



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



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Director

**HEARING EXAMINER STAFF SUMMARY
COUNTY PROJECT NO. R2013-01647-(4)
ENVIRONMENTAL ASSESSMENT NO. 201300142
STATE CLEARINGHOUSE NO. 2013081040**

DESCRIPTION OF PROJECT

The applicant, Pacific Marina Venture, LLC is requesting project entitlements to construct and operate a multi-tenant commercial, retail, office and marine commercial development on an 8.39 landside acre project site ("Parcel 44"). The proposed project consists of the demolition of all existing landside structures on Parcel 44 and redevelopment of the landside parcel. The project does not include redevelopment of the Parcel 44 anchorage that is located on the waterside portion of the subject parcel. Development approval for demolition of the existing Parcel 44 anchorage and the subsequent construction of a new private boat anchorage on the waterside portion of the subject parcel has already been granted by the California Coastal Commission pursuant to Coastal Development Permit (CDP) No. 5-11-131; final issuance of this CDP was given by the Coastal Commission staff on June 26, 2012.

The following is a description of the proposed new structures on Parcel 44, which total approximately 83,778 square feet of building area. Building I (as denoted on the site plan, contained in the DEIR) will serve as boaters' bathrooms with an area of 386 square feet. Building II will accommodate a Trader Joe's (or similar) grocery market of 13,625 square feet. Building III (386 square feet) is similar to Building I and will serve as boaters' bathrooms. Building IV is a two-story structure. The ground floor of this building will be occupied entirely by a West Marine (or similar) retail store (25,000 square feet). The second floor of this building will contain marine administrative offices (6,901 square feet), boat brokers' offices (5,133 square feet), boaters' bathroom and laundry (542 square feet), additional offices to replace existing office space to be demolished (4,554 square feet) and a community room/boaters' lounge (840 square feet). Building V will accommodate retail space (4,260 square feet) and a restaurant (2,367 square feet). Building VI will contain a two-story, waterfront-oriented restaurant (8,278 square feet) with a prominent "tower" feature to serve as an entry foyer to the restaurant, which will be accessible from Admiralty Way and Bali Way. The first floor of this building will also accommodate commercial retail space (9,270 square feet). Building VII will serve as boaters' bathrooms with an area of 386 square feet. Building VIII will accommodate a yacht club (1,150 square feet) and a boat repair shop (700 square feet).

In addition, an open-air boat stacking/rack system is included, allowing outdoor storage of up to 44 boats (stacked 3-boats-high), as are 13 "mast-up"/small sail boat storage spaces (adjacent to the proposed yacht club/boat repair shop structure). The project proposes 479 surface parking spaces on the subject parcel, of which 284 are standard-dimensioned spaces, 11 are handicap accessible spaces and 184 are compact parking spaces. Seventy (70) of the parking spaces are in a tandem configuration. The project also proposes 74 bicycle parking spaces. With the 25% maximum vehicle parking reduction allowed under County Code for the bicycle parking spaces being provided on-site

(County Code allows a reduction of one parking space for every two bicycle parking spaces provided above the required number, not to exceed five percent of the total number of spaces otherwise required), the project's proposed uses require 485 spaces per Code. (The Applicant is requesting a Parking Permit to authorize a parking reduction for the project, in order to provide some flexibility regarding parking configuration and numbers to account for site installation of infrastructure improvements, i.e., transformers, etc., during construction, and to allow for commercial tandem parking.) The project also includes development of a waterfront pedestrian promenade along the parcel's bulkhead and realignment of the Marvin Braude Bike Path adjacent to the Admiralty Way-fronting waterfront pedestrian promenade; an interactive water feature is planned for the courtyard space fronting the promenade at project's main entrance on Admiralty Way.

REQUIRED APPROVALS

The proposed project requires the following discretionary actions:

- Certification of an Environmental Impact Report
- Coastal Development Permit required to authorize the demolition of all existing facilities located on the site and the development/construction of new proposed structures and appurtenant facilities on the parcel.
- Parking Permit required to authorize commercial tandem parking and a reduction in Code required parking for the project. The commercial tandem spaces will be serviced by valet.
- Conditional Use Permit required to ensure consistency with subject parcel's "Waterfront Overlay Zone" development criteria.
- Variance required to authorize a reduction in the required side yard for installation of the proposed open boat storage racks.

LOCATION AND ACCESS

The project site is situated in the southeastern portion of Marina del Rey. The 8.39 landside acre parcel makes up a portion of Basin G between Bali Way and Mindanao Way and Admiralty Way bounds the site to the east. Landside access to the project site is now provided via Bali and Mindanao Ways. The Marvin Braude Bike Path, which traverses the east side of Marina del Rey and connects the bicycle lanes on Washington Boulevard with the bike facilities along Fiji Way, traverses the site in a north-south direction along the eastern perimeter of Basin G.

SITE DESCRIPTION

Parcel 44 is currently developed with eight existing structures totaling approximately 14,724 square feet. The remainder of the site consists of paved parking. The subject Parcel 44 consists of a total of 8.39 landside acres and 7.18 waterside or submerged acres. The proposed project only includes improvements to the landside portion of the Parcel 44. Approval for demolition of the existing Pier 44 anchorage and the subsequent construction of a new private boat anchorage on the waterside portion of the Parcel 44 was previously granted by the California Coastal Commission pursuant to Coastal Development Permit (CDP) No. 5-11-131. Final issuance of this CDP was given by the Coastal Commission staff on June 26, 2012. Given this, the waterside component of Parcel 44 is not assessed further in this Draft EIR; however, it is included in the Draft EIR's cumulative impact analyses. The project site is developed with eight structures in use as office space for boat brokers, a

boat repair shop, a kayak rental facility, and a yacht club. The site currently provides only a single bathroom facility for the boaters. The Marvin Braude Bike Path, which traverses the east side of Marina del Rey and Admiralty Way bounds the site to the east. Two mid- to high-rise (approximately 10-story) office buildings are located on Admiralty Way between Mindanao Way and Bali Way across from the Project site to the east. A two-story office building is located between the two high-rise buildings. Immediately north of the project site across Bali Way is a paved public parking lot and a boat sales facility, south of the project site across Mindanao is a Los Angeles County Beaches and Harbors visitor center, surface parking lots and the Marina's public boat launching ramp. Additional land uses proximal to the project site include additional boater facilities including a number of wet boat slips immediately north and south of the project site in Basins F and H, respectively. South of Basin H across Fiji Way is Area A of the Ballona Wetlands Ecological Reserve. Fisherman's Village and the Breakwater apartment complex are located to the south and southwest of the project site along Fiji Way. Government facilities including the Coast Guard, the County Sheriff, and the County Department of Beaches & Harbors offices are also located southwest of the project site along Fiji Way.

Burton Chace Park is located at the terminus of the Mindanao Way mole road and is situated between Basins G and H southwest of the project site. The park contains picnic areas, paved walkways, a banquet/meeting facility, a snack bar, and public restrooms. Dry boat storage in the marina is now provided on Parcels 49 and 77, Parcel 49 is located adjacent to the project site, across Mindanao Way, and Parcel 77 is located between Parcel 49 and Burton Chace Park. connects the bicycle lanes on Washington Boulevard with the bike facilities along Fiji Way, traverses the site in a north-south direction along the eastern perimeter of Basin G.

ENVIRONMENTAL DETERMINATION

The County determined by way of an Initial Study and identified in the Notice of Preparation sent to agencies, that an environmental impact report (EIR) was necessary for the Project. The areas of potential environmental impact analyzed in the Draft EIR include the following:

- Aesthetics
- Air Quality
- Biological Resources
- Geology and Soils
- Greenhouse Gases
- Hydrology and Water Quality
- Noise and Vibration
- Traffic and Access
- Police Protection
- Fire Protection
- Wastewater
- Water
- Solid Waste

The County also determined that the proposed project would not result in significant impacts in the following resource areas and thus are not examined in detail in the Draft EIR:

- Agricultural and Forest Resources
- Cultural Resources
- Energy
- Hazards and Hazardous Materials

- Land Use and Planning
- Mineral Resources
- Population and Housing

A summary of the areas analyzed that have less than significant impacts to the environment after implementation of mitigation measures is included below:

Aesthetics

Site development would alter the visual character of the project site to a more intensive developed use. The height and mass of the proposed buildings would represent a more observable component of the background when compared to the existing condition. However, as proposed, maximum building heights are within allowable height limits and the project would exceed the requirement of providing 20 percent view corridors, consistent with LCP requirements. Further, proposed structures would be similar in scale to new structures constructed or new structures that are proposed, in construction, or that were recently completed in the marina. The project would increase the maximum building height on the site, however the proposed structures would not cast shadows that would impact any off-site shade sensitive uses. Structures proposed on the project site utilize a variety of exterior surface treatments. To reduce potential glare or reflectivity impacts, these surfaces are intended to be non-reflective or oriented in a way that would result in limited off-site glare or reflectivity impacts. With the implementation of project design features and mitigation measures, impacts to Aesthetics will be less than significant

Air Quality

Construction-related daily maximum regional emissions would not exceed the SCAQMD's significance thresholds during any year of construction. The project would result in an increase in existing operational emissions, but based on the net operational emissions associated with complete build out and operation of the project, the project would not exceed SCAQMD significance thresholds during operation. The project would not increase the employment population over those that have been projected for the region in 2020 and would not exceed the growth assumptions in the AQMP. Thus, the project would be considered consistent with the air quality-related regional plans, and should not jeopardize attainment of state and federal ambient air quality standards. With the implementation of mitigation measures, impacts to air quality would be less than significant.

Biological Resources

Special-status wildlife species are not considered likely to nest or otherwise depend upon resources on the subject property for any stage of their life history. However, the proximity of the site to Burton Chase Park, where special-status bird species are known to nest and forage, means there is still a limited potential for nesting on-site. There is the further potential for construction noise and activities to impact nesting birds on the Park site. There are no riparian habitats or any other sensitive natural communities present on-site. However, the documented heronries on the adjacent Burton Chase Park would be considered habitat for sensitive species. The proposed project would not interfere with local or migratory fish or wildlife species or with native resident or migratory wildlife corridors. However the rookeries identified on the adjacent Burton Chase Park would be considered a native wildlife nursery sites. The project site is not located in a Wildflower Reserve Area, does not support any trees protected under the Los Angeles County Oak Tree Ordinance, does not occur within an SEA or and SERA. However, the Marina del Rey LCP includes policies protecting colonial nesting birds. With regulatory compliance and implementation of mitigation measures, impacts would be less than significant to these areas.

Geology and Soils

The project would not expose people or structures to adverse effects related to geologic hazards including strong seismic shaking, seismic related ground failure, and landslides with the implementation of mitigation measures. The project impacts to soil erosion, on-site or off-site landslides, lateral spreading, subsidence, liquefaction or collapse, and expansive soil would be less than significant.

With implementation of the required standard, comprehensive geologic and soils engineering investigation and analysis mandated by State and County requirements, specifically the current County Building Code, California Building Code, adherence to the recommendations in the Geotechnical report and compliance and implementation of mitigation measures impacts to Geology and Soils would be less than significant.

Greenhouse Gases

The proposed project would result in short-term emissions of GHGs during construction—that is, the emissions would occur only during active construction and would cease after the proposed project was built. The other primary GHGs (hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride) are typically associated with specific industrial sources and would not be emitted by the proposed project. Maximum construction levels are not expected to result in annual GHG emissions which exceed the threshold proposed by the South Coast Air Quality Management District (SCAQMD). With the implementation of mitigation measures impacts to Green House Gas Emissions and Climate Change would be less than significant.

Hydrology and Water Quality

The project site is fully developed; ninety-four percent of the site is covered with impervious surface consisting of asphalt parking areas and building foundations. These impervious surfaces generate stormwater runoff containing urban pollutants. Because the proposed project would not result in stormwater flows or volumes that would substantially differ from existing conditions the major source of pollution in stormwater runoff would continue to be urban contaminants that have accumulated on rooftops and other impervious surfaces, such as driveways, pedestrian walkways, and parking areas. Furthermore, as previously mentioned, the project would be designed and operated in accordance with the County's Low Impact Development standards and other County requirements to reduce hydrology and water quality impacts. With the implementation of mitigation measures impacts to Hydrology and Water Quality would be less than significant.

Noise and Vibration

The noise-sensitive use nearest to the project site is the Marina del Rey Hotel located at the western end of Basin G, approximately 600 feet west of the project site. Burton Chace Park is located approximately 850 feet southwest of the project site. Residential development at the eastern end of Basin C is located approximately 1,800 feet west of the project site, and would be the next nearest noise-sensitive use. Operational noise associated with the proposed project would be typical of the retail, office, and restaurant uses and would include people talking, doors slamming and similar activities. The restaurant uses would include outdoor dining. These uses have typical noise levels of 50 to 60 decibels (dB). The outdoor dining would likely be the noisiest use; however, the buildings would be sited so as to not directly face either the residences on Basin C, the Marina del Rey Hotel or Burton Chace Park at the terminus of Mindanao Way. Due to the distance from the project site to the nearest sensitive receptor, noise generated by the uses onsite would not be perceptible. Construction noise would represent a short-term significant impact based on the potential to exceed County noise standards and the one-and-a-half-year construction period. Mitigation measures for construction

noise impacts would be required. Cumulative construction noise impacts could exceed County thresholds, therefore the proposed project could contribute to a cumulatively considerable temporary increase in noise. With the implementation of mitigation measures impacts would be less than significant.

Traffic and Access

The proposed project would result in significant impacts at a total of seven of the City-only or shared City/County jurisdiction study locations: Venice Boulevard and Lincoln Boulevard, Washington Boulevard and Lincoln Boulevard, Lincoln Boulevard and Marina Expressway, Lincoln Boulevard and Mindanao Way, Mindanao Way and eastbound Marina Expressway, Lincoln Boulevard and Fiji Way, and Lincoln Boulevard and Jefferson Boulevard, each during the PM peak hour only. No feasible mitigation measures exist to reduce these impacts and therefore impacts would remain significant and unavoidable. The project would not result in any unsafe design features. A proposed new northbound left-turn to access the project site will adequately accommodate the project's anticipated traffic demands without need of a traffic signal or other traffic control device. With implementation of project design features and implementation of mitigation measures construction impacts would be less than significant, however operational impacts would remain significant and unavoidable.

Police and Fire Protection

The project's impacts to capacity or service level, or that result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for fire protection and sheriff protection would be less than significant. It is anticipated that demands for Sheriff and Fire services would increase above current levels upon build out of the project due to increased utilization of the site by the public and patrons, however the increase is not anticipated to be so great as to require the permanent assignment of additional patrol cars or fire staff to Marina del Rey. Impacts to Public Services would be less than significant. No mitigation is required.

Wastewater

Adequate capacity exists to treat sewage generated by the project, and the impact of the proposed project on the sewage treatment system is less than significant. No mitigation required.

Water

Project features would ensure the proposed project would be adequately served by the water provider. Impacts would be less than significant. No mitigation required.

Solid Waste

The project would be served by a landfill with sufficient capacity. Impacts were determined to be less than significant, and no mitigation measures are necessary, however in order to reduce the amount of solid waste created by the proposed project, mitigation measures are recommended to reduce the amount of project-generated solid waste disposed of at County landfills. These mitigation measures will ensure that impacts related to solid waste disposal will continue to be less than significant.

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 Hearing Examiner Hearing by mail, newspaper, property posting, library posting and on the Department's website. Newspaper notices were published in The Daily Breeze on February 14, 2015 and La Opinion on February 13, 2015. Notices to property owners and tenants located within a 500-foot radius of the property boundaries, and to three local libraries, were

mailed on February 10, 2015. Notices were verified to be posted on the subject property and were made available on the Department's website on February 12, 2015. On February 12, 2015 a Notice of Completion and Notice of Availability ("NOC-NOA") of a Draft EIR was posted at the County Recorder's office. On February 12, 2015 the NOC-NOA was sent by mail to required agencies including the State Clearing House and other interested parties. The NOC-NOA is also posted on the Project site and on the Department's website. The formal public review period for the Draft EIR is from February 13, 2015 to March 31, 2015.

STAFF EVALUATION

Project consistency with the Marina del Rey Local Coastal Program and the determination would need to be made by Regional Planning Commission ("Commission") at a future public hearing. This Hearing Examiner public hearing is established primarily to receive public testimony on the merits of the Project as analyzed in the Draft EIR prior to Project consideration by the Commission at a later date.

PROJECT ISSUES

Several development issues regarding the proposed project were raised by the public or public agencies in response to the Initial Study/Notice of Preparation of an EIR and Scoping Meeting, through the County's interdepartmental Screencheck EIR review process, and the current Draft EIR public review. Previous comments included issues related to traffic, project construction noise and other disruptions. These issues have been addressed, and responses to all agency and public comments received during the comment period of the Draft EIR will be addressed in the Project's Final EIR.

STATE/LOCAL AGENCY COMMENTS AND RECOMMENDATIONS

State and local agency comments and recommendations will be reviewed and responses finalized subsequent to the Hearing Examiner public hearing and prior to consideration by the Board.

PUBLIC COMMENTS

There were no public comments received regarding the project at the time of this report.

REMAINING PROCEDURES

Since the Draft EIR public comment period does not close until March 31, 2015 mitigation measures pertaining to the Project will be finalized following the Hearing Examiner public hearing. Once the Draft EIR comment period closes, the County will review public comments received, will draft responses to those comments, and draft the Final EIR and Mitigation Monitoring and Reporting Program. Staff will also prepare CEQA Findings and a Statement of Overriding Consideration and submit documentation to the Commission for consideration prior to the Commission hearing. Once the public hearing before the Commission is scheduled and completed, the Commission will adopt or reject the EIR and approve or deny the entitlement request.

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