

Regional Planning Commission Transmittal Checklist

Hearing Date
10/30/2013

Agenda Item No.
7

Project Number: Project No. R2013-00184-(4)
Case(s): Conditional Use Permit No. 201300016
Parking Permit No. 201300003
Planner: Anita D. Gutierrez, AICP

- Project Summary
- Property Location Map
- Staff Analysis
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- Draft Findings
- Draft Conditions
- Burden of Proof Statement(s)
- Environmental Documentation (ND / MND / EIR)
- Correspondence
- Photographs
- Aerial Image(s)
- Land Use/Zoning Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans
- _____
- _____
- _____

Reviewed By: 



Department of Regional Planning
 320 West Temple Street
 Los Angeles, California 90012

PROJECT NUMBER
 R2013-00184-(4)

HEARING DATE
 October 30, 2013

REQUESTED ENTITLEMENTS

Conditional Use Permit No. 201300016
 Parking Permit No. 201300003
 Environmental Assessment No. 201300020

PROJECT SUMMARY

OWNER / APPLICANT

Warehouse Restaurant

MAP/EXHIBIT DATE

12-10-2012

PROJECT OVERVIEW

A request for a Conditional Use Permit to allow for live entertainment within an existing restaurant and a parking permit to allow for shared parking on an adjacent parcel and valet parking.

LOCATION

4499 Admiralty Way, Marina del Rey

ACCESS

Via Admiralty Way

ASSESSORS PARCEL NUMBER(S)

4224-007-903, Marina Lease Parcel 133

SITE AREA

1.26 Acres

GENERAL PLAN / LOCAL PLAN

Marina del Rey Specific Plan

ZONED DISTRICT

Playa del Rey

LAND USE DESIGNATION

Visitor-Serving/Convenience Commercial

ZONE

Specific Plan

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

N/A

ENVIRONMENTAL DETERMINATION (CEQA)

Class 1 Categorical Exemption – Existing Facilities

KEY ISSUES

- Consistency with the Marina del Rey Local Coastal Program
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
 - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
 - 22.56.1020 (Parking Permit Burden of Proof Requirements)

CASE PLANNER:

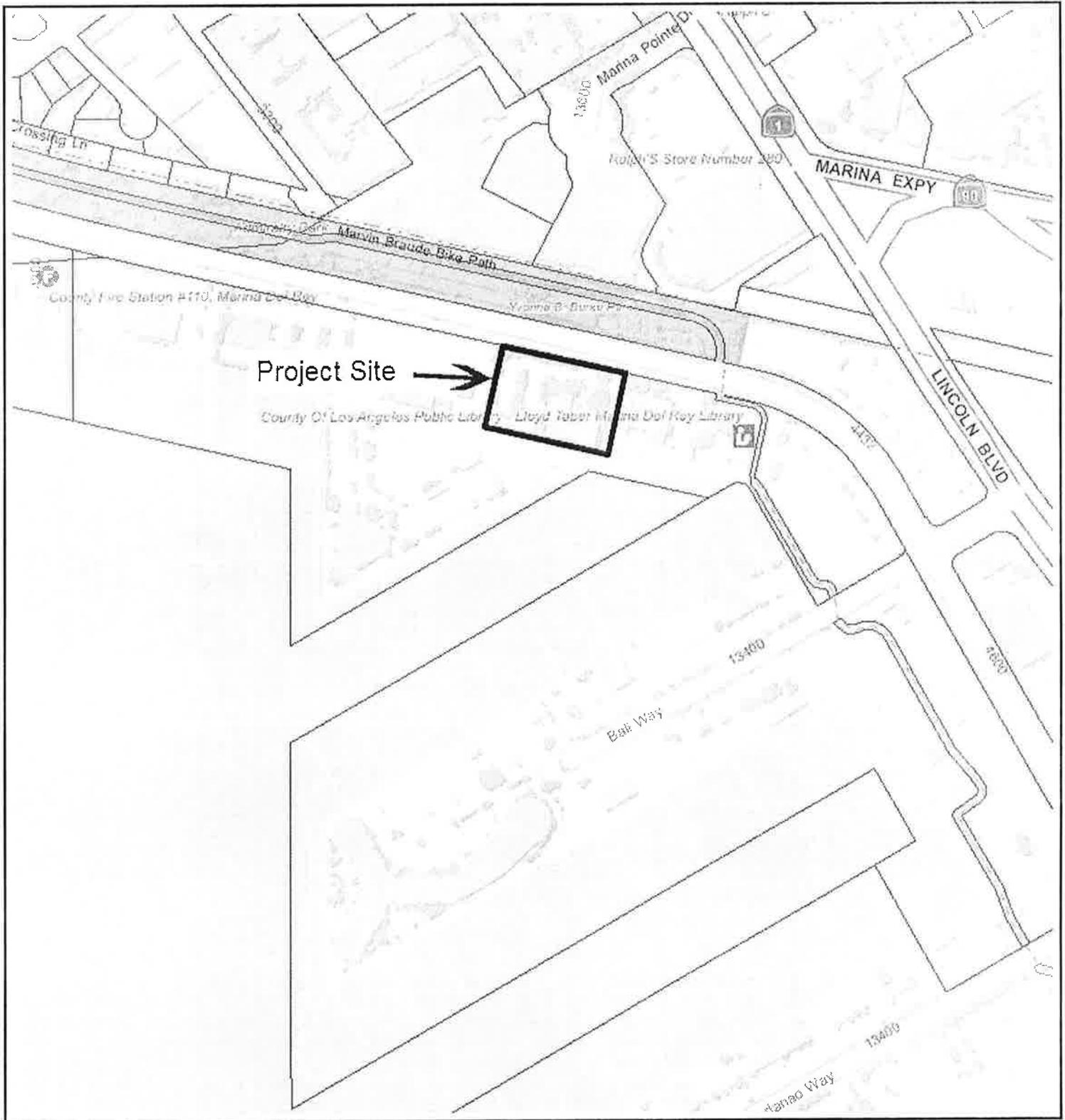
Anita Gutierrez

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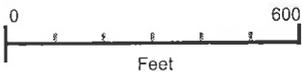


Marina Del Rey

R2013-01534, RVAR201300002

Printed: Sep 19, 2013

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ENTITLEMENTS REQUESTED

- Conditional Use Permit ("CUP") for a Nightclub (live entertainment within an existing restaurant with an occupant load of at least 200 persons) in the Visitor-Serving/Convenience Commercial Zone pursuant to County Code Section 22.46.1400.
- Parking Permit to allow for valet parking and shared parking on adjacent Lease Parcel 134 in the Visitor-Serving/Convenience Commercial Zone pursuant to County Code Section 22.46.1400 and 22.56.990.

PROJECT DESCRIPTION

The Project consists of proposed live entertainment within an existing restaurant. Entertainment would include live music and dancing two nights a week, Friday and Saturday from 9:30 p.m. to 1:30 a.m. on an existing dance floor within the restaurant. Additionally, the project includes valet parking and a shared parking arrangement with the adjoining parcel to the Southeast (Parcel 134).

SITE PLAN DESCRIPTION

The site is developed with a 12,045 square foot two-story restaurant (The Warehouse) with a large water feature (lagoon) at the building entrance and a paved 74 space surface parking lot. The adjacent parcel (134), to be used for shared parking, is developed with a two-story office building and 61 surface parking spaces.

EXISTING ZONING

The site is located within the Playa del Rey Zoned District and is zoned Specific Plan within the Marina del Rey Local Coastal Program, certified in 2012 ("LCP"). The LCP is comprised of two components, the Marina del Rey Land Use Plan ("LUP") and the Local Implementation Plan ("LIP") referred to as the Specific Plan. The site's existing land use designation under the LCP is Visitor-Serving/Convenience Commercial, with a Waterfront Overlay Zone.

Surrounding properties are zoned as follows:

North: Open Space
South: Marine Commercial and Water
East: Office
West: Hotel

EXISTING LAND USES

The site is currently developed with an existing 12,045 square foot two-story restaurant (The Warehouse) and a 74 space paved surface parking lot.

Surrounding properties are developed as follows:

North: Yvonne B. Burke Park
South: California Yacht Club
East: Bank and Office space
West: Restaurant (Café del Rey)

PREVIOUS CASES/ZONING HISTORY

- Plot Plan 12429 - Approved construction and operation of a restaurant. Approved December 4, 1968
- RFS No: 12-0022350/EF103119 – On October 9, 2012, the Warehouse restaurant was cited for a zoning violation for live entertainment being conducted without Department of Regional Planning approval. The owner subsequently ceased operation of the live entertainment and applied for a conditional use permit to allow live entertainment. The zoning violation case was closed on January 8, 2013.

ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 1 Exemption, existing facilities) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The project includes the addition of live entertainment to an existing restaurant with a valet and shared parking arrangement with the adjacent parcel, no new construction is proposed. The site is surrounded by similar visitor serving/commercial and office uses and would not create any significant environmental impacts. Therefore, staff recommends that the Regional Planning Commission determine that the project is categorically exempt from CEQA.

STAFF EVALUATION

General Plan/Community Plan Consistency

The project site is located within the Visitor-Serving/Convenience Commercial, with a Waterfront Overlay Zone land use category of the Marina del Rey LCP. This designation is intended for dining facilities, retail and personal services for visitors to the Marina and nearby beaches, as well as residents and employees of Marina del Rey. The proposed live entertainment would be take place within an existing restaurant and is therefore consistent with the permitted uses of the underlying land use category, which allow nightclubs with a Conditional Use Permit in the Visitor-Serving/Convenience Commercial designation.

The following policies of the Marina del Rey LCP are applicable to the proposed project:

Recreation and Visitor Serving Facilities

- Recreation & Visitor Serving Facilities Policy No. 1 of the LUP , states typical visitor-serving uses may include public or private recreation, parks, cultural and educational facilities, gift and specialty shops, service concessions, bicycle lockers, food and drink establishments, overnight lodging and related parking areas. The applicant proposing to provide live entertainment within an exiting restaurant serving food and drinks with required parking provided on-site as well as on adjacent parcel through a shared parking arrangement.
- Recreation & Visitor-Serving Facilities Policy No. 6 of the LUP, which calls for the provision of code-compliant parking in new projects. The applicant is providing 74 on-site parking spaces and 61 off-site parking spaces (on Lease Parcel 134) to be utilized through a shared parking arrangement allowing the project to meet required parking standards. 132 parking spaces are required and 135 will be provided.

- Recreation & Visitor-Serving Facilities Policy No. 16 of the LUP (encouraging the concept of multi-use/time-shared parking facilities for different user groups). Consistent with this LUP policy, the project proposes shared parking with the adjacent lot (Lease Parcel 134), which is currently developed with office and professional businesses that operate on a Monday through Friday schedule, closing at 5:00 p.m. and closed on the weekends. The Nightclub use would operate from 9:30 p.m. to 1:30 a.m., utilizing the unused parking during these hours via valet service for Warehouse customers. The same Master lessee holds leases on both Parcels 133 and 134. As a condition of approval a signed lease agreement from the Warehouse (sub-lessee) will be required.

Zoning Ordinance and Development Standards Compliance

Pursuant to Section 22.46.1410 and 22.46.1860 of the County Code, establishments in the Visitor-Serving/Convenience Commercial Zone are subject to the following development standards:

- Height - Building height is limited to a maximum of 45 feet
The height of the existing structure is 36 feet and no new construction is proposed. The Project meets the development standard
- Front, rear and side yard setbacks - Front, rear and side yard setbacks shall be a minimum of 10 feet in addition to the required highway setback. View corridors, public open space areas and/or accessways or emergency accessways required in this Specific Plan may be designed and integrated with the required front, side and rear yard setbacks or located elsewhere on the property if such design will enhance visual and physical access to the shoreline;
The project provides front yard setback approximately 80 feet in depth along Admiralty Way and a 15 rear yard setback along the waterfront. The western side yard setback (adjacent to Parcel 134) is approximately 9 feet and the eastern side yard setback (adjacent to Parcel 132) is approximately 135 feet. The project meets this development standard.
- Visitor-Serving/Convenience Commercial uses shall not reduce the amount of land area devoted to existing visitor-serving, boating, or coastal-dependent marine commercial uses, and visitor-serving uses may be integrated vertically with recreational boating uses where possible.

The project site is currently developed with a 12,045 square foot two-story restaurant, which is classified as a visitor-serving commercial use. No new construction or demolition is proposed. The project meets this development standard.

- Visitor-serving uses shown on Map 5 of the LUP, Existing/Proposed Visitor-Serving Facilities, shall be preserved or replaced on site, as part of redevelopment;

The existing restaurant structure will remain on-site, no new construction or demolition is proposed. The visitor serving uses will be retained on-site.

- **Parking** - Pursuant to Section 22.52.1110 of the County Code, parking for structures used for assembly, drinking, eating or entertainment shall provide one (1) parking space for every 3 persons based on occupant load, other uses require minimum 10 spaces.

The total occupancy for the restaurant and nightclub use is 397 persons, as determined by Building and Safety Division of Public Works, therefore 132 parking spaces are required ($397/3= 132$). The applicant is providing a total of 135 parking spaces, comprised of 74 on-site parking spaces and 61 off-site parking spaces (on Lease Parcel 134) to be utilized through a shared parking arrangement allowing the project to meet required parking standards. The applicant is requesting a parking permit to allow for the provision of shared parking on Parcel 134 (Same owner of parcel 133) and the use of valet. The adjacent Parcel 133 is currently developed with a two story office building and 61 parking spaces, including 3 handicap assessable spaces. Parcel 133 is currently occupied by First Bank, the Commodore Club, and various other tenants on month-to month leases, these businesses generally operate from 7:00 a.m. to 5:00 p.m. Monday thru Friday. Weekends and holidays the bank is closed, as is the office building. The applicant would utilize the parking spaces on Parcel 133 after 5:00 p.m. when business on the site has closed. Additionally, the applicant proposes to utilize valet parking on the site after 4:30 p.m. The Nightclub use would operate from 9:30 p.m. to 1:30 a.m., utilizing the unused parking during these hours via valet service for Warehouse customers. The Warehouse restaurant was originally approved under Plot Plan No. 12429 in 1968 with twenty-one (21) parking spaces required and eighty (80) parking spaces provided, however based on the new use of nightclub, required parking is determined by the most current occupancy load. Based upon the occupancy load of 397 persons as determined by the County engineer, 132 parking spaces are required to meet current code requirements.

- **Landscaping** - 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. These standards shall be implemented in a manner consistent with all other provisions of the certified LCP to encourage unique site design. Layout, components, and quantity of landscaping for development in the existing Marina shall be subject to approval by the design control board.

The site provides approximately eight feet of landscaping along the western parcel boundary (adjacent to Parcel 132) and approximately six feet of landscaping along the parcel frontage (along Admiralty Way). A total of 1,608 square feet (2.9%) of landscaping is provided. At the time the site was developed the landscaping requirement was two (2) percent of the lot area. Since no new construction is proposed as a part of this request the property is non-conforming due to

landscaping standards and no new landscaping is required. The project meets this development standard.

- **Lot Coverage.** Lot coverage by buildings, shall be limited as otherwise restricted in the Specific Plan, and shall not exceed 90 percent of the net lot area; a minimum of 10 percent of the net lot area shall be landscaped.

The lot is a total of 55,300 square feet, the total lot coverage is 12,045 square feet (22%) and approximately 1,608 square feet (2.9%) of landscaping is provided. At the time the site was developed the landscaping requirement was two (2) percent of the lot area. Since no new construction is proposed as a part of this request the property is non-conforming due to landscaping standards and no new landscaping is required. The project meets this development standard.

- **Signs** - Signs shall be as detailed as possible without becoming unreadable. The Marina del Rey Design Control Board (DCB) specifically regulates signs in the existing Marina through the application of standards set forth in the Board's *Revised Permanent Sign Controls and Regulations*, a section of the *Manual for Architectural Standards*, certified in 1990 as Appendix C. Signs are also regulated by the provisions of Part 10 of Chapter 22.52 of Title 22

No new signage is proposed and existing signage has been approved by DCB.

- **Fire Safety Standards.** All new development shall be required to provide fire sprinklers consistent with the specifications of the Fire Department. Further, remodeling or expansion projects involving 50 percent or more of the existing floor area of said project shall be subject to review by the Fire Department for sprinkler requirements.

No new construction is proposed. In a letter dated July 9, 2013 the Los Angeles County Fire Department requested the applicant submit architectural plans to the Fire Prevention office in the City of Hawthorne for review and approval for the proposed change of use/change of occupancy prior to any live entertainment activity. The project meets this development standard.

- **Bicycle Parking and Related Facilities** - The minimum number of bicycle parking spaces for a general retail uses including restaurants is one (1) space per each 12,000 square feet of gross floor area (two space minimum) for long term bicycle parking and one (1) space per each 5,000 square feet of gross floor area (two space minimum) for short term bicycle parking.

The total floor area for the proposed project is 12,045 square feet, which requires two (2) long term bicycle parking spaces and two (2) short term bicycle parking spaces. The applicant will be required to provide these spaces as a condition of approval.

Site Visit

Staff visited the site on June 16, 2013 and observed the restaurant to be consistent with the submitted site plans.

Burden of Proof

The applicant is required to substantiate all facts identified by Section(s) 22.56.040 and 22.56.1020 of the County Code. The applicant has demonstrated that the project will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area as there are no residential uses in the immediate area surrounding the site and the commercial uses surrounding the site are generally closed during the time live entertainment is proposed. The applicant has demonstrated that there will be no conflicts arising from special parking arrangements allowing shared parking facilities on the adjacent parcel as the hours of operation for the businesses on Parcel 134 do not conflict with the hours of proposed live entertainment on the subject site. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

Neighborhood Impact/Land Use Compatibility

The Warehouse Restaurant has operated at the same location for over forty years and continues to attract visitors to Marina del Rey. The existing restaurant use, as well as the proposed live entertainment is consistent with the Visitor Serving/Convenience commercial land use designation for the parcel and is compatible with adjacent uses and the established community character. The subject property is surrounded by other commercial uses: office uses to the east and a yacht club and restaurants to the west. Live entertainment is proposed only two nights a week, Friday and Saturday from 9:30 p.m. to 1:30 a.m., which would not conflict with adjacent businesses. The shared parking arrangement would allow The Warehouse to utilize an otherwise unused parking lot during event hours.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Los Angeles County Fire Department – In a letter dated July 9, 2013 the Fire Department requested a fire flow test and architectural plans be submitted to the Department prior to any live entertainment activity. Letter attached.

Los Angeles County Department of Public Health – In a letter dated July 19, 2013 the Department added standard conditions that the facility comply with Public Health requirements relating to the operation of food establishments. Letter attached.

Los Angeles County Department of Public Works – In a letter dated September 5, 2013 the Department recommended approval of the project. Letter attached.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

PUBLIC COMMENTS

Staff has received nine letters of support for salsa night at the Warehouse Restaurant, stating that it is friendly social environment enjoyed by all levels of dancers.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Regional Planning Commission.

STAFF RECOMMENDATION

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

Staff recommends **APPROVAL** of Project Number R2013-00184, Conditional Use Permit Number 201300016 and Parking Permit Number 201300003, subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING, FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES AND APPROVE CONDITIONAL USE PERMIT NO. 201300016 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Anita Gutierrez, Principal Planner, Special Projects Section
Reviewed by Samuel Dea, Supervising Regional Planner, Special Projects Section

Attachments:

Draft Findings, Draft Conditions of Approval
Applicant's Burden of Proof statement
Correspondence
Site Photographs, Aerial Image
Site Plan, Land Use Map

SD:ADG
October 16, 2013

**DRAFT FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. R2013-00184-(4)
CONDITIONAL USE PERMIT NO. 201300016
PARKING PERMIT NO. 201300003**

1. **ENTITLEMENTS REQUESTED.** The applicant, The Warehouse Restaurant, is requesting a Conditional Use Permit (CUP) and Parking Permit to authorize live entertainment within an existing restaurant on an existing dance floor within the restaurant with valet parking and a shared parking arrangement with the adjoining parcel to the Southeast (Parcel 134) pursuant to County Code Sections 22.46.1400 and 22.56.990 in the Marina del Rey Specific Plan Zone.
2. **HEARING DATE.** October 30, 2013
3. **PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION**
4. **PROJECT DESCRIPTION.** The Project consists of proposed live entertainment within an existing restaurant. Entertainment would include live music and dancing two nights a week, Friday and Saturday from 9:30pm to 1:30am on an existing dance floor within the restaurant. Additionally, the project includes valet parking and a shared parking arrangement with the adjoining parcel to the Southeast (Parcel 134).
5. **LOCATION.** 4499 Admiralty Way, Marina del Rey
6. **SITE PLAN DESCRIPTION.** The site is developed with a 12,045 square foot two-story restaurant (The Warehouse) with a large water feature (lagoon) at the building entrance and a paved 74 space surface parking lot. The adjacent parcel (134), to be used for shared parking, is developed with a two-story office building and 61 surface parking spaces.
7. **EXISTING ZONING.** The site is located within the Playa del Rey Zoned District and is zoned Specific Plan within the Marina del Rey Local Coastal Program, certified in 2012 ("LCP"). The LCP is comprised of two components, the Marina del Rey Land Use Plan ("LUP") and the Local Implementation Plan ("LIP") referred to as the Specific Plan. The site's existing land use designation under the LCP is Visitor-Serving/Convenience Commercial, with a Waterfront Overlay Zone.

Surrounding properties are zoned as follows:

North: Open Space
South: Marine Commercial and Water
East: Office
West: Hotel

8. **EXISTING LAND USES.** The site is currently developed with an existing 12,045 square foot two-story restaurant (The Warehouse) and a 74 space paved surface parking lot.

Surrounding properties are developed as follows:

North: Yvonne B. Burke Park
South: California Yacht Club
East: Bank and Office space
West: Restaurant (Café del Rey)

9. **PREVIOUS CASES/ZONING HISTORY.** Plot Plan 12429 - Approved construction and operation of a restaurant. Approved December 4, 1968
10. On October 9, 2012, the Warehouse restaurant was cited for a zoning violation (RFS No: 12-0022350/EF103119) for live entertainment being conducted without Department of Regional Planning approval. The owner subsequently ceased operation of the live entertainment and applied for a conditional use permit to allow live entertainment. The zoning violation case was closed on January 8, 2013.
11. **GENERAL PLAN / COMMUNITY PLAN CONSISTENCY.** The project site is located within the Visitor-Serving/Convenience Commercial, with a Waterfront Overlay Zone land use category of the Marina del Rey LCP. This designation is intended for dining facilities, retail and personal services for visitors to the Marina and nearby beaches, as well as residents and employees of Marina del Rey. The proposed live entertainment would be take place within an existing restaurant and is therefore consistent with the permitted uses of the underlying land use category, which allow nightclubs with a Conditional Use Permit in the Visitor-Serving/Convenience Commercial designation.
12. Recreation & Visitor Serving Facilities Policy No. 1 of the LUP , states typical visitor-serving uses may include public or private recreation, parks, cultural and educational facilities, gift and specialty shops, service concessions, bicycle lockers, food and drink establishments, overnight lodging and related parking areas. The applicant proposing to provide live entertainment within an exiting restaurant serving food and drinks with required parking provided on-site as well as on adjacent parcel through a shared parking arrangement.
13. Recreation & Visitor-Serving Facilities Policy No. 6 of the LUP, which calls for the provision of Code-compliant parking in new projects. The applicant is providing 74 on-site parking spaces and 61 off-site parking spaces (on Lease Parcel 134) to be utilized through a shared parking arrangement allowing the project to meet required parking standards. 132 parking spaces are required and 135 will be provided.
14. Recreation & Visitor-Serving Facilities Policy No. 16 of the LUP (encouraging the concept of multi-use/time-shared parking facilities for different user groups). Consistent with this LUP policy, the project proposes shared parking with the

adjacent lot (Lease Parcel 134), which is currently developed with office and professional businesses that operate on a Monday through Friday schedule, closing at 5:00 p.m. and closed on the weekends. The Nightclub use would operate from 9:30 p.m. to 1:30 a.m., utilizing the unused parking during these hours via valet service for Warehouse customers. The same Master lessee holds leases on both Parcels 133 and 134. As a condition of approval a signed lease agreement from the Warehouse (sub-lessee) will be required.

15. The proposed project is in conformity with the public access and public recreation policies of Chapter 3 of Division 20 of the Public Resources Code.
16. The project is located within the California Coastal Commission appealable area and is required to be reviewed by the Regional Planning Commission.
17. **ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE.** Pursuant to Section 22.46.1410 and 22.46.1860 of the County Code, establishments in the Visitor-Serving/Convenience Commercial Zone are subject to the following development standards:
 18. Height - Building height is limited to a maximum of 45 feet. The height of the existing structure is 36 feet and no new construction is proposed. The Project meets the development standard
 19. Front, rear and side yard setbacks - Front, rear and side yard setbacks shall be a minimum of 10 feet in addition to the required highway setback. View corridors, public open space areas and/or accessways or emergency accessways required in this Specific Plan may be designed and integrated with the required front, side and rear yard setbacks or located elsewhere on the property if such design will enhance visual and physical access to the shoreline;

The project provides front yard setback approximately 80 feet in depth along Admiralty Way and a 15 rear yard setback along the waterfront. The western side yard setback (adjacent to Parcel 134) is approximately 9 feet and the eastern side yard setback (adjacent to Parcel 132) is approximately 135 feet. The project meets this development standard.

20. Visitor-Serving/Convenience Commercial uses shall not reduce the amount of land area devoted to existing visitor-serving, boating, or coastal-dependent marine commercial uses, and visitor-serving uses may be integrated vertically with recreational boating uses where possible.

The project site is currently developed with a 12,045 square foot two-story restaurant, which is classified as a visitor-serving commercial use. No new construction or demolition is proposed. The project meets this development standard.

21. Visitor-serving uses shown on Map 5 of the LUP, Existing/Proposed Visitor-Serving Facilities, shall be preserved or replaced on site, as part of redevelopment;

The existing restaurant structure will remain on-site, no new construction or demolition is proposed. The visitor serving uses will be retained on-site.

22. Parking - Pursuant to Section 22.52.1110 of the County Code, parking for structures used for assembly, drinking, eating or entertainment shall provide one (1) parking space for every 3 persons based on occupant load, other uses require minimum 10 spaces.

The total occupancy for the restaurant and nightclub use is 397 persons, as determined by Building and Safety Division of Public Works, therefore 132 parking spaces are required ($397/3= 132$). The applicant is providing a total of 135 parking spaces, comprised of 74 on-site parking spaces and 61 off-site parking spaces (on Lease Parcel 134) to be utilized through a shared parking arrangement allowing the project to meet required parking standards. The applicant is requesting a parking permit to allow for the provision of shared parking on Parcel 134 (Same owner of parcel 133) and the use of valet. The adjacent Parcel 133 is currently developed with a two story office building and 61 parking spaces, including 3 handicap assessable spaces. Parcel 133 is currently occupied by First Bank, the Commodore Club, and various other tenants on month-to month leases, these businesses generally operate from 7:00 a.m. to 5:00 p.m. Monday thru Friday. Weekends and holidays the bank is closed, as is the office building. The applicant would utilize the parking spaces on Parcel 133 after 5:00 p.m. when business on the site has closed. Additionally, the applicant proposes to utilize valet parking on the site after 4:30 p.m. The Nightclub use would operate from 9:30 p.m. to 1:30 a.m., utilizing the unused parking during these hours via valet service for Warehouse customers. The Warehouse restaurant was originally approved under Plot Plan No. 12429 in 1968 with twenty-one (21) parking spaces required and eighty (80) parking spaces provided, however based on the new use of nightclub, required parking is determined by the most current occupancy load. Based upon the occupancy load of 397 persons as determined by the County engineer, 132 parking spaces are required to meet current code requirements.

23. Landscaping - 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. These standards shall be implemented in a manner consistent with all other provisions of the certified LCP to encourage unique site design. Layout, components, and quantity of landscaping for development in the existing Marina shall be subject to approval by the design control board.

The site provides approximately eight feet of landscaping along the western parcel boundary (adjacent to Parcel 132) and approximately six feet of landscaping along

the parcel frontage (along Admiralty Way). A total of 1,608 square feet (2.9%) of landscaping is provided. At the time the site was developed the landscaping requirement was two (2) percent of the lot area. Since no new construction is proposed as a part of this request the property is non-conforming due to landscaping standards and no new landscaping is required. The project meets this development standard.

24. Lot Coverage. Lot coverage by buildings, shall be limited as otherwise restricted in the Specific Plan, and shall not exceed 90 percent of the net lot area; a minimum of 10 percent of the net lot area shall be landscaped.

The lot is a total of 55,300 square feet, the total lot coverage is 12,045 square feet (22%) and approximately 1,608 square feet (2.9%) of landscaping is provided. At the time the site was developed the landscaping requirement was two (2) percent of the lot area. Since no new construction is proposed as a part of this request the property is non-conforming due to landscaping standards and no new landscaping is required. The project meets this development standard.

25. Signs - Signs shall be as detailed as possible without becoming unreadable. The Marina del Rey Design Control Board (DCB) specifically regulates signs in the existing Marina through the application of standards set forth in the Board's Revised Permanent Sign Controls and Regulations, a section of the Manual for Architectural Standards, certified in 1990 as Appendix C. Signs are also regulated by the provisions of Part 10 of Chapter 22.52 of Title 22

No new signage is proposed and existing signage has been approved by DCB.

26. Fire Safety Standards. All new development shall be required to provide fire sprinklers consistent with the specifications of the Fire Department. Further, remodeling or expansion projects involving 50 percent or more of the existing floor area of said project shall be subject to review by the Fire Department for sprinkler requirements.

No new construction is proposed. In a letter dated July 9, 2013 the Los Angeles County Fire Department requested the applicant submit architectural plans to the Fire Prevention office in the City of Hawthorne for review and approval for the proposed change of use/change of occupancy prior to any live entertainment activity. The project meets this development standard.

27. Bicycle Parking and Related Facilities - The minimum number of bicycle parking spaces for a general retail uses including restaurants is one (1) space per each 12,000 square feet of gross floor area (two space minimum) for long term bicycle parking and one (1) space per each 5,000 square feet of gross floor area (two space minimum) for short term bicycle parking.

The total floor area for the proposed project is 12,045 square feet, which requires two (2) long term bicycle parking spaces and two (2) short term bicycle parking

spaces. The applicant will be required to provide these spaces as a condition of approval.

28. **NEIGHBORHOOD IMPACT/LAND USE COMPATIBILITY.** The Warehouse Restaurant has operated at the same location for over forty years and continues to attract visitors to Marina del Rey. The existing restaurant use and as well as the proposed live entertainment is consistent with the Visitor Serving/Convenience commercial land use designation for the parcel and is compatible with adjacent uses and the established community character. The subject property is surrounded by other commercial uses: office uses to the east and a yacht club and restaurants to the west. Live entertainment is proposed only two nights a week, Friday and Saturday from 9:30 p.m. to 1:30 a.m., which would not conflict with adjacent businesses. The shared parking arrangement would allow The Warehouse to utilize an otherwise unused parking lot during event hours.
29. **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS.** In a letter dated July 19, 2013 the County Public Health Department, requires the permittee to comply with Public Health requirements relating to operation of food establishments and Los Angeles County Noise Ordinance. In a letter dated July 9, 2013 the County Fire Department, requires the permittee to submit a fire flow test and architectural plans for review and approval. In a letter dated September 5, 2013 the County Public Works Department requires the permittee to obtain necessary permits from the Building and Safety Division for any alteration to the existing building including building, electrical, plumbing and mechanical work.
30. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
31. **PUBLIC COMMENTS.** Staff has received nine letters of support for salsa night at the Warehouse Restaurant, stating that it is friendly social environment enjoyed by all levels of dancers.

CONDITIONAL USE PERMIT SPECIFIC FINDINGS

32. The project site is located within the Visitor-Serving/Convenience Commercial, with a Waterfront Overlay Zone land use category of the Marina del Rey LCP. This designation is intended for dining facilities, retail and personal services for visitors to the Marina and nearby beaches, as well as residents and employees of Marina del Rey. The proposed live entertainment would be take place within an existing restaurant and a night club use is a use allowed with a Conditional Use Permit.

Therefore, the proposed use will be consistent with the certified Local Coastal Program for the area.

33. The Warehouse Restaurant has operated at the same location for over forty years and continues to attract visitors to Marina del Rey. The subject property is surrounded by other commercial uses: office uses to the east and a yacht club and restaurants to the west. Live entertainment is proposed only two nights a week, Friday and Saturday from 9:30 p.m. to 1:30 a.m., which would not conflict with adjacent businesses. The shared parking arrangement would allow The Warehouse to utilize an otherwise unused parking lot during event hours.

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

34. No new physical development on the site is proposed. The applicant has demonstrated that there will be no conflicts arising from special parking arrangements allowing shared parking facilities on the adjacent parcel as the hours of operation for the businesses on Parcel 134 do not conflict with the hours of proposed live entertainment on the subject site.

Therefore, the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

35. No new physical improvements or expansion is proposed, therefore there is no change in occupancy and the quantity of traffic will not increase.

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

PARKING PERMIT SPECIFIC FINDINGS

36. Parcel 133 is currently occupied by First Bank, the Commodore Club, and various other tenants on month-to-month leases, these businesses generally operate from 7:00 a.m. to 5:00 p.m. Monday thru Friday. Weekends and holidays the bank is closed, as is the office building. The applicant would utilize the parking spaces on Parcel 133 after 5:00 p.m. when business on the site has closed. Additionally, the applicant proposes to utilize valet parking on the site after 4:30 p.m. The Nightclub use would operate from 9:30 p.m. to 1:30 a.m., utilizing the unused parking during these hours via valet service for Warehouse customers.

Therefore, there will be no conflicts arising from special parking arrangements allowing shared vehicle parking facilities because uses sharing vehicle parking facilities operate at different times of the day or days of the week.

37. No new physical improvements or expansion is proposed, therefore there is no change in occupancy and the quantity of traffic will not increase.

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

38. No new physical development on the site is proposed.

Therefore, the proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping, and other development features prescribed in this Title 22.

ENVIRONMENTAL DETERMINATION

39. The project includes the addition of live entertainment to an existing restaurant with a valet and shared parking arrangement with the adjacent parcel, no new construction is proposed. The site is surrounded by similar visitor serving/commercial and office uses and would not create any significant environmental impacts.

Therefore, the project qualifies as a Categorical Exemption (Class 1) and is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.

40. **TERM LIMIT.** To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Regional Planning Commission determines that it is necessary to limit the term of the grant to ten (10) years.

41. **RECORD OF PROCEEDINGS.** The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Special Projects Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

WITH RESPECT TO THE CONDITIONAL USE PERMIT

- A. That the proposed use will be consistent with the certified Local Coastal Program for the area; and

- B. That the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

WITH RESPECT TO THE PARKING PERMIT

- E. Therefore, there will be no conflicts arising from special parking arrangements allowing shared vehicle parking facilities because uses sharing vehicle parking facilities operate at different times of the day or days of the week.
- F. Therefore, the requested parking permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding property.
- G. Therefore, the proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping, and other development features prescribed in this Title 22.

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Conditional Use Permit and Parking Permit as set forth in Section e.g. 22.56.090 and 22.56.1060 of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

1. Regional Planning Commission determines that the project is exempt from the California Environmental Quality Act pursuant to the Class 1 – Existing Facilities categorical exemption.
2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 201300016 and Parking Permit No. 201300003 is Approved subject to the attached conditions.

SD:ADG
10/16/13

c: Each Commissioner, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2013-00184-(4)
CONDITIONAL USE PERMIT NO. 201300016
PARKING PERMIT NO. 201300003**

PROJECT DESCRIPTION

The project consists of proposed live entertainment within an existing restaurant (The Warehouse). Entertainment would include live music and dancing two nights a week, Friday and Saturday from 9:30 p.m. to 1:30 a.m. on an existing dance floor within the restaurant. Additionally, the project includes valet parking and a shared parking arrangement with the adjoining parcel to the Southeast (Parcel 134) subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the

costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on October 30, 2023.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit and Parking Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$3,000.00**. The deposit shall be

placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **ten (10) bi-annual (twice per year) inspections for the first five years of the grant term and five (5) annual inspections thereafter**, for a total of fifteen (15) inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **three copies** of a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three copies** of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS - CONDITIONAL USE PERMIT

19. Hours of operation for live entertainment shall be limited to 9:30 p.m. to 1:30 a.m., two (2) days a week (Friday and Saturday).
20. The permittee shall ensure that all patio doors remain closed during times that live entertainment is occurring.
21. All dancing must occur on the designated dancing spaces as depicted on the approved Exhibit "A".

PERMIT SPECIFIC CONDITIONS - PARKING PERMIT

22. The permittee shall provide parking as required by the County Code, calculated at a parking ratio of (1) parking space for every 3 persons based on occupant load. The [restaurant/retail use/etc] has an occupant load of 397 persons which would require not less than 132 parking spaces be provided based on the applicable ratio. If the permittee changes the operation of restaurant/night club so as to require less parking than the minimum requirement, the permittee shall submit an application for a Revised Exhibit "A" within 90 days of such occurrence.

If the restaurant/night club substantially changes its mode or character of operation or if the permittee changes the use or occupancy or otherwise modifies the subject property so as to require parking beyond the minimum requirement, the permittee shall submit an application for a minor parking deviation, parking permit, variance, or other applicable permit, as determined by the Director, within 90 days of such occurrence.

23. The permittee shall furnish to the Department of Regional Planning a lease agreement for shared parking providing for at least 58 parking spaces for the life of

the ten year grant term. If at any time the lease becomes in-valid this parking permit shall terminate and the permittee shall be required to file for a new parking permit to meet code requirements.

24. Valet parking shall be managed by a parking attendant at all times that valet parking is available.

PROJECT SITE SPECIFIC CONDITIONS

25. This grant shall authorize live entertainment within an existing restaurant (The Warehouse). Entertainment includes live music and dancing two nights a week, Friday and Saturday from 9:30 p.m. to 1:30 a.m. on an existing dance floor within the restaurant. Additionally, this grant authorizes valet parking and a shared parking arrangement with the adjoining parcel to the Southeast (Parcel 134).
26. The permittee shall comply with all conditions set forth in the attached County Public Health Department letter dated July 19, 2013.
27. The permittee shall comply with all conditions set forth in the attached County Fire Department letter dated July 9, 2013.
28. The permittee shall comply with all conditions set forth in the attached County Public Works Department letter dated September 5, 2013.

Attachments:

- County Public Health Department letter dated July 19, 2013.
- County Fire Department letter dated July 9, 2013.
- County Public Works Department letter dated September 5, 2013.



COUNTY OF LOS ANGELES
Public Health

JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

CYNTHIA A. HARDING, M.P.H.
Acting Chief Deputy Director

ANGELO J. BELLOMO, REHS
Director of Environmental Health

JACQUELINE TAYLOR, REHS
Director of Environmental Protection Bureau

PATRICK NEJADIAN, REHS
Chief EHS, Land Use Program

MICHELLE TSIEBOS, REHS
Environmental Health Specialist IV
Land Use Program
5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5382 • FAX (626) 813-3016



BOARD OF SUPERVISORS

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Fifth District

July 19, 2013

TO: Anita Gutierrez
Principal Regional Planning Assistant
Department of Regional Planning

FROM: Michelle Tsiebos, REHS *M.T.*
Environmental Health Division
Department of Public Health

SUBJECT: CUP CONSULTATION
PROJECT NO. R2013-00184/ RCUP 201300016
4499 Admiralty Way, Marina del Rey, CA 90292

- Public Health recommends approval of this CUP.
 Public Health does **NOT** recommend approval of this CUP.

The Department of Public Health- Environmental Health Division has reviewed the information provided for the project identified above. The CUP is to use part of the existing restaurant to offer live entertainment with dancing two nights a week; the existing building size, envelope, footprint and maximum occupancy load will not be changed.

The Department recommends approval of this CUP with the following conditions:

- The facility shall comply with all Public Health requirements relating to the operation of food establishments.
- The applicant shall adhere to the requirements of the Los Angeles County Noise Ordinance, as contained in Chapter 12.08 of the Los Angeles County Code.

For questions regarding this letter please contact me at (626) 430-5382.



**COUNTY OF LOS ANGELES
FIRE DEPARTMENT**

5823 Rickenbacker Road
Commerce, California 90040-3027

DATE: July 9, 2013

TO: Department of Regional Planning
Zoning Permits

PROJECT #: CUP R2013-00184

LOCATION: 4499 Admiralty Way, Marina del Rey

- The Fire Department Land Development Unit has no additional requirements for this permit.
- The required fire flow for this development is ____ gallons per minute for _ hours. The water mains in the street, fronting this property must be capable of delivering this flow at 20 pounds per square inch residual pressure.
- Verify __ 6" X 4" X 2 1/2" public fire hydrant, conforming to AWWA C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
- Comments:** The Fire Department Land Development Unit recommends approval of this permit as presently submitted.
- Water:** Submit a fire flow test to our Fire Prevention office in the City of Hawthorne along with your architectural plans. Additional water requirements, such as fire sprinklers or fire hydrants, maybe required for the proposed change of use/change of occupany.
- Access:** The existing access to the existing structures will be reviewed for compliance to current code during the architectural plan review by the Fire Prevention office.
- Special Requirements:** Submit architectural plans to our Fire Prevention office in the City of Hawthorne for review and approval for the proposed change of use/change of occupany prior to any live entertainment activity.

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

Inspector: JuanC Padilla

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



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

GAIL FARBER, Director

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

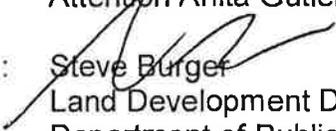
ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

September 5, 2013

IN REPLY PLEASE
REFER TO FILE: LD-2

TO: Samuel Dea
Special Projects
Department of Regional Planning

Attention Anita Gutierrez

FROM: 
Steve Burger
Land Development Division
Department of Public Works

CONDITIONAL USE PERMIT (CUP) NO. 201300016
PARKING PERMIT NO. 201300003
PROJECT NO. R2013-00184
THE WAREHOUSE RESTAURANT
4499 ADMIRALTY WAY, LEASE PARCEL 133
ASSESSOR'S MAP BOOK 4224, PAGE 007, PARCEL NO. 903
UNINCORPORATED COUNTY AREA OF MARINA DEL REY

We have reviewed the site plan for the project located at 4499 Admiralty Way in the unincorporated County area of Marina del Rey. The project proposes live entertainment within the existing Warehouse Restaurant. Entertainment would include live music and dancing two nights a week, Friday and Saturday, from 9:30 p.m. until 1:30 a.m. Additionally, the project includes a shared parking arrangement with the adjoining parcel to the east. The existing building size, envelope, footprint, and maximum occupancy will not change as a result of this project.

Public Works recommends approval of this CUP/Parking Permit with the following condition.

Public Works does **NOT** recommend approval of this CUP/Parking Permit.

A. Building and Safety:

1. Obtain permits from the Building and Safety Division, Southwest District Office, for any alteration to the existing building including building, electrical, plumbing, and mechanical work.

Samuel Dea
September 5, 2013
Page 2

For questions regarding the building and safety condition, please contact Clint Lee of Building and Safety Division at (626) 458-3154 or clee@dpw.lacounty.gov.

If you have any questions or require additional information, please contact Matthew Dubiel of Land Development Division at (626) 458-4921 or mdubiel@dpw.lacounty.gov.

MD:tb

P:\dpub\SUBPCHECK\Plan Checking Files\CUP\CUP 201300016\Site Plan (06-25-13)\Divisional\CUP 201300016, 4499 Admiralty Way.docx



CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

A. That the requested use at the location will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

IN OUR REQUEST TO ALLOW LIVE ENTERTAINMENT W/ DANCING 2 NIGHTS /WK. IN THE EXISTING RESTAURANT, THE BUILDING AND SITE SIZE, ENVELOPE, FOOTPRINT AND MAY, OCCUPANCY LOAD NOT BE CHANGED. NO NEW CONSTRUCTION IS REQUIRED & THEREFORE WILL NOT ADVERSELY AFFECT OR BE MATERIALLY DETRIMENTAL TO THE USE OF PERSONS IN THE VICINITY (NO INCREASE IN DUST, GLARE, SHADOWS, NOISE, ODORS OR FIRE HAZARDS. OUR PROPOSAL CAN OFFER DESIRABLE BENEFITS SUCH AS LIVE ENTERTAINMENT & DANCING OPPORTUNITIES.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

THIS PROJECT ALREADY HAS THE EXISTING RESTAURANT BUILDING, WALLS, FENCES, PARKING AND LOADING FACILITIES, LANDSCAPING AND OTHER DEVELOPMENT FEATURES PRESCRIBED IN THIS TITLE 22 ALREADY IN PLACE, AND WILL NOT BE ALTERED.

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required.

SUFFICIENT PARKING WILL BE PROVIDED. VALET PARKING WILL BE OFFERED. THE ~~TOP~~ PARKING LOT FROM THE ADJACENT PROPERTY (BANK) WILL BE UTILIZED FOR ADDITIONAL PARKING WHEN NEEDED.



PARKING PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.1020, the applicant shall substantiate the following:

(Do not provide one word or Yes/No responses. If necessary, attach additional pages.)

A. That there will be no need for the number of parking spaces required by Part 11 of Chapter 22.52.

THE WAREHOUSE RESTAURANT HAS 397 MAX. OCCUPANT LOAD. THE PARKING LOT HAS 70 REGULAR SPOTS / 4 HANDICAP SPOTS. THEY ALSO USE THE BANK PARKING LOT ON ADJACENT LOT FOR OVERFLOW WHEN NEEDED. THE BANK HAS 58 REG. SPOTS / 3 HANDICAP SPOTS. COMBINED TOTAL 128 REG. / 7 HANDICAP.

B. That there will be no conflicts arising from special parking arrangements allowing shared facilities, tandem spaces or compact spaces.

THERE IS AN AGREEMENT BETWEEN WAREHOUSE / BANK FOR WAREHOUSE TO USE BANK'S PARKING LOT DURING OFF BUSINESS HOURS OF BANK.

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

THE REQUIRE PARKING IS 132 TOTAL PROVIDED IS 135 TOTAL PARKING SPOTS.

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

UTILIZING WAREHOUSE AND BANK PARKING LOTS (ADJACENT) PROVIDES ADEQUATE AMOUNT OF PARKING SPACES REQUIRED.

E. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping and other development features prescribed in this ordinance.

THE SITE IS ADEQUATE FOR ALL THE ABOVE MENTIONED ITEMS, THERE IS NO CHANGE IN BUILDING FOOTPRINT OR SITE PLAN, THEY WILL REMAIN AS IS.

From: anthony long <anthonydlong@yahoo.com>
To: martispencer8 <martispencer8@aol.com>
Subject: Fw: Letter for The Warehouse
Date: Tue, Oct 1, 2013 5:01 pm

----- Forwarded Message -----

From: Debbie Soleymani <debbie.soleymani@gmail.com>
To: anthonydlong@yahoo.com
Sent: Monday, September 30, 2013 7:50 PM
Subject: Letter for The Warehouse

To whom it may concern:

I am writing in support of re-issuing a dancing permit for The Warehouse restaurant.

Salsa dancing at The Warehouse brings people of all backgrounds, ethnicities, and professions together. It was at The Warehouse where I met some of the most caring individuals who I never would have met otherwise. As a result, I have developed long lasting relationships which have had both personal and professional benefits.

The Warehouse is a unique venue because it is in a safe location. The Warehouse offers valet parking in front of the restaurant which makes a young, single woman feel very safe and comfortable. Also, the staff there is very friendly, warm, and accommodating and they create a welcoming atmosphere for their patrons.

Furthermore, The Warehouse is absolutely beautiful. It is known for its incredible view of the marina and perfect ambiance for a fun and memorable evening of salsa dancing.

The city is at a loss without salsa dancing at The Warehouse. The Warehouse is a fun place that brings people together in a unique and memorable environment. Anyone who has ever spent an evening there can attest to that fact.

Thank you for considering granting the dancing permit and giving us all a chance to dance in the Marina again.

Sincerely,

Debbie Soleymani

From: anthony long <anthonydlong@yahoo.com>
To: martispencer8 <martispencer8@aol.com>
Subject: Fw: Warehouse Letter
Date: Tue, Oct 1, 2013 4:59 pm

----- Forwarded Message -----

From: Susannah Kloepfer <zannahdoll@gmail.com>
To: anthonydlong@yahoo.com
Sent: Tuesday, October 1, 2013 2:35 PM
Subject: Warehouse Letter

To Whom It May Concern,

Hello, my name is Susannah Kloepfer. My profession is a Nanny caring for infants, toddlers, and very young school children. Occasionally I am also an event coordinator for private parties and fundraisers. I am also an avid, social salsa dancer since 2002.

My home is in Rancho Cucamonga, CA. It takes me an hour to get to Marina Del Rey, give or take 10 minutes depending on traffic or any quick stops, and a 2 hour round trip. I have often sacrificed 2 hours of driving time in order to enjoy dancing at the Warehouse, and I have been doing this for a few years since the Warehouse opened their venue for salsa dancing. I have always felt welcome, safe, even at home. When salsa dancing stopped at the Warehouse I genuinely missed it. I love the ship motif, and after sweating it out on the dancefloor being able to sit outside in the brisk evening air with a view of the night stars and marina. The ambience is great.

Anthony D. Long, the host, creates a family environment. I first met Anthony in the salsa night club scene, roughly 10 years ago. Since this time I have met his wife and children, they have come to my house, we have shared celebrations. Obviously if I welcome him to my home, he is someone I trust as a responsible, kind and generous friend. After a decade of friendship I vouch for his good character, work ethic, and for his ability to be a great host providing a safe, fun environment. He associates with people who share honorable principles. If there are men who make women uncomfortable I trust Anthony to ban these men from the Warehouse. I have created a group on facebook called "Predator Squad" to raise awareness about crime and violence so safety is not something I take lightly. The dancers and the patrons are friendly and I always enjoy my time at the Warehouse. It is well worth the long drive.

I hope and encourage those responsible to allow salsa dancing to continue at the Warehouse. If you have any further questions please do not hesitate to contact me. Thank you for taking this time to read my request, I look forward to dancing salsa at the Warehouse in Marina Del Rey in the near future.
Thank you!

Sincerely,
Susannah Kloepfer
cell: 909.459.9165
zannahdoll@gmail.com
[facebook.com/zannahdoll](https://www.facebook.com/zannahdoll)

From: anthony long <anthonydlong@yahoo.com>
To: martispencer8 <martispencer8@aol.com>
Subject: Fw:
Date: Tue, Oct 1, 2013 4:57 pm

----- Forwarded Message -----

From: Eddie Sadiwa <esadiwa@gmail.com>
To: anthonydlong@yahoo.com
Sent: Tuesday, October 1, 2013 4:18 PM
Subject:

After a stressful week at the hospital or long hours at photo shoots I want nothing more than to de stress with a night of salsa dancing with my friends. Friday nights in Marina Del Rey the place to be was Warehouse!!!!!!!!!!!!!! The vibe at the club is amazing. Everyone is so friendly. There is nothing like going to to a nightclub filled with amazing dancers with huge smiles on their faces. I really hope we get our Friday Salsa Night back.

Eddie Sadiwa

From: anthony long <anthonydlong@yahoo.com>
To: martispencer8 <martispencer8@aol.com>
Subject: Fw: Support letter
Date: Tue, Oct 1, 2013 4:57 pm

----- Forwarded Message -----

From: Hera Kwon <hkwon88@gmail.com>
To: "anthonydlong@yahoo.com" <anthonydlong@yahoo.com>
Sent: Tuesday, October 1, 2013 3:55 PM
Subject: Support letter

I have been a loyal attendee of salsa night at the Warehouse since it first opened. I got into salsa dancing 7 years ago and met many wonderful people in a positive and safe environment. Salsa nights at the Warehouse has been one of the highlights of my week for many years. It is a place where I can go to meet good friends, dance, and socialize in one of the safest and warmest environments in Los Angeles. No where in Los Angeles will you see such a diverse cross section of people. I hope salsa will return to the Warehouse. I happy to add my name to the list of Salsa at the Warehouse supporters. The Marina has not been same.

Hera Kwon
Social Science Teacher
Sunny Hills High School

Sent from my iPhone

From: anthony long <anthonydlong@yahoo.com>
To: martispencer8 <martispencer8@aol.com>
Subject: Fw: planing board
Date: Tue, Oct 1, 2013 8:31 pm

----- Forwarded Message -----

From: "contactmary@yahoo.com" <contactmary@yahoo.com>
To: Anthony Long <anthonydlong@yahoo.com>
Sent: Tuesday, October 1, 2013 7:48 PM
Subject: planing board

Dear planing board,

I hope you reissue the dancing permit for The Warehouse. I am a professional salsa dancer, instructor, and choreographer who has been running a greater LA club guide and reviewing salsa clubs all over greater Los Angeles area since the mid 1990's. The Warehouse stood out among all the other clubs as a safe and beautiful place for salsa dancers of all abilities and socioeconomic backgrounds to come together and celebrate life through dance. There has been a big void in our community since the dancing has stopped there. This place is irreplaceable. It's in a central location for most of us, the area is very safe and the walkways and views are stunning. My students, friends and I loved coming here to dance together. We miss our favorite local hangout. I hope you reissue the permit.

Sincerely,

Mary Scanlon

From: anthony long <anthonydlong@yahoo.com>

To: martispencer8 <martispencer8@aol.com>

Subject: Fw: Warehouse

Date: Thu, Sep 26, 2013 7:53 pm

----- Forwarded Message -----

From: Linda Cohen <linda.pcohen@gmail.com>

To: anthonydlong@yahoo.com

Sent: Thursday, September 26, 2013 6:51 PM

Subject: Warehouse

To whom it may concern,

I consistently attended the Warehouse Friday night salsa event for over 2 years. It was my favorite place to go on Friday nights and relax from studying while attending graduate school.

In those two years I met many great and fantastic dancers.....but more importantly all around GREAT people. The Warehouse was also a place to meet long-time salsa friends. The thing about salsa dancing is we are like a community. We love to dance and we know a good place when we go to one.....and the Warehouse was a great place to dance.

Every night I attended I left with smile having danced the entire night in such an amicable atmosphere. The patrons of the warehouse are all courteous and respectful.

I highly hope you will once again permit dancing at the Warehouse. I hope that you will come and see for yourself what I have spoken of here...a love for dance and a salsa community. Who knows maybe even you may catch the infectious feeling to dance!

Linda Parocua

From: anthony long <anthonydlong@yahoo.com>
To: martispencer8 <martispencer8@aol.com>
Subject: Fw: Warehouse Support
Date: Fri, Sep 27, 2013 12:02 pm

----- Forwarded Message -----

From: Armando Santos <arman.santos@gmail.com>
To: anthonydlong@yahoo.com
Sent: Thursday, September 26, 2013 11:27 PM
Subject: Warehouse Support

September 26, 2013

To Whom it may concern,

It is my pleasure to write a letter in support of The Warehouse opening to public to provide a fun and safe environment for salsa dancers and enthusiast alike. The Warehouse has provided this environment in past and has been missed by dancers, not just locally, and not just from dancers from southern California, but also from visiting dancers world-wide who comes here and look for a fun and safe environment for such a great dance.

The social event that The Warehouse provided has a familial atmosphere unlike any other club in town. I know and had been with Doctors, Lawyers, Nurses, Elementary Teachers who happens to hang out at The Warehouse in past.

Allowing The Warehouse to continue and operate with Salsa Dancing can only have a positive impact to this great city and hope that you would consider and support the many professionals from in and around the city and have them, us, bring prosperity to this city by providing a safe environment to hang out and dance salsa.

Armando P. Santos, MBA, Realtor
Prudential California Realty

From: anthony long <anthonydlong@yahoo.com>
To: martispencer8 <martispencer8@aol.com>
Subject: Fw: Warehouse Reopening Support
Date: Fri, Sep 27, 2013 12:02 pm

----- Forwarded Message -----

From: Monika Papp <mopapp@yahoo.com>
To: "anthonydlong@yahoo.com" <anthonydlong@yahoo.com>
Sent: Thursday, September 26, 2013 9:21 PM
Subject: Warehouse Reopening Support

To Whom It May Concern:

this letter serves as my support to reopen Salsa social dancing at the Warehouse Restaurant in Marina De Rey. I have been going there for years and it is a fun, lovely and family style atmosphere at a safe environment. I'm a professional, currently work as a Research Analyst for an investment bank. I love going to Warehouse after a long work week on Friday evenings to spend time with my salsa family.

Please let me know if you need any further information.

I appreciate your consideration!

Sincerely,
Monika Papp

September 26, 2013

Los Angeles County Department of Regional Planning

To whom it may concern,

My name is Virgil Mariona. I'm an aerospace engineer employed by Boeing Satellite Systems. I have been working in my field for 19 years, all in the Southern California region. I am writing in support of approval for the application submitted by "The Warehouse" to be able to host a salsa dancing night.

Salsa has been my biggest passion for almost 15 years. Without a doubt, it has provided me with many amazing experiences—both here and abroad—to meet people from across the world. It has been a consistently popular social dance for the better part of 20 years in Southern California, and I believe it will continue to have a following as people of all ages discover the joy of social dance.

Over the many years I have been involved in the salsa community, I have taken interest in the demographics of the people that participate. Among its ranks, many working professionals—spanning many different fields—are actively involved. The South Bay and West-Side venues, in particular, enjoy a very diverse cultural mix of dancers. Lessons provide the on-ramp that otherwise-shy beginners can comfortably use to acclimate to the environment.

My time at the Warehouse Restaurant while they hosted a salsa night was among the best I've experienced throughout my years in this hobby. The setting is beautiful, providing adequate space for dancers as well as other patrons, including a marina-facing patio where customers can cool-off or socialize, especially during beautiful summer evenings. The management was supportive, including courteous service provided by the bar-tending and food-serving staff. The music was full of life, no doubt helped by the vivacious, welcoming spirit of the house D.J., Charlie Antillon. The whole experience was masterfully orchestrated by the promoter, Mr. Anthony Long.

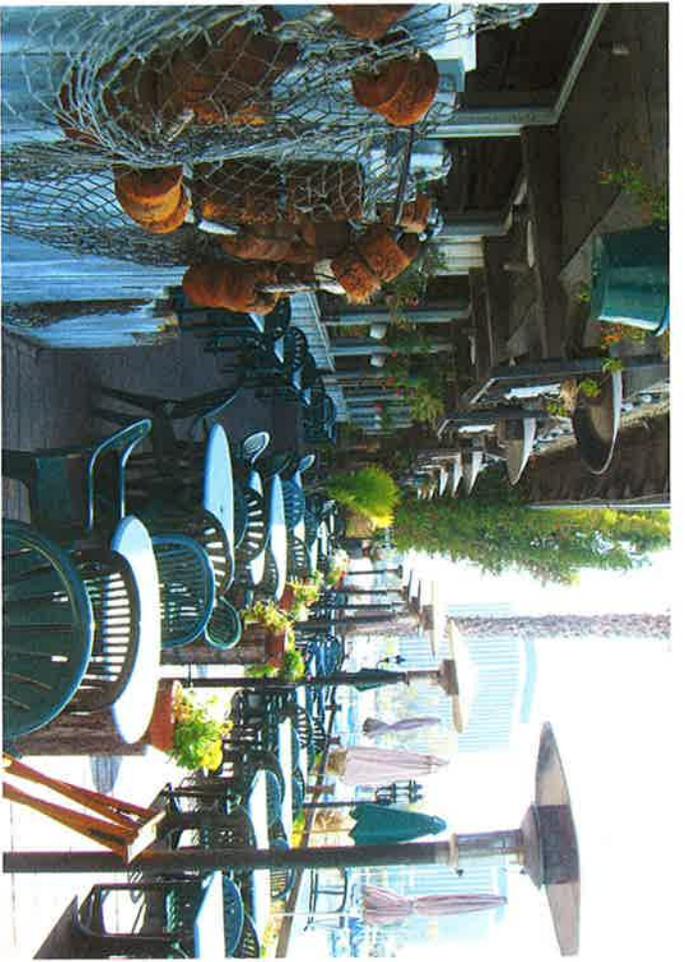
Because of all that salsa dancing has given to me, I am very protective of its environment. It's imperative to me that the experience is monitored and controlled in order to provide a pleasant setting for all patrons and for female dancers, in particular. Mr. Long's management is simply the best when it comes to this. Like in virtually any other setting, there will always be some patrons who are a detriment to a healthy environment. Mr. Long ensures that people understand that there is a standard of conduct that is expected, and those who do not meet it—particularly after being warned—are not welcome. Mr. Long and the Warehouse's management work well together in execution of this mantra, and I am confident that many female patrons would attest that this has a very positive impact on their experience.

I thank you for taking the time to read my musings. I welcome the opportunity to speak to anyone if there are more questions I can answer. I sincerely hope you approve the application and highly encourage you to come and experience it for yourself. Perhaps in 15 years, you'll find yourself writing a similar letter. Social dancing has changed my life in a very positive way. I hope to see you at The Warehouse.

Sincerely,

Virgil Mariona
Project Engineer,
Boeing Satellite Systems







Department of Regional Planning



Printed: Oct 17, 2013



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