Chief Deputy County Counsel

HOA 363801

Exhibit 12. p 3
MDR MAS .1.01
Certification of changes

Los Angeles County
Department of Regional Planning
Director of Planning James E. Hartl, AICP

October 3, 2000

CERTIFIED MAIL - RETURN RECEIPT REQUESTED
Goldrich & Kest Industries, LLC
c/o Mr. Sherman Gardner
5150 Overland Avenue
Culver City, California 90230

RE: **LOCAL COASTAL PLAN AMENDMENT 98-172-(4)**
COASTAL DEVELOPMENT PERMIT NO. 98-172-(4)
CONDITIONAL USE PERMIT NO. 98-172-(4)
VARIANCE CASE NO. 98-172-(4)

Property address: 13953 Panay Way, Marina del Rey (Parcel 20)

Gentlemen:

Public hearings on Local Coastal Plan Amendment No. 98-172-(4), Coastal Development Permit No. 98-172-(4), Conditional Use Permit No. 98-172-(4), and Variance Case No. 98-172-(4) were held before the Regional Planning Commission on January 12, 2000, March 8, 2000, April 3, 2000, June 5, 2000, June 14, 2000, August 23, 2000, and August 30, 2000.

After considering the evidence presented, the Regional Planning Commission, in its action on October 2, 2000, recommended that the Board of Supervisors **approve** the requested local coastal plan amendment. The Commission also **approved** the related coastal development permit, conditional use permit, and variance in accordance with Los Angeles County Code Title 22 (Zoning Ordinance). The requested local coastal plan amendment is currently pending. The coastal development permit, conditional use permit, and variance are not effective unless and until such time as the Board of Supervisors adopts, and the California Coastal Commission subsequently certifies, the local coastal plan amendment.

The recommended local coastal plan amendment would:

(a) authorize an amendment to 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 to change the designation on the subject parcel from "Marine Commercial (Water Overlay Zone)" to "Residential IV (Water Overlay Zone)"; and

(b) amend the Marina Del Rey Land Use Plan and the Marina Del Rey Specific Plan to authorize the transfer of 97 potential development units from Development

Exhibit 13 MDR MAJ 1-01
Planning Commission
P1

Zone-1 (Bora Bora Development Zone) to Development Zone-4 (Panay Development Zone).

The action on the coastal development permit authorizes the construction of a two-phase development project, as follows: (Phase I) a 56-foot tall, 99-unit apartment building (49 one-bedroom and 50 two-bedroom apartment units) over two levels of parking (200 parking spaces total); (Phase II) a 35-foot tall, five-level structure (two levels to be constructed below grade) containing 231 parking spaces, 2,300 square feet of professional office space, and an approximately 6,025-square foot yacht club.

The action on the conditional use permit authorizes the construction, operation and maintenance of the above referenced yacht club and also authorizes the sale of a full-line of alcoholic beverages for on-site consumption at the yacht club.

The action on the variance authorizes front and rear yard setbacks of less then ten feet on portions of the relevant parcel for the project.

Your attention is called to the following:

1. Condition no. 2 of the coastal development permit, conditional use permit, and variance provides that the permit 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 Department of Regional Planning the affidavit stating that they are aware of and accept all the conditions of the permits. Said affidavit may not, however, be filed with the Department of Regional Planning unless and until such time as the Board of Supervisors adopts, and the California Coastal Commission subsequently certifies, the local coastal plan amendment.

2. Condition no. 5 of the coastal development permit, conditional use permit, and variance conveys limitations of the grant.

3. During the 15-day period following your receipt of this letter, the Regional Planning Commission's action regarding the local coastal plan amendment, coastal development permit, conditional use permit, and variance may be appealed by you or **ANY OTHER INTERESTED PERSON** to the Board of Supervisors through the office of Violet Varona-Lukens, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. Prospective appellants should contact the Executive Office for the necessary forms and the amount of the appeal fee at (213) 974-1426. **The appeal**

Exhibit 13 p 2
MDR MAJ. 1. 01
Planning Commission

must be postmarked or delivered in person within 15 days after the applicant signs the certified mail receipt accompanying this notice.

If you have any questions regarding this matter, please contact Aaron Clark of the Zoning Permits Section of the Department of Regional Planning at (213) 974-6383, Monday through Thursday, 7:30 a.m. to 5:30 p.m. Our offices are closed on Fridays.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP
Director of Planning

Frank Meneses
Supervising Regional Planner
Zoning Permits Section

FM:AC
Enclosures: Regional Planning Commission Local Coastal Plan Amendment Resolution, Findings and Conditions, Affidavit (Permittee's Completion).
c: Board of Supervisors; Department of Public Works (Building and Safety); Department of Public Works (Subdivision Mapping); Zoning Enforcement; California Coastal Commission (c/o Ms. Deborah Lee, Deputy Director); testifiers.

Exhibit 13
MDR-MAJ-1-01
Planning Commission
p 3

A RESOLUTION OF THE REGIONAL PLANNING COMMISSION OF THE COUNTY OF LOS ANGELES RELATING TO LOCAL COASTAL PLAN AMENDMENT NO. 98-172-(4)

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 Regional Planning Commission of the County of Los Angeles conducted concurrent public hearings regarding Local Coastal Plan Amendment No. 98-172-(4), Coastal Development Permit No. 98-172-(4), Conditional Use Permit No. 98-172-(4), and Variance No. 98-172-(4) on January 12, 2000, March 8, 2000, April 3, 2000, June 5, 2000, June 14, 2000, August 23, 2000, August 30, 2000, and September 27, 2000; 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 Marina Del Rey local coastal program consists of a Land Use Plan and Local Implementation Program, which includes a specific plan, a Transportation Improvement Program and related appendices; and

WHEREAS, an amendment to the Marina Del Rey Local Coastal Program 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 Marina Del Rey local coastal program 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 "20", and

WHEREAS, a Mitigated Negative Declaration for the project has been completed in compliance with the California Environmental Quality Act 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 Mitigated Negative Declaration, including the documentation within each file; and

Exhibit 13 p. 1
MDR MAS 1.01
Planning Commission

WHEREAS, the Regional Planning Commission finds as follows:

1. The subject property is located at 13953 Panay Way, Marina Del Rey, and within the Panay Development Zone as specified in the Marina del Rey Local Coastal Program (certified LCP).

2. The project site is designated as "Parcel 20" in the certified LCP.

3. The proposed development site is rectangular in shape, level and 2.2 acres in size.

4. The site is accessed via Panay Way, a mole road, and Basin E of the Marina del Rey Small Craft Harbor.

5. Two addresses have been assigned to Parcel 20 that correspond to the existing building improvements: 13593 Panay Way is a one-story office building; 13915 Panay Way is a two-story building occupied by professional offices and the Pacific Mariners Yacht Club. Existing waterside improvements on the property include an anchorage for 157 boats.

6. Sewer, water and utilities services are available to service the property.

7. The subject property's zoning is Specific Plan (SP) as set forth in the Marina Del Rey Specific Plan.

8. The project site is presently designated Marine Commercial (MC) - Waterfront Overlay Zone (WOZ) on the Land Use Policy Map of the certified LCP.

9. Surrounding land use categories in the vicinity of Parcel 20 includes Residential III, which permits 35 units per acre, to the east; Residential IV, which permits 45 units per acre, to the south; and Marine Commercial, which provides for coastal-dependent and/or coastal related uses, to the west. Parcel designations located northerly of Parcel 20 and across small craft harbor Basin E include Marine Commercial and Residential III.

10. The applicant is requesting an amendment to 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 to change the designation on the subject parcel from "Marine Commercial (Water Overlay Zone)" to "Residential IV (Water Overlay Zone)", and to further amend the Marina Del Rey Land Use Plan and the Marina Del Rey Specific Plan to authorize the transfer of 97 potential development units from Development Zone-1 (Bora Bora Development Zone) to Development Zone-4 (Panay Development Zone). This request constitutes a general plan amendment and a change to the zoning ordinance.

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Planning Commission
Exhibit 13
p 5

11. The requested amendment would transfer 97 dwelling units from the Bora Bora Development Zone, which has a total allocation of 610 dwelling units, to the Panay Development Zone, which currently has a development allocation of 182 dwelling units and 15 congregate care units. The County Department of Public Works' Traffic and Lighting Division has reviewed the unit transfer and has determined that it will not impact traffic or circulation patterns within or outside the Marina.

12. During the public hearing conducted by the Regional Planning Commission regarding the project, numerous speakers testified in opposition. Testifiers expressed concern about the applicant's request to change the Parcel 20 land use designation from Marina Commercial to Residential IV.

13. The applicant submitted evidence that the request satisfies the burden of proof for the local coastal plan amendment, addressing the need for the development, the appropriateness of the amendment, and how the amendment will be in the interest of the public heath, safety and general welfare, and in conformity with good planning practices.

14. The Regional Planning Commission also heard and considered the input of staff and other local and state agencies, with respect to the best means of implementing the various objectives of the certified LCP on the subject property.

15. The subject parcel is located near the end of the Panay Way mole road. Most commercial uses in the Marina do not make good neighbors in residential areas and do not succeed financially. As evidence of this fact, there has been a long succession of failed restaurants and under-achieving stores on the Marina's mole roles. Commercial uses, alternatively, perform better in the Marina when they can be seen and found along major thoroughfares, such as Via Marina, Admiralty Way, and Fiji Way.

16. The subject parcel is presently underutilized and is bordered to the east and south by parcels developed with multi-family residential uses. As such, the proposed residential use would be consistent with development in the vicinity of the project site.

17. Increased demand for housing within the region and Marina Del Rey, affordable senior housing in particular, justifies the plan amendment from Marine Commercial (WOZ) to Residential IV.

18. The Water Overlay Zone designation is intended to provide additional flexibility for development of coastal-related, and marine-dependent land uses, primarily on waterfront parcels.

19. The requested amendment is consistent with Water Overlay Zone development standards specified in the certified LCP in that it does not contemplate

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Planning Commission

development that would displace existing public recreation, visitor serving or coastal dependent boating uses.

20. The proposed transfer of the development allocation among different Development Zones is consistent with the certified LCP in that 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.

21. The applicant has satisfied the "Burden of Proof" for the requested plan amendment, which is needed and appropriate.

22. The requested amendment is consistent with the goals, policies, and programs of the Los Angeles County General Plan and the certified LCP.

23. Establishment of the proposed land use category for the subject property and the transfer of development units between development zones is in the interest of the public health, safety, and general welfare and in conformity with good planning and zoning practice.

24. Concurrently with the above described local coastal plan amendment, the applicant is requesting a coastal development permit, conditional use permit and variance to authorize development of a two-phase development project, as follows: (Phase I) a 56-foot tall, 99-unit apartment building (49 one-bedroom 50 two-bedroom apartment units) over two levels of parking (200 parking spaces total); (Phase II) a 35-foot tall, 5-level structure (two levels to be constructed below grade) containing 231-parking spaces, 2,300 square feet of professional office space, and an approximately 6,025-square foot yacht club.

25. The conditional use permit would authorize the construction, operation, maintenance of the above referenced yacht club and will also authorize the sale of a full-line of alcoholic beverages for on-site consumption at said yacht club.

26. The variance would authorize front and rear yard setbacks of less then ten feet on portions of the relevant parcel for the project.

27. There is a need for the proposed local coastal plan amendment to facilitate the construction and operation of the proposed residential use.

28. The proposed development project is permissible in the proposed Residential IV category, subject to issuance of a coastal development permit, conditional use permit, and variance.

29. Adequate vehicular and emergency access to the site would be provided via Panay Way, which fronts the subject property to the south.

MDR MAJ 1-01
Planning Commission
Exhibit 13
p 7

30. The project, as conditioned, would provide a view corridor comprising approximately 28% of the property frontage, which satisfies the view corridor requirements specified in LACC 22.46.1060.E et seq. (County Zoning Ordinance, Marina del Rey Specific Plan – Site Design and Architectural Treatment).

31. Consistent with the Parking Policies contained in Chapter 2 ("Recreation and Visitor-Serving Facilities") of the Marina Del Rey Land Use Plan, the project's parking facilities would be integrated into the overall design of the development and are appropriately landscaped. In addition, with regard to the proposed commercial development within the project, multi-use parking facilities would be provided.

32. Consistent with Sections 30250 and 30251 of the California Coastal Act and Chapter 8 ("Land Use Plan") of the Marina Del Rey Land Use Plan, the project is located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it. In addition, the project is designed to protect views to and along the ocean and scenic coastal areas, to minimize alteration of natural landforms, to be visually compatible with the character of the surrounding areas, and, to enhance visual quality.

33. Consistent with Section 30252 of the California Coastal Act and Chapter 8 ("Land Use Plan") of the Marina Del Rey Land Use Plan, the project provides commercial facilities within or adjoining residential development in order that use of coastal access routes will be minimized.

34. To help finance construction of local park facilities in the existing Marina del Rey, the project applicant will contribute his fair share to funding of the mitigation measures described in the Coastal Improvement Fund as specified in LACC 22.46.1950 (County Zoning Ordinance, Marina del Rey Specific Plan – Coastal improvement fund fee).

35. Consistent with Policy No. 3 of Chapter 3 ("Recreational Boating") of the Marina del Rey Land Use Plan, the project ensures that replacement of existing boater support and marine commercial uses on Parcel 20 will occur prior to development of the use which displaces them (i.e., construction of project Phase 2) may commence.

36. 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 provides public pedestrian access and ensures passive recreational use to and along all portions of the Parcel 20 bulkhead. In furtherance of these important policies, the project applicant will provide signage at the subject property's Panay Way entrance and at each bulkhead entrance of each public vertical accessway identifying them as public. The applicant will also provide signage at conspicuous locations along the length of the bulkhead public accessways (public promenade) identifying such as public.

MDR. MAS. 1.01
Exhibit 12 p.8
planning Commission
Resolution

37. The proposed project has been designed to be compatible with the surrounding area in terms of land use patterns, designs, and established community character.

38. The project will be reasonably proximate to public transit and necessary services and facilities.

39. Consistent with the state planning law and Priority Objective No. 10 of Chapter 8 of the Marina del Rey Land Use Plan, the project provides for affordable senior housing by reserving 10% (or 10 units) of the proposed apartment units for low-income, senior citizen tenants (62 years of age or older) for the life of the ground lease (until 2061). As such, the proposed project will assist in providing badly needed low-income senior citizens' housing and is viable in terms of availability to meet such housing needs. There are currently no residential units reserved exclusively for low-income senior citizens in Marina del Rey.

40. The proposed project incorporates design features intended to reduce impacts of development while at the same time remedying the parcel's currently underutilized condition.

41. The proposed project would preserve and improve appropriate water-oriented uses—the yacht club, boat slips and slip tenant amenities—which are compatible with a residential neighborhood.

42. The addition of new apartment units on Parcel 20, as contemplated under the subject development proposal, will act to reinforce and strengthen the existing residential character of Panay Way.

43. The project is consistent with the "Phase II" development program approved by the County as part of the certified LCP and currently being pursued by the County Department of Beaches and Harbors in its Marina del Rey Asset Management Strategy, approved by the Board of Supervisors in April 1997.

44. The project is consistent with the goal of the certified LCP to encourage controlled change 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.

45. The project received conceptual approval from the County Department of Beaches and Harbors' Design Control Board on November 18, 1999, as required in the certified LCP.

46. With the exception of the applicant's requested variance to Marina del Rey Specific Plan development standards regulating yard setbacks, and consistent with Priority Objective No. 8 of Chapter 8 of the Marina del Rey Land Use Plan,

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Planning Commission

the project complies with applicable policies and development standards of the certified LCP, including but not limited to adequate parking, view corridors, public access to the shoreline, provision of new usable public recreation and open space and visitor-serving recreational uses, provision of adequate traffic capacity, and provision for low-and moderate-income senior housing as required.

47. The technical and engineering aspects of the project have been resolved to the satisfaction of the Los Angeles County Departments of Public Works, Fire, Parks and Recreation, Health Services, and Regional Planning.

48. The subject property is of adequate size and shape to accommodate the yards, walls, fences, parking, landscaping and other accessory structures, as shown on the site plan marked Exhibit "A".

49. Compatibility with surrounding land uses will be ensured through the coastal development permit, conditional use permit, variance and environmental controls.

50. There is no evidence that the proposed project will be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the project site.

51. The proposed project in summary:

    (a) Avoids premature conversion of undeveloped land to urban uses;

    (b) Promotes distribution of population consistent with service system capacity, resources 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 flood prone areas, active fault zones, steep hillside areas, and fire hazard areas;

    (d) Encourages the efficient use of land through a more concentrated pattern of urban development, including the focusing of 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; and

    (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

    (g) Provides affordable housing.

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Planning Comm
Staff
Exhibit 13 p 10

52. A Mitigated Negative Declaration for the project has been prepared in accordance with the California Environmental Quality Act and the State and County guidelines relating thereto. As stated in the Mitigated Negative Declaration, it was originally determined that the proposed project may exceed established threshold criteria. The applicant has agreed to various project conditions so that it can now be determined that the project will not have a significant adverse effect on the physical environment.

53. 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 and the Mitigated Negative Declaration 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 Plan Amendment will not place an undue burden upon the community's ability to provide necessary facilities and services.

3. The recommended Local Coastal Plan 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 Plan 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 plan amendment; and

2. Approve the Mitigated Negative Declaration, dated November 17, 1999, and certify that the Board has considered the Mitigated Negative Declaration together with any comments received during the public review process, finds on the basis of the whole record before the Board that there is no substantial evidence the project will have a significant effect on the environment, and finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Board; and

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MDR.MAJ 1-01
Planning Commission

3. Find that the recommended Local Coastal Plan 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 Plan Amendment No. 98-172-(4), 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) on the 2.2-acre subject parcel from "Marine Commercial (water overlay zone") to residential "(Water Overlay Zone)", and to further amend the Marina Del Rey Land Use Plan and the Marina Del Rey specific plan to authorize the transfer of 97 potential development units from Development Zone-1 (Bora Bora Development Zone) to Development Zone-4 (Panay Development Zone).

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 September 27, 2000.

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

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Planning Commission
Exhibit 13
p 12

Los Angeles County
Department of Regional Planning
Director of Planning James E. Hartl, AICP

RECEIVED
South Coast Region
APR 3 0 2001
CALIFORNIA
COASTAL COMMISSION

Ms. Pam Emerson
California Coastal Commission
200 Ocean Gate, 10th Floor
Long Beach, CA 90802

April 26, 2001

RE: Analysis of Marina del Rey Marine Commercial Designated Parcels in Support of County Certified LCP Amendment Request for Marina del Rey Parcel 20: Los Angeles County Project No. 98-172-(4) [Goldrich & Kest, LLC, project applicant]

Dear Pam:

We are providing an analysis of Marine Commercial designated parcels in Marina del Rey in support of the County's certified Marina del Rey Local Coastal Program (certified LCP) amendment submittal for Parcel 20. The County's requested amendment, among other things, proposes to change the Parcel 20 land use designation from Marine Commercial (WOZ) to Residential IV (WOZ). Specifically, this analysis addresses the following questions:

1. How many parcels are designated Marine Commercial under the Marina del Rey Local Coastal Program (certified LCP) and where are they located within the Marina?

2. With Coastal Commission certification of the subject LCP amendment for Parcel 20, how many Marina parcels would continue to accommodate marine commercial uses?

3. How many parcels will continue to serve marine commercial uses if the Coastal Commission certifies the subject LCP amendment for Parcel 20?

Project Summary
The Project consists of the following mixed-use, two-phase development plan: 1) construction of a 56-foot tall, 99-unit apartment building; and 2) construction of a 35-foot tall, five-level parking structure that contains a small professional office space component and a 6,025 square foot yacht club. Existing office/commercial uses on the site include a one-story office building and two-story building occupied by professional offices and the Pacific Mariners Yacht Club.

➢ ***Question: How many parcels are designated "Marine Commercial" under the Marina del Rey Local Coastal Program (certified LCP) and where are they located within the Marina?***

There are currently 12 parcels designated Marine Commercial under the certified LCP; key components of each of these parcels have been identified in the following table.

MDR MAS 1.01
Exhibit 14

TABLE 1: MARINE COMMERCIAL SURVEY

PARCEL #	(DZ)	LCP DESIGNATION	LAND ACREAGE	EXISTING LANDSIDE USES
1	(DZ-1)	MC	0.338	(Unocal Fuel Dock) Landside office, office on piles, tool shed, fuel dock
20	***(DZ-4)***	***MC-WOZ***	***2.207***	***Yacht Club, offices***
21	(DZ-4)	MC-WOZ	2.581	Gym, offices
30	(DZ-5)	MC-WOZ	3.421	Yacht club
132	(DZ-7)	MC	5.686	Yacht club
41	(DZ-8)	MC-WOZ	2.357	Yacht brokerage
44	(DZ-8)	MC	4.304	Vacant restaurant, offices, yacht club, boat repair, yacht brokerage
UR	(DZ-8)	MC	2.234	Parking lot, bike lockers
47	(DZ-9)	MC-WOZ	1.919	Yacht club
53	(DZ-9)	MC-WOZ	4.234	Yacht brokerage and service
54	(DZ-9)	MC-WOZ	3.650	Boat repair and office
55	(DZ-10)	MC-WOZ	0.510	Vacant parcel
			33.441 Total Acres	

Note: "MC" = Marine Commercial; "WOZ" = Waterfront Overlay Zone

Marine Commercial designated parcels have been highlighted in red on the attached map for your reference. From the above table it can be shown that, at present, 12.86% (or 33.441 acres ÷ 260 total acres x 100) of the 260 acres of Marina del Rey land area leased by the County to the private sector under long-term ground leases is designated Marine Commercial under the certified LCP. With certification of the County's requested LCP amendment for Parcel 20, this percentage will drop slightly from 12.86% to 12.01% (31.234 acres of the 260 acres leased by the County to the private sector under long-term ground leases would be designated Marine Commercial after certification of the proposed amendment).

It is important, however, to note that although approximately 13% of the total 260 landside acres leased to the private sector by the County in the Marina is currently designated Marine Commercial under the certified LCP, a far greater percentage of this 260 acres actually supports marine commercial use. This is because many parcels not designated Marine Commercial in the certified LCP support a variety of marine commercial uses. The following list is a sampling of those non-Marine Commercial designated parcels presently serving marine commercial uses in the Marina:[1]

- **Parcel 48**: boat moorage (Sea Scout Base);
- **Parcel 49**: launch ramp, dry boat storage, parking for boating-related uses;
- **Parcel 52**: parking for boating-related uses, commercial fishing boat charter pick-up;

[1] These parcels have been highlighted in yellow on the attached map for your reference.

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Exhibit 14 pg
County analysis

- **Parcel 56**: fishing charters, harbor cruises, and other scenic boating; rental of marine supplies;
- **Parcel 65**: school for teaching boating, sailing and/or other marine-related activities;
- **Parcel 77**: dry boat storage;
- **Parcel 91**: dinghy storage, public restroom;
- **Parcel 125**: boat charter;
- **Parcel H**: pubic beach, rowing shell dry storage;
- **EE**: public park (including visitor docks).

➢ ***Question: How does the economic performance of Parcel 20 compare historically to that of other Marine Commercial designated parcels in the Marina?***

In comparison both to other Marine Commercial designated parcels in the Marina, as well as on a stand-alone basis, the economic performance of Parcel 20 has shown significant weakness.

As indicated by the attached Table 2, while revenue over the last three years for all M[illegible] Rey Marine Commercial parcels has grown 41%, revenue from Parcel 20 has actually d[illegible]d (-3%). In absolute terms, gross parcel revenue from Parcel 20 is also the lowest amo[illegible] all Marine Commercial parcels.

Marine commercial uses for the parcel cannot be reasonably expanded due to its location a[illegible] largely residential neighbors. Heavier commercial uses such as boat storage, boat yards o[illegible] launch areas are readily accommodated in other more suitable areas of the Marina. Moreover, historical trends in the Marina indicate that restaurants and other retail facilities do not fare well unless they have frontage on more major through roads, such as Admiralty Way or Via Mari[illegible]. The parcel as a whole is likely to remain a significantly underutilized and underperformin[illegible]t, since current and projected revenues would not support the replacement of the current agi[illegible] marine commercial and boating related facilities (yacht club, boat slips) now located on Parcel 20 as is proposed under the lessee's plan to add other uses (apartment and parking) to its current configuration.

➢ ***Question: With Coastal Commission certification of the subject LCP amendment for Parcel 20, how many Marina parcels would continue to accommodate marine commercial uses?***

The short answer to this question is that **all parcels presently accommodating marine commercial uses in the Marina—including Parcel 20—will continue to do so if the Coastal Commission certifies the subject LCP amendment for Parcel 20.** This is because the Parcel 20 development plan is mixed use in nature, simultaneously accommodating marine commercial,

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County Analysis

coastal dependent and residential uses. Under the development plan approved by the County, the existing Parcel 20 yacht club facility will be replaced and upgraded with a contemporary yacht club facility of like size. The proposed development would not only retain existing coastal dependent uses (i.e., boater storage facilities), it would provide new and upgraded facilities through the construction of all new, ADA conforming, slips and docks[2] and would replace all existing boater parking with indoor parking at the site, in addition to providing a new facility to house the current yacht club tenant.

Apart from the subject Parcel 20 amendment request, the County anticipates no future amendments from Marine Commercial to other certified LCP land use designations in the Marina. In short, all other existing Marine Commercial parcels in the Marina will remain so designated into the future.

Conclusion

We trust the above information will aid you in evaluating the merits of our proposed certified LCP amendment for Parcel 20, and look forward to providing you with additional information as you complete your staff review of this important County project. If you have any further comments, please feel free to contact Aaron Clark of our Zoning Permits Section. Mr. Clark can be reached at (213)-974-6383, Monday through Thursday from 7:00 a.m. to 5:30 p.m.

Sincerely,

James E. Hartl, AICP
Director of Planning

JEH:AC

c: Sheri Sakamoto-Cheung, Deputy, 4th Supervisorial District
Stan Wisniewski, Director of Beaches and Harbors
Sherman Gardner

[2] Waterside improvements (i.e., Parcel 20 anchorage replacement) are not included in the landside development application for Parcel 20, but will be pursued under a *separate* waterside coastal development permit, to be filed with the Coastal Commission at a future date by the applicant, Goldrich & Kest, LLC.

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County Analysis

Table 2

Revenue Generation of Marina del Rey Marine Commercial Parcels: 1997- 2000

Marine Commercial Parcel Nos. 1, 20, 21, 30, 41, 44, 49, 53, 54, 132, UR

Revenues from these parcels for years 1997-2000 are listed below:

Parcel #	1999-2000	1998-1999	1997-1998		*Three year total*
1	$ 1,630,085.88	$ 1,326,877.19	$ 1,358,125.79	20%	$ *4,315,088.86*
20	**$ 718,866.68**	**$ 750,832.90**	**$ 744,162.79**	**-3%**	**$ *2,213,862.37***
21	$ 2,488,802.71	$ 2,492,063.42	$ 2,309,165.38	8%	$ *7,290,031.51*
30	$ 3,112,767.71	$ 2,462,794.26	$ 2,403,177.42	30%	$ *7,978,739.39*
41	$ 8,486,447.72	$ 3,951,464.29	$ 2,508,771.66	238%	$ *14,946,683.67*
44	$ 4,208,458.09	$ 3,846,931.45	$ 3,549,272.34	19%	$ *11,604,661.88*
47	$ 1,094,579.45	$ 1,078,532.79	$ 937,683.12	17%	$ *3,110,795.36*
53	$ 4,979,193.10	$ 3,891,725.44	$ 3,778,786.29	32%	$ *12,649,704.83*
54	$ 2,250,876.92	$ 1,842,662.95	$ 1,611,352.62	40%	$ *5,704,892.49*
132	$ 5,762,417.35	$ 5,808,409.31	$ 5,402,923.91	7%	$ *16,973,750.57*
Total	$ *34,732,495.61*	$ *27,452,294.00*	$ *24,603,421.32*	**41%**	$ *86,788,210.93*

Source: Department of Beaches and Harbors' Asset Management Division

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County analysis
Exhibit 14
p5

LAND USE PLAN

MAP 7

- RESIDENTIAL III
- RESIDENTIAL IV
- RESIDENTIAL V
- HOTEL
- OFFICE
- MARINE COMMERCIAL
- BOAT STORAGE
- OPEN SPACE
- PUBLIC FACILITIES
- VISITOR-SERVING/CONVENIENCE COMMERCIAL
- PARKING
- WATER
- WATERFRONT OVERLAY
- MIXED USE OVERLAY

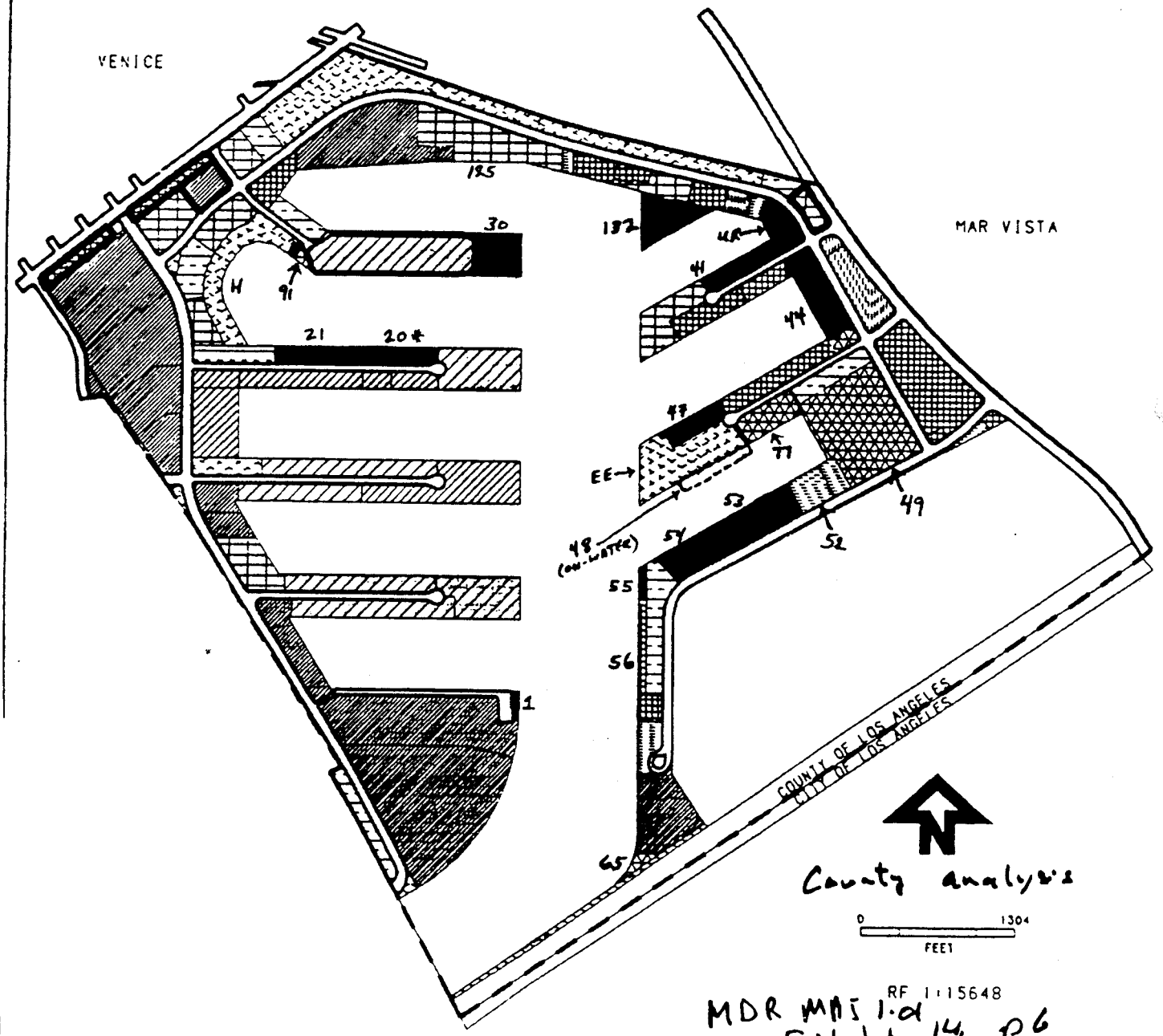

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Exhibit 14, p 6

MARINA DEL REY

LOCAL COASTAL PROGRAM

Department of Regional Planning
Director of Planning James E. Hartl, AICP

July 16, 2001

Ms. Pam Emerson
California Coastal Commission
200 Ocean Gate, 10th Floor
Long Beach, CA 90802

RE: Analysis of Existing Marina del Rey Visitor-Serving/Convenience Commercial and Hotel Use in Support of County Certified LCP Amendment Request for Marina del Rey Parcel 20: Los Angeles County Project No. 98-172-(4) [Goldrich & Kest, LLC, project applicant]

Dear Pam:

As a supplement to the Marine Commercial analysis previously submitted to you (dated April 26, 2001), we are providing an analysis of existing visitor-serving/convenience commercial and hotel use in Marina del Rey in support of the County's certified Marina del Rey Local Coastal Program (certified LCP) amendment submittal for Parcel 20. The County's proposed amendment, among other things, seeks to change the Parcel 20 land use designation from Marine Commercial (WOZ) to Residential IV (WOZ). Specifically, this analysis addresses the following question:

- How many parcels are designated "Visitor-Serving/Convenience Commercial" and "Hotel" under the Marina del Rey Local Coastal Program (certified LCP) and where are they located within the Marina?

Project Summary

The mixed-use Project consists of the following two-phase development plan: 1) construction of a 56-foot tall, 99-unit apartment building; and 2) construction of a 35-foot tall, five-level parking structure that contains a small professional office space component and a 6,025 square foot yacht club. Existing office/commercial uses on the site include a one-story office building and two-story building occupied by professional offices and the Pacific Mariners Yacht Club.

Analysis

There are currently 14 parcels designated Visitor-Serving/Convenience Commercial and nine (9) parcels designated Hotel under the certified LCP. Key components of each of these parcels have been identified in the following two tables.

Exhibit 15 of
MDR MAJ-1-01
County analysis #2

320 West Temple Street • Los Angeles, CA 90012 • 213 974-6411 Fax: 213 626-0434 • TDD: 213 617-2292

TABLE 1: VISITOR-SERVING/CONVENIENCE COMMERCIAL SURVEY

PARCEL #	(DZ)	LCP DESIGNATION	LAND ACREAGE	EXISTING LANDSIDE USES
33	(DZ-5)	VS/CC-WOZ	2.18	*Restaurant and boat charter*
97	(DZ-5)	VS/CC-MUZ	1.85	*Various commercial, including restaurant*
130	(DZ-7)	VS/CC-WOZ	1.65	*Restaurant*
131	(DZ-7)	VS/CC-WOZ	0.88	*Restaurant*
133	(DZ-7)	VS/CC-WOZ	1.31	*Restaurant*
43	(DZ-8)	VS/CC-WOZ	2.39	*Hotel*
44	(DZ-8)	VS/CC	5.17	*Former restaurant, boat sales proposed*
50	(DZ-9)	VS/CC	9.73	*Marina Waterside Shopping Center supporting a wide range of commercial*
83	(DZ-9)	VS/CC	0.32	*Permit parking only*
56	(DZ-10)	VS/CC-WOZ	1.21	*Various commercial, including restaurant*
61	(DZ-10)	VS/CC-WOZ	1.09	*Restaurant*
95	(DZ-12)	VS/CC-MUZ	1.70	*Various commercial, including restaurant*
104	(DZ-12)	VS/CC-MUZ	0.45	*Personal warehouse*
51	(DZ-14)	VS/CC	0.52	*Gas station*
			30.45 Acres	

Note: "VS/CC" = Visitor-Serving/Convenience Commercial; "WOZ" = Waterfront Overlay Zone; "MUZ" = Mixed Use Overlay Zone

TABLE 2: HOTEL SURVEY

PARCEL #	(DZ)	LCP DESIGNATION	LAND ACREAGE	EXISTING LANDSIDE USES
9	(DZ-2)	HT-WOZ	3.67	*Vacant parcel*
22	(DZ-4)	HT-WOZ	1.79	*Motel and visitor-serving commercial, including restaurant*
27	(DZ-5)	HT-WOZ	2.79	*Motel with café*
141	(DZ-5)	HT	3.57	*Hotel*
145	(DZ-5)	HT	2.07	*Hotel*
125	(DZ-6)	HT-WOZ	5.46	*Hotel, including restaurant*
132	(DZ-7)	HT-WOZ	2.12	*Cal Yacht Club*
42	(DZ-8)	HT-WOZ	3.84	*Hotel*
75	(DZ-8)	HT-MUZ	1.20	*Office*
			26.51 Acres	

Note: "HT" = Hotel; "WOZ" = Waterfront Overlay Zone; "MUZ" = Mixed Use Overlay Zone

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Exhibit 15 p2
county
analysis

Visitor-Serving/Convenience Commercial designated parcels have been highlighted in red on the attached map for your reference. From Table 1 above it can be shown that, at present, 11.71% (or 30.45 acres ÷ 260 total acres x 100) of the 260 acres of Marina del Rey land area leased by the County to the private sector under long-term ground leases is designated Visitor-Serving/Convenience Commercial under the certified LCP.

Hotel designated parcels have been highlighted in blue on the attached map. From Table 2 above it can be shown that, at present, 10.2% (or 26.51 acres ÷ 260 total acres x 100) of the 260 acres of Marina del Rey land area leased by the County to the private sector under long-term ground leases is designated Hotel under the certified LCP.

With respect to anticipated hotel, visitor-serving and open space opportunities within the Marina, the County contemplates adding opportunities for increased public access throughout Marina del Rey through various means, including substantial promenade enhancements, consideration of every opportunity for added visual and educational activities within existing open space areas, creation of enhanced Marina portals that provide open space and greater identity at key entrances to Marina del Rey, consideration of adding active public open space at key locations, and enhancement of public access opportunities associated with the South Bay Bicycle Trail as it passes through the Marina. These opportunities will combine to continue to provide a vibrant environment that will improve public access opportunities to adjoining visitor-serving commercial development.

Conclusion

We trust the above information will aid you in evaluating the merits of our proposed certified LCP amendment for Parcel 20, and look forward to providing you with additional information you complete your staff review of this important County project. If you have any further questions or comments, please do not hesitate to contact Aaron Clark of my staff.

Sincerely,

James E. Hartl, AICP
Director of Planning

c: Sheri Sakamoto-Cheung, Deputy, 4th Supervisorial District
Stan Wisniewski, Director of Beaches and Harbors
Sherman Gardner

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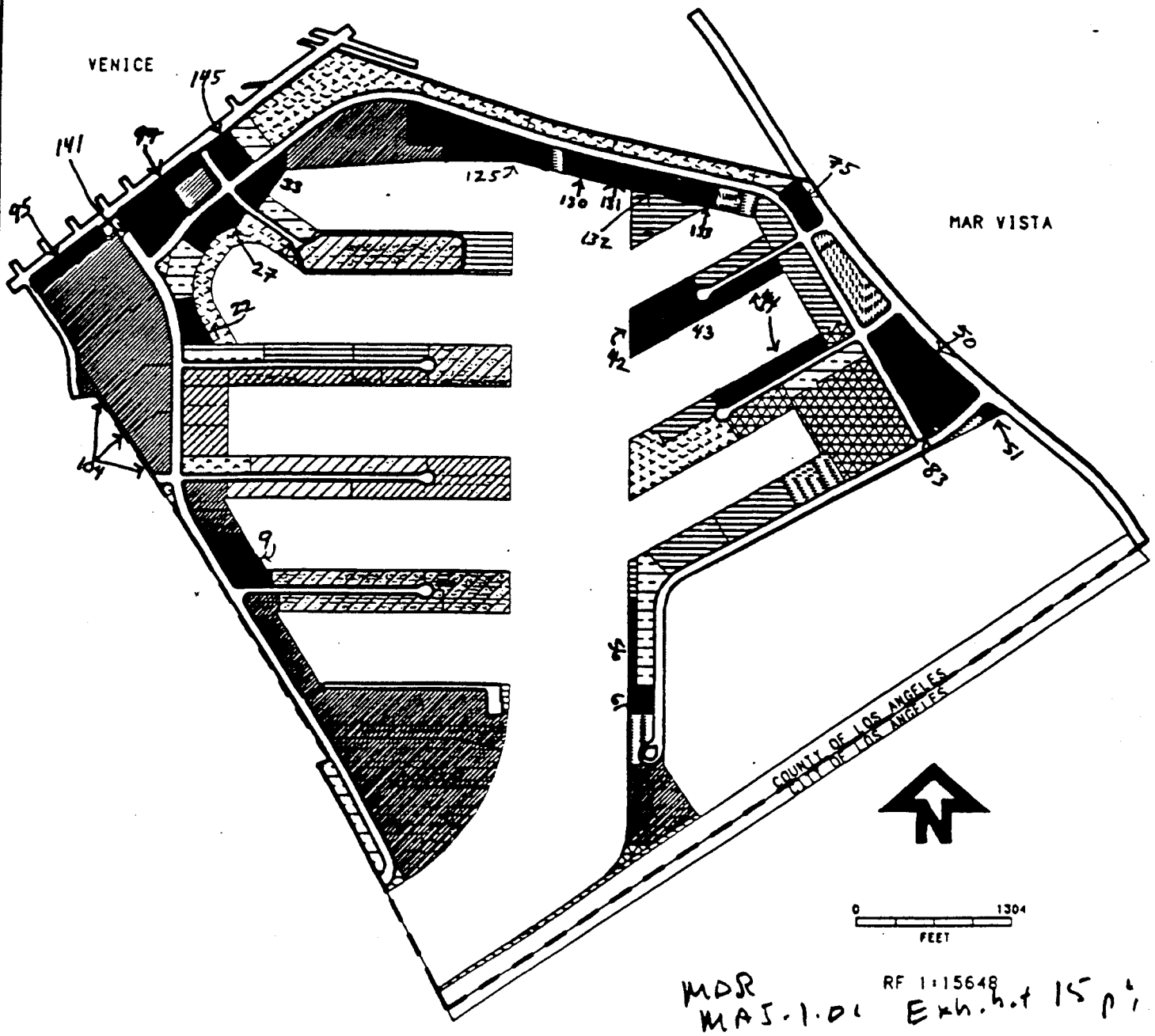
County Analysis

LAND USE PLAN

MAP 7

- RESIDENTIAL III
- RESIDENTIAL IV
- RESIDENTIAL V
- HOTEL
- OFFICE
- MARINE COMMERCIAL
- BOAT STORAGE
- OPEN SPACE
- PUBLIC FACILITIES
- VISITOR-SERVING/CONVENIENCE COMMERCIAL
- PARKING
- WATER
- WATERFRONT OVERLAY
- MIXED USE OVERLAY



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MARINA DEL REY

LOCAL COASTAL PROGRAM

Los Angeles County
Department of Regional Planning
Director of Planning James E. Hartl, AICP

Ms. Pam Emerson
California Coastal Commission
200 Ocean Gate, 10th Floor
Long Beach, CA 90802

RE: County Certified LCP Amendment Request for Marina del Rey Parcel 20, Los Angeles County Project No. 98-172-(4) [Goldrich & Kest, LLC, project applicant]

Dear Pam:

As part of the County's certified Marina del Rey Local Coastal Program (certified LCP) amendment submittal for Parcel 20, you have requested that we provide a focused discussion of the County's justification for the amendment of the land use designation for certified LCP Parcel 20 from "Marine Commercial-WOZ" to "Residential IV-WOZ". You have also requested that we provide further clarification on the traffic analyses conducted for the Project, and that we specifically comment on the traffic implications of the requested transfer of 97 development units from DZ 1 (Bora Bora) to DZ 4 (Panay). We address each of your requests, in turn, below.

Project Summary
The Project consists of a two-phase development plan: 1) a 56-foot tall, 99-unit apartment building; and 2) a 35-foot tall, five-level parking structure that contains a small professional office sp ace component and a 6,025 square foot yacht club. Existing office/commercial uses on the site include a one-story office building and [illegible] story building occupied by professional offices and the Pacific Mariners Yacht Club.

Justification for Change in Land Use Designation to Residential IV-WOZ

A. Enhancement of Existing Marine Commercial Resources
Based on the fact that the current yacht club facility will be replaced and upgraded with a contemporary yacht club facility of like size, the existing marine commercial resource on Parcel 20 will be preserved and enhanced. The proposed development would not only retain existing coastal dependent uses (i.e., boater storage facilities), it would provide new and upgraded facilities through the construction of all new, ADA conforming, slips and docks[1] and a new facility to house the current yacht club tenant, as well as replace all existing boater parking with indoor parking at the site.

[1] Waterside improvements (i.e., Parcel 20 anchorage replacement) are not included in the landside development application for Parcel 20, but will be pursued under a *separate* waterside coastal development permit, to be filed with the Coastal Commission at a future date by the applicant, Goldrich & Kest, LLC.

Exhibit 15

- Marine-related facilities on the parcel would not likely be upgraded/replaced at this time unless in conjunction with other development. Therefore, the Project is consistent with the goal of the LCP to encourage private lessees to replace and update facilities to maintain the physical and economic viability of the Marina.

- Consistent with the Coastal Act, additional public access would be provided by the construction of a pedestrian promenade along the entire water frontage of the parcel, which would include new landscaping, lighting and fencing as well as benches for visitor seating. This is consistent with Sections 30210-30212 of the California Coastal Act and Chapter 1 ("Shoreline Access") of the Marina del Rey Land Use Plan in that the Project provides public pedestrian access and ensures passive recreational use to and along all portions of the Parcel 20 bulkhead. In addition, conspicuous on-site signage will be provided to promote public pedestrian use.

- Consistent with Sections 30250 and 30251 of the Coastal Act and Chapter 8 ("Land Use Plan") of the Marina del Rey LUP, the Project is located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it. In addition, the Project is designed to protect views to and along the ocean and scenic coastal areas, to minimize alteration of natural landforms, to be visually compatible with the character of the surrounding areas and to enhance visual quality.

- Consistent with Section 30252 of the Coastal Act and Chapter 8 ('Land Use Plan") of the Marina del Rey Land Use Plan, the Project provides commercial facilities within or adjoining residential development in order to minimize the use of coastal access routes.

- Consistent with the Parking Policies contained in Chapter 2 ('Recreation and Visitor-Serving Facilities") of the Marina del Rey LUP, the Project's parking facilities are integrated into the overall design of the development and are appropriately landscaped. In addition, multi-use parking facilities have been provided.

- The proposed development is consistent with the Waterfront Overlay Zone (WOZ) designation in that it does not contemplate development which would displace existing public recreation, visitor serving or coastal dependent boating uses. The WOZ is intended to provide flexibility for development of coastal-related, and marine-dependent land uses, primarily on waterfront parcels.

- Consistent with Policy No. 3 of Chapter 3 ("Recreational Boating") of the Marina del Rey Land Use Plan, the Project ensures that replacement of existing boater support and marine commercial uses on Parcel 20 will occur prior to development of the use which displaces them (i.e. construction of Phase 2 of the Project) may commence.

D. Traffic Impacts Resulting from the Change Are Minimal

The Department of Public Works reviewed traffic documents for the Project on April 13,1999, November 16,1999 and July 6, 2000. Its review determined that the Project will generate approximately 41 new vehicle trips during the p.m. peak hour. According to Public Works' criteria, a traffic analysis is required if a project generates at least 50 peak-hour trips. Notwithstanding this criteria, and consistent with the certified LCP, a traffic analysis was conducted and the Department of Public Works confirmed that the 41 trips generated by the Project will not have a significant impact on any intersections within or outside the Marina. As required of all Marina developments, the Department recommended and the Project conditions require that prior to issuance of building permits, the applicant shall pay a mitigation fee of $5,690 per peak-hour trip, for a total of $233,290 in mitigation fees.

In its July 6, 2000 letter to the Department of Regional Planning, the Department of Public Works determined that the transfer of 97 development units from Development Zone 1 (Bora Bora) to Development Zone 4 (Panay) will not create a significant traffic impact at any location inside or outside the Marina. In fact, it was determined that the transfer would actually benefit two signalized intersections, Via Marina at Tahiti Way and at Marquesas Way, because the traffic from the development emanating from Panay Way would generally travel north on Via Marina towards Admiralty Way and not traverse the intersections of Tahiti Way or Marquesas Way. Because traffic would only pass through one rather than two intersections, less traffic could be expected.

Conclusion

We trust the above information is responsive to your request, and look forward to providing you with additional information as you complete your staff review of this important County project. If you have any further comments, please feel free to contact Aaron Clark of our Zoning Permits Section. Mr. Clark can be reached at (213)-974-6383, Monday through Thursday from 7:00 a.m. to 5:30 p.m.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP
Director of Planning

Donald C. Culbertson, Administrator
Current Planning Branch

DCC:AC

northerly of Parcel 20 and across marina Basin E include Marine Commercial and Residential III.

To better understand designated land uses in the marina, the following land use summary is provided. The residential land use category makes up the largest land use category by acreage in the marina followed by Visitor/Convenience Commercial and Marine Commercial. Excluding streets and Ballona Creek, Marina del Rey consist of approximately 700 acres. The Specific Plan allocates the following land uses within the Marina:

LAND USE	TOTAL ACRES	% OF TOTAL
Residential (all)	**154.1 ac.**	**21.98%**
Hotel	30.3 ac.	4.32%
Visitor/Convenience Commercial	32.2 ac.	4.59%
Office	5.4 ac.	0.08%
Marine Commercial	**31.9 ac.**	**4.55%**
Boat Storage	18.0 ac.	2.57%
Parking	19.2 ac.	2.74%
Public Facilities	7.2 ac.	1.03%
Open Space	38.3 ac	5.46%
Water	**364.5 ac**	**52.0%**

As indicated above, the sum of all Marine Commercial designated land within the Marina del Rey Specific Plan area equals 31.9 acres or 4.55% of the land area. Of this, three parcels (#s 20, 21 & 30) totaling 8.2 acres or 25.7% of all Marine Commercial designated land within the Marina is located on the west side of the Main Channel. The 2.2-acre dry area of Parcel 20 equals 6.9% of the Marina total and 26.8% of the Marine Commercial on the west side of the Main Channel. The above tabulations were generated using the Regional Planning Department's computer mapping system. You will notice some slight differences when compared to the numbers contained in the following paragraph since the information is from a different source.

Exhibit 16
Staff report LACRP
p. 1
MDR.MAS.1.01

- 30255. Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

Approved by the Board of Supervisors in 1995 and certified by the California Coastal Commission in 1996, the Marina del Rey Land Use Plan contains a number of "Written Policy" statements that provide guidance in making decisions regarding development within Marina del Rey (pgs. 8-7 through 8-9). Policy statement relevant to evaluating plan amendments involving a change in permitted land use are recited below:

- The primary purpose of the Land Use Plan shall be to maintain Marina del Rey as a Small Craft harbor for recreation purposes. A secondary purpose shall be to promote and provide visitor-serving facilities.

- Development shall not detract from, nor interfere with the use of existing or planned boating facilities, nor the ancillary uses, which support these facilities.

- **Coastal Housing Not a Priority.** (Emphasis not added) Although construction of housing is not a priority use in the Coastal Zone, additional opportunities for coastal housing may be provided, where appropriate.

  All development of coastal housing shall be contingent upon meeting all applicable policies and development standards of the certified LCP (Local Coastal Program), including but not limited to adequate parking, view corridors, public access to the shoreline, provision of new usable public recreation and open space and visitor serving recreational uses in the plan segment, provision of adequate traffic capacity, and any provisions for low- and moderate-income and senior citizen housing subsequently certified by the California Coastal Commission.

- **Office Commercial Uses Not a Priority.** (Emphasis not added) New or expanded development of office commercial uses shall be discouraged, and, where permitted, confined to sites outside the Waterfront Overlay Zone.

IMPACT OF COASTAL PLAN AMENDMENT

The paramount objective of the Marina del Rey Land Use Plan is to maintain Marina del Rey as a small craft harbor for recreational purposes. With 21.98% of the Marina presently designated for residential use, the justification for additional residential units must be justified by the applicant's Burden of Proof statements.

Exhibit 16
Staff report
LA CRP p2
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Additionally, the Marina del Rey Land Use Plan states that development should not detract from, nor interfere with the use of existing or planned boating facilities, nor ancillary uses which support boating facilities. Unconstrained development would ultimately result in unacceptable traffic impacts restricting recreational use and public access to shoreline resources and boating uses. Plan Amendments which intensify uses that are not coastal dependent must be carefully evaluated to ensure their impacts on coastal dependent uses are balanced against public access to Marina resources.

The subject property (Parcel 20) is presently designated for Marine Commercial uses. This designation in the Marina del Rey Specific Plan permits (or conditionally permits) coastal-related and coastal-dependent uses associated with the operation, sales, storage and repair of boats and marine support facilities. Some specific uses that are coastal-related or coastal dependent include charter boat operations, harbor cruise and tour boats, small boat rental businesses, sailing and boating schools, yacht brokerages, chandleries (boat hardware), boat repair yards, boat launching facilities, yacht clubs, admiralty law offices, and marine insurance agents.

The Marina del Rey Land Use Plan clearly states that housing is not a priority use in the Coastal Zone. (pg. 8-9). Residentially designated land area (and overall density) was not increased in the 1996 Marina del Rey Land Use Amendment. Similarly, the Marina del Rey Land Use Plan discourages the expansion of existing or development of new office commercial uses on properties with water frontage. It is also clear that there is a strong demand for increased public access to, and public use of, coastal resources in the Los Angeles area. Plan amendments which limit opportunities for public access and recreation boating must be carefully evaluated by the Commission.

Recreational boating use of the Marina is dependent on the retention of supporting land uses. Two land use categories directly fulfill this need: Marine Commercial and Boat Storage. The Marine Commercial category comprises approximately 4.5% of Marina land and Boat Storage 2.6% of the Marina's total area (wet and dry). Residentially designated land comprises approximately 22% of the Marina's total area. As certified by the California Coastal Commission, the Marina del Rey Land Use Plan provides for additional residential development in 7 of 14 Development Zones. The total residential "Development Potential" permitted in these 7 zones equals 2,230 dwelling units. Of these, 1,975 units are located in Development Zone located west of the Marina's Main Channel. If all 1975 units are built, 2962 new residents can be expected reside at Marina del Rey (1.5 persons per household). The plan amendment request must be evaluated with consideration toward the need for additional Marina housing and the potential impacts on coastal dependent uses and public recreation and coastal access opportunities.

As Phase II development of the Marina is undertaken and overall density increases, demand on water-dependent and water-serving land and land uses can also be expected to increase. Additionally, increased density can be expected to place increased demands on property designated as Visitor/Convenience Commercial, Office, Boat Storage,

Exhib. 1 16p3
MDR MAJ 1.01

Parking, Public Facilities and Open Space. Traffic impacts can also be reasonably anticipated as Marina development and uses intensify during Phase II within the Marina.

Effect on Phase II Development Potential Allocated to Panay Development Zone.

Allocation of development potential in each Development Zone is granted on a "first come, first served" basis until the maximum development threshold is reached in each Development Zone. The Marina del Rey Land Use Plan permits a maximum of 250 additional dwellings to be constructed in the Panay Development Zone. If the Plan Amendment is approved, the project would reduce future residential development potential to a maximum of 150 units in the Panay Development Zone and thereby impact the future development potential of other parcels.

Effects on Coastal Access

The proposed project would provide access to the promenade via a walkway opposite the easterly property line.

Effects on Recreational Opportunities

The proposed project would maintain facilities for an existing yacht club located on Parcel 20, however, potential for future expansion of the club or other water-related and water-dependent uses would be eliminated. The operations of the yacht club would also be impacted during the construction phase.

Effects on Infrastructure

With the exception of traffic generated, the Initial Study conducted for the proposed project did not disclose any existing infrastructure capacity problems due to the proposed project. Traffic mitigation fees in the amount of $5,690 per p.m. peak period trip will be required to be paid by the applicant prior to the issuance of building permits.

Effects on Public Facilities

The Initial Study conducted found that the proposed project would have less than significant impacts on educational facilities, and service utilities. Standard mitigation will reduce impacts to Fire and Sheriff services to a level less than significant.

Effects on Resources

The Initial Study conducted found that the proposed project would have less than significant impacts on cultural resources, air quality, and marine resources.

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Exhibit 16
p 4

Pam Emerson

From: Roger Moliere [rmoliere@dbh.co.la.ca.us]
Sent: Monday, July 16, 2001 10:33 AM
To: 'pemerson@coastal.ca.gov'
Cc: Aaron Clark (E-mail)
Subject: FW: Pam's question

Pam: Aaron Clark forwarded the attached question to me for response.

It is our practice not to present the final lease or option agreement for approval by the Board until a proposed project has gone through the regulatory process so that any changes in the project required by regulatory authorities, including the Regional Planning Commission and Coastal Commission) can be incorporated in the lease and the lease document does not have to return to the Board for amendments to comply with regulatory issues, once the Board has approved same.

It is, however, our practice to fully negotiate all of the language in the documents, pending such approvals by the various regulatory agencies. Therefore, although the Parcel 20 Amended Lease and Option has not yet been presented in public session to the Board, we do have a fully completed set of documents, subject to regulatory and Board final approval. The full construction requirements that are part of the draft lease requirements, and were made a part of lessee's submission to Regional Planning, demonstrate the replacement of all existing parking and full parking for all added uses and square footage.

To answer your question directly then, the draft lease does, and the final lease will require that all marina and commercial tenant parking be maintained, as well as to require new residential parking per code.

Additionally, we have required that the lessee, as a condition precedent to demolition of the existing commercial building, enter into a new sublease with the current yacht club tenant, offering at least the same amount of space as the yacht club now occupies under its current lease and at a lowered commercial rate based on a percentage of construction cost for the new square footage. We have thus attempted to additionally protect the marine commercial uses on the parcel while allowing the construction of new s[illegible] yacht club space - maintaining all parking for those uses.

I hope this answers your question. Please feel free to contact me if you need further information.

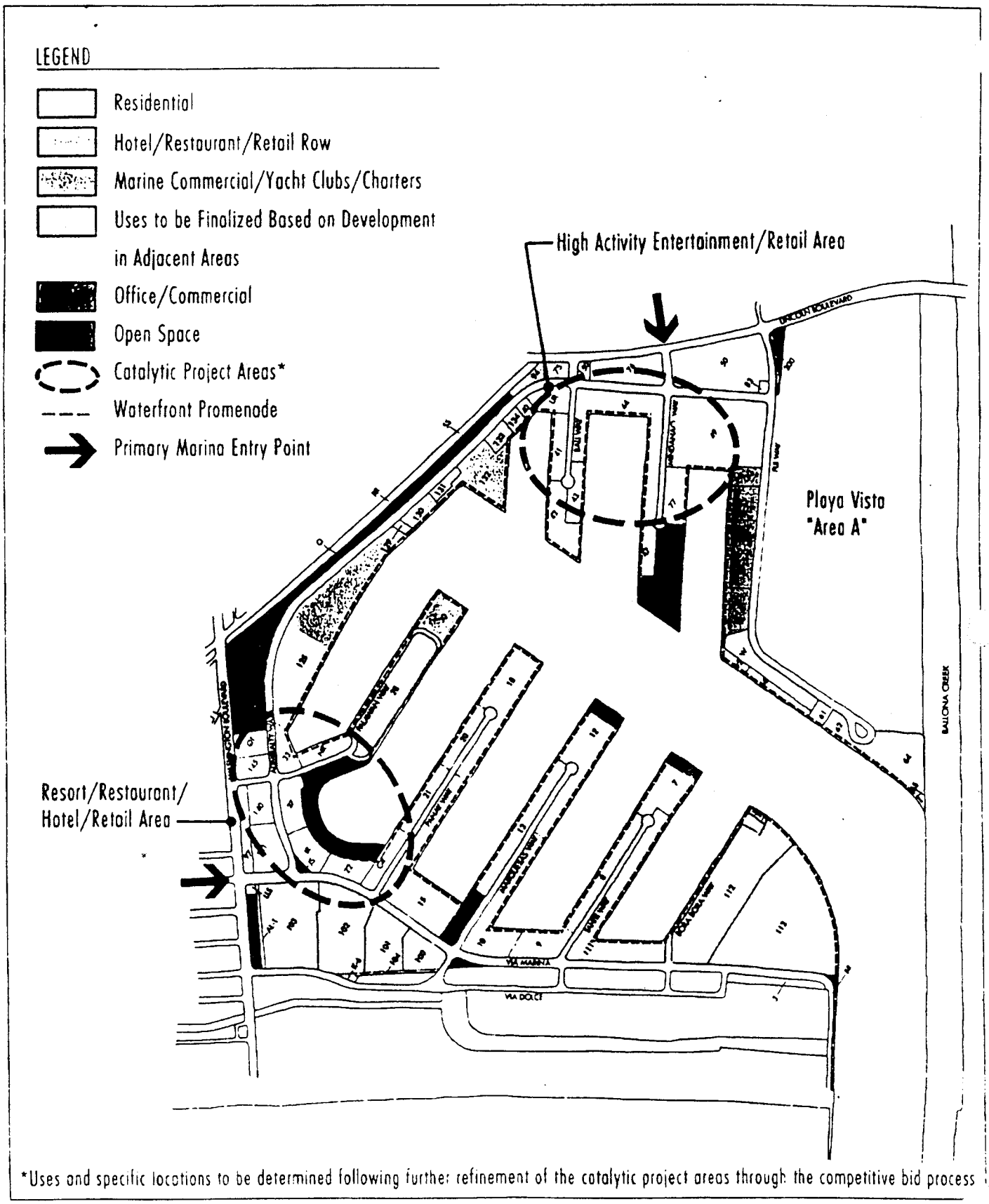
-----Original Message-----
From: Clark, Aaron [mailto:aclark@planning.co.la.ca.us]
Sent: Monday, July 16, 2001 9:59 AM
To: 'rmoliere@dbh.co.la.ca.us'
Subject: Pam's question

Roger-
As discussed, please provide Pam a direct email response to her question, posed below. Pam's email address is : "pemerson@coastal.ca.gov" Thanks.

does the exisitng or re-negotiated lease include a requirement to maintain parking for the marina ? It's probably obvious to you but it took me a while to figure out that this obligation was assumed in your staff report. Would it be possible to have a copy of the negotiated lease? (or

MDR.MAS.1.01
Exhibit 17
Lease

Illustrative Redevelopment Scenario



*Uses and specific locations to be determined following further refinement of the catalytic project areas through the competitive bid process

Note: The land use designations indicated in this illustrative redevelopment scenario are presented to convey the general character and pattern of future uses. Such future uses will include a mix of uses, particularly within the catalytic project areas. In addition, the Asset Management Strategy will be consistent with the intent of the certified Local Coastal Program, including possible future amendments.

AMS/redev scenario/1-15-97

SOURCE: Gruen Associates

MDR. MAJ. 1.01
Future Plans
Exh. b.t 18

Marina del Rey
ASSET MANAGEMENT STRATEGY

Los Angeles County
Department of Beaches and Harbors
Stan Wisniewski, Director

Adopted by
Board of Supervisors
April 15, 1997

MDR · MAS · 1 · 01
Exhibit 19
Asset Manage-
ment Strategy

MARINA DEL REY ASSET MANAGEMENT STRATEGY

INTRODUCTION

As Marina del Rey enters its fourth decade, it faces many challenges and questions about its future. The remaining term on most leases has reached a point where traditional long-term financing is increasingly difficult to obtain, lessees are considering new proposals for redevelopment, leasehold improvements and the Marina's infrastructure are aging, and the amended Local Coastal Program (LCP) has been certified. Additionally, Marina del Rey faces competition from other destinations, such as the planned Playa Vista improvements, and historical patterns of automatically-rising income and property values ended with the recent recession. Therefore, the County clearly needs to establish a sense of direction concerning the future of Marina del Rey.

The Marina del Rey Asset Management Strategy (AMS) was developed by the Department of Beaches and Harbors in consultation with KMG Consulting (Kotin Mouchly Group) and Gruen Associates, the Department's economic and planning consultants, respectively. It is a proactive strategy designed to accomplish three objectives:

- Provide a framework within which to make short-term Marina del Rey leasing and development decisions so that they remain consistent with redevelopment goals when Marina leases expire, largely between 2020 and 2030;

- Provide programs to encourage redevelopment and refurbishment while ensuring quality maintenance of leasehold facilities during remaining lease terms; and,

- Effect a strategy for the Marina's second generation development that better integrates recreational and commercial/residential areas, recognizing the need to establish Marina del Rey as an exciting and user-friendly attraction to both Southern California residents and tourists alike.

The four elements of AMS are (1) its long-term vision for Marina del Rey; (2) catalytic development projects to draw people on a regional basis, spur further leasehold development and set a standard for design quality; (3) development mechanisms to encourage leasehold redevelopment proposals consistent with its long-term vision; and, lastly, (4) other mechanisms to encourage refurbishment and ensure quality maintenance of those leaseholds that will not be redeveloped during the remaining terms of their leases.

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Exhibit 19
p2

BACKGROUND

As illustrated in Figure 1, a total of 39 out of the 51 significant revenue generating leases, accounting for 73% of current Marina revenue, will expire by the year 2024. By 2029, an additional nine leases will expire. In order to recycle these leaseholds in an orderly fashion to enhance the desirability and revenue production of the Marina, it is essential that there be a strategy in place as lessees face critical decisions about maintenance, possible extensions, reinvestment and other related items.

FIGURE 1

Ground Lease Expirations

	Year of Ground Lease Expiration				
	1995-2009	2010-2019	2020-2024	2025-2029	2030+
No. of Leaseholds	5	0	34	9	3
% of Total Leases	10%	0%	67%	17%	6%
Cum. % of Total Leases	10%	10%	77%	94%	100%
% of Total Revenue	1.5%	0%	71%	5.5%	22%
Cum. % of Total Revenue	1.5%	1.5%	72.5%	78%	100%

In the absence of a systematic program to maintain and upgrade the image and value of the Marina, the recycling of Marina leases that is likely to occur could substantially reduce revenues that might otherwise be obtained. Left to its own devices, the market is not likely to produce a strong prestige identification for Marina del Rey. In this regard, it is important to understand that the current land

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Exhibit 19 p3
Asset management
strategy

use mix of the Marina reflects a compromise between the originally-conceived recreational and open space Marina and the additional commercial/residential development which resulted in order to repay the bonds used for the dredging and creation of Marina del Rey.

Devising an implementation strategy for the Marina's second generation development provides an opportunity to better integrate recreational and commercial/residential uses. By implementing AMS now that the Marina LCP has been certified, we can maximize County revenues by maintaining a focus on the Marina's recreational boating mission, while also recognizing the need to establish Marina del Rey as an exciting and user-friendly attraction to both Southern California residents and tourists. Only by taking a proactive approach to promoting a pattern of redevelopment can the County develop Marina del Rey into a premier destination waterfront area and, thereby, ensure a strong economy for Marina del Rey.

Additionally, the Department must maintain an awareness of potential development of surrounding geographic areas, such as the large "Area A" of Playa Vista just south of Marina del Rey. [illegible] to protect and enhance the value of Marina del Rey, the Department will work with owners and developers to maximize the degree to which nearby development projects are complementary rather than competitive.

Necessarily, AMS must deal with certain land use issues, largely within the context of the LCP. [illegible]ce the LCP sets the ground rules and defines the scope of both interim and recycled develop[illegible]nt. However, the LCP is only one element to consider in the creation of AMS. While AMS is being developed within the context of the certified LCP, it has an explicitly broader vision and a much longer planning horizon.

ELEMENTS OF ASSET MANAGEMENT STRATEGY

Each of the four elements of AMS are discussed below. A general statement for each element is provided first, followed by the specific County policy statement needed to effect each element.

Element 1: Long-Term Vision

The long-term vision of Marina del Rey is to establish it as a strong urban waterfront development while maintaining emphasis on the Marina's recreational boating mission. To accomplish this, we must achieve five characteristics common to successful waterfront developments:

- A powerful sense of place;
- An accessible waterfront, both physically and visually;
- An exciting mix of interconnected uses that relate strongly to the water;

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Exh. 6.1 19
p 4

- A multi-modal transportation system that facilitates walking and other nonautomotive forms of travel; and,
- A varied, high-quality residential environment.

The vision elements, as well as the character of Marina del Rey today and those corrections which should be made to establish Marina del Rey as a strong waterfront community, are identified on Figure 2. Additionally, there are catalytic projects that we will proactively pursue to trigger the momentum needed to encourage second generation development that reflects these characteristics.

FIGURE 2

Vision Elements

ELEMENTS OF VISION	MARINA DEL REY TODAY	MARINA DEL REY VISION AS A STRONG WATERFRONT COMMUNITY
Sense of Place	Lack of identity (no sense of place, fading ambiance)	■ Key focal point and public spaces (e.g.,water-front plazas) that complement the Marina's recreation boating mission
Access to Water	Misuse of waterfront (limited access, poor visibility)	■ An accessible waterfront, both physically and visually ■ Strong view corridors ■ Outstanding architecture that relates strongly with the waterfront ■ Waterfront promenade ■ Waterfront restaurants and retail ■ Boating related activities - ferry rides, cruise terminal, yacht clubs
Multi-Modal Transportation	Poor circulation (unfriendly to pedestrians, parking lots dominating key locations)	■ Internal destinations ■ Strong internal transportation system, both land and water ■ External water transportation - coastal linkages, e.g., Catalina ferry ■ Centralized parking

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Exhibit 19
P 5
AMS

Mix of Uses	No activities (dated attractions, no appeal)	■ Entertainment and attractions ■ Critical mass of retail/unique retail ■ Educational and cultural activities ■ Live entertainment, shows, theater ■ Vibrant nightlife culture - music, comedy, and jazz clubs
Residential	Bland, homogeneous housing product	■ Mix of housing offered ■ Outstanding, creative residential developments reflective of the water

POLICY

When formulating development proposal requests or evaluating lessee-sponsored plans, the five characteristics common to successful urban waterfront properties will be the factors against which all projects will be considered.

Element 2: Catalytic Projects

The basic idea of a catalytic project is to create, in the near term, a large "critical mass" at no less than two locations in the Marina to draw people to Marina del Rey, spur further leasehold redevelopment, and set a standard for design quality. Specific elements of these two projects include water-oriented recreational and entertainment activities with a vital dynamic pattern of retail, restaurant and entertainment components which will draw people on a regional basis. These elements will make visiting and recreating in Marina del Rey very desirable destination activities, leading to substantial revenue enhancement.

The first project, contemplated near the entrance to the Marina on the east side near Mindanao and Admiralty Way, is analogous but not necessarily identical to the Universal CityWalk project and recognized, successful waterfront developments. Achieving the pedestrian-friendly ambiance of Old Town Pasadena, Santa Monica's Third Street Promenade, and high-activity entertainment retail locations will be a critical part of this first catalytic project. A second catalytic project with a relaxed

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Exhibit 19
pg

and resort appeal is contemplated at Marina del Rey "Mother's" Beach and the encompassing retail, hospitality and restaurant facilities that surround it.

Attachment 1 is a booklet which illustrates in greater detail the desired characteristics and potential activities and opportunities for the two catalytic projects. However, the specific details as to scale, location of specific improvements, and activities will be solicited from the private sector through a competitive Request for Proposals (RFP) process. These two projects will be phased, with the project on the east side pursued first, followed by the project at Marina del Rey "Mother's" Beach. The Department proposes to initiate a competitive RFP process for the first catalytic project in 1997. Depending upon the level of environmental/entitlement requirements, construction should start eighteen (18) to thirty-six (36) months thereafter. The competitive RFP process for the second project can begin as soon as an agreement with the selected developer for the first project has been negotiated and approved by the Board of Supervisors. Given the expected high visitation of both projects, an effective security management program at each project and along the connecting waterfront promenade will be required to ensure enjoyment of these facilities by the public and adjacent tenants.

A key element in the long-term vision is to create both pedestrian and water-borne traffic between these two projects, so that the walk or short boat ride across the Marina will be part of the attr
See Figure 3 for a color diagram showing the broad outlines of approximate locations of
projects.

POLICY

Through a competitive Request for Proposals process, the Department will pursue two cataly ic projects which will serve as major destination points to draw people on a regional basis. e projects will serve to spur further leasehold redevelopment, set a standard for design quali d make visiting and recreating in Marina del Rey very desirable activities. The projects will be phased, with the project on the Marina's east side proceeding first, followed by the project at "Mother's" Beach. Security management will be a major consideration in implementing both projects and the connecting promenade.

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1.01
Exhibit 19
p7

Beaches & Harbor

REC'D JUL 12 2001

COUNTY OF LOS ANGELES
DEPARTMENT OF BEACHES AND HARBORS

STAN WISNIEWSKI
DIRECTOR
KERRY GOTTLIEB
CHIEF DEPUTY

RECEIVED
South Coast Region

JUL 13 2001

CALIFORNIA
COASTAL COMMISSION

July 10, 2001

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

Dear Supervisors:

AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF THE DEPARTMENT OF BEACHES AND HARBORS TO ENTER INTO EXCLUSIVE NEGOTIATIONS FOR LEASE OPTIONS AND LEASE EXTENSIONS FOR THREE DEVELOPMENT PROJECTS ON THE EASTSIDE OF MARINA DEL REY (4th DISTRICT) (3 VOTES)

JOINT RECOMMENDATION WITH THE CHIEF ADMINISTRATIVE OFFICER THAT YOUR BOARD:

Authorize the Chief Administrative Officer ("CAO") and Director of the Department of Beaches and Harbors ("Director") to proceed with exclusive negotiations with the following proposers:

(a) Pacific Marina Venture, LLC ("Pacific Marina-I") for a hotel and related redevelopment on Marina del Rey Parcel 44;
(b) Pacific Marina Venture, LLC ("Pacific Marina-II") for a dry stack storage facility with parking and replacement docks on Marina del Rey Parcel 77; and
(c) Gold Coast Village, LLC ("Gold Coast") for a restaurant, retail and hotel development with replacement anchorage facilities and parking on Marina del Rey Parcels 55, 56 and W.

PURPOSE AND JUSTIFICATION OF RECOMMENDED ACTION

Pursuant to your Board's authorization, the Department issued a Request for Proposals for Development of Marina del Rey Eastside Parcels 51U, 55, 150, UR and W and an Invitation to Apply for Lease Extensions on Various Eastside Parcels located in Development Zones 7, 8, 9, 10 and 14. These documents solicited proposals from

MDR. MAJ. 1.
Exhibit 20
Lease discussion
p 1

Fax: (310) 821-6345
(310) 305-9503 13837 FIJI WAY, MARINA DEL REY, CALIFORNIA 90292
INTERNET: http://beaches.co.la.ca.us/

parties interested in new development in Marina del Rey and from existing lessees interested in redevelopment of their existing Marina del Rey parcels. Proposals for visitor-serving uses were encouraged, consistent with the goals of the Local Coastal Program, on both existing leaseholds and certain County-controlled parcels. Twelve proposals were considered and three earned favorable recommendations by the Eastside Evaluation Committee (the "Committee"). Approval of this item by your Board would authorize the CAO and Director to proceed with exclusive negotiations for lease options and lease extensions with:

(a) Pacific Marina-I. Complete redevelopment of the Parcel 44 leasehold with both new improvements and refurbishment of existing facilities to like-new condition;
(b) Pacific Marina-II. Complete redevelopment of the Parcel 77 leasehold with new improvements; and
(c) Gold Coast. A third project, aggregating County-controlled Parcels 55 and W with leased Parcel 56 (Fisherman's Village), for redevelopment of Fisherman's Village and new development on Parcels 55 and W.

The proposed exclusive negotiations for lease options and lease extensions represent the culmination of the process initially authorized by your Board for selection of development teams to undertake redevelopment of the eastside of Marina del Rey.

FISCAL IMPACT / FINANCING

The three recommended proposals offer improved lease revenue on each of the parcels to be redeveloped. Existing income to the County from these parcels was approximately $862,222 in fiscal year 1999/2000. Assuming percentage rents at prevailing market levels, income to the County after completion of construction and stabilization of income of the proposed projects is projected to result in a fourfold increase to approximately $3.52 million annually.

Specific financial information for each proposal is as follows:

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Exhibit 20p
Lease Discussion
P.

(a) Pacific Marina-I. In fiscal year 1999/2000, County rental proceeds were $271,702 from Parcel 44. At stabilization, projected income for the proposed development is estimated at approximately $1.74 million;

(b) Pacific Marina-II. In fiscal year 1999/2000, County rental proceeds were $50,928 from Parcel 77. At stabilization, projected income for the proposed development is estimated at approximately $230,000; and

(c) Gold Coast. In fiscal year 1999/2000, County rental proceeds were $360,592 from Parcel 56, derived primarily from marine commercial and restaurant uses. Parcel 55 was last utilized as a marine refueling station in 1998; the station was subsequently removed and the parcel has since remained vacant under County control. County revenue from Parcel W, which serves as the parking lot for the Fisherman's Village area, was $140,000 in 1999/2000 (net of payment to parking contractor). At stabilization, projected income for the proposed development is estimated at approximately $1.55 million.

No County funds are presently contemplated to finance any costs associated with this request to enter into exclusive negotiations. Pursuant to County policy, costs to negotiate and create the proposed lease options and lease extension agreements will be reimbursed by the proposers.

FACTS AND PROVISIONS / LEGAL REQUIREMENTS

Twelve proposals were reviewed by the Committee, which was appointed by the Director. The Committee was composed of Richard Volpert, Esq. of Munger, Tolles & Olson, Ki Suh Park of Gruen Associates, Allan Kotin of PCR Kotin and Les Detweiler of the Chief Administrative Office's Asset Management Division. A summary of the responses received is attached as Exhibit One and a copy of the Committee's report with its recommendation to the Director is attached as Exhibit Two.

Identical responsible parties, the Pashaie and Taban families of Los Angeles, California, are the proposers and the existing lessees of Parcels 44, 56, and 77. The County currently controls Parcels 55 and W.

The three recommended projects call for the following development activity:

MDR MAS 1.01
Lease discussions
Exhibit 20 p3

(a) Pacific Marina-I (Parcel 44). Lease extension for construction of a new 226-room hotel at a main entrance to the Marina along Admiralty Way and 214 new concrete boat slips and renovation of 18,757 square feet of restaurants, offices, and yacht club and 3,000 square feet of boat dealer offices and parking for 732 cars. This proposal would replace approximately 25,000 square feet of restaurants, offices, yacht club and 422 boat slips, dry boat storage, a boat repair and boat hoist/launch facility. A waterfront promenade will be constructed along the entire seawall area of this parcel;

(b) Pacific Marina-II (Parcel 77). Lease extension for construction of a dry stack storage and launching facility for 306 boats, 12 new boat slips for use by dry storage patrons, 275 feet of side tie docks for use by charter yachts and new parking for 645 cars. This proposed development would replace 35 boat slips that are not now in service, dry boat storage and a boat hoist/launch facility. This proposal includes in excess of 350 surplus parking spaces that would be available to visitors of adjacent Chace Park; and

(c) Gold Coast (Parcels 55, 56, and W). Rebuilding of restaurant and retail improvements and renovation and expansion of the docks at Fisherman's Village, together with a new 144-room hotel with subterranean parking, waterfront promenade and related amenities. Initial construction of a miniature golf course will be followed by its demolition to make way for the hotel. The proposal will require new leases on Parcels 55 and W and concurrent extension of the current lease on Parcel 56.

Of the remaining proposals not recommended by the Committee to proceed into exclusive negotiations, five were referred back to the Department for a determination as to whether or not an extension should be granted as significant redevelopment was not proposed. One of these five proposers, S.M.Y.C. Marina, has expressed concern about its future in the Marina given its July 2002 expiration date and about the Department's commitment to retention of its Santa Monica Windjammers Yacht Club. The Director firmly believes that yacht clubs are vital to the Marina in promoting the Corinthian spirit and, more specifically, that Santa Monica Windjammers Yacht Club should continue to remain in Marina del Rey in its present location. In this regard, the Director intends to

Exh. b.t 20 pH
MDR MAS. 1.01
Lease discussions

request an executive session with the Board to obtain negotiation instructions as to the terms and conditions which Santa Monica Windjammers Yacht Club's presence in the Marina will be retained.

The three recommended projects will require amendments to the Marina del Rey Local Coastal Program ("LCP") approved by the California Coastal Commission in 1996, as follows:

(a) Pacific Marina-I. The LCP designates Parcel 44, located in Development Zone 8, for Marine Commercial and related visitor-serving uses. The proposed development will involve a change in zoning to a Waterfront Overlay Zone.

(b) Pacific Marina-II. The LCP designates Parcel 77, in Development Zone 9, for Boat Storage and Water uses. The proposed new parking structure will require a conditional use permit to allow parking use.

(c) Gold Coast. While the LCP designation of a Waterfront Overlay Zone on Parcels 55 and 56, located in Development Zone 10, allows significant flexibility in usage, a transfer of entitlements from Development Zones 7, 8 or 11 will be necessary. The LCP designation of Parcel W, located in Development Zone 10, for parking use will require a change in zoning from parking to visitor-serving commercial and hotel use.

Although the Committee concluded, and the Director concurs, that the proposed projects will provide a high quality, visitor-serving addition of sufficient mass to bolster revitalization of the eastside of the Marina, the Committee identified several issues which it felt should be specially addressed by the negotiating team. These include:

(a) Pacific Marina-I. As a condition of negotiations, an experienced hotel operator with a nationwide reservation system should be required to be a part of the hotel transaction on Parcel 44. The proposer suggested, and the Committee endorses, the further requirement that the hotel operator have an equity interest in the project and not function only as a fee-earning entity. Each of these issues should be addressed early in the negotiations. Several design ideas for Parcel 44 were discussed, such as: exploring the more effective use of the waterfront for building instead of

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Exhibit 20
P. 5
lease discussions

parking; possible bungalows; better traffic circulation; and sensitivity to the interface between the hotel and boat sales operations. It is expected that the hotel operator would have input regarding the location of boat sales on the site. Additionally, the Director will address in the negotiations issues concerning the proposed conversion of 422 smaller boat slips into 214 larger ones, the need to at least replace existing dry boat storage and opportunities for boat repair and launch services currently provided;

(b) Pacific Marina-II. The proposal for dry stack storage and surplus parking for Chace Park appear to be important uses for Parcel 77. The precise mix of the two would better be determined when the outcome of several ongoing negotiations concerning various other parcels in the Marina are known; and

(c) Gold Coast. As a condition of negotiations, an experienced hotel operator with a nationwide reservation system should be required to be a part of the hotel transaction on Parcels 55, 56 and W. The proposer suggested, and the Committee endorses, the further requirement that the hotel operator have an equity interest in the project and not function only as a fee-earning entity. Each of these issues should be addressed early in the negotiations. The dock layout set forth in the proposal for Parcels 55, 56 and W is unclear and all docks need to be replaced.

The Small Craft Harbor Commission, at its meeting held on June 13, 2001, unanimously the Director's recommendation to your Board to authorize exclusive negotiations.

ENVIRONMENTAL DOCUMENTATION

Development of the proposed hotel, visitor-serving commercial and boating improvements will require the issuance of various land use entitlements, including coastal development permits and the previously-referenced LCP amendments. Full environmental review will be conducted as part of the land use entitlement process. The issuance of permits authorizing any of the proposed construction will be contingent upon completion of the land use entitlement/environmental review process. Exercise of any lease option or lease extension approved by your Board as a result of the exclusive negotiations recommended by this letter will be contingent upon the successful completion of that process.

MDR MAS-1-01
Lease discussion
Exhibit 20
p6

IMPACT ON CURRENT SERVICES (OR PROJECTS)

County-owned Parcel W currently serves as a parking lot under County contract to Five Star Parking. This parking lot serves Fisherman's Village and as overflow parking to Shanghai Red's restaurant on adjacent Parcel 61. Following completion of the proposed development for Parcels 55, 56 and W, the lessee will be responsible for parking operations.

CONCLUSION

Authorize the CAO and Director to proceed with exclusive negotiations for lease options and lease extensions to develop, construct and operate three redevelopment projects on the eastside of Marina del Rey as heretofore described and forward one adopted copy of this Board letter to the Department.

Respectfully submitted,

S Wisniewski

Stan Wisniewski
Director

David E. Janssen
Chief Administrative Officer

Attachments (2)

c: Chief Administrative Officer
Executive Officer, Board of Supervisors

SW:AK:bp

MDR MAI. 1.01
Lease Discussion
P7
Exh. b. f 20

EXHIBIT ONE: SUMMARY OF EASTSIDE RESPONSES RECEIVED

15 Total Responses
6 RFP Responses, including 1 Combined RFP and Extension Response
6 Extension Responses
3 Letter Responses

Subject Parcel(s) and Abbreviation	*Respondent*	*Proposal Type*	*Proposed New Development*

RESPONSES TO EASTSIDE RFP

55, 56 & W	Gold Coast Village	Combined RFP and Extension	Retail, Anchorage, Parking, Hotel
55 Ferry	Sea Planes	RFP	Ferry Terminal
55 Dry	BellPort-Epstein-Ring Financial	RFP	Dry Stack, Anchorage
55 Sport	USC Men's Crew	Letter	Aquatic Sports Complex
150 Bank	First Coastal Bank	RFP	Bank Branch
150 MPT	Marina Physical Therapy	Letter	Day Spa
UR MC	Wesco Sales	RFP	Marine Comme[illegible]
UR Ret	Goldrich & Kest	RFP	Retirement Hot[illegible]l

RESPONSES TO EASTSIDE INVITATION

44	Pacific Marina Venture	Extension	Hotel, Retail, Office, Anchorage, Parking
77	Pacific Marina Venture	Extension	Boat Sto[illegible] Anchorage, Pa[illegible]
41	Wesco Sales	Extension	Anchorage
42 & 43	MGC Marina del Rey Int'l	Letter	Hotel
47U	SMYC	Extension	Anchorage, Yacht Club
48R	Boy Scouts of America	Extension	Scout Sea Base
53	Harbor Real Estate	Extension	Marine Commercial, Anchorage

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P 5
MDR MAJ. 1.01

Filename East Eval Ctee Recmdn 031301

DRAFT

July 5, 2001

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

Dear Supervisors:

AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF THE DEPARTMENT OF BEACHES AND HARBORS TO ENTER INTO EXCLUSIVE NEGOTIATIONS FOR LEASE OPTIONS AND LEASE EXTENSIONS FOR NINE DEVELOPMENT PROJECTS IN THE MARINA BEACH AREA OF MARINA DEL REY (4th DISTRICT) (3 VOTES)

JOINT RECOMMENDATION WITH THE CHIEF ADMIINSTRATIVE OFFICER THAT YOUR BOARD:

Authorize the Chief Administrative Officer ("CAO") and the Director of the Department of Beaches and Harbors ("Director") to proceed with exclusive negotiations with the following proposers:

(a) Marriott International, Inc. ("Marriott-I") for a hotel on Parcel GR;

(b) Marriott International, Inc. ("Marriott-II") for a hotel on Parcel IR and related parking on Parcel OT;

(c) Marriott International, Inc. ("Marriott-III") for a hotel on Parcel NR and related parking on Parcel OT;

(d) MGC Marina del Rey International ("MGC") for a hotel on Parcel 145;

(e) Marina del Rey Innvestors, a California Limited Partnership ("MDRI"), for a hotel renovation and addition on Parcel 27;

(f) Del Rey Shores and Del Rey Shores North ("Del Rey Shores-I") for apartments on Parcels 100 and 101;

(g) Del Rey Shores Joint Venture (to be formed) for a personal and specialty storage facility on Parcel K-6 ("Del Rey Shores-II");

MDR MAJ 1.01
Westside re-development

Exhibit 21 p 1

(f) Del Rey Shores-I for complete redevelopment of the leaseholds on Parcels 100 and 101 with 780 new apartments;

(g) Del Rey Shores-II for a new 27,500 square foot personal and specialty storage facility on Parcel K-6;

(h) Gold Coast-I for complete redevelopment of the leasehold with 179 new apartments on Parcel 140; and

(i) Gold Coast-II for complete redevelopment of the leasehold on Parcel 95 with a new 55,870 square foot mixed-use retail and office center and refurbishment of an existing 5,713 square foot restaurant facility to like new condition, together with a new public plaza on Parcel LLS.

Implementation of Strategic Plan Goals

In furtherance of County Goal #4, "Fiscal Responsibility," the recommended action will allow the Department to implement that portion of its Strategic Plan that enhances strategic partnerships with existing and prospective lessees through proactive implementation of the Marina del Rey Asset Management Strategy. The Department's Plan includes Board approval of lease agreements to effect redevelopment. Implementation of these goals will be accomplished in conjunction with architectural and urban planning guidelines that ensure the integration and aesthetics of the Marina's redevelopments while achieving fair market returns from County property.

FISCAL IMPACT/FINANCING

The nine proposals offer improved lease revenue on each of the parcels to be redeveloped. Existing income to the County from these parcels was approximately $1.25 million in fiscal year 1999/2000. Assuming percentage rents at prevailing market levels, income to the County after completion of construction and stabilization of income of the proposed projects is projected to result in a fivefold increase to approximately $6.43 million annually.

Specific financial information for each proposal is as follows:

(a) Marriott-I. Parcel GR is not leased, but is operated as one of three public parking lots at Marina Beach. In fiscal year 1999/2000, net income to the County from parking on Parcel GR was $151,844. At stabilization, projected County income from the proposed development is estimated at approximately $686,000;

MDR MA I-1.01
Westside development
Exhibit 21 p2

Other than budgeted consultant and legal costs to analyze, evaluate and document the terms of proposed lease options and lease extension conditions for Parcels GR, IR, NR and K-6, no County funds are presently contemplated to finance any costs associated with this request to enter into exclusive negotiations. Pursuant to County policy, costs to negotiate and create the proposed lease options and lease extension agreements for Parcels 27, 95, 100/101, 140 and 145 will be reimbursed by the proposers.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Nineteen proposals were reviewed by the Committee, which was appointed by the Director. The Committee was composed of Richard Volpert, Esq. of Munger, Tolles & Olson, Ki Suh Park of Gruen Associates, Allan Kotin of PCR Kotin and Les Detweiler of the Chief Administrative Office's Asset Management Division. A summary of the responses received is attached as Exhibit One and a copy of the Committee's report with its recommendations to the Director is attached as Exhibit Two.

The nine recommended projects call for the following development activity:

(a) Marriott-I. Construction of a new 175-room SpringHill Suites hotel on Parcel GR at Via Marina and Panay Way, with waterfront promenade and parking for 352 vehicles onsite, including 88 spaces required for the hotel and 264 spaces to replace existing public parking on Parcel GR. The proposal will require a new lease on Parcel GR;

(b) Marriott-II. New 200-room Residence Inn hotel on Parcel IR at Admiralty Way and Via Marina, with waterfront promenade and parking for 278 vehicles onsite, including 155 spaces required for the hotel. Parcel IR currently provides 216 public parking spaces. The proposed redevelopment would replace 123 existing public parking spaces on Parcel IR, while the remaining 93 existing public parking spaces would be provided nearby in a new parking structure of 421 spaces to be constructed on Parcel OT. The proposal will require new leases on Parcels IR and OT;

(c) Marriott-III. New 160-room Courtyard hotel on Parcel NR along Palawan Way near Admiralty Way, with waterfront promenade and parking for 129 vehicles onsite, including 80 spaces required for the hotel. Parcel NR currently provides 191 public parking spaces. The proposed redevelopment would replace 49 existing public parking spaces on Parcel NR, while the remaining 142 existing public parking spaces would be provided nearby in a new parking structure of 421 spaces to be constructed on Parcel OT. The proposal will require new leases on Parcels NR and OT;

NDR MAJ. 1.01
Exhibit 21 p3

Increased Hotel Room Inventory

Recognizing that its recommendations to pursue negotiation for the development of the three new hotels and two new/expanded hotels to replace existing hotels in the Marina Beach area and two new hotels in the eastside area would result in a 73% increase in the Marina hotel room inventory, the Committee addressed several general concerns, including:

- The Marina is located in what some experts consider to be one of the best real estate markets anywhere in the world. With its temperate climate and protected coastal inlet, the Marina is ideally located for a destination resort.

- In order to transform the Marina into a visitor-serving destination resort consistent with the Asset Management Strategy, a significant number of hotel rooms must be available. Once available, the critical mass of supporting businesses expected by a typical visitor to a destination resort can be established.

- The hotel proposals have targeted specific multiple market segments of the hotel industry based on room rate, level of public facilities, service quality and related factors. There is little overlap amongst the hotel proposals recommended, which will range from economy to luxury full-service hotels. The expected large increase in room inventory resulting from the recommended hotel proposals is justified by both locational and hotel market dynamics.

For further discussion, please refer to the Committee's report, Exhibit Two, pages 20-22.

Amendments Needed

A portion of the recommended projects would necessitate changes sufficient to require amending the Marina del Rey Local Coastal Program (LCP), approved by the California Coastal Commission in 1996, as follows:

(1) Marriott-I. The LCP designates Parcel GR, located in Development Zone 4, for Parking use. The proposed development would involve a change in zoning on this parcel to Waterfront Overlay Zone. The public parking currently situated on Parcel GR would be entirely replaced onsite.

(2) Marriott-II and Marriott-III. The LCP designates Parcels IR and NR, located in Development Zone 5, for Parking use. The proposed development would involve

MDR. MAJ. 1.01
Exhibit 2-21 p4
Westside

rates proposed and specific construction cost estimates so as to assure the economic feasibility of the project. A more detailed architectural design embodying the design standards and financial requirements of the proposed operator, together with the resulting changes to the respondent's financial projections, should be carefully evaluated to assure the project remains viable;

• Second, as a condition of negotiations, an experienced hotel operator with a nationwide reservation system should be required to be a part of the hotel transaction on Parcel 145. The proposer suggested, and the Committee endorses, the further requirement that the hotel operator have an equity interest in the project and not function only as a fee-earning entity.

(3) MDRI. A shortcoming of the proposed design is the set of treatments proposed along Palawan Way. Because no median break exists along Admiralty Way to allow traffic to enter from the front, westbound traffic must first turn south onto Palawan Way to enter the property, effectively creating a second main entry. The Committee recommends the Department require the lessee to prepare a more comprehensive upgraded design treatment of the Palawan Way side of the property, including driveway layouts, landscaping and architectural plans to reflect this second main entry.

(4) Del Rey Shores-I. The Committee recommends the Department require the lessee to prepare architectural plans for higher buildings of significantly enhanced design quality that would achieve better views, provide more open space on natural ground, increase rent revenue and more appropriately implement density bonus units.

(5) Gold Coast-I. Additional attention needs to be given to pedestrian circulation at street level, the overall massing of the structure and the dimension and character of landscaping improvements along Admiralty Way.

(6) Del Rey Shores-II. The Committee recommends the Department either require the respondent to prepare revised plans that situate the proposed improvements within the existing setback requirements, or alternatively, to propose redrawing the parcel boundary.

The Small Craft Harbor Commission, at its meeting held on July _____, 2001, _____ the Director's recommendation to your Board to authorize exclusive negotiations.

MDR MAY 101
Exhibit 21
p5

CONCLUSION

Authorize the Chief Administrative Officer and the Director of the Department of Beaches and Harbors to proceed with exclusive negotiations for lease options and lease extensions to develop, construct and operate nine redevelopment projects in the Marina Beach area of Marina del Rey as heretofore described and forward one adopted copy of this Board letter each to the Department and the Chief Administrative Office.

Respectfully submitted,

Stan Wisniewski
Director

David E. Janssen
Chief Administrative Officer

SW:KG:BP:AK

Attachments (2)
Exhibit One: Summary of Marina Beach Reponses Received
Exhibit Two: Marina Beach Evaluation Committee Report

c: Chief Administrative Officer
County Counsel
Executive Officer
Auditor-Controller

MDR.MAS.1.01
Exh.b.+ 21
p 6

Exhibit One. Summary of Marina Beach Responses Received

19 Total Responses
10 Responses to Marina Beach RFP, including 2 Combined RFP and Extension Responses
9 Responses to Marina Beach Extension Invitation, including 1 Alternate Extension Response

RESPONSES TO MARINA BEACH RFP

Parcel(s)	*Respondent*	*Type*	*New Development Proposed*
K-6	Del Rey Shores	RFP	Personal and Specialty Storage
95, LLS	Gold Coast West	Combined	Mixed-Use Retail, Office, Public Space
GR	Goldrich & Kest	RFP	Timeshare Resort
IR	Goldrich & Kest	RFP	Timeshare Resort
K-6	Goldrich & Kest	RFP	Apartments
OT	Goldrich & Kest	RFP	Retirement Hotel
GR	Marriott International	RFP	Hotel
IR, OT	Marriott International	RFP	Hotel, Parking
NR, OT	Marriott International	RFP	Hotel, Parking
145, OT	MGC Marina del Rey Intl	Combined	Hotel, Parking

RESPONSES TO MARINA BEACH EXTENSION INVITATION

Parcel(s)	*Respondent*	*Type*	*Proposal*
100, 101	Del Rey Shores	Extension	Apartments – New
104	Del Rey Shores	Extension	Public Storage – Maintain existing
140	Gold Coast Apartments	Extension	Apartments – New
21	Goldrich & Kest	Extension	Dry Stack Boat Storage, Retail – New
102	Kingswood Village	Extension	Apartments – Renovation
27	Marina del Rey Innvestors	Extension	Hotel – Renovation and Addition
22	Marina Properties	Extension	Hotel – Addition
28	Mariners Bay Company	Extension	Apartments – Renovation Anchorage – New
145	MGC Marina del Rey Intl	Alternate	Hotel – New

MDR.MAS.1.01
Exhibit 21 p7

TABLE 2
COMPARISON OF PARKING LOTS PROPOSED FOR CONVERSION: EXISTING, CERTIFIED LCP, PROPOSED LCPA, MODIFIED LCPA

Parcel #; Acreage	Existing Use	Certified LCP Use	Proposed LCPA Use	Modified LCPA Use
FF; 2.1 AC	Parking	Public Parking	Open Space	Open Space
OT; 1.6 AC	Parking	Public Parking	Residential	Parking
UR; 2.2 AC	Parking	Public Parking	Marine Commercial, WOZ	Marine Commercial
94[3]; .9 AC	Parking for Office	Public Parking	Office	Parking
W[4]; 4 AC	Parking for Commercial	Public Parking	Commercial, WOZ	Parking
49M; 2.5 AC	Parking	Public Parking	Marine Commercial, WOZ	Parking
49R; 12.4 AC	Parking	Boat Storage	Marine Commercial, WOZ	Boat Stora
Total Acreage: 25.7	Parking: 25.7	Public Parking: 13.3 Boat Strg.: 12.4	Parking:0[3,4] Open Space: 2.1 Residential: 1.6 Marine Com: 17.1 Commercial: 4 Office: .9	Parking: Open Spa 2.1 Marine Com: 2.2 Boat Strg 12.4

3/ While Parcel 94 is protected as a public parking on Map 6 (Public Recreation Facilities) of both the proposed LCPA and the certified LCP, it has also historically served as required parking for the adjacent office development on Parcel 75. However, the public has been allowed to park in the lot on Parcel 94.

4/ While Parcel W is protected as public parking on Map 6 (Public Recreation Facilities) of both the proposed LCPA and the certified LCP, it has also historically

Exhibit 22
Summary of land use changes, 1995
Coastal Commission Findings
p 1

CALIFORNIA COASTAL COMMISSION
SOUTH COAST AREA
245 W. BROADWAY, STE. 380
P.O. BOX 1450
LONG BEACH, CA 90802-4416
(310) 590-5071

January 25, 1996

MEMORANDUM

TO: Commissioners and Interested Persons

FROM: Charles Damm, South Coast District Director
Teresa Henry, Assistant District Director
Pam Emerson, Los Angeles County Area Supervisor
Al Padilla, Coastal Program Analyst
James Raives, Coastal Program Analyst

SUBJECT: Revised Findings to support the Commission's May 10, 1995 Denial and Approval with Suggested Modifications of the proposed Amendment No. 1-94 (Major) of the Marina del Rey segment of the Los Angeles County LCP. These findings are Scheduled for Public Hearing and Commission Action at the Meeting of February 7-10, 1996, in San Diego

I. SYNOPSIS

In December 1994, the County of Los Angeles requested to amend the existing certified Local Coastal Program (the "certified LCP") for the Marina del Rey segment of its coastal zone. The proposed Land Use Plan amendment (the "proposed LUPA") would modify the land use designations and development standards affecting both the existing Small Craft Harbor in Marina del Rey and an adjoining undeveloped area known as Playa Vista Area A. (Exhibit 3 shows the existing Small Craft Harbor in relation to Area A.) The request would also amend the certified Local Implementation Program (the "certified LIP") for the Marina del Rey segment and provide a new Local Implementation Program (the "proposed LIPA") pertaining to the Area A segment, where there is no certified Local Implementation Program. On March 9, 1995, the California Coastal Commission (the "Commission") approved segmentation of Marina del Rey from Playa Vista Area A. On May 10, 1995 the Commission denied the proposed LCPA as submitted and then approved the proposed LCPA with suggested modifications (the "proposed LCPA, as modified").

The Local Coastal Program amendment request (the "proposed LCPA") approved by the Commission applies solely to publicly owned Marina del Rey, an existing, developed 804-acre Marina. The LCPA would provide land use designations and standards that would apply when, among other things, lessees of developed parcels seek to redevelop, intensify or convert any structure in Marina del Rey, and when the County or new leaseholder undertakes development of vacant Parcel 9.

Exhibit 23
Excerpt Commission
Revised findings, 1995
LCPA
p 1

back to the water again, a person would have to know there was a walkway and believe that it was possible to cross back to the bulkhead at the next commercial parking lot.

Consistent with this field check by its staff, the Commission finds that the walkway could serve as a vital part of the access program but adequate width, visibility and continuity are necessary for the walkways to function as public recreation. Secondly, the walkways must link up with usable parks. Finally, the walkways must be wide enough to serve a dual purpose: recreation and emergency access. As noted above, because the walkways will also serve as emergency access roads, the plan now requires that no benches, or other amenities can be built on them. However, without such structures, these walkways would not truly be recreation facilities attractive to people who need or wish to sit down during a walk. As designed, and proposed, these walkways are not recreation support facilities for the general public and do not enhance access to the coastal zone, do not reserve public land for recreation, and are inconsistent with the public recreation and access policies of the Coastal Act.

d) Denial of redesignations allowing conversion of Public Recreation Support Lands to private use.

The proposed LUPA provides insufficient protection of existing publicly owned recreation support facilities. The Proposed LUPA redesignates 10 acres of public parking lots (lots 49M, OT, 94, and UR) now restricted for public parking to private residential and commercial development. Two public parking lots, lots W and 94, that are adjacent to proposed commercial development and operated as joint public parking and commercial parking are now proposed to be tied in the LCPA to these adjacent leaseholds and no longer proposed for public parking use. Lot UR, a waterfront public parking lot that is also used for special events such as the chili festival is proposed to be designated Marine Commercial. Lot OT, located adjacent to Admiralty Park, is proposed to be converted to residential use. Parcel 49M is proposed to be redesignated as Marine Commercial. Finally, Parcel 49R, the public launch ramp, is proposed to be designated as Marine Commercial, allowing uses other than boat launching. Although this parcel is designated Boat Storage in the certified LCP, much of this parcel serves as day use parking for boaters using the public launch ramp. One two (2) acre parking lot, lot FF, is designated as a park. The proposed LCPA provides that replacement parking be found before development on the lots, and that commercial development provide shared parking, at the option of the Small Craft Harbor Commission. Table 2 provides a comparison of parking lots proposed for conversion.

Exhibit 24
p 2
CCC Findings on '95-
LCPA

served as the required parking for the adjacent commercial development in Fisherman's Village. However, the public has been allowed to park in the lot on Parcel W.

Specifically, the County contends that if developed in conjunction with the adjacent lots, Parcels W and 94 can continue to provide the same number of public parking spaces and that the combination with adjacent commercial development would simply allow greater flexibility of design. The proposed LCPA also requires that the Small Craft Harbor Commission review development and consider the possibility of reserving commercial and office parking for public use on weekends.

The reason offered by the County for the proposed conversion is that all these lots are underused, except on the Fourth of July or the days of the boat parade. However, these lots are less than one mile from Venice beach, that experiences over 6,000,000 visitors a year.[13] The Commission finds that Section 30221 and 30222 of the Coastal Act instruct that ocean front land suitable for public recreation be reserved for that purpose unless both present and foreseeable future demand has been met. All the above land is suitable for recreation and as further demonstrated below is needed to satisfy present and future foreseeable demand for recreational use. The Commission finds conversion of publicly owned recreation support land to private uses without consideration of other public, higher priority uses inconsistent with 30222 of the Coastal Act.

e) Redesignation of Hotel Sites

The proposed LUPA would also modify the land use designation of six parcels with respect to the Hotel use category. While all of the redesignated parcels would continue to allow hotels under the WOZ, the net result of these changes is to decrease the number of sites reserved for hotel development by three. Correspondingly, the number of allocated hotel rooms decreases from 1,074 in the certified LCP to 905 in the LUPA. Table 3, entitled "Comparison of Hotel Parcels," compares which parcels have been designated for Hotel use in the certified LCP and in the proposed LCPA.

In support of reducing the number of parcels reserved for hotel development, the County indicates that: 1) traffic capacity is limited, and residential uses have fewer traffic impacts than hotels; 2) there is currently more demand for residential development in the coastal zone than for hotel or commercial recreation use, and 3) there is not enough demand for

[13] *Los Angeles County Fire Department, Lifeguard Division, "Beach Activity Report, 1994", Jinx Wible.*

Exhibit 24
p 3
CCC '95 LCPA

hotels or other commercial visitor serving activities to support expansion above what already exists. Statistics from the Los Angeles Convention and Visitor's Bureau[14] confirm that tourism to Los Angeles has not increased as fast as population: hotel visitors to the Los Angeles area have not increased since 1984. The Bureau indicates that the well publicized disasters of the 1990's have temporarily reduced the number of visitors to Los Angeles. Nevertheless, the Commission finds that there will be a long term need for hotels in the Los Angeles County Coastal Zone. Los Angeles is still a major air transfer point for international travelers and a visitor destination for travelers from throughout the United States.

Specifically, the proposed LUPA retains six sites (Parcels 22, 27, 42, 125, 141 and 145) in the Hotel category that are currently designated Hotel and presently developed for motel or hotel uses. However, the LUPA also adopts a WOZ designation on these parcels that would allow alternative visitor serving uses on re-development. In addition, the LUPA proposes to redesignates Parcel 75, a site presently occupied by a medical office building to hotel use. The certified LCP designated Parcel 61 for conversion to hotel use only in conjunction with Area A development. The segmentation of Area A from the LUPA eliminates the joint development potential of this parcel within Area A.

A portion of Parcel 132, now developed as a yacht club is reserved for a hotel in the certified LCP. However, the proposed LUPA removes the hotel designation from that parcel and designates the entire parcel Marine Commercial. The Commission denies the conversion to Marine Commercial and re-institutes the hotel designation along with a WOZ overlay that would allow alternative visitor serving uses on re-development. The Commission finds that in order to reserve land for public serving recreational development, Parcel 132 must be maintained for a higher priority visitor serving use, in this instance a hotel, rather than a marine commercial use which allows an increase in private yacht club development. Therefore, the proposed redesignation of Parcel 132 from a higher-priority Hotel use to a lower-priority use and the decrease in hotel rooms allocated by the proposed LUPA is inconsistent with Sections 30221 and 30222 of the Coastal Act.

Portions of Parcels 10 and 15, currently developed with apartments and a restaurant are reserved for hotels in the certified LCP. The LCPA proposes to redesignate these parcels as residential along with a WOZ overlay that would allow alternative visitor serving uses on re-development. On these smaller parcels, given testimony concerning the reduced demand for hotel development, the Commission finds that redesignation to

[14] *Fact sheet Los Angeles Convention and Visitors Bureau, 1994, in LCP files.*

Exhibit 24
p 3
ccc Findings
on 95 LCPA

residential use is consistent with the Coastal Act along as the WOZ designation is maintained and as long as the redevelopment contributes to the public park and walkway projects described above.

Parcel 9, located on Admiralty Way and Tahiti Way, is a vacant County controlled lot. A previous owner received a Coastal development permit allowing this parcel to develop with a 300 room hotel. The certified LCP reserves Parcel 9 for Hotel use only, but the proposed LUPA converts the use to Residential V with the WOZ overlay. Parcel 9 is located on the water, adjacent to the loop road, affords views of the sailing basin and is suitable for recreation. It is the only remaining undeveloped parcel adjacent to the water. The Commission finds that in order to reserve land for recreational development, Parcel 9 must be maintained for a visitor serving use, in this instance a hotel. Therefore, the proposed redesignation of Parcel 9 from a higher-priority Hotel use to a lower-priority Residential use and the decrease in hotel rooms allocated by the proposed LUPA is inconsistent with Sections 30221 and 30222 of the Coastal Act.

In summary, the Commission finds four potential sites for Hotel use (Pages 9, 10, 15 and 61) are redesignated for other uses, and one new site (Parcel 75) is added, for a net loss of three sites. The Commission further finds that all sites designated for hotels in the LCPA are also designated with the WOZ overlay that would allow alternative visitor serving uses on re-development if a hotel proves infeasible.

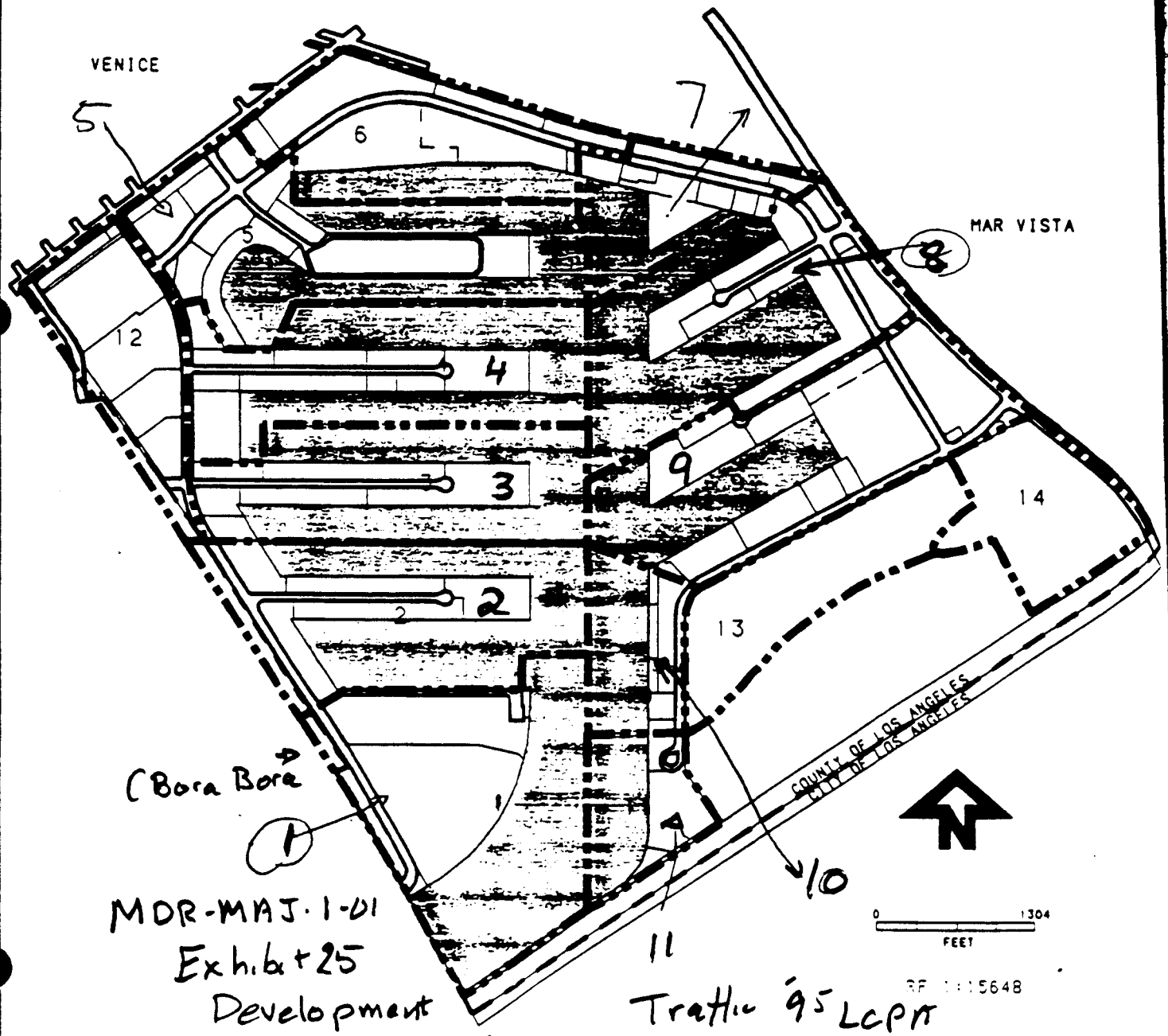
Exhibit 24
p 41
CCC findings
95 LCPA

DEVELOPMENT ZONES

MAP 8

1) BORA BORA
2) TAHITI
3) MARQUESAS
4) PANAY
5) PALAWAN/BEACH
6) OXFORD
7) ADMIRALTY
8) BALI
9) MINDANAO
10) FISHERMAN'S VILLAGE
11) HARBOR GATEWAY
12) VIA MARINA
13) NORTH SHORE
14) FIJI WAY

ZONE BOUNDARY



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MDR-MAJ-1-01
Exhibit 25
Development zones

Traffic '95 LCPT

MARINA DEL REY LOCAL COASTAL PROGRAM

consistent with subsection 3 below.

3. **Conversion Monitoring.** The common unit of conversion among land uses shall be the number of P.M. peak hour traffic trips generated by each land use, using the standard trip generation table found in the 1991 DKS study of Marina del Rey Traffic. The number of peak hour trips generated by the added development of the recipient use shall not exceed the number of peak hour trips generated by the donor use. Conversion shall not be construed to allow transfer of development between Development Zones.

   a) Conversion of allocated development shall be monitored such that the amount of development converted is deducted from the zone balance for the donor use and added to the zone balance for the recipient use.

   b) Conversion of existing development shall be similarly monitored to ensure no increase in trip generation occurs as a result of the conversion. Conversion is limited to the amount of development existing on the parcel at the time the conversion is applied for.

Development Potential by Zone

The following section lists the amount of potential development allocated to each Development Zone. This listing provides for new development potential over and above what is existing in the zone at the time this LCP is certified. At the end of the chapter are maps of each Development Zone depicting the land use category for each individual parcel.

Each applicant may seek entitlement for the type of development potential consistent with the principal permitted use on their parcel. The development potential identified in the "Waterfront Overlay Potential" is available to all applicants holding parcels identified by a WOZ prefix as lying within the Waterfront Overlay Zone, regardless of the principal permitted use designation on their parcel.

Each applicant may apply to acquire entitlement, through the coastal development permit process (described in Title 22.56), to a portion of the remaining development potential assigned to each zone:

1. <u>Bora Bora DZ</u> — See Map 9
   Parcels: 1, 3, 112, 113, BR
   Development Potential for Zone -
   Residential Units: 610 dwelling units
   Land Use Conversion Option if WOZ noted
   Principal Permitted Use by Parcel -

	Parcel 1	- Marine Commercial-
		- Water
	Parcel 3	- Parking
WOZ	Parcel 112	- Residential V
		- Water
WOZ	Parcel 113	- Residential V

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Traffic
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Parcel BR - Open Space

2. **Tahiti DZ** — See Map 10
Parcels: 7, 8, 9, 111
Development Potential for Zone -
Residential Units: 275 dwelling units
Hotel Rooms: 288 hotel rooms/motel units
Land Use Conversion Option if WOZ noted
Water: 76 boat slips (Funnel Expansion Area only)
Public open space or visitor facility.
Principal Permitted Use by Parcel -

WOZ	Parcel 7	- Residential III
		- Water (Funnel Expansion Area)
WOZ	Parcel 8	- Residential III
		- Water
WOZ	Parcel 9	- Hotel
		- Water
WOZ	Parcel 111	- Residential III (on mole portion)
		- Residential V (on non-mole western portion)
		- Water

3. **Marquesas DZ** — See Map 11
Parcels: 10, 12, 13, FF
Development Potential for Zone -
Residential Units: 320 dwelling units
Visitor-serving Commercial: 15,000 sq. feet of retail space
Public open space or visitor facility.
Land Use Conversion Option if WOZ noted
Water: 76 boat slips (Funnel Expansion Area only)
Principal Permitted Use by Parcel -

WOZ	Parcel 10	- Residential V (on western non-mole portion)
		- Residential III (on mole portion)
		- Water
WOZ	Parcel 12	- Residential IV
		- Water (Funnel Expansion Area)
WOZ	Parcel 13	- Residential III
		- Water
	Parcel FF	- Open Space

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Exhibit 25.3
Traffic
95 LCPA

4. **Panay DZ** — See Map 12
Parcels: 15, 18, 20, 21, 22, GR
Development Potential for Zone -
Residential Units: 250 dwelling units & 75 congregate care units
Visitor-serving Commercial: 10,000 sq. feet of retail space
Land Use Conversion Option if WOZ noted
Water: 76 boat slips (Funnel Expansion Area Only)
Public open space or visitor facility

Principal Permitted Use by Parcel -

WOZ	Parcel 15	- Residential IV
		- Water
WOZ	Parcel 18	- Residential III (on mole terminus)
		- Residential IV (on mole road portion)
		- Water (Funnel Expansion Area)
WOZ	Parcel 20	- Marine Commercial
		- Water
WOZ	Parcel 21	- Marine Commercial
		- Water
WOZ	Parcel 22	- Hotel
	Parcel GR	- Parking

5. **Palawan/Beach DZ** ~~ See Map 13

Parcels: 27, 28, 30, 33, 91, 97, 140, 141, 145, IR, H, JS, NR

Development Potential for Zone -

Residential Units: 180 dwelling units

Visitor-serving Commercial: 42,000 sq. feet of retail space & 410 restaurant seats

Hotel Rooms: 200 hotel rooms/or motel units

Land Use Conversion Option if WOZ noted

Public open space or recreation.

Principal Permitted Use by Parcel -

WOZ	Parcel 27	- Hotel
WOZ	Parcel 28	- Residential III
		- Water
WOZ	Parcel 30	- Marine Commercial
		- Water
WOZ	Parcel 33	- Visitor-serving Commercial
		- Water
	Parcel 91	- Boat Storage
		- Water
MUZ	Parcel 97	- Visitor-serving Commercial
MUZ	Parcel 140	- Residential V
	Parcel 141	- Hotel
	Parcel 145	- Hotel
	Parcel IR	- Parking
	Parcel H	- Open Space
	Parcel JS	- Open space
	Parcel N	- Parking

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Exhibit 25
p. 4
Trans. 95
LCPA

6. **Oxford DZ** ~~ See Map 14

Parcels: 125, 128, 129, OT, P, Q, RR

Development Potential for Zone -

Public Facility: Fire Station expansion permitted

Land Use Conversion Option if WOZ noted

Public open space or visitor facility.

Parcel K-6 - Residential V

13. **North Shore Development Zone** — See Map 21
Parcels: XT
Development Potential for Zone -
Principal Permitted Use by Parcel -
Parcel XT - Open Space

14. **Fiji Way Development Zone** — See Map 22
Parcels: 51, 200
Development Potential for Zone -
Visitor-serving Commercial: 2,000 sq. feet of retail space
Principal Permitted Use by Parcel -
Parcel 51 - Visitor-serving Commercial
Parcel 200 - Public Facility

15. (Reserved)

FIGURE 6

Summary of Development Potential[4]

Existing Small Craft Harbor —

Residential Units:	2,420 dwelling units
	75 congregate care units
Hotel Rooms:	1,070 rooms, or motel units
Visitor-serving Commercial:	1,875 restaurant seats
	206,500 square feet of retail space
Office:	58,000 square feet of office space
Marine Commercial:	3,000 square feet of marine science museum
Boat slips:	348 boat slips

EXHIBIT NO. 25
APPLICATION NO.
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[4] Note: The development potential for each land use category may slightly change due to potential conversion of up to 10 percent of residential or office commercial potential uses to visitor-serving, marine commercial, or hotel uses.

intensified uses to detract from the main function of the Marina, which is recreational boating and visitor-serving commercial facilities.

Phasing of Development

New development and reconstruction in the existing Marina is divided into two phases. Apart from design considerations, traffic capacity is the key factor in determining intensities and phasing. Development intensity is carefully linked to traffic capacity so that sufficient capacity must be added via traffic improvements before development may proceed.

The completion of Phase One development consisted of three hotel projects on parcels 9, 125 and 141. Two of three hotels were constructed (parcels 125 and 141). A hotel was approved for parcel 9, but because of bankruptcy proceedings, the project was never completed, and the parcel has reverted back to control by the Dept. of Beaches and Harbors.

Phase Two development consists of a mix of visitor-serving uses, residential uses and office uses which are detailed in the parcel-by-parcel description which follow in the policy section.

Original approval of Phase II development in 1984 was conditioned upon construction of the Marina Bypass and four intersection improvements at various Marina intersections. However, the DKS Traffic Study (1991) identified alternative improvements which could substitute as mitigation measures to provide the new traffic capacity, in lieu of the Bypass and original intersection improvements. The alternate circulation system improvements are defined in Chapter 11, *Circulation*. Additionally, alternative circulation improvements or other mitigation measures may be suggested to offset the impacts of a particular development project. A project approved under these conditions shall not be exempt from paying the appropriate development impact fees for the circulation system improvements program.

Development Zones Created

To relate specific development proposals to their impact on the circulation system, the DKS Traffic Study divided the LCP study area into fifteen traffic analysis zones (TAZs). Each TAZ measures traffic impacts on a specific intersection or major segment of a roadway within the Marina area. Because development potential is closely tied to the traffic capacity of the TAZ, the decision was made to use the zones for the basic allocation of potential new development. While each individual parcel will be assigned a principal permitted use, the actual development available to each parcel is dependent upon the total development potential allocated to each Development Zone (DZ), which is coterminous with a TAZ.

"First Come, First Served" Development Priority

Development potential in Phase II will be granted on a "first-come, first-served" basis until the maximum development threshold is reached in each DZ. Total development potential for each DZ is allocated on the basis of the zone's maximum capacity to accommodate traffic.

Phasing Mechanism and Funding

Exhibit 25 p 6
Traffic 95 LCPA

The intensity of development in each phase is carefully coordinated with the available capacity of the circulation system. This is to insure that additional development will not result in a level of traffic congestion which would detract from the liveability of the Marina or constrain public access to coastal resources. Development which would generate traffic which would exceed these transportation capacities will not be permitted until it can be demonstrated that sufficient traffic capacity will be available through transportation improvements.

Circulation improvements required to mitigate Phase II development will be funded through developer contracts negotiated at the time that new development is approved. Developer contracts will require either the payment of fees, on a fair share basis, or the actual construction of new improvements. Other possible funding mechanisms such as revenue bonds, assessment districts, and general road funds also may be used.

d. Findings

Future development of the Marina until the third decade of the next century will be influenced by the long-term land leases presently in existence.

Revisions to the land leases require the participation and agreement of both the County and the lessee.

Parcels which have not been leased are being developed by the County to respond to the needs of the boating public as well as the needs of non-boaters using the Marina for recreation.

Long term leaseholds, while providing opportunities to increase County revenues, should not compromise the County's flexibility to manage activities on the water oriented moles.

New development and recycling of existing uses in the Marina will provide opportunities to (1) improve the Harbor for recreational boaters and other recreational visitors and, (2) improve coastal access.

e. Policies and Actions

Unlike other chapters in this LCP document, the Land Use Policy Map is more complex than other policy maps. It is, therefore, set off as a separate policy section in Part 2 below .

Part 1 - Written Policy

PRIORITY OBJECTIVES

1. **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.

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Exhibit 25 p7

TABLE 10
AMENDMENT 94-1, AS MODIFIED.

Use	Number of units/ Amount proposed LCPA	Number of units/ Amount 1995 modified LCPA	trip by unit 1991 peak hour trip generation rate equals	Evening peak hour trips 1994 proposed LCPA	Evening peak ho trips 1995 modified LCPA
Residential units	2,585	2420	.326	843	789
Congregate care	75	75	.170	13	13
Hotel rooms	905	1070	.353 per rooms	319	378
conference room	40,000 sq. ft.	40,000 sq. ft.	1.37/1,000 sq. ft.	55	55
Restaurant seats	1,875	1,875	.250	469	469
Boat slips	383	348	.137	52	48
Specialty Retail	208,500 [19]	208,500	4.44 /1000 sq. ft.	926.	926
Library	1,500 sq. ft.	1,500 sq. ft	4.74/1,000 sq. ft.	7	7
Office	58,000	58,000	2.21/ 1000 sq. ft.	128	128
TOTAL P.M. Peak Trips				2812	2813
total office and Residential peak trips/[20]				984	930
% office and res.				35%	33%

[19] *includes 2,000 square feet of commercial development in a Marina parcel previously included in a Playa Vista development zone.*
[20] *Includes congregate care as residential.*

Exhibit 25 p 8
Traffic CCC findings on traffic (adopted)

7. **Height Design Concept.**

Existing Marina. The height of new structures within the existing Marina shall be governed by height standards established by the applicable Land Use Category (see Chapter 8, Land Use), and by the following general height standards as applied to various similarly-situated parcels in the existing Marina:

25 Foot Standard	Applies to accessory structures on the Marina Beach area, public open space, some public parking lots, the fueling docks, the public boat ramp site, and ancillary commercial structures in the Boat Storage land use category.
45 Foot Standard	Applies to moles, including all parcels adjacent to mole roads and mole ends, and to office uses seaward of the loop roads, public parking lots, and public facilities (with the exception of theme towers on public facilities).
140 Foot Standard	Except as noted above, applies to parcels adjacent to and seaward of Via Marina, and Admiralty Way (excluding the Marina City Towers and parcels 112 and 113, which are allowed a 225 foot standard), the Marina shopping center and frontage along Washington Blvd.
225 Foot Standard	Except as noted above, applies to parcels landward of Via Marina and Admiralty Way, and includes parcel 112 and 113, and the westerly portion of parcel 125.

The Height Design Concept may be modified where a valid public benefit is achieved, such as increased views of the waterfront. For parcels adjacent to mole roads, and seaward of Admiralty Way and Via Marina, flexible height standards may apply in exchange for increased view corridors, as provided for in Policy No. 8 below.

8. **Height Design Flexibility for Waterfront Parcels.** Any project design for any parcel on the seaward side of a public access road may apply for flexible height standards above the maximum allowable height in exchange for providing increased view corridors in excess of the minimum requirement of 20 percent, as provided for below:

a) Mole Roads Optional Height Areas. Structures proposed on parcels where a 45 foot standard applies and located between a mole road and the bulkhead may be allowed up to a maximum height of 75 feet when a 40 percent view corridor is provided. Height above 45 feet shall be permitted at the ratio of 1.5 feet of additional height for every additional 1 percent of view corridor provided in excess of the 20 percent minimum standard. This policy is applicable on the following mole roads: Panay Way, Marquesas Way, Tahiti Way, Bali Way, Mindanao Way, Fiji Way, and the mole portion of parcel 132. This policy shall not apply to that portion of the mole seaward of the cul-de-sac where a 45 foot

PROPOSED HEIGHT LIMITS

Proposed P
staff - sugge

Application Number
Map of Propo
Height Limit
LCP Amend

California Coastal Comm

40 Foot Restricted Area

45 Foot Standard

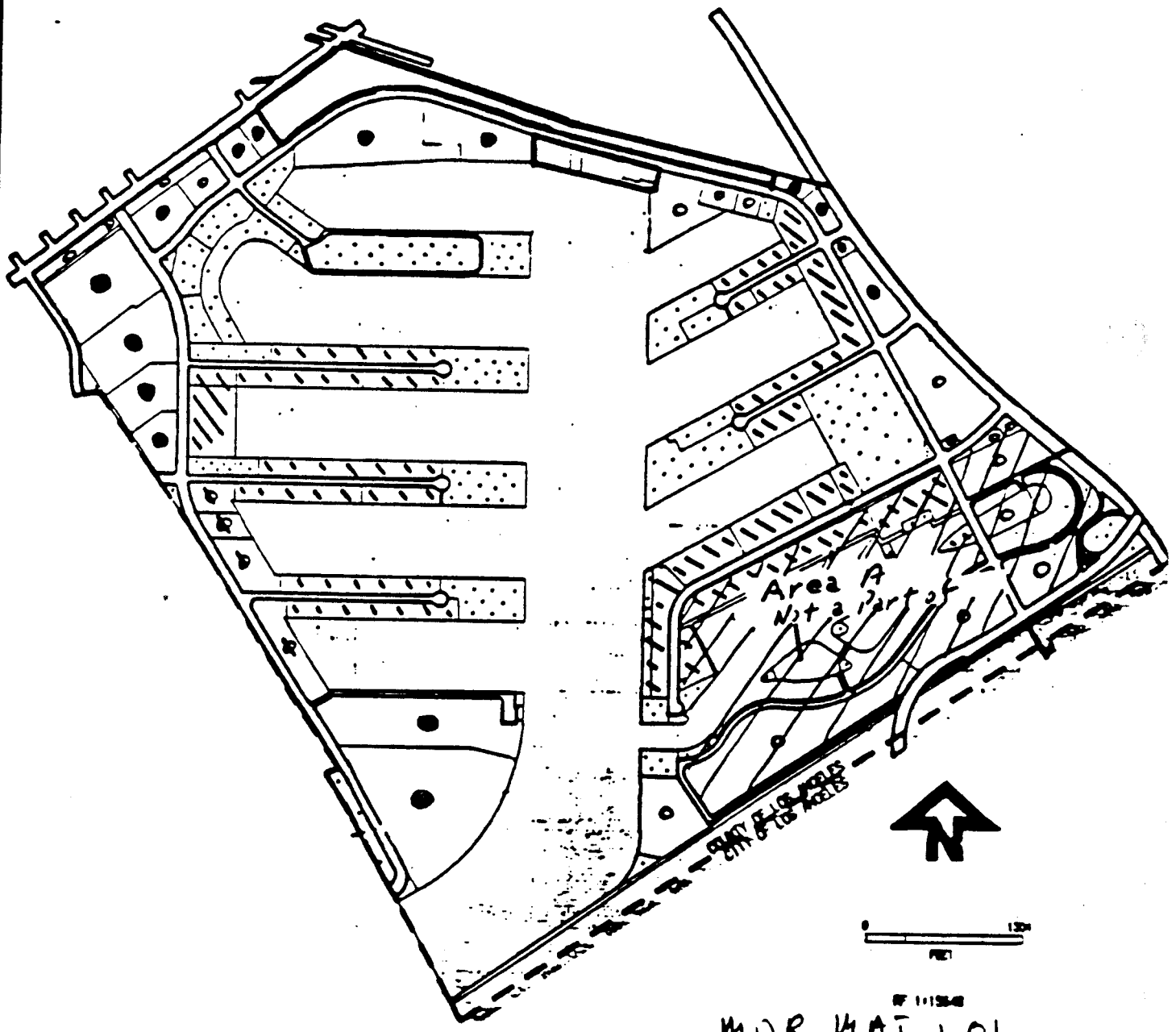
140 Foot Standard

225 Foot Standard

Optional Height Areas
With View Corridors

45-75 Foot Option Area

140-225 Foot Option Area



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MARINA DEL REY

Exhibit 26p2

LOCAL COASTAL PROGRAM

EXECUTIVE SUMMARY

The project under consideration is the development of a total of 100 market-rate apartments on the north side of Panay Way (Parcel 20) in Marina del Rey. The project will also contain approximately 6,885 square feet of visitor-serving commercial use, including a 1,385 square foot club room/assembly area for the Pacific Mariners Yacht Club. The Yacht Club currently exists as the only development on the site, and will be relocated into the proposed project. A total of 200 resident and 163 commercial/visitor parking spaces will be provided, which is sufficient to meet the parking requirements for the project.

After the project has been completed, it could generate approximately 563 net new daily trips, with 47 new trips occurring during the AM peak hour and approximately 55 net new trips occurring during the PM peak hour. This traffic study shows that project traffic volumes would not result in any significant traffic impacts at four the nearby intersections.

Although no significant traffic-related impacts are expected due to this project it would add cumulatively to area and Marina del Rey traffic. The project will be required to pay a traffic mitigation fee imposed by the County of Los Angeles, which is intended to address regionally significant impacts and/or impacts resulting from cumulative development in and around the Marina. This fee is based on the amount of project PM peak hour trips generated in the Marina, as well as the trips which leave the Marina (regional trips). The County's traffic mitigation fee structure is currently approximately $1,500 per local or Marina area trips, and $4,100 per regional trip. As noted previously, this analysis indicates that no project-related traffic impacts will occur, and therefore, no off-site mitigation measures are necessary. However, if following County review of the project, specific traffic mitigation measures are required, the costs of implementing those mitigation measures can be credited against the total traffic mitigation fee amount.

Exhibit 27
Excerpt Crain, Aug 98
on traffic p. 20

Table 9(a)
Summary of Critical Movement Analysis
Future (2003) Traffic Conditions - Without and With Project

		AM Peak Hour				
		Without Project		With Project		
No.	Intersection	CMA	LOS	CMA	LOS	Impact
1.	Washington Blvd./Ocean Ave./ Via Marina	0.749	C	0.754	C	+0.005
2.	Lincoln Blvd./Washington Blvd.	0.970	E	0.972	E	+0.002
3.	Lincoln Blvd./Bali Wy.	0.463	A	0.463	A	+0.000
4.	Lincoln Blvd./Mindanao Wy.	1.140	F	0.148	F	+0.008
5.	Lincoln Blvd./Fiji Wy.	0.601	B	0.601	B	+0.000
6.	Via Marina/Panay Wy.	0.431	A	0.457	A	+0.026
7.	Via Marina/Marquesas Wy.	0.375	A	0.375	A	+0.000
8.	Admiralty Wy./Via Marina	0.818	D	0.833	D	+0.015
9.	Admiralty Wy./Palawan Wy.	0.550	A	0.557	A	+0.007
10.	Admiralty Wy./Bali Wy.	0.481	A	0.484	A	+0.003
11.	Admiralty Wy./Mindanao Wy.	0.876	D	0.886	D	+0.010
12.	Admiralty Wy./Fiji Wy.	0.481	A	0.483	A	+0.002

Table 9(b)
Summary of Critical Movement Analysis
Future (2003) Traffic Conditions - Without and With Project

		PM Peak Hour				
		Without Project		With Project		
No.	Intersection	CMA	LOS	CMA	LOS	Impact
1.	Washington Blvd./Ocean Ave./ Via Marina	0.913	E	0.920	E	+0.007
2.	Lincoln Blvd./Washington Blvd.	1.079	F	1.081	F	+.0002
3.	Lincoln Blvd./Bali Wy.	0.782	C	0.782	C	+0.000
4.	Lincoln Blvd./Mindanao Wy.	1.133	F	1.141	F	+0.008
5.	Lincoln Blvd./Fiji Wy.	0.862	D	0.864	D	+0.002
6.	Via Marina/Panay Wy.	0.395	A	0.431	A	+0.036
7.	Via Marina/Marquesas Wy.	0.323	A	0.323	A	+0.000
8.	Admiralty Wy./Via Marina	0.874	D	0.887	D	+0.013
9.	Admiralty Wy./Palawan Wy.	0.687	B	0.694	B	+0.007
10.	Admiralty Wy./Bali Wy.	0.745	C	0.751	C	+0.006
11.	Admiralty Wy./Mindanao Wy.	0.839	D	0.855	D	+0.016
12.	Admiralty Wy./Fiji Wy.	0.619	B	0.621	B	+0.002

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Exh. b, L 27
p. 2

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100

JAMES A. NOYES, Director

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

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L.A. COUNTY

March 26, 2001

IN REPLY PLEASE
REFER TO FILE: T-2

TO: James E. Hartl
Planning Director
Department of Regional Planning

Attention Aaron Clark

FROM: James A. Noyes JAN
Director of Public Works

REQUEST BY AL PADILLA
CONDITIONAL USE PERMIT 98172
PARCEL 20, 13953 PANAY WAY
MARINA DEL REY

As requested by Mr. Al Padilla of the California Coastal Commission staff, we have prepared the following additional comments pertaining to our review of the traffic analysis conducted by Crain & Associates for Goldrich & Kest LLC's development proposal for Parcel 20, Marina del Rey (County Project 98-172-4).

To reiterate, our review determined the 41 p.m. peak-hour trips generated by the proposed development will not create a significant impact on any intersections within or outside the Marina. Consistent with the traffic mitigation program specified in the certified Local Coastal Program (LCP), we have required the applicant to pay mitigation fees of $5,690 per peak-hour trip prior to issuance of building permits ($233,290). Mr. Padilla asked that we provide data supporting our previous finding, made in the July 6, 2000, letter we submitted to you, that the applicant's requested transfer of 97 potential development units from DZ 1 (Bora Bora Way) to DZ 4 (Panay Way) will not create a significant traffic impact on any intersection located inside or outside the Marina. We again emphasize that the proposed unit transfer will not create any significant traffic impacts on intersections within or outside the Marina. Indeed, the proposed transfer will actually benefit two intersections, Via Marina at Marquesas Way and at Bora Bora Way, because traffic from the proposed development emanating from Panay Way would generally travel north on Via Marina towards Admiralty Way and not traverse these intersections. The 97 units that were transferred will generate 41 p.m. peak-hour trips. There will be 41 less trips on Via Marina

MDR-MA51-01 Exhibit 28 DPW LA County Traffic impacts of amendment

at Marquesas Way, on Via Marina at Tahiti Way, and on Via Marina at Bora Bora Way. The Volume to Capacity (V/C) ratios and Levels of Service (LOS) without and with the transfer are as follows:

Intersection	Without Transfer V/C LOS	With Transfer V/C LOS
Via Marina/Marquesas Way	.45 A	.44A
Via Marina/Tahiti Way	.37 A	.37A
Via Marina/Bora Bora Way	.37A	.35 A

We also analyzed the potential impact of the proposed unit transfer at the intersection of Via Marina and Panay Way. Our analysis determined that, after buildout of the proposed project, the Via Marina/Panay Way intersection will operate at LOS "A", without any traffic congestion. During this analysis, we evaluated the potential need for left-turn phasing caused by the additional left-turn demand for southbound traffic on Via Marina turning into Panay Way (the department typically confirms the need for left-turn phasing after occupancy of a development). We found the additional left turners may cause the need to add left-turn phasing to the signalized intersection and to lengthen the left-turn lane. Therefore, pursuant to Condition 48 of the County-approved Coastal Development Permit 98-172-(4), the applicant is required to pay $35,000 to add left-turn phasing and modify the left-turn lane prior to issuance of building permits. This payment is in addition to the $233,290 trip mitigation fee required for the project under the traffic mitigation program of the certified LCP. If, however, it is determined these left-turn phasing improvements are not necessary after five years of occupancy of the project, the $35,000 payment will be refunded to the applicant.

We anticipate Via Marina at Panay Way and at Bora Bora Way will continue to operate at very good LOS' after buildout of development contemplated under the certified LCP because of the relatively small amount of traffic projected at these intersections. However, as mandated by the certified LCP, we will analyze these intersections in conjunction with all new development projects.

If you have any further questions, please contact Mr. Barry Kurtz of our Traffic and Lighting Division at (626) 300-4724.

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Exh.b.t 2 of 2

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PARCEL20.BK

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June 16, 2000

Mr. Douglas R. Ring
The Ring Group
11377 West Olympic Boulevard
Los Angeles, California 90064

Re: Density Bonus Units in Marina Del Rey

Dear Doug:

You have asked me to confirm the opinion I gave at our meeting on January 27, 2000, regarding density bonus requirements for development in Marina Del Rey. I stated that density bonus units could be approved for a residential development project in Marina Del Rey without first amending the land use plan of the Marina Del Rey Local Coastal Program even if those units cause the project to exceed its allowable density under the plan, although any traffic impacts of the density bonus units must still be mitigated so as not to reduce the development potential of other properties in the Marina.

As I stated in January, when the County grants a density bonus for a project with affordable housing pursuant to County Code Section 22.56.202, it must allow the project to exceed the otherwise maximum allowable residential density under the zoning ordinance and the land use element of the general plan. This is required by state law. (Government Code section 65915(f).)

In granting a density bonus for a project, however, the County must still evaluate that project for its potential adverse environmental impacts and for its compliance with the general plan, zoning ordinance and other applicable state and county laws and regulations, apart from density.

Thus, if a parcel in Marina Del Rey is zoned for 45 residential units per net acre and a 50% density bonus is granted, the parcel may be residentially developed with up to 67.5 units per net acre without requiring a zone change. Similarly, such a parcel would be designated Residential IV in the Marina Del Rey Land Use Plan with the same 45 dwelling units per net acre restriction, and a 50% density bonus would allow development of that parcel at 67.5 residential units per net acre without a plan amendment.

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Exhibit 29 pl
Panay Way 02

In addition to the land use categories which establish maximum residential densities for parcels, the Marina Del Rey Land Use Plan contains development zones with development potential allocations for each zone. These zones consist of parcels grouped together for the purpose of analyzing traffic movements and impacts, and they are designed to isolate traffic impacts on individual intersections in the Marina. The development potential allocations for each zone are driven by the impact of development on the circulation system.

The zones' residential allocations are more restrictive than their maximum residential densities because of the limitations inherent in the traffic system serving Marina Del Rey. The allocations are matched by mitigation measures identified and described in the Local Coastal Program, and approved development projects must pay a mitigation fee to fund the implementation of the mitigation measures.

If a proposed Marina project without a density bonus component would exceed the development potential allocation of its development zone, an amendment to the land use plan would be necessary to increase the zone's allocation, before the project could be approved. The environmental consequences of such a plan amendment, particularly with respect to traffic, would need to be addressed as part of the proposed amendment.

A project in Marina Del Rey which would exceed the residential development potential allocation solely due to density bonus units, however, would not be required to first obtain a land use plan amendment. Such a requirement would render the density bonus a theoretical bonus only, still unusable without a plan amendment to address the number of allowable residential units. This circumvents the intent of the state legislature when it prohibited local government from requiring either a general plan amendment or a zone change in order to grant more than the otherwise maximum allowable density for affordable housing.

That said, the County must still address all other applicable general plan policies and zoning requirements as well as CEQA in considering a project in the Marina that exceeds the applicable residential development potential allocation due to a request for a density bonus. For example, Section 22.46.1190 (A)(4) of the zoning ordinance provides that no development shall occur "if traffic capacity within the system will not be adequate to serve the development." Similarly, CEQA would require analysis of mitigation measures for any traffic impacts of the entire project, including its density bonus units.

MDR MAT 1.01
Exhibit 29p2
Panay Way D2

As we discussed on January 27, payment of the prescribed traffic mitigation fee would not by itself be sufficient to fully mitigate such impacts. This fee funds only the mitigation measures described in the Marina Del Rey Local Coastal Program, and these measures are necessary to allow the development currently allocated in the plan. Additional mitigation measures beyond those described in the LCP must be identified to account for the internal traffic generated by the density bonus units. Once identified, construction of physical improvements or payment of a fee, as determined by the County, would be necessary to implement the new mitigation measure(s). This letter confirms that you committed at our meeting to fully mitigate, in the manner just described, any impacts your proposed density bonus units may have on traffic.

Finally, as I stated to you earlier, the opinion expressed in this letter addresses only the effect of density bonus units on a project's need for a land use plan amendment. It assumes that the number of proposed residential units, before a density bonus is applied, can be accommodated within both the maximum allowable density and the development potential allocation set forth in the Marina Del Rey Land Use Plan. Any excess residential "non-density bonus" units would, of course, be inconsistent with the plan and would require either a reduction in the number of units or a land use plan amendment. My opinion further assumes that the proposed project does not violate any land use plan policies not related to density, which would also necessitate either a plan amendment or revisions to the project in order to achieve consistency with the land use plan.

Very truly yours,

LLOYD W. PELLMAN
County Counsel

By Judith A. Fries
JUDITH A. FRIES
Principal Deputy County Counsel
Public Works Division

c: James E. Hartl, Director
Department of Regional Planning

JAF:cnz

ltr-615.00

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Exhibit 29 p3
Panay Way D2

LOW INCOME HOUSING PERMIT APPLICATION 98-134-(4)
BURDEN OF PROOF
Marina Two Holding Partnership
Marina del Rey, California
Revised October 12, 2000

Density Bonus Description & Additional Information

The proposal is to develop new apartment buildings on Parcels 12 & 15 (the "Project") in Marina Del Rey (the "Marina"). The proposal includes an affordable housing component which restricts 10% (82 units) of the 818 total dwelling units for very low-income senior citizens. The Permit request is to authorize a 25% density bonus (LACC 22.56.202) to allow 204 bonus units beyond the 818 total dwelling units derived from the Marina del Rey Specific Plan Development Zone allocations (Marquesas Way and Panay Way), for a total of 1,022 new apartments (refer to Table "A" below).

The very low-income senior citizen units will be clustered in a centrally located separate structure on each Parcel and shall remain subject to the affordable rent restrictions, published annually by the County, until the year 2060.

A. The location of the Project is within an existing multiple unit residential area of the Marina. The subject properties are designated Residential IV, up to 45 units per acre in the Marina del Rey Land Use Plan. The provision of a density bonus for affordable units is therefore compatible with land use patterns and established mid-rise apartment character of the community.

B. There is no existing affordable housing currently available within the Marina. The Project would represent a unique opportunity to implement key policy provisions of the Marina del Rey Specific Plan. Development within the Marina is on parcels leased from the County. The Department of Beaches and Harbors provides oversight and management responsibilities. With the County as landlord, there is a circumstance, which insures that the affordable housing will be continuously available and maintained in a manner consistent with the character of the area.

C. Traffic mitigation has been proposed as a component of the Project (Refer to Section 4.6 of the DEIR May 2000). As an established urban area, the circulation system in and around the Marina is extensive with regional access provided by Lincoln and Washington Boulevards and the Marina (SR-90) and San Diego (I-405) freeways. Internal circulation within the Marina will be enhanced by mitigation proposed as part of the Project including the reconfiguration of the Admiralty and Via Marina intersection.

The Marina is part of the fabric of this portion of the Los Angeles urban region with extensive commercial areas proximate to the project site in Venice and Culver City, including the regional commercial facilities at the Fox Hills Mall.

D. Located within the Los Angeles metropolitan area the Project is within one of the major employment centers in the nation. Therefore, employment opportunities are readily accessible to tenants.

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Table "A"

Project	Existing Units	Required Development Zone Allocation	Permitted Units	Density Bonus %	Bonus Units	Total Units	Very Low Income Senior Units	Market Rate Units
Parcel 12	120	230	350	25%	87	437	35	402
Parcel 15	288	180	468	25%	117	585	47	538
Total	**408**	**410**	**818**	**25%**	**204**	**1,022**	**82**	**940**

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November 7, 2000

TO: RENEE L. CAMPBELL, Chair
GEORGE PEDERSON, Vice-Chair
ESTHER L. VALADEZ, Commissioner
HAROLD V. HELSLEY, Commissioner
CHERYL VARGO, Commissioner
Regional Planning Commission

FROM: JUDITH A. FRIES JAF
Principal Deputy County Counsel
Public Works Division

RE: **Density Bonus Request**
Conditional Use Permit No. 98-134

Commissioner Valadez has asked whether the Regional Planning Commission has discretionary authority over Marina Two Holding Partnership's request for a density bonus for Conditional Use Permit No. 98-134. The applicant has requested a 25 percent density bonus in return for restricting 10 percent of the project's housing units to very low income senior citizens.

More specifically, Commissioner Valadez has asked whether a project that restricts its very low income units to senior citizens meets the requirement of providing these units for "very low income households." While all very low income senior citizens would qualify as very low income persons and families, nevertheless, many other very low income households would not be eligible to occupy such restricted units.

There is no blanket requirement that the affordable component of a project seeking a density bonus be available to all households qualifying by income level. No single project is required to address all aspects of the County's affordable housing needs. Accordingly, a project with 10 percent of its units restricted to very low income senior citizens may qualify for a 25 percent density bonus.

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Pancy Way D2
Exhibit 29 p6

HOA.23315.1

On the other hand, state law does not require the County to accept all features of the affordable component of a project that is proposed by a density bonus applicant. For example, the Commission has the discretion to determine whether, given the facts and circumstances of this case, very low income housing units that are restricted to senior citizens will assist in meeting the County's affordable housing needs and, therefore, qualify for a density bonus. If that determination is made and the other requirements of a conditional use permit for a density bonus are satisfied, the Commission must grant a density bonus of at least 25 percent.

ANALYSIS

State law requires local governments to authorize density bonuses and other incentives for projects containing affordable housing. If a density bonus applicant meets certain minimum requirements, such as setting aside 10 percent of its units for very low income households, the County must either grant a density bonus of at least 25 percent or provide other incentives of equivalent financial value. "Very low income households" is defined as persons and families whose incomes do not exceed a certain level. (See Government Code section 65915 and Health and Safety Code section 50105.)

In enacting numerous laws that encourage the construction of affordable housing, the state legislature has declared that "there exists a severe shortage of affordable housing, especially for persons and families of low and moderate income" and that "the development of a sufficient supply of housing to meet the needs of all Californians is a matter of statewide concern." The legislature has also recognized that certain senior citizens need special living environments and services and that there is an inadequate supply in the state of specially designed accessible housing for senior citizens. (See Government Code sections 65913 and 65913.9 and Civil Code section 51.3.)

It is appropriate to interpret the intent of Section 65915 as requiring local governments to assist in the development of a supply of affordable housing for all qualifying California residents. Consistent with that purpose, the County has adopted County Code section 22.56.202 to authorize the granting of a conditional use permit for a density bonus. That section requires a density bonus applicant to substantiate that the "project will assist in satisfying affordable housing needs."

Clearly, affordable housing units that are unrestricted except as to affordability will meet much of the County's affordable housing needs, but the

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Pandy Wav D2

needs of certain qualifying senior citizens can only be met by the provision of specially designed senior citizen housing. It is apparent that an individual housing project will rarely be financially able to assist in meeting all types of affordable housing needs, and the Commission is not mandated to require every density bonus applicant to do so. By the same token, a variety of affordable housing project types must ultimately be provided to fully satisfy the County's affordable housing needs, and the Commission has the discretion to determine whether each project that comes before it does assist in meeting this goal, given the facts of the case. Such facts could include the housing needs of the community and how those needs have been or will be addressed by other housing projects in the area.

JAF:cnz

c: James E. Hartl, Director
Don Culbertson, Acting Administrator
Frank Meneses, Section Head
Department of Regional Planning

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D2

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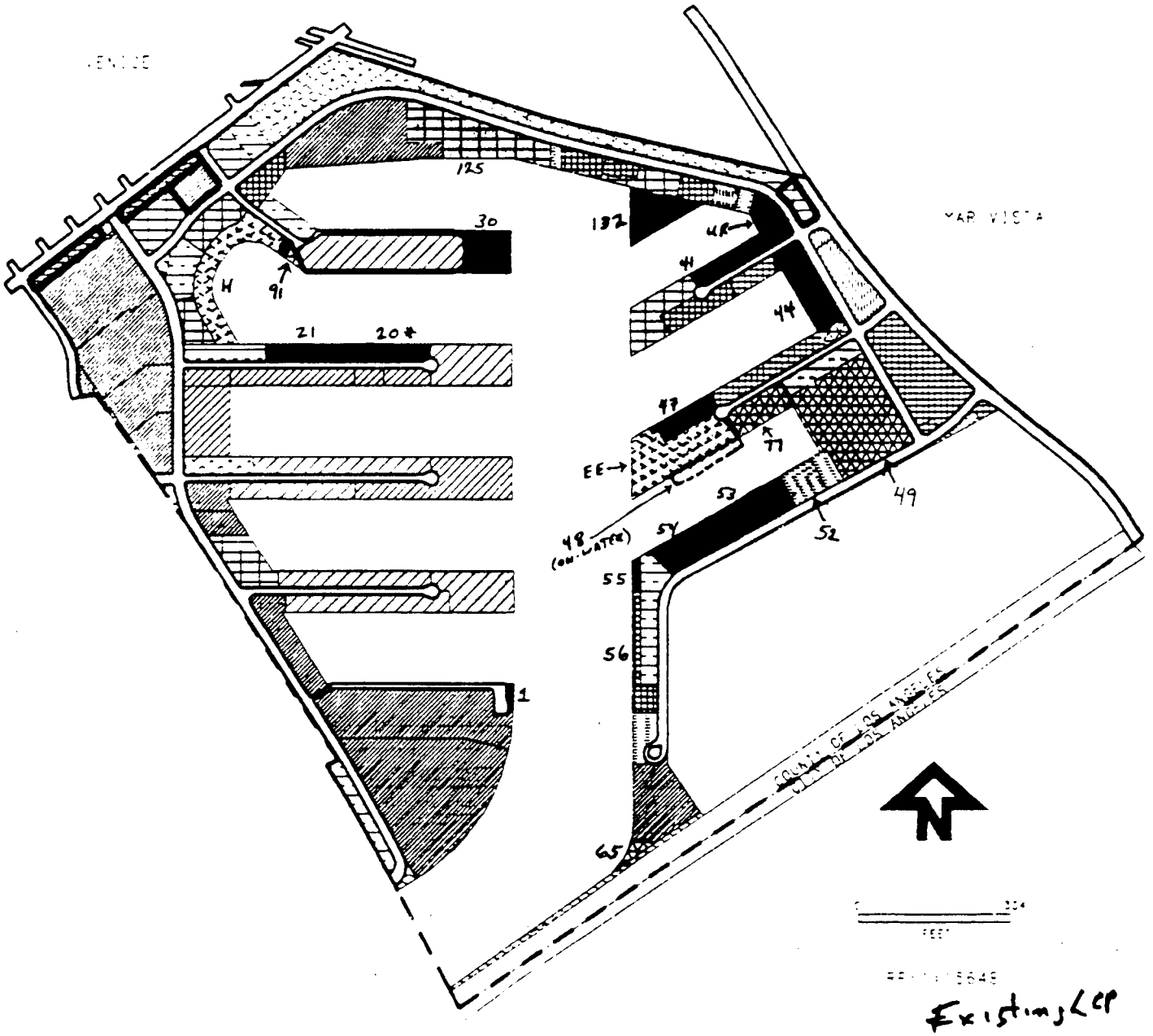
LAND USE PLAN

MAP 7



Existing LCP

MARINA DEL REY LOCAL COASTAL PROGRAM

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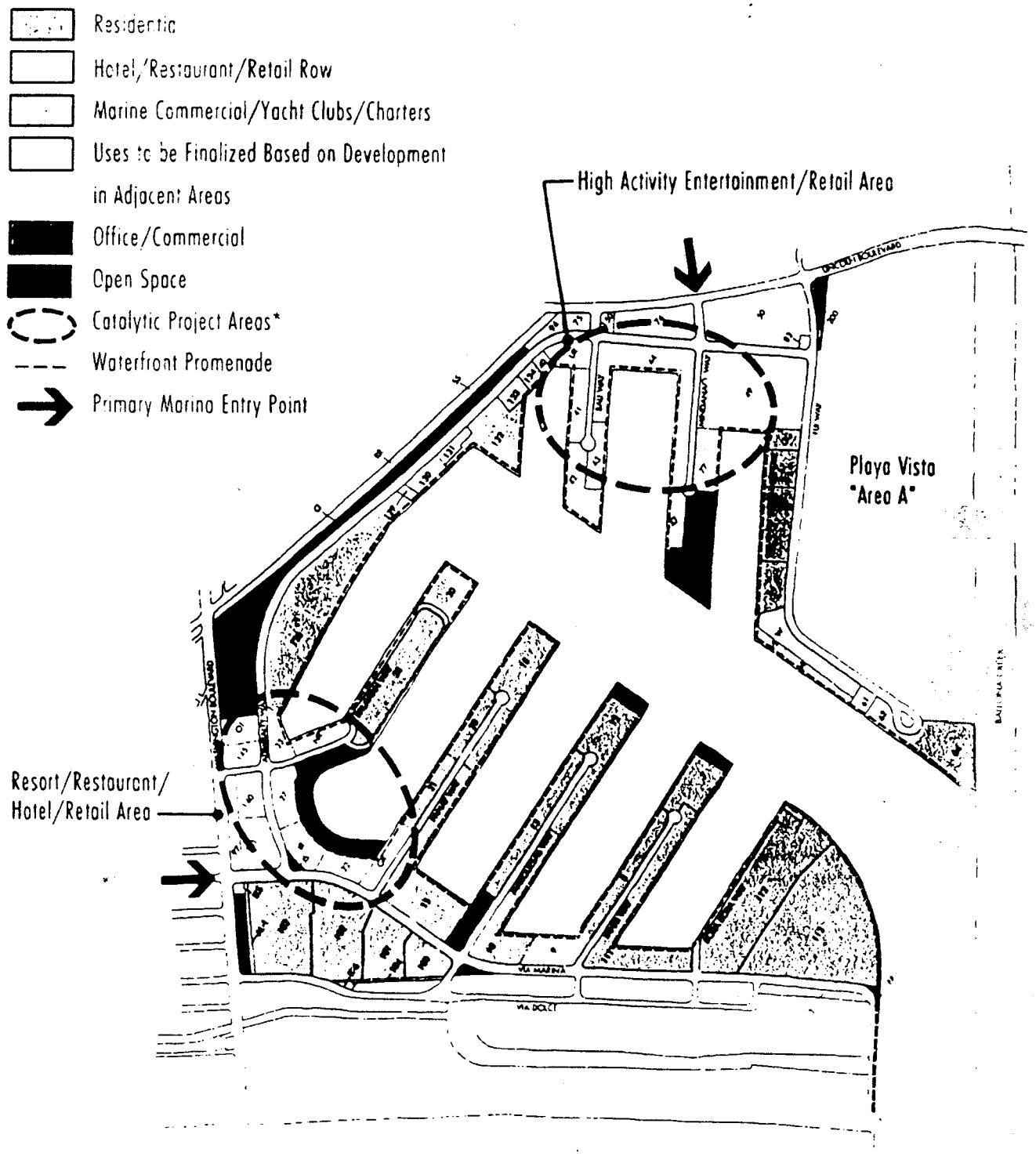
Exhibit 30 Marina commercial

Illustrative Redevelopment Scenario



*Uses and specific locations to be determined following further refinement of the catalytic project areas through the competitive bid process

Note: The land uses graphically depicted in this illustrative redevelopment scenario are presented to convey the general character and pattern of future uses. Such future uses will include a mix of uses particularly within the catalytic project areas. In addition, the Asset Management Strategy will be consistent with the [illegible] and Local Coastal Program, including possible future amendments.

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Exhibit 31
AMS Landuse

Coastal Commission, County Supervisors,
Dept. of Beaches and Harbors,
Marina Design Control Board
And all concerned with Marina del Rey

Maryjane
PO Box 5844
Santa Monica
Calif. ~~90291~~ 90405

6 July 2001

To all concerned with Marina del Rey environs:

Our marina (MDR) was built with the public taxes for the medium income, working class to afford rentals in the boat slips and landside apartments. The public monies have generally flooded the coffers of the too rich, from this environs, carved out of the Ballona Wetlands, inclusive of governments and developers.

Two major concerns and guidelines, way back when, were and still are essential. The water table/s of the area determine limits, ideally, of structural heights...which still means that such should not really be over 2 or 3 stories in many areas, and back into land side, not much taller. The water and wind patterns and currents were/should be to be for healthy environs in all aspects, to allow the winds for sail craft to go to and fro in all directions, to allow fumes from the many pollutions (motor boats, the apartment complexes And hotels with huge liquid and gas pollutions, and autos/motor vehicles, and now jet skis) to "breathe."

The missions, monies, guidelines have been abused for decades of officialdom. Now the powers that be are slamming down the environs in full and fully about. The entire sweep of a "U" of the area has huge Developments approved, virtually approved, hand in glove, for all areas, including each peninsula of docks and apartment, the curved borders: to the souh jetty and along the eastern side of the Venice Peninsula. Wall to wall fortessses of heights from the few of @ five stories to the many of 12 to 25 stories. Forget the working class...like the City Club that has been officially allowed to be illegally "condoed" rather than rented, over all. Forget water sail craft, and hand crafted outriggers, canoes,row boats, skull shells, kayaks.

Two horrendous total war zone actions go on due to the abuse of the guidelines. The worst ? of the two, is the constant rebuilding of seawalls. It will not even work to keep up "rebuilds" for the developments that are to be added to MDR. The noises, alone are unbearable to all living. The other is the never ending killer of the redredging of the channel, especially between the jettys and out past the breakwater rocks: the water table/water and wind currents issues will either make such action necessary constantly so that even the motor boaters cannot really go to and fro; or it won't even be able to help, and there will not be any actual "marina." Regard marinas of every continent: such guidelines are realized, worldwide.

It is bizarre that complexes like the Bar Harbor, Deauville, Mariners Village, will be destroyed, and huge fortresses will go up. Likely they will be as the custom, of worse than "approved." Such as the one that was to be a 3 story "senior" housing at the end of Panay way, and was instantly done up as 7 stories of highest rents, and the same developers/governments are doing the same on the north side of Panay Way.

The pollutions of the residential complexes, hotels, corporate housing, restaurants are beyond by now, often with concentration camp flood lighting, often on day and night. The sound pollutions are many of day and night. Thchemical pollutions of daily liquids, and gasses, even building materials, are constant daily. Just the "designer" landscapers forces, alone, dump tons of pollutions daily. The sewage all about is also a constant swamp. The water wastes from/of the complexes, thelandscapers set ups of such is just enormous. The pollutions of boaters for water craft up keep are huge, those of the motor boaters and jet skiers out doing sail and hand powered water craft exceedingly

MOR MAJ 1-01
Exhibit 32
p1
Letter

Then we have all the HUGE developments of recent and in the works all about, which have direct hits traffic, sewage, light, noise, living in housing, any common space, any preserved spaces. Venice, Ve Peninsula, Playa Vista, LAX airport...the extension of the 90 freeway, virtually to dockside, the possibility (after 4 defeats) of such cutting through Venice to Santa Monica), the Widening of Admiral Way, Lincoln Blvd., Washington Street/Blvd., Venice Blvd., Rose Ave., Culver Blvd., Jefferson Blvd.

Within all this there is the micro community of real boaters and the liveaboards on boats (LOB) in the Marina del Rey. "Real" boaters, as real lovers of any geographical ways, like swimmers, surfers, skiers, climbers, botanists, birders, divers, are wonderful people and assets and resources, They are committed healthy environments, habitats, community, and culture. The LOBs have been and are often the best of such in our marina, they know all the daily realities and abuses. They watchout for all surrounding boate and boats, as well as for all residents of landlubbers, and even so for all traffic to and fro about. The LOI have also been persecuted in "tidal waves" of developers/governments, as they currently are: on a boat where one has been living, now suddenly told connot. Fixing ones boat, even in "proper up-to-code" way and being stopped, fined, arrested, and more. Their slip/dock rental fees have gone up by quantum leaps! Many have gone up @ $125 to $400 a month MORE, each. (The apartment rentals see huge jumps ALL the time; middle class workers/seniors "forced" to move too often.). Being served with notice to fix some repair, the date knowingly set as too short a time in which the LOB or boat owner can make the repair.

Sooooo...this is a reminder letter, silly as it is to do so, adding the little bit here: individuals, societies, and environs all prosper and profit TOGETHER, in health and goodhumour. It is advised that the slam of polluting, privatizing, profiteering just fade away and that healthy harmony be a guiding concept for all changes and projects (including the MDR's baby beach/mothers' beach).

Many thanks to the ranks of old salts such as Darien Murray, and David Johnson and their "Argonaut" paper and lives...and "The Dinghy." The Save the Marina group is trying to realize many good guidelines for MDR and adjoining areas, let's hope the powers that be can participate for such health for societ

Sincerely, daily sea swimmer and boat sharer grammy,

maryjane

MDR MAJ 1.

Exhibit 3
p2

PS THE FOGHORN MOTEL EXPANSION PROPOSAL IS (THE) ONE OF ALL THE ONES ~~MADE~~ GIVEN TO THE COUNTY "FOR MOTHERS BEACH AREA

(NO) THAT SHOULD occur AT AN all other BIG plans.