

7580-511

**AMENDMENT NO. 11 TO LEASE NO. 7580
PARCEL 18R - MARINA DEL REY SMALL CRAFT HARBOR**

THIS AMENDMENT TO LEASE is made and entered into this 26th Day of November, 1996 (the "11th Amendment Effective Date"),

BY AND BETWEEN

COUNTY OF LOS ANGELES,
hereinafter referred to as "County",

AND

DOLPHIN MARINA, LTD., a
California limited partnership, hereinafter
referred to as "Lessee".

W I T N E S S E T H

WHEREAS, County and the predecessors in interest of Lessee entered into Lease No. 10023 under the terms of which County leased to Lessee that certain real property located in the Marina del Rey Small Craft Harbor, County of Los Angeles, State of California, now commonly known as Parcel 18R, which leasehold premises (the "Premises") are more particularly and legally described in Exhibit "A" attached to and incorporated in said Lease, as amended (the lease and all amendments are collectively hereafter referred to as the "Lease"); and

WHEREAS, in Amendment No. 10 to the Lease (the "10th Amendment") the parties provided, among other things, that Lessee would have the option to extend the term of Lease, in consideration of the payments to be made to County as provided therein and Lessee's agreement to renovate and improve the quality of the existing improvements on the Premises, as well as to cause new improvements to be constructed on the Premises; and

WHEREAS, the new improvements which were contemplated by the 10th Amendment to be constructed on the Premises consisted of 75 "Proposed Care Units", as that term is defined in the 10th Amendment, and 68 "Proposed Apartments", as that term is likewise defined in the 10th Amendment; and

WHEREAS, subsequent to the parties' execution of the 10th Amendment, the Los Angeles County Board of Supervisors and the California Coastal Commission approved a comprehensive amendment to County's Marina del Rey Local Coastal Plan (the "LCPA") which imposed certain physical constraints and limitations on the Premises which had not been fully anticipated by the parties at the time the 10th Amendment was approved; and

WHEREAS, Lessee determined that, in light of the LCPA, it had little realistic opportunity of obtaining approval by the Coastal Commission for all of the new construction on the Premises that had been contemplated in the 10th Amendment and, as a result, decided to pursue a revised application for new construction which consisted of a total of 60 "Proposed

Senior Units", as that term is defined hereafter, and the previously contemplated 68 "Proposed Apartments" (the "Revised Application"); and

WHEREAS, the County determined that rather than require Lessee to pursue an application before the Coastal Commission for all the new construction which had been contemplated by the 10th Amendment which had little realistic possibility of winning Coastal Commission approval, a more timely completion of new construction and its attendant positive impact on County revenue generation would be achieved by not objecting to Lessee's pursuit of its Revised Application for new construction; and

WHEREAS, the Coastal Commission has approved Lessee's Revised Application permitting construction of 60 Proposed Senior Units and 68 Proposed Apartments and has imposed various conditions regarding the use of the Premises in connection with that approval; and

WHEREAS, the Coastal Commission has required that the Lease be amended to both reflect the scope of the new construction authorized by its approval of Lessee's Revised Application and to reflect the various restrictions that it has imposed on the use of the property by Lessee or any successor of Lessee in the conditions of approval for the Revised Application; and

WHEREAS, the parties further desire to modify the schedule for completion of portions of the Renovation and New Construction which are provided for in the 10th Amendment.

NOW, THEREFORE, in consideration of the mutual agreements, covenants and conditions contained herein, the parties, and each of them, agree as follows:

1. As of the 11th Amendment Effective Date, all references to the term "Proposed Care Units" in the 10th Amendment shall be replaced with the term "Proposed Senior Units" and all references to the term "Congregate Care" shall be replaced with the term "Senior Citizen Unit."

2. As of the 11th Amendment Effective Date, Section 1.30 of the 10th Amendment shall be amended to read as follows:

"1.30 Proposed Senior Units. no fewer than 60 new dwelling units (in addition to the Existing Apartments and the Proposed Apartments) each of which is to be occupied by at least one person who is 62 years of age or older, which Lessee proposes to construct or cause to be constructed on the Premises."

3. As of the 11th Amendment Effective Date, Subsection 2.1.B of the 10th Amendment shall be amended by replacing both references to the number "75" in the first paragraph of said Section to the number "60".

4. As of the 11th Amendment Effective Date, Subsection 13(c) (i) of the Lease shall be amended by deleting the words "Except as provided in Subsection 13(t)," which appear at the beginning of said Subsection.

5. As of the 11th Amendment Effective Date, Subsection 13(t) of the Lease shall be deleted, and the following added in place thereof:

"(t) TEN AND ONE-HALF percent (10.5%) during the First Adjustment Period, ELEVEN percent (11%) during the Second Adjustment Period, TWELVE percent (12%) during the Third Adjustment Period, and TWELVE AND ONE-HALF percent (12.5%) during the Fourth Adjustment Period, of the gross receipts or other fees charged for the occupancy of Senior Citizen Apartment Units;"

6. As of the 11th Amendment Effective Date, Subsection 4.8.C of the 10th Amendment is amended to read as follows:

"4.8.C Lessee shall cause any and all construction work to be performed diligently, in conformity with all Legal Requirements, all Insurance Requirements, the Approved Final Plans and Specifications, the Construction Budget and this Lease, in a good and workmanlike manner. Once Lessee commences construction of the Redevelopment, Lessee will diligently prosecute such construction to completion. Lessee shall achieve Completion of Construction (as defined below) of (i) the Proposed Senior Units on or before the 10th anniversary of the Effective Date and the Proposed Apartments on or before October 1, 1998, (ii) Completion of 100% of the exterior Renovation of the Existing Apartments on or before October 1, 1999, (iii) completion of 100% of the interior Renovation of the Existing Apartments on the following schedule: 40 units on or before the 7th anniversary of the Effective Date, an additional 40 units on or before the 8th anniversary Effective Date, an additional 40 units on or before the 9th anniversary of the Effective Date, an additional 40 units on or before the 10th anniversary of the Effective Date and the final 44 units on or before the 11th anniversary of the Effective Date, and (iv) Completion of 100% of the improvements depicted on the Marina Improvement Plan on or before September 1, 1998. The deadlines set forth in the preceding sentence may be extended only as a result of (x) Force Majeure, provided that Lessee shall notify County of each such delay promptly after the occurrence thereof, and provided further that for the purposes of this Subsection, in no event shall such Force Majeure delays in the aggregate continue for a period of more than two years, and (y) any breach by County of an obligation to Lessee set forth in the Lease, if and to the extent such breach causes material delay in completion of all or any material part of the Renovation, and then only if such breach continues for more than thirty (30) days after written notice thereof from Lessee to County. In either such event the deadlines set forth above shall be extended to the extent reasonably necessary as a result of such Force Majeure or County breach."

7. As of the 11th Amendment Effective Date, Section 4.13 of the 10th Amendment is amended to read as follows:

"4.13 Imputed Rent. Without in any way limiting County's rights or remedies upon the occurrence of any event of default by Lessee under the Lease, as amended hereby, if Completion of Construction of the interior Renovation of all of the Existing Apartments shall not have occurred on or before the deadlines for such work contained in Subsection 4.8.C hereof, then in addition to any other sum which Lessee is obligated to pay to County pursuant to the terms of the Lease, as amended, together with each payment of Base Rent, Lessee shall pay County "Imputed Rent". The amount of such Imputed Rent due each month shall be equal to the number of units in the Existing Apartments at the beginning of such month with respect to which the required Completion of Construction of the interior Renovation shall not have occurred, multiplied by the sum of \$20.63. Such Imputed Rent is intended to partially compensate County for the losses which County is likely to incur in the event that the Completion of Construction of the interior Renovation of the Existing Apartments shall not have occurred on or before the deadlines contained in Subsection 4.8.C hereof, and is not intended to be, nor shall under any circumstance whatsoever be construed as, a penalty."

8. As of the 11th Amendment Effective Date, Section 4.14 is added to the 10th Amendment to read as follows:

"4.14 Compliance With Coastal Development Permit Conditions. Lessee shall comply with all provisions of the conditions of the Coastal Development Permit Appeal no. A5-MDR-95-017 (and any amendments thereto) with respect to the Premises in the event Lessee exercises the rights granted by that permit. Those conditions, as currently set forth, are attached hereto as Exhibit "A" and incorporated herein by this reference as if set forth in full. Any amendments to said conditions shall also be deemed incorporated by reference herein, as set forth in full."

9. As of the 11th Amendment Effective Date, Section 7.2 of the 10th Amendment shall be amended to read as follows:

"7.2 Adjustment. The Percentage Rent described in amended Lease Subsections 13(a), 13(c)(i) through (iii) and 13(t) shall be adjusted as set forth in such Subsections, and not as set forth in Section 15 of the Lease; provided, however, that as of July 1, 2014, and each successive Rental Adjustment Date thereafter, such Percentage Rents shall be adjusted in accordance with Section 15 of the Lease, as amended."

10. As of the 11th Amendment Effective Date, the final paragraph of Section 35 (Maintenance of Premises) of the Lease is amended so that all references to the term "congregate care units" shall be replaced with the term "senior citizen apartment units". The final paragraph of Section 35 is further amended by changing the number "10th" that appears in the seventeenth line of said paragraph to the number "11th".

11. For purposes of clarification, as used herein the term "Effective Date" (as opposed to the term "11th Amendment Effective Date") shall continue to refer to the same date as defined in the 10th Amendment, which date is April 21, 1992.

12. Except as herein specifically amended, all terms, conditions and provisions of the Lease shall be and continue to remain in full force and effect and are unmodified, and each of the parties hereto reaffirms and reacknowledges their respective obligations under the Lease as amended hereby.

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement as of the day and year first above written.


"LESSEE":

Dolphin Marina, Ltd., a California
Limited Partnership

THE GOLDRICH TRUST NO. 1,
Its General Partner

By: 
Jona Goldrich, Trustee

THE KEST TRUST NO. 1,
Its General Partner

By: 
Sol Kest, Trustee

ATTEST:

JOANNE STURGES

Executive Officer

Clerk Of The Board Of Supervisors

By: 
Deputy

"COUNTY":

COUNTY OF LOS ANGELES

By: 
Chairman, Board Of Supervisors

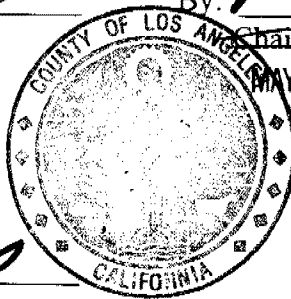
MAYOR, County of Los Angeles.

APPROVED AS TO FORM:

DEWITT W. CLINTON

County Counsel

By: 
Deputy



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Filed: Jan. 20, 1996
49th Day: WAIVED
Staff: PE/JLR-LB
Staff Report: March 23, 1996
Hearing Date: June 13, 1996
Commission Action:

STAFF REPORT AND RECOMMENDATION ON APPEAL
SUBSTANTIAL ISSUE STAFF REPORT

LOCAL GOVERNMENT: Los Angeles County

DECISION: Approval with Conditions

APPEAL NO.: A5-MDR-95-017

APPLICANT: Dolphin Marina, Ltd.

PROJECT LOCATION: 13900 Panay Way (Parcel 18R), Marina del Rey, Los Angeles County.

PROJECT DESCRIPTION: Appeal by Iylene Weiss, Peter Davidson, Lori Formicole, Mike McCarty, Jayne Weiss, Donald Klein, Jolino Rizzo, Commission Chairman Carl Williams, and Commissioner Madelyn Glickfeld of the decision of Los Angeles County granting permit with conditions for the development of a 7-story, 75 unit senior citizen board and care facility and a 7-story, 68 unit apartment structure, 75 feet high with a total of 246 parking spaces on a surface parking area of 1.9 acre developed waterfront parcel. No demolition is proposed of the existing 204-unit apartment building or restaurant.

REVISED PROJECT DESCRIPTION FOR DE NOVO HEARING: The applicant has revised the project de novo by changing the use of the affordable structure from a congregate care facility to a senior citizen apartment, reducing the height of both structures from 75' to 60', reducing the number of senior residential units from 75 to 60 units, increasing the promenade accessway width from 20' to 28', and also providing four view corridors totalling 209.25 feet, 30% of the width of the area of the parcel proposed for development.

SUMMARY OF STAFF RECOMMENDATION: Staff recommends the Commission find Substantial Issue on the appeal (Resolution on page 9) because the project, as approved by the County, is not consistent with Coastal Act policies regarding public access and is not consistent with the policies of the certified LCP in effect at the time of the permit approval (1990 Certified Local Coastal Program) regarding phasing of development with sub-regional traffic improvements, density of residential development, height, view corridors, parking, preservation of boating support facilities and public shoreline access. Staff is recommending approval of the revised project with special conditions to assure conformity with the LCPA, including policies regarding public access, views, height and parking (Resolution on page 27).

UNRESOLVED ISSUES: The applicant has submitted a new project description along with a revised set of plans. The redesigned project will reduce the height, density and provide a view corridor of 30%. However, the revised project also poses a substantial issue under the provisions of the recent 1995 certified LCP amendment. The unresolved issues that need to be addressed are traffic mitigation, public shoreline access and protection of boating facilities. The staff is also recommending special conditions to assure compliance with all other requirements of the 1995 certified LCPA.

EXHIBIT A

VI STAFF RECOMMENDATION ON DE NOVO ACTION ON APPEAL

The staff recommends the Commission adopt the following resolution:

VII. APPROVAL WITH CONDITIONS

The Commission hereby grants, subject to the conditions below, a permit for the proposed development on the grounds that the development, as conditioned, is consistent with the 1995 Marina del Rey certified Local Coastal Program Amendment, is located between the sea and first public road nearest the shoreline and is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

VIII. STANDARD CONDITIONS

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

IX SPECIAL CONDITIONS:

In order to conform with the certified County of Los Angeles Marina del Rey LCP and the Public Access and Recreation Policies of the California Coastal Act, the applicant shall comply with the following conditions:

1. PUBLIC ACCESS TO AND ALONG SHORELINE FOR PASSIVE RECREATION AND FOR FIRE AND EMERGENCY PURPOSES.

The applicant shall insure public pedestrian, emergency vehicle access and passive recreational use to and along the bulkhead. Pursuant to this requirement, prior to the issuance of the coastal development permit, the applicant shall execute and record a lease restriction in a form and content acceptable to the Executive Director, that shall run for the life of the permitted facility. The lease restriction shall provide that the

following restrictions on use of the leasehold parcel, parcel 18, shall become part of the applicant's lease of the property from the landowner:

- A. That the applicant shall insure public pedestrian and emergency vehicle access to and passive recreational use along the following continuous paths to and along the bulkhead of the property (parcel 18) for public access, public passive recreation and for emergency vehicle access purposes:
- (1) the existing walkway, loading zone and adjacent 20 foot emergency access alley, shown on Exhibit 5(a), generally described as that area between the bulkhead line and a line approximately 34 feet inland of the bulkhead line along the entire length of the bulkhead on the north and south sides of the mole end portion of parcel 18, and also the existing walkway and adjacent 20 foot wide emergency access alley generally described as that area between the bulkhead line and a line approximately 26 feet inland of the bulkhead line along the eastern terminus of parcel 18 at the main channel end of the mole. This accessway connects directly to the walkway seaward of the market rate apartment building described in (2) below on the south side (Basin C) and to Panay Way on the north side (Basin D) of said parcel 18;
 - (2) the twenty eight foot walkway and twenty-foot wide emergency access alley shown on exhibit 5(b) and generally described as the sidewalk, public amenity area and alley located adjacent to the bulkhead at Basin C directly seaward of the newly approved structure A (market rate apartments);
 - (3) the existing eight foot walk way and ten foot wide emergency access alley shown on on Exhibit 5(c), located directly seaward of the existing restaurant, connecting the walkways between the two proposed structures A and B, generally described as the sidewalk and ten foot wide paved alley along the entire length of the bulkhead at Basin C in the center portion of parcel 18 connecting (2) above to (4) below;
 - (4) the eight foot public amenity area/walkway and twenty foot emergency access alley shown on exhibit 5(d), generally described as the sidewalk, public amenity area and alley located adjacent to the bulkhead at Basin C directly seaward of the newly approved structure B (Senior Citizen Housing).
 - (5) the entirety of the paved emergency access roadways connecting Panay Way to the bulkhead, as shown on Exhibit 5(e), generally described as vertical corridors connecting Panay Way to the bulkhead and also identified as view corridors in Exhibit 6 below. Said four vertical corridors connect the public street at Panay Way to the bulkhead-fronting emergency access and recreation corridor as required in the LCP to be located along the bulkhead.

- B. The applicant shall post one sign at each Panay Way entrance and one sign at each bulkhead entrance of each of the four public vertical accessways identifying them as public, and that the applicant shall also post signs along the length of the bulkhead public accessways identifying them as public.

In addition, prior to the issuance of the coastal development permit, the landowner shall execute and record an agreement to be bound, in a form and content acceptable to the Executive Director, that shall run for the life of the permitted facility, and shall provide that in the event of termination of the lease, as long as the permitted facility continues to exist, the landowner shall require each new lessee or operator, including itself, to sign a lease restriction that incorporates the above public access and recreation requirements.

The lease restriction shall be binding on heirs, assigns and successors in interest, be recorded free of prior liens and run with the land in favor of the people of the State of California.

2. COMPLIANCE OF THE PROJECT WITH CERTIFIED LCP STANDARDS ADDRESSING VIEW CORRIDORS AND HEIGHT.

The Senior citizen apartments and the Market rate apartment building subject to this application shall be constructed consistent with the view corridors shown on the revised preliminary plans submitted to Commission staff on April 10, 1996. Prior to issuance of the permit the applicant shall submit for the review and approval of the Executive Director, final construction drawings consistent with the revised preliminary plans submitted April 10, 1996. The total width of the view corridors shall conform with category 3 of Section 22.56.1060.E.5. 209.25 feet represents 30 % of the area of the parcel subject to this application. The view corridor width may be reduced to less than 209.25 feet, only if the height of both structures as shown in the final working drawings is less than 60 feet and the amount of reduction justifies a reduction in the width of the view corridor according to the provisions of Section 22.56.1060.E.5 of the certified LCP. (Fifty eight feet six inches (58.5') in height would justify a 29% view corridor, etc..) Exhibit 6 shows the area of the leasehold subject to this application as well as the four proposed view corridors proposed by the applicant in revised plans submitted April 10, 1996.

Definition. The term "View Corridor", as used in the condition, is the area located between the water and the first public road open to the sky and allowing uninterrupted views of the harbor from the road to the waterside, at ground level. Fire roads and public accessways are allowed within view corridors.

3. VIEW CORRIDOR STANDARDS.

View corridors shall be maintained so as to provide an unobstructed view of the bulkhead edge, masts and horizon for pedestrians and passing

motorists. The view corridors shall be maintained according to the view corridor standards below. Unobstructed views are defined as views with no inhibition of visual access to the water. Parking lots depressed no less than two feet below grade such that views are possible over parked vehicles may be considered as view corridors. Additionally, landscaping shall be placed and maintained so as not to obstruct water views. The view corridors shall be combined with vertical accessways.

4. MAXIMUM HEIGHT.

The Senior citizen apartments and the Market rate apartment building subject to this application shall be constructed consistent with the heights on the revised plans submitted to Commission staff on April 10, 1996. The revised plans show that the new structures are not more than 60 feet in height as measured from the curb to the highest point on the roof, not counting mechanical roof structures and parapets.

5. LANDSCAPING.

Prior to issuance of the permit the applicant shall submit landscaping plans for the review and approval of the Executive Director. The plans shall demonstrate that landscaping will be installed consistent with the Community-wide Design Guidelines found in Section 22.46.1060 of the certified LCP and the view corridor standards noted above. The plans shall include the following:

- A. Landscaping and lot coverage. Landscaping shall include trees and shrubbery, with adequate ground cover to protect the soil. Landscaped borders used to shield obtrusive uses shall have a minimum width of eight feet and shall consist of vegetation of sufficient density to hide the use. Landscaping along site perimeters shall have a minimum width of eight feet and shall allow visual access into the lot, except where the landscaping is being used to screen an obtrusive use. Landscaping includes areas planted with trees, shrubs and improved with walkways incidental to these uses and/or set aside specifically for public viewing, passive recreation and public access. Landscaping does not include sidewalks within roadway rights-of-way, or areas paved for vehicular access such as alleys, driveways, parking areas or fire lanes. These standards shall be implemented in a manner consistent with all other provisions of the certified LCP standards, including public access requirements found in Sections 22.46.1100-1150, and to encourage unique site design, the view corridor standards, lot coverage standards, and design standards, as found in Sections 22.46.1060.B and E of the certified LCP.
- B. Landscaping consistent with the approved plans shall be installed concurrent with construction of the approved buildings consistent with the view corridor and public access standards required in Conditions 1, 2 and 3 above.

6. SIGNS

Prior to issuance of the permit the applicant shall submit signage plans for the review and approval of the Executive Director in consultation with the Design Control Board. The plans shall demonstrate that signs will be installed consistent with A and B below.

- A. Public Access Signs. The signage plan shall include at least one sign identifying public accessways leading from Panay Way to the bulkhead both at the Panay Way entrance and at the Bulkhead walkway entrance of each of the vertical access corridors beginning at Panay Way as required in Condition number 1. The bulkhead walkway is the continuous walkway located adjacent to and parallel with the bulkhead along the main channel and the sailing basins B and C. No fewer than five signs shall be placed at reasonable intervals along this walkway identifying the bulkhead walkway and public amenities as public.
- B. Sign standards applicable to business identification signs and other private signs on the property. All signs shall be as detailed as possible without becoming unreadable. The final sign plan shall include wording, size and coloring and illumination proposed for the signs and a written statement from the Director of Regional Planning indicating the compliance of the proposed signs with with the applicable provisions of Part 10 of Chapter 22.52 of Title 22 of the Los Angeles County Code addressing C-3 and R-IV development. The sign plan shall also include approval by the Design Control Board as consistent the Design Control Board's Revised Permanent Sign Controls and Regulations of September, 16, 1971, (Appendix C), regarding sign height, illumination, size and design. In the event of conflict between the Design Control Board's requirements and Title 22, the most restrictive standard shall prevail.

All of the above noted improvements shall be installed along with construction of the development and shall conform to the view corridor and public access standards required in Conditions 1 and 2 above.

7. PUBLIC AMENITIES.

Prior to issuance of the permit the applicant shall submit a public amenity plan for the review and approval of the Executive Director, in consultation with the Design Control Board. Such plans have not been submitted previously. The plan shall demonstrate that public amenities will be installed consistent with the following:

- A. Bulkhead benches. The plan shall provide for the installation of no fewer than six benches as well as additional public amenities including water fountains, shade structures, and trash containers on the seaward-most 8 feet of the bulkhead walkway described in conditions 1.A(2) and 1.A(4) above. [Exhibits 5(b) and 5(d).]

- B. Fire clearance. The plan shall provide that no structures, benches, planters or fixed objects shall be placed in the twenty foot fire and emergency accessway, which shall be clear to the sky.
- C. Public amenities required in Transportation Demand management plan--jitney stop and bike racks. Consistent with Sections 22.46.1100.B(2)(c) and 22.46.1100.C(2) of the certified LCP final plans shall include accommodations for bicycle racks, and for a shuttle/jitney stop and for preferential parking for car pools as required in its TDM/TSM plan and in Condition 14 below.

All of the above noted improvements shall be installed along with construction of the development and shall conform to the view corridor and public access standards required in Conditions 1 and 2 above.

8. FINAL PARKING PLAN AND PARKING MANAGEMENT PLAN.

Prior to issuance of the coastal development permit, the applicant shall submit final revised parking plans for the review and approval of the Executive Director. The plans shall be approved by both the Los Angeles County Fire Department and the Los Angeles County Department of Regional planning for consistency with the parking and Fire Department access requirements of CUP-91-329-(4) and the certified LCP. The final plans shall demonstrate that the leasehold area subject to this permit (Exhibit 6) contains the 797 parking spaces to accommodate the following uses:

A. Parking Provided.

- (1) Existing Boater parking: 320 spaces. The applicant shall retain no fewer than 320 spaces (.69 spaces per existing boat slip) for boater use on the site. No fewer than two legal loading spaces shall be located within 50 feet of each gangway. No boater spaces may be permanently assigned to any individual boater but such spaces may be restricted to boat owners, if necessary to assure availability for that use.
- (2) Existing apartment building: 204 spaces. The applicant shall retain no more than 204 assigned, numbered spaces reserved for exclusive use by the tenants of the existing apartment building.
- (3) Existing Restaurant: 70 spaces. The applicant shall retain no fewer than 70 spaces, including two handicapped spaces, for the existing restaurant. Said spaces shall be designated for exclusive use by the restaurant only when the restaurant is open. At all other times, such spaces shall be available to the general public use, except that the restaurant may restrict overnight use.
- (4) Senior citizen apartments: 30 spaces. The applicant shall provide no more than 30 assigned spaces reserved for exclusive use by the tenants of the proposed 60 unit senior citizen apartment.

- (5) New Market rate apartment: 136 spaces . The applicant shall provide 136 spaces reserved for exclusive use by the tenants of the proposed 68 unit market rate building. Any guest spaces constructed in addition to the 136 spaces shall be so identified, signed and designated for visitors and general public except that the building management may restrict overnight use.
- (6) Dinghy storage: 2 spaces. The applicant shall provide no fewer than two (2) uncovered parking spaces for purposes of the storage of dinghies and small boats.
- (7) Multi-use guest/tradesman parking: 35 spaces. The applicant shall provide no fewer than 35 parking spaces for guests, tradesmen, and visitors to all of the above development as well as for the general public. No fewer than thirteen (13) of these guest spaces shall be located on the area of the leasehold subject to this application, as shown in exhibit 6, since they are required by the certified LCP to serve the proposed residential development. All guest spaces shall be available for overflow parking at all of the above uses, as well as for the general public. All said spaces shall be identified by signs identifying them as parking for visitors and the general public, except that the building management may restrict overnight use.

Total required parking: 797 spaces .

9. PRESERVATION OF ADEQUATE PARKING FOR SLIP DEVELOPMENT UNDER FUNNEL CONCEPT.

Section 22.46.1830 of the certified LCP allows the construction of up to 76 additional slips in the Main channel in the water area of parcel 18, development identified in the LCP as the "funnel concept". By acceptance of this coastal development permit, the applicant acknowledges that the proposed project does not provide the 57 parking spaces that would enable it to add to the total number of boat slips on this parcel, but states that it has no intention of increasing the number of slips, but instead would increase the average size of the slips on the parcel. If and when the applicant can demonstrate to the satisfaction of the Executive Director that adequate legal interest in sufficient accessible parking to serve these slips is available, the applicant may apply to amend this condition and apply for a coastal development permit to develop the slips.

10. LEASE RESTRICTION REGARDING BOATER AND SENIOR PARKING.

Prior to the issuance of the coastal development permit, the applicant shall execute and record a lease restriction in a form and content acceptable to the Executive Director, that shall run for the duration of the permitted use. The lease restriction shall provide that the following restrictions on use of the leasehold parcel, Parcel 18, shall become part of the applicant's lease of the property from the landowner:

- A. The applicant shall provide boater parking for its existing slips on site at no less than .69 parking spaces per slip, and
- B. in any future development of the 76 slips allocated to parcel 18 in the certified LCP, the applicant will at the same time reduce the total number of slips on the property such that the total number of boat slips will remain the same as it exists on the date of approval of the Coastal Development Permit (460 slips). The reduction in the number of slips shall be accomplished by reduction of the number of smaller slips and substitution of larger slips as generally indicated on exhibit 8 submitted by the applicant. Alternatively, if and when the applicant can demonstrate to the satisfaction of the Executive Director that adequate legal interest in sufficient accessible parking to serve new slips is available, the applicant may apply to amend this condition to allow for the development of new slips without reducing the number of currently existing slips.
- C. if at any time in the future the senior citizen units are used for any other purpose including unrestricted market rentals, the applicant shall provide additional parking on the site, or take measures including the reduction in the number of units such that parking is provided consistent with the requirements of the certified LCP, including the LCP standards regarding boating and boater parking. Said change will require an amendment to this Coastal Development Permit or a new Coastal Development Permit.

In addition, prior to the issuance of the coastal development permit, the landowner shall execute and record an agreement to be bound, in a form and content acceptable to the Executive Director, that shall run for the life of the permitted uses, and shall provide that in the event of termination of the lease, as long as the permitted uses continue to exist, the landowner shall require each new lessee or operator, including itself, to sign a lease restriction that incorporates the above boater parking ratios and density incentive parking requirements.

The lease restriction shall be binding on heirs assigns and successors in interest, be recorded free of prior liens and run with the land in favor of the people of the State of California.

11. PRESERVATION OF BOATING SUPPORT USES ON SITE.

Prior to issuance of the permit the applicant shall submit revised plans identifying the boating support uses that are currently located on the site. The applicant shall preserve these current coastal dependent boating or boating support uses on site. Boating support uses include, but are not limited to boater restrooms, bathrooms, refuse disposal areas, passenger and equipment loading zones, and dinghy racks. In no event shall the current loading area space be allocated to other uses unless replaced by loading spaces of equal size in an equally convenient and efficient location. The final plan shall be consistent with the

reservation of boater loading, dinghy racks and boater amenity areas as shown in Exhibit 7.

12. MITIGATION OF CUMULATIVE AND DIRECT IMPACTS ON PUBLIC ACCESS--TRAFFIC

Prior to issuance of the permit, the applicant shall provide evidence of payment of no less than \$5,690 per peak hour trip into trust fund accounts established by the County of Los Angeles Department of Public Works. The funds shall be allocated as follows: a) \$1,592 per peak hour trip into the Transportation Improvement Program (TIP) as identified in the Appendix G of the certified LCP; and b) \$4,098 per peak hour trip into a fund specifically allocated for mitigation of the applicant's proportional share of the cumulative impacts of Marina development on the sub-regional transportation system (Category 3 improvements in the certified LCP.) Said sub-regional system includes major collector streets which provide transportation to and along the coast and transportation to the Marina.

13. TRANSPORTATION DEMAND MANAGEMENT, TRANSPORTATION SYSTEM MANAGEMENT PROGRAM.

Prior to issuance of the permit, the applicant shall provide for the review and approval the Executive Director, letters of concurrence from the Directors of the Los Angeles County Departments of Public Works and Regional Planning, stating that the applicant's Transportation System Management Plan (TDM/TSM) conforms with current County standards for traffic reduction (TSM/TDM) plans and the certified LCP.

14. COMPLIANCE WITH REQUIREMENTS OF SECTION 22.56.202 OF THE CERTIFIED LCP REGARDING DENSITY INCENTIVES FOR THE PROVISION OF SENIOR CITIZEN HOUSING.

A. Prior to the issuance of the coastal development permit, the applicant shall execute and record a lease restriction in a form and content acceptable to the Executive Director, that shall run for the duration of the permitted use. The lease restriction shall provide that the following restrictions on use of the leasehold parcel, Parcel 18, shall become part of the applicant's lease of the property from the landowner:

- (1) That the applicant has provided the percentage of "affordable units", as defined in Section 22.56.202.A(3) of the certified LCP, (market rate senior citizen units) that are required in Section 22.56.202.A(3) of the certified LCP (50%), as calculated by the County of Los Angeles, and will maintain such units for no less than 30 years for that approved purpose.
- (2) Time limits. The senior citizen housing shall be restricted to be available for purposes protected under Section 22.56.202 for a period of not less than 30 years after the construction of the structure. In the event that, after 30 years, the project is converted to unrestricted housing, the parking and density of

the development shall be consistent with the requirements of the County Code and the Marina del Rey certified LCP. A coastal development permit shall be required for such a conversion.

In addition, prior to the issuance of the coastal development permit, the landowner shall execute and record an agreement to be bound, in a form and content acceptable to the Executive Director, that shall run for the life of the permitted use, and shall provide that in the event of termination of the lease, as long as the permitted use continues to exist, the landowner shall require each new lessee or operator, including itself, to sign a lease restriction that incorporates the above affordable housing requirements.

The lease restriction shall be binding on heirs, assigns and successors in interest, be recorded free of prior liens and run with the land in favor of the people of the State of California, binding successors and assignees of the leaseholders.

- B. Prior to recording the Directors of Planning and the Department of Beaches and Harbors shall certify the applicant's proposal as consistent with the applicant's updated conditional use permit and lease as required in conditions 22 and 23 below, and shall provide evidence of compliance with its conditional use permit 91-329-(4) regarding the granting of density bonuses under Sections 22.56.202.A(3), 22.56.202.F and 22.56.202.I of the certified LCP. This evidence shall include written concurrence on the part of the Department of Regional Planning that the applicant's revised plans fully comply with the County's grant of additional units under that section.

15. RESIDENTIAL MITIGATION REQUIREMENTS (PUBLIC AND PRIVATE ON-SITE RECREATION) OR PAYMENT OF LIEU FEE.

Prior to issuance of the coastal development permit the applicant shall provide for the review and approval of the Executive Director written evidence of the Department of Regional Planning's concurrence with the applicant's compliance with one of the following residential mitigation requirements applying to the proposed market rate units. The mitigation will mitigate the use of shoreline property for recreational use:

- A. Payment of in lieu fee. The applicant may provide evidence of payment of no less than \$600 per new unit into the Coastal Improvement Fund as further described in Section 22.46.1790 of the certified LCP. Based on this figure the applicant may comply with this condition by payment of a fee of no less than \$76,800 into the Coastal Improvement Fund.

OR

B. Alternative compliance. As an alternative to the payment of the total fee, the applicant may provide revised plans that show no less than .45 acres of land for recreational use to be constructed concurrent with the development approved in this permit. The plans shall be approved by the Directors of Regional Planning and Beaches and Harbors of the County of Los Angeles showing one or a combination of all of the following:

A total of .45 acres improved recreation area provided:

- (1) on site, or
- (2) on a newly improved public park on public park land on a public parcel within the Marina, approved and accepted by the Department of Beaches and Harbors, or
- (3) or, a combination of improvements listed above combined with a fee as described in (A) assessed according to the fee calculation below. If a partial fee is assessed, it shall be based on the applicant's remaining obligation after the recreational land provided and improved has been considered.

Fee calculation. The total fee of \$76,800, representing \$600 per unit, representing the cost of improvement of four acres of offsite recreation land per 1,000 new residents, as calculated in Section 22.46.1800 the certified LCP. Based on the cost calculations found in Section 22.46.1790 of the certified LCP, after mitigation credits have been calculated, the applicant shall pay at a rate of \$170,666 per acre to the Coastal Improvement Fund based on the amount of acreage in its remaining obligation.

Mitigation Credits. On-site land area credits toward this requirement shall be given for the following facilities: clearly defined and exclusively reserved internal land area devoted to private recreation of the residents, public park land, that portion of the pedestrian promenade or view corridor not designated as a fire access road, and viewing parks at the end of mole roads, or adjacent to the main channel used for dual functions provided that the fire department access to all pedestrian promenades at all times.

16. CULTURAL HERITAGE RESOURCES.

Any Archeological or paleontological resources found in the area planned for development shall be collected and maintained at the nature center planned at the wetland preserve (Area D), or at the Los Angeles County Natural History Museum or as otherwise required by State law.

A. Prior to issuance of the permit the applicant shall provide evidence for the review and approval of the Executive director that he has notified the Office of State Historic Preservation and the Native American Heritage Commission of the location of the proposed, grading the extent of the grading proposed, and the dates on which the work is expected to take place.

- B. The applicant shall notify the State Historic Preservation Office and the Department of Regional Planning if any resource is discovered during any phase of development, and the applicant shall submit a recovery program as an amendment to the permit.
- C. In the event of discovery of Native American remains or of grave goods, Sections 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 and 5097.99 of the Public Resources Code apply.

17. FIRE SAFETY STANDARDS.

Prior to issuance of the coastal development permit, the applicant shall provide for the review and approval of the Executive Director, letters and/or plan signatures executed by the Los Angeles County Fire Department showing the Department's concurrence that the applicant's plans conform with all fire safety requirements found in the certified LCP, including the provision of sprinklers, the adequacy of emergency access, height, and participation in all safety districts.

18. PUBLIC WORKS/PUBLIC SERVICES.

Prior to issuance of the coastal development permit, the applicant shall provide, for the review and approval of the Executive Director, a letter from the Department of Public Works, stating that the applicant complies with all requirements of water availability, sewer service and utility service of the certified LCP and conditional use permit number 91-329-(4). The applicant shall also provide revised plans, approved by the Department of Public Works, showing low flow storm water collection and filtration as well as other water quality improvements identified in the Santa Monica Bay Action Plan and in the BMP's of the County's non point source discharge permit (NPDES).

19. HAZARDS TO DEVELOPMENT.

Prior to issuance of the permit, the applicant shall provide final engineered foundation and seismic safety plans reviewed and approved by both the project's licensed structural engineer, licensed engineering geologist and geotechnical consultant (Earth Systems consultants), and the County Engineer. The plans shall incorporate detailed calculations and final plans to eliminate hazards to development identified in the applicant's preliminary geotechnical report by Earth Systems consultants, dated March 5, 1996, submitted with the application for development, including information regarding liquefaction, ground failure and other hazards that may occur in the event of earthquake. Development shall occur such that the foundations of the building are located in geologically safe areas. Because liquefaction and ground failure could occur in seismic events, the building design shall be reviewed and approved by the County Engineer before issuance of the permit to ensure that the design shall mitigate all potential geologic hazards to development.

20. ASSUMPTION OF RISK.

Prior to the issuance of the coastal development permit, the applicant shall execute and record a lease restriction in a form and content acceptable to the Executive Director, that shall run for the life of the permitted facility. The lease restriction shall provide that the following restrictions on use of the leasehold parcel, Parcel 18, shall become part of the applicant's lease of the property from the landowner:

- (1) that the applicant understands that the site may be subject to extraordinary hazards from ground failure and liquefaction during seismic events, and
- (2) that the applicant unconditionally waives any claim of liability on the part of the Commission, and agrees to indemnify and hold harmless the Commission, its officers, agents and employees relative to the Commission's approval of the project for any damage due to such hazards.

In addition, prior to the issuance of the coastal development permit, the landowner shall execute and record an agreement to be bound, in a form and content acceptable to the Executive Director, that shall run for the life of the permitted facility, and shall provide as long as the permitted facility continues to exist, the landowner shall require each new lessee or operator, including itself, to sign a lease restriction that incorporates the above assumption of risk and waiver of liability.

The lease restriction shall be binding on heirs, assigns and successors in interest, be recorded free of prior liens and run with the land in favor of the people of the State of California.

21. FUTURE IMPROVEMENTS.

Prior to the issuance of the coastal development permit, the applicant shall execute and record a lease restriction in a form and content acceptable to the Executive Director, that shall run for the life of the permitted facility. The lease restriction shall provide that the following restrictions on use of the leasehold parcel, Parcel 18, shall become part of the applicant's lease of the property from the landowner:

- (1) that no new development shall occur in the view corridor area identified in Exhibit 6 except as specifically permitted in conditions 2 and 3, and that any such development would require a coastal development permit, and
- (2) that any new construction or change in use or in intensity of use on the property shall require a coastal development permit. A change in intensity of use includes, but is not limited to: any reduction or increase in restaurant occupancy as determined by the Los Angeles County fire Department or increase in seating

area including open air seating area(s), any increase or decrease in number of units, and or a change from senior citizen apartments to an apartment building without restrictions.

In addition, prior to the issuance of the coastal development permit, the landowner shall execute and record an agreement to be bound, in a form and content acceptable to the Executive Director, that shall run for the life of the permitted facility, and shall provide that in the event of termination of the lease, as long as the permitted facility continues to exist, the landowner shall require each new lessee or operator, including itself, to sign a lease restriction that incorporates the above future improvements requirement.

The lease restriction shall be binding on heirs, assigns and successors in interest, be recorded free of prior liens and run with the land in favor of the people of the State of California.

22. CONDITIONAL USE PERMIT AND LEASE.

Prior to issuance of the permit, the applicant shall submit letters, agreements or other evidence from the County of Los Angeles Departments of Regional Planning and Beaches and Harbors that the applicant's conditional use permit and lease agreement are valid and consistent with the project approved in this action. Specifically, the updated Conditional Use Permit and revised lease shall provide for the senior citizen's building instead of the previously proposed Congregate care facility.

23. LEASE AMENDMENT.














Prior to issuance of the permit the applicant shall provide evidence that its lease with the underlying landowner, Los Angeles County Beaches and Harbors, has been amended to include the reference to the coastal development permit, and permits construction of the approved Senior citizen development. The amended lease shall incorporate all provisions of the following special conditions more fully described above:

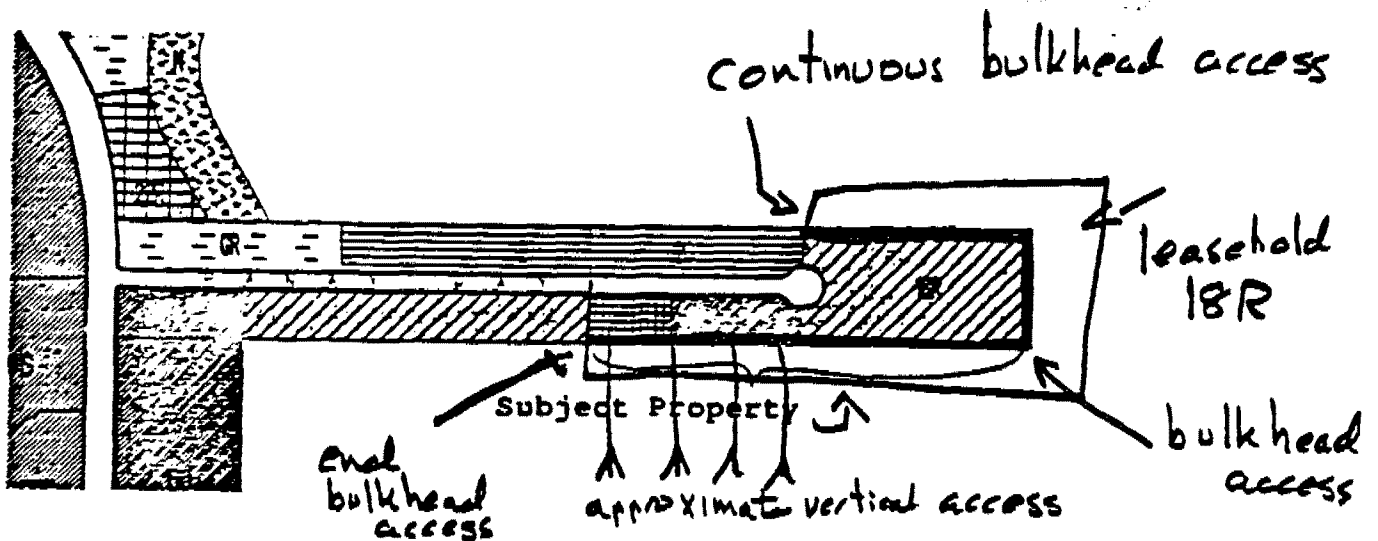
- A. Condition 1, Public shoreline access (Evidence of provision of public access.)
- B. Condition 2, View corridor requirement (Evidence that view corridors are identified in the lease and protected according to the standards of the LCP and conditions 2 and 3. This must include a requirement and notification that no new development inconsistent with the view corridor standards may occur in the view corridor areas identified in exhibit 6.)
- C. Conditions 9 and 10 restriction of total number of boat slips to maintain boater parking, and restriction regarding parking for the senior citizen building.

- D. Condition 14, Senior citizen housing. (Evidence that the purposes of the development is as stated in condition 15, and evidence that the density incentive uses are protected for not less than 30 years.)
- E. Condition 20, Assumption of risk.
- F. Condition 21, Future improvements. (Notification in the lease that future development, including changes in use and or intensity of use, will require a coastal development permit.)

PANAY DL LAND USE


Exhibit 5
Total Access

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



FROM: Visitor Serving Commercial and Residential III
TO: Residential IV

MARINA DEL REY

A5-MDR-95-017 
LOCAL COASTAL PROGRAM

RESIDENTIAL III

RESIDENTIAL IV

RESIDENTIAL V

HOTEL

OFFICE

MARINE COMMERCIAL

PARKING

OPEN SPACE

PUBLIC FACILITIES

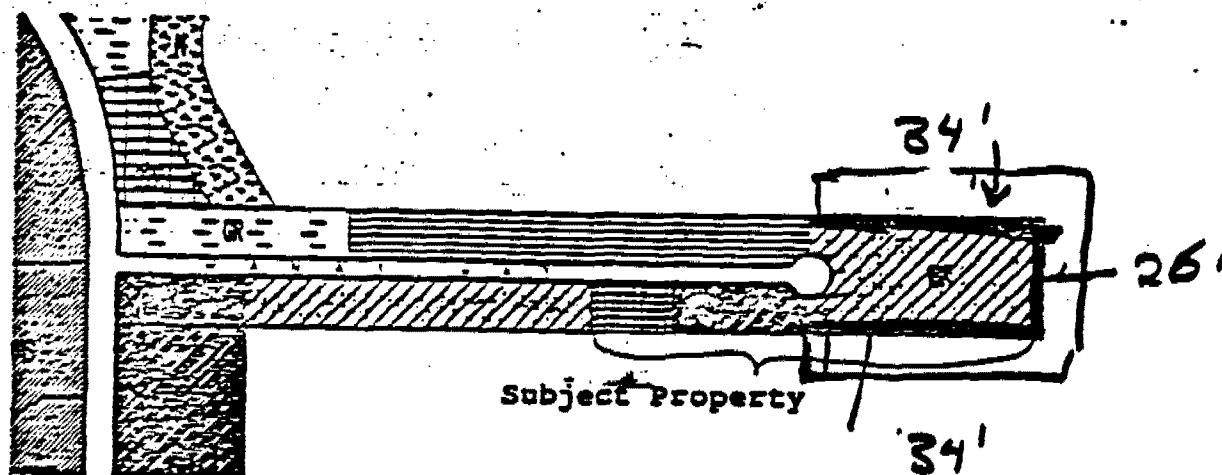
VISITOR-SERVING/CONVENIENCE COMMERCIAL

WATER

WATERFRONT OVERLAY

MIXED USE OVERLAY

Mole End Bulkhead Access



FROM: Visitor Serving Commercial and Residential III
TO: Residential IV



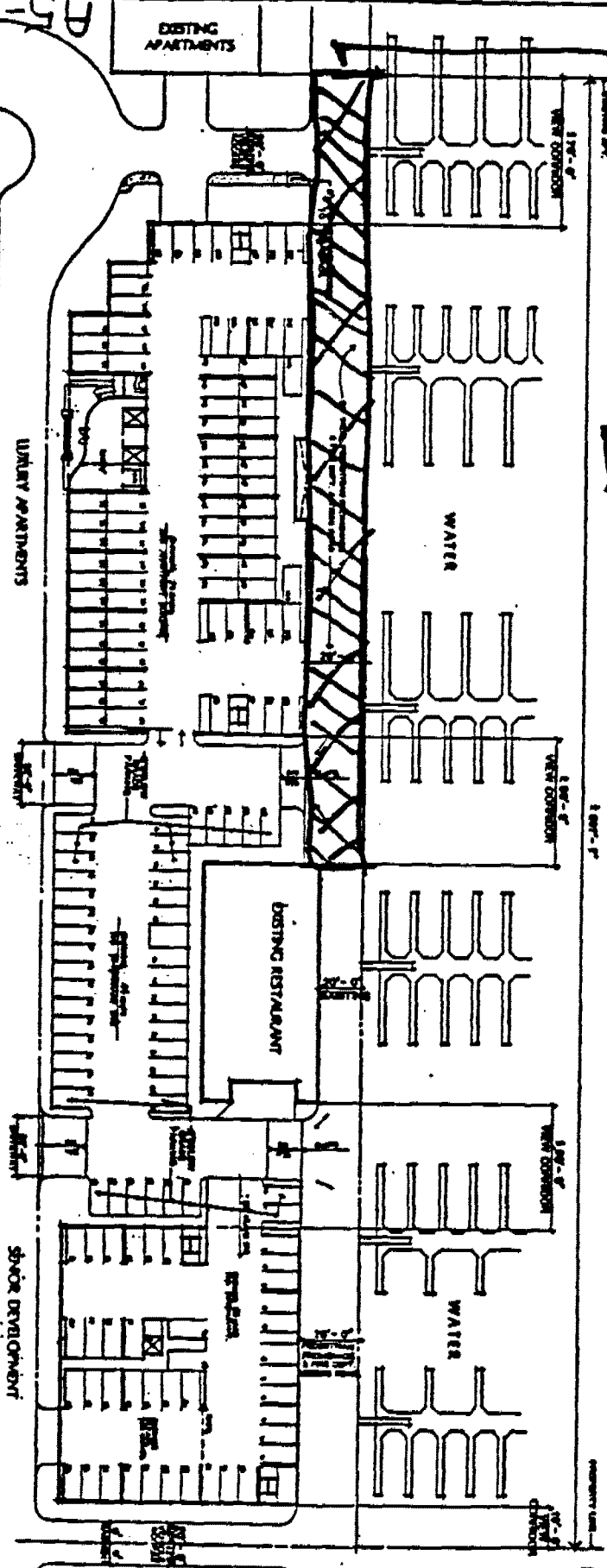
MARINA DEL REY

LOCAL COASTAL PROGRAM

DE-MDR-GR-017

Exhibit 5(b) Bulkhead Access Seaward of Market Rate Apartments Bulkhead access capillary submittal

NOTE: TO BE SUBMITTED WITH THE SUBMITTAL
 1. A LETTER FROM THE ARCHITECT TO THE ENGINEER, DATED AND SIGNED BY THE ARCHITECT, SETTING FORTH THE NEED FOR THE PROPOSED WORK.
 2. A LETTER FROM THE ARCHITECT TO THE ENGINEER, DATED AND SIGNED BY THE ARCHITECT, SETTING FORTH THE NEED FOR THE PROPOSED WORK.
 3. A LETTER FROM THE ARCHITECT TO THE ENGINEER, DATED AND SIGNED BY THE ARCHITECT, SETTING FORTH THE NEED FOR THE PROPOSED WORK.
 4. A LETTER FROM THE ARCHITECT TO THE ENGINEER, DATED AND SIGNED BY THE ARCHITECT, SETTING FORTH THE NEED FOR THE PROPOSED WORK.
 5. A LETTER FROM THE ARCHITECT TO THE ENGINEER, DATED AND SIGNED BY THE ARCHITECT, SETTING FORTH THE NEED FOR THE PROPOSED WORK.



A5-MDR-95-017

ARCHITECT'S NOTE:
 1. THE ARCHITECT HAS REVIEWED THE SUBMITTAL AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF LOS ANGELES.
 2. THE ARCHITECT HAS REVIEWED THE SUBMITTAL AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF LOS ANGELES.
 3. THE ARCHITECT HAS REVIEWED THE SUBMITTAL AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF LOS ANGELES.

ENGINEER'S NOTE:
 1. THE ENGINEER HAS REVIEWED THE SUBMITTAL AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF LOS ANGELES.
 2. THE ENGINEER HAS REVIEWED THE SUBMITTAL AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF LOS ANGELES.
 3. THE ENGINEER HAS REVIEWED THE SUBMITTAL AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF LOS ANGELES.

DATE: 10/1/95
 BY: [Signature]
 TITLE: [Title]



1. STATION ATTENDANTS are responsible for station's appearance & equipment.

2. STATION ATTENDANTS are responsible for the following:

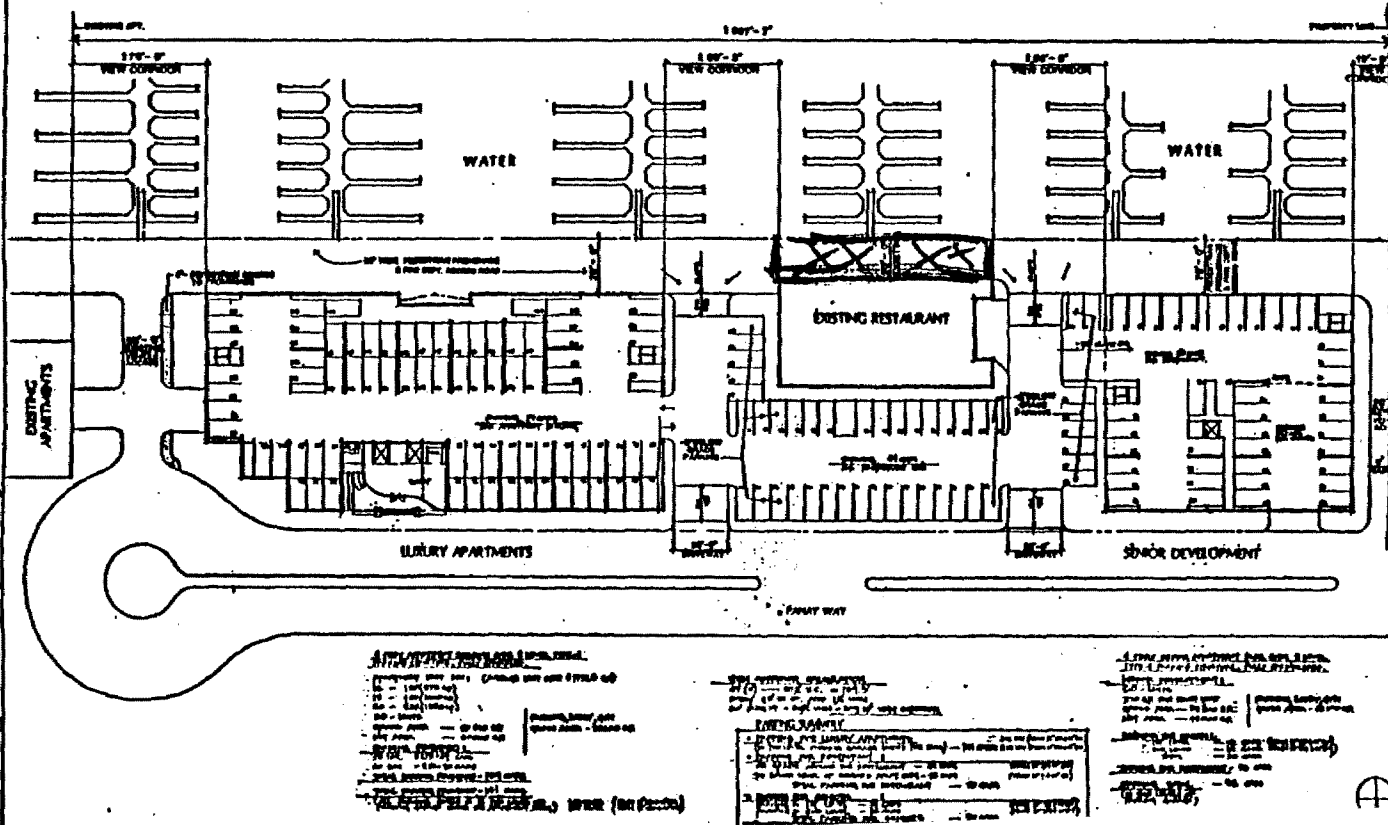
- a. the station's appearance and equipment
- b. appearance & maintenance and provide for cleaning job with appropriate direction.
- c. STATION AND EQUIPMENT are clean, neat
- d. STATION AND EQUIPMENT are clean, neat
- e. STATION AND EQUIPMENT are clean, neat

3. STATION ATTENDANTS are responsible for the following:

- a. appearance and equipment
- b. appearance and equipment

4. STATION ATTENDANTS are responsible for the following:

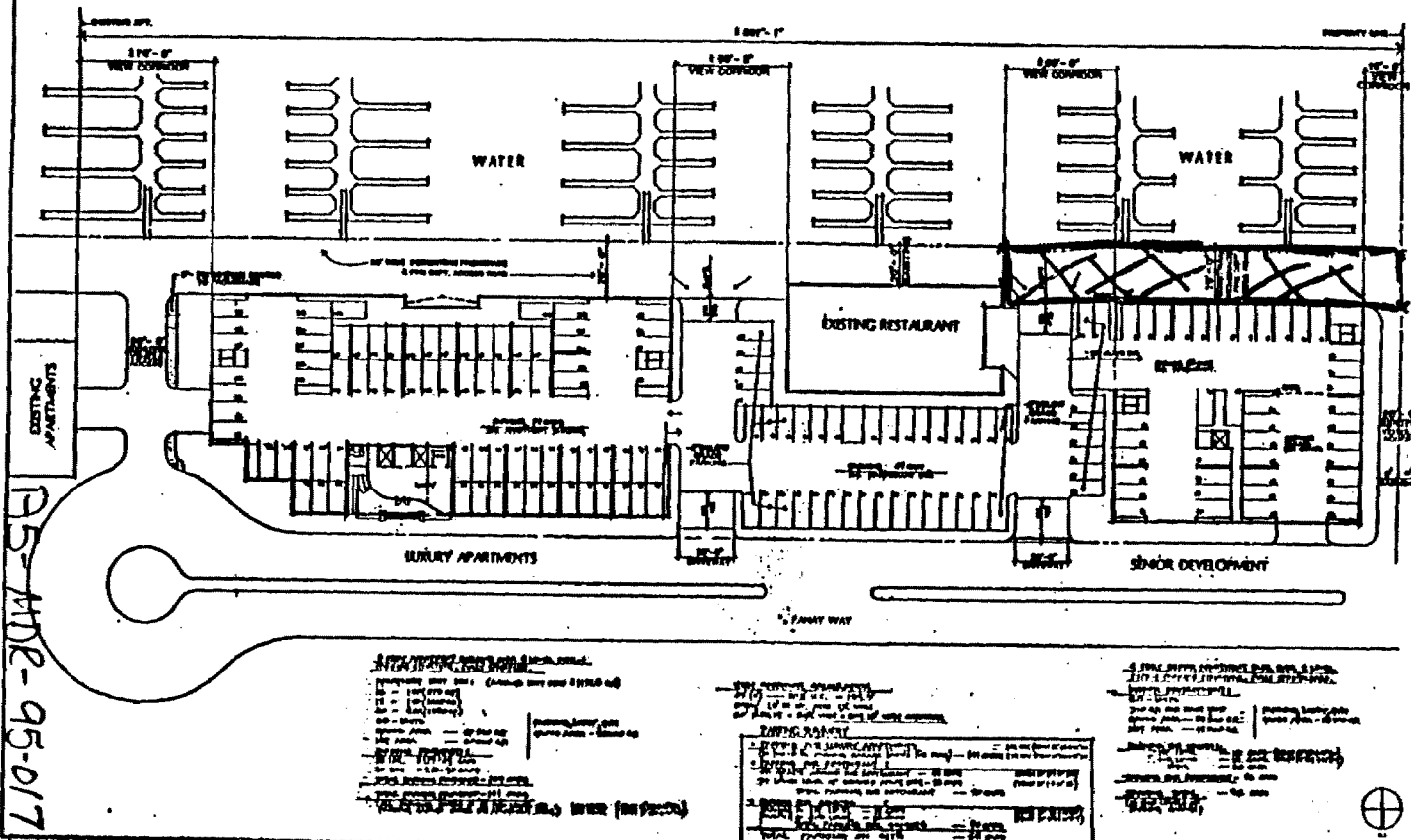
- a. appearance and equipment
- b. appearance and equipment



A5-MDR-95-01

Exhibit 5(d)
Access Seaward of
Senior Citizen
Housing ~~XXXXXX~~

¹ 參見本報 1997 年 12 月 25 日第 1 版。

[illegible]

Feb
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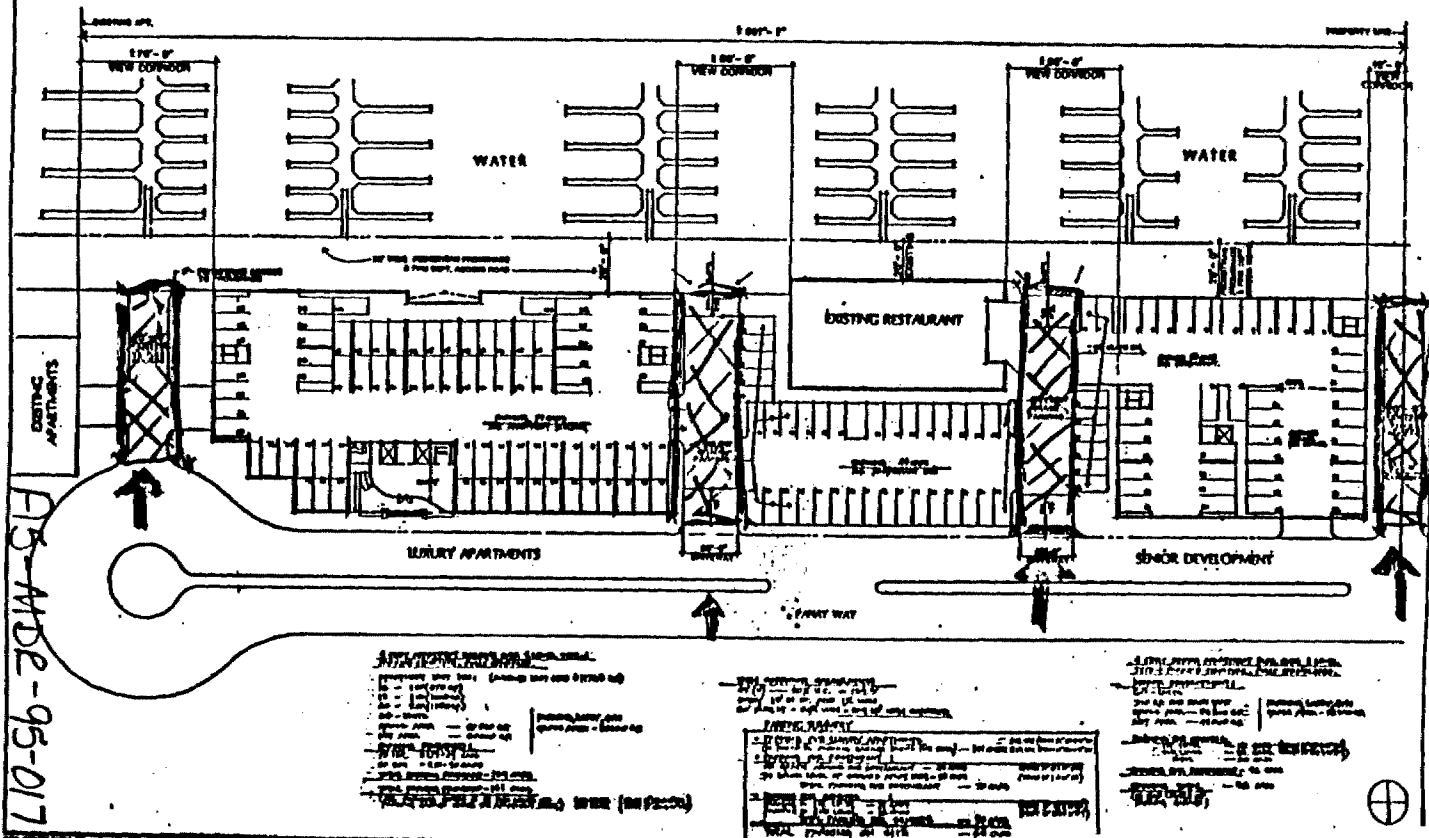
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SITE PLAN
NOT ACCESS PLAN
PHONE : 7200

A1

Exhibit 5(e) Four Vertical Accessways

- NOTE: THESE ARE THE
1. THE PROPERTY OF THE CITY OF LOS ANGELES
2. THE PROPERTY OF THE CITY OF LOS ANGELES
3. THE PROPERTY OF THE CITY OF LOS ANGELES
4. THE PROPERTY OF THE CITY OF LOS ANGELES
5. THE PROPERTY OF THE CITY OF LOS ANGELES
6. THE PROPERTY OF THE CITY OF LOS ANGELES
7. THE PROPERTY OF THE CITY OF LOS ANGELES
8. THE PROPERTY OF THE CITY OF LOS ANGELES
9. THE PROPERTY OF THE CITY OF LOS ANGELES
10. THE PROPERTY OF THE CITY OF LOS ANGELES



F15-ADE-95-017

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and
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SITE PLAN
AND ACCESS
DOCS & MAPS
A 4

Exhibit G

View corridor and area subject to application

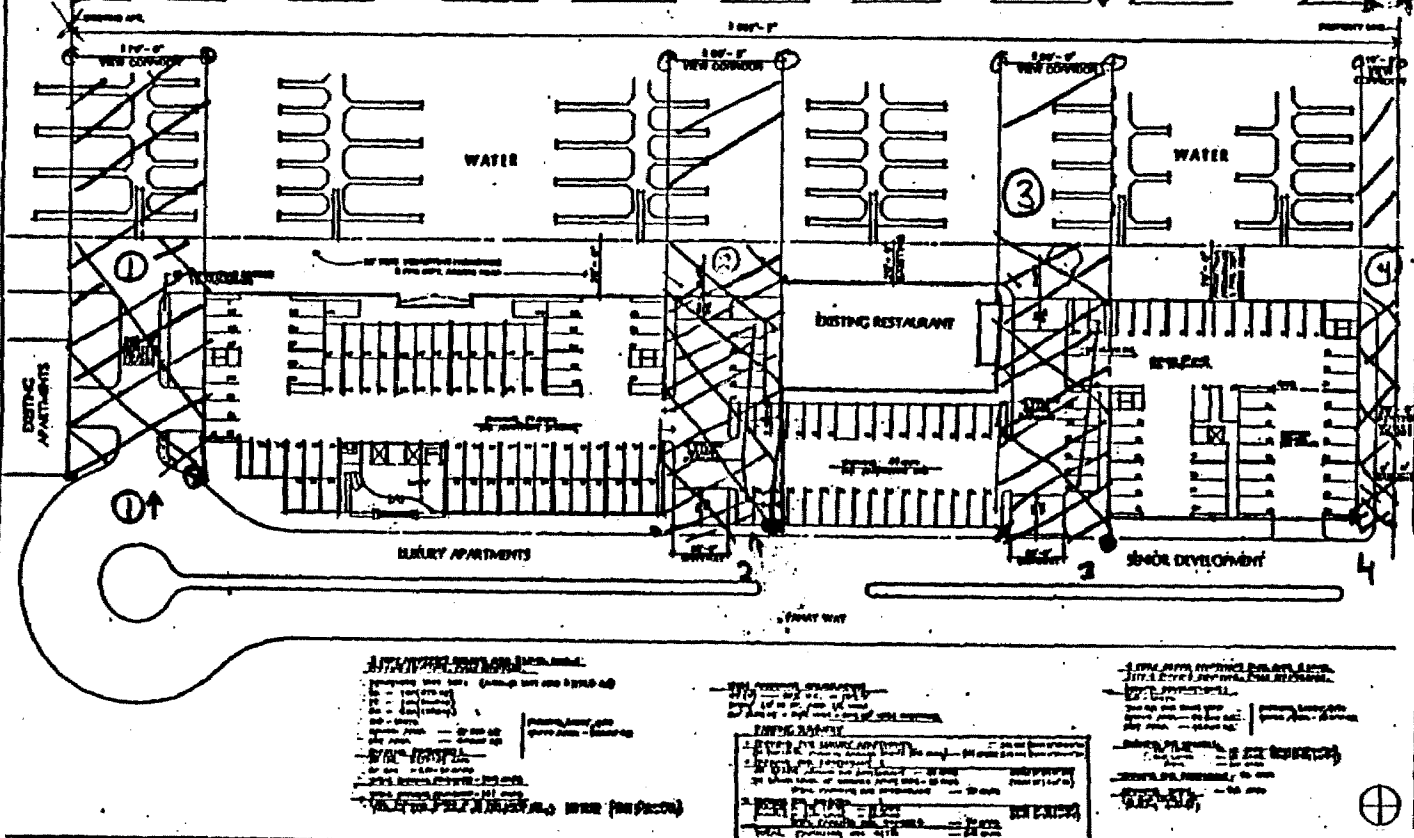
View corridor ①

View corridor ②

View corridor ③

View corridor ④

Area of Leasehold subject to application



G/ARCH

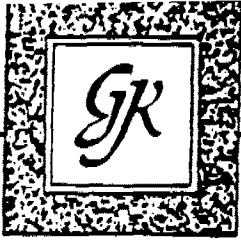
Fussy Apartment

Q6666

ENCLOSURE

SITE PLAN
AND ACCESS PLAN
SCALE 1"=100'

A 1



Goldrich & Kest

5150 Overland Avenue • Post Office Box 3623 • Culver City, California 90231-3623
(310) 204-2050 • Fax (310) 204-1900

RECEIVED

APR 3 1996

CALIFORNIA
COASTAL COMMISSION
SOUTH COAST DISTRICT

April 3, 1996

Ms. Pam Emerson
California Coastal Commission
South Coast Area
245 West Broadway, Suite #380
Long Beach, California 90802

RE: PROGRAM MAJOR AMENDMENT NO. 1-95
"DOLPHIN MARINA" PARCEL NO. 18R
CASE NO. 91-329-(4)

Dear Ms. Emerson:

This will acknowledge receipt of your letter dated April 1, 1996 and your subsequent letter dated April 2, 1996. I will address your comments in the same order as presented in your letter of April 1, 1996 as follows:

1. Letter revising project de Novo. Enclosed is a letter which addresses your comments in paragraph 1.
2. Please be advised that we have sent a copy of your letter to Monika Moses of GMP. Per your request, enclosed please find drawings labeling the parking spaces for both the existing and the proposed development. Kindly note that the design of the proposed development, submitted on March 12, 1996, has not been revised - only the parking allocation has been additionally defined.
3. As you pointed out in your April 2, 1996 letter to Mr. Gardner, you have received, but not evaluated, the updated Traffic Report regarding the sub-regional routes, including Lincoln Boulevard and/or Washington Boulevard. As you have discussed with Mr. Barry Kurtz, we have already agreed to pay our proportionate share into a regional transportation fund and would, obviously, agree to pay our fair share of any sub-regional transportation fee depending on the traffic impact our project creates in the Marina approach routes.

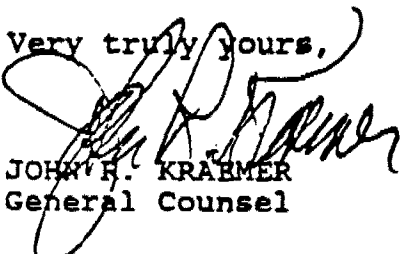
Exhibit 7
10f5

DE-MDP-95-017

Ms. Pam Emerson
California Coastal Commission
April 3, 1996
Page 2.

If you require any additional information, please feel free to
contact us.

Very truly yours,

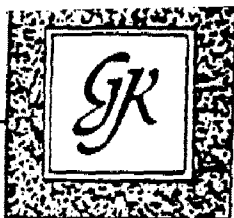


JOHN H. KRAEMER
General Counsel

Enclosures

Exhibit 7
2 of 5

DE MDP 05-010



Goldrich & Kest

5150 Overland Avenue • Post Office Box 3623 • Culver City, California 90231-3623
(310) 204-2050 • Fax (310) 204-1900

VIA FAX: (310) 590-5084

April 1, 1996

Ms. Pam Emerson
California Coastal Commission
South Coast Area
245 West Broadway, Suite #380
Long Beach, California 90802

RE: PROGRAM MAJOR AMENDMENT NO. 1-95
"DOLPHIN MARINA" PARCEL NO. 18R
CASE NO. 91-329-(4)

Dear Ms. Emerson:

On March 12, 1996, Monika Moses of GMP Architects forwarded, via messenger, plans for the 68-unit apartment building and the 60-unit senior building for the above-referenced project. The "Parking Summary" was incorporated into the Site Plan (Site Access Plan - dated 3/12/96).


Please consider these plans as the official plans that we would like to have the Coastal Commission approve as part of our application.

If you or any of your staff members have any questions, please feel free to contact me at (310) 204-2050 or Monika Moses of GMP Architects at (310) 998-0063.

Sincerely,


SHERMAN GARDNER
Vice President

Exhibit 7
30F5

A5-MDR-95-017




Goldrich & Kest

5150 Overland Avenue • Post Office Box 3623 • Culver City, California 90231-3623
(310) 204-2050 • Fax (310) 204-1900

VIA FAX: (310) 590-5084

April 1, 1996

Ms. Pam Emerson
California Coastal Commission
South Coast Area
245 West Broadway, Suite #380
Long Beach, California 90802

RE: PROGRAM MAJOR AMENDMENT NO. 1-95
"DOLPHIN MARINA" PARCEL NO. 18R
CASE NO. 91-329-(4)

Dear Ms. Emerson:

On March 12, 1996, Monika Moses of GMP Architects forwarded, via messenger, plans for the 68-unit apartment building and the 60-unit senior building for the above-referenced project. The "Parking Summary" was incorporated into the Site Plan (Site Access Plan - dated 3/12/96).

Please consider these plans as the official plans that we would like to have the Coastal Commission approve as part of our application.

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Sincerely,


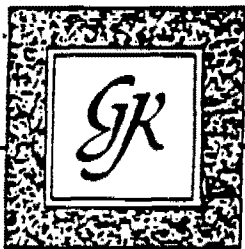

SHERMAN GARDNER
Vice President

Exhibit 7
4 of 5
A5-MDR-95-017



Goldrich & Kest

5150 Overland Avenue • Post Office Box 3623 • Culver City, California 90231-3623
(310) 204-2050 • Fax (310) 204-1900

April 9, 1996

Ms. Pam Emerson
California Coastal Commission
South Coast Area
245 West Broadway, Suite #380
Long Beach, California 90802

RE: PROGRAM MAJOR AMENDMENT NO. 1-95
"DOLPHIN MARINA" PARCEL NO. 18R
CASE NO. 91-329-(4)

Dear Ms. Emerson:

Per our conversation today and at your request, we are hereby requesting a density bonus under Provision 22.56.202 as a significant number of our units are for senior citizens.

Sincerely,


SHERMAN GARDNER
Vice President

A5-MDR-95-017
Exhibit:
50f5

RECEIVED

APR 10 1996

CALIFORNIA
COASTAL COMMISSION



Goldrich & Kest

Exhibit 8
P1

5150 Overland Avenue • Post Office Box 3623 • Culver City, California 90231-3623
(310) 204-2050 • Fax (310) 204-1900

March 11, 1996

RECEIVED

MAR 12 1996

Ms. Pam Emerson
California Coastal Commission
South Coast Area
245 West Broadway, Suite #380
Long Beach, California 90802

CALIFORNIA
COASTAL COMMISSION
SOUTH COAST DISTRICT

RE: DOLPHIN MARINA
PARCEL #18
RECONFIGURATION OF BOAT SLIPS

Dear Ms. Emerson:

Enclosed please find a map, which shows the slip layout for Parcel #18, including the proposed addition of 76 new slips which will be constructed in the main channel under the funnel concept.


Please note that highlighted Areas I, II, and III, show 177 existing short slips - ranging in length from 21 feet to 25 feet.

Our proposal is, within these three areas, to reconfigure 101 slips - ranging in length from 36 feet to 42 feet. By doing so, we will eliminate 76 short slips from the existing marina and, thusly, comply with applicable parking requirements.

In summary, we propose to add 76 slips in the main channel and eliminate 76 existing slips in Areas I, II and III.

If you have any questions, please do not hesitate to contact us.

Sincerely,


SHERMAN GARDNER
Vice President

Enc.

cc: Stan Wisniewski, Director
County of Los Angeles, Beaches & Harbors

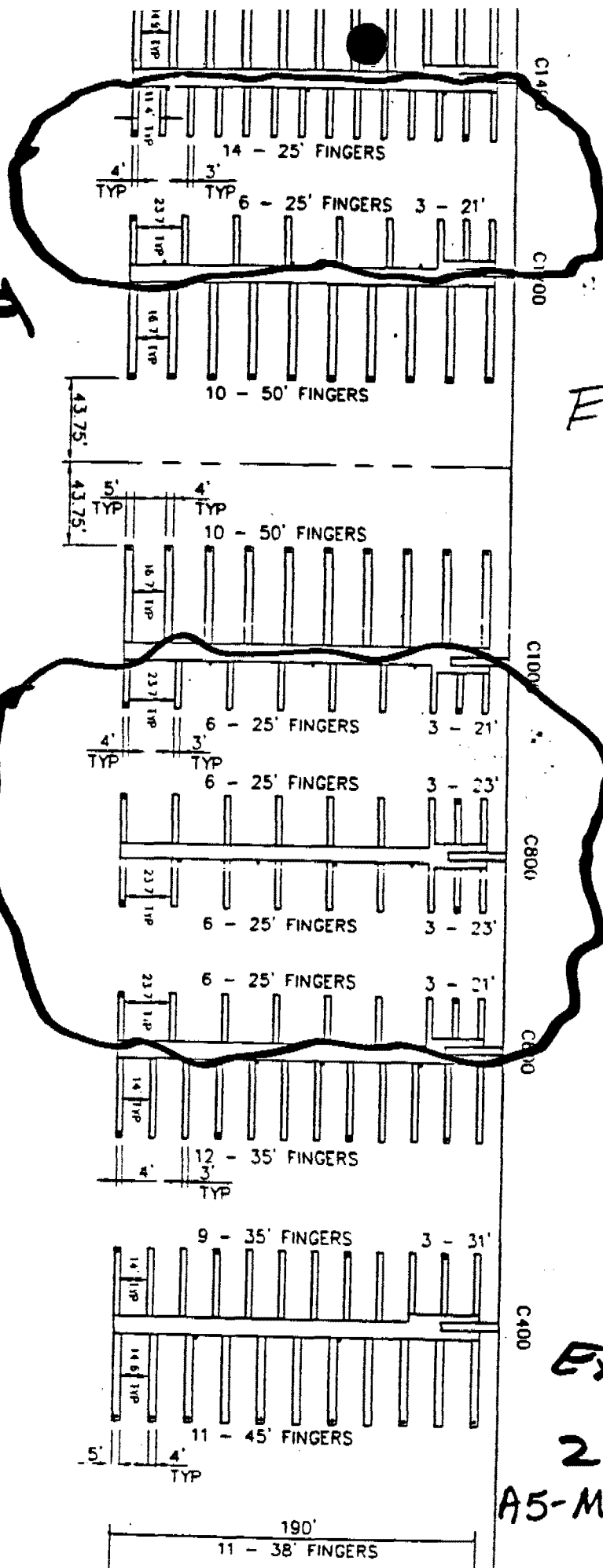
Exhibit 8
1044

A5-MDR-95-017

Exhibit 8
p 2

AREA-I
60
Strip 1
21 → 25

00
Exhibit
2 of 4
A5-MDR-95-01'



AREA-II
slips
29
21, 22, 25

DRAFT



MOFFATT & NICHOL
ENGINEERS

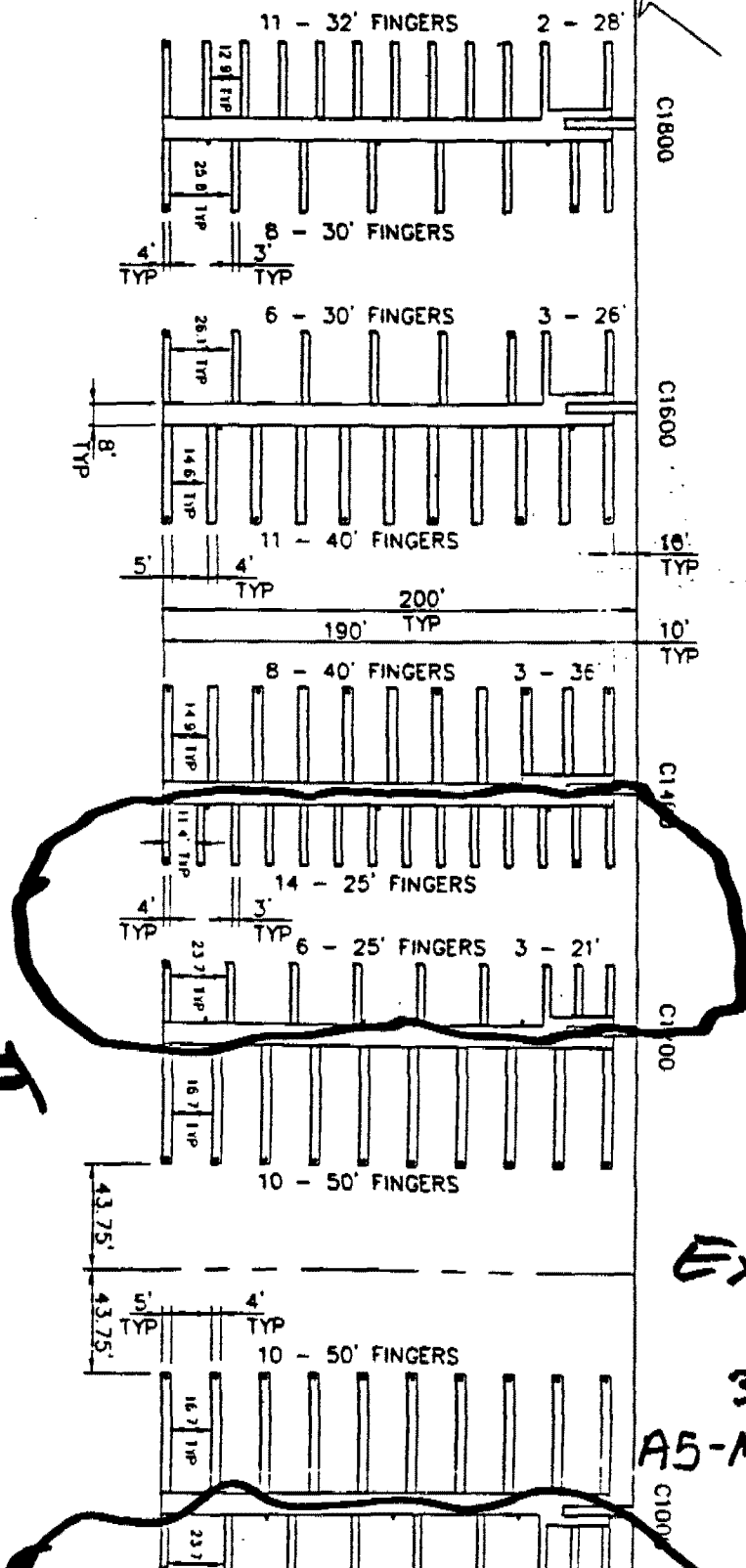
[illegible]

STATUS	CONCEPT	1	2	3	FINAL
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Exhibit 8
p 3

29
60
88
177 - 76 = 101
SNAKE
LOX
Remain
Bie
New

AREA-II
29 slips
21' x 25'



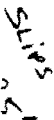
DOLPHIN MARINA

Exhibit 8

30 + 4
A5-MDR-95-01

8					
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p4



AREA-III

88 slips
23' → 25'

~~Exhibit 8~~

4.f4

A5-MDE-95-01