

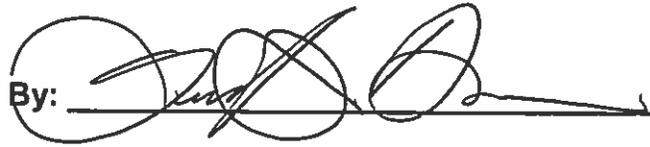
Regional Planning Commission Transmittal Checklist

Hearing Date
7/22/2015

Agenda Item No.
8

Project Number: TR067861-(4)
Coastal Development Permit No. 200600007
Conditional Use Permit No. 200600288
Case(s): Parking Permit No. 200600020
Variance No. 200600012
Environmental Assessment No. 200600216
Planner: Kevin Finkel, 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
- Design Control Board Minutes

Reviewed By: 



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

PROJECT NUMBER

TR067861-(4)

HEARING DATE

July 22, 2015

REQUESTED ENTITLEMENTS

Coastal Development Permit No. 200600007
 Conditional Use Permit No. 200600288
 Parking Permit No. 200600020
 Variance No. 200600012
 Environmental Assessment No. 200600216

PROJECT SUMMARY

OWNER / APPLICANT

MDR Hotels, LLC

MAP/EXHIBIT DATE

December 11, 2014

PROJECT OVERVIEW

Coastal Development Permit, Conditional Use Permit, Parking Permit, and Variance to authorize the construction of the following: 1) a new five- and six-story 288-room hotel in two wings with associated amenities including meeting rooms, restaurant, bar/lounge, fitness center, and operations spaces including lobby, offices, and laundry and maintenance facilities; 2) a parking garage and parking lot with 231 valet-managed and tandem parking spaces serving the hotel and adjacent wetland park; 3) associated signage and landscaping; 4) the sale of alcoholic beverages for on-site consumption; 5) a new 28-foot-wide pedestrian promenade; 6) a new water taxi shelter; 7) and a reduction in required promenade and side yard setbacks.

LOCATION

Lease Parcel 9U, Marina del Rey

ACCESS

Via Marina

ASSESSORS PARCEL NUMBER(S)

4224002900

SITE AREA

3.66 acres

GENERAL PLAN / LOCAL PLAN

Marina del Rey Local Coastal Program

ZONED DISTRICT

Playa del Rey

LAND USE DESIGNATION

Hotel with Waterfront Overlay

ZONE

Specific Plan

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

N/A

ENVIRONMENTAL DETERMINATION (CEQA)

Addendum to a previously certified Environmental Impact Report (State Clearinghouse No. 2007031114)

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:
 - 22.56.2320 (Coastal Development Permit Burden of Proof Requirements)
 - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
 - 22.56.1020 (Parking Permit Burden of Proof Requirements)
 - 22.56.290 and 22.46.1070 (Variance Burden of Proof Requirements)

CASE PLANNER:

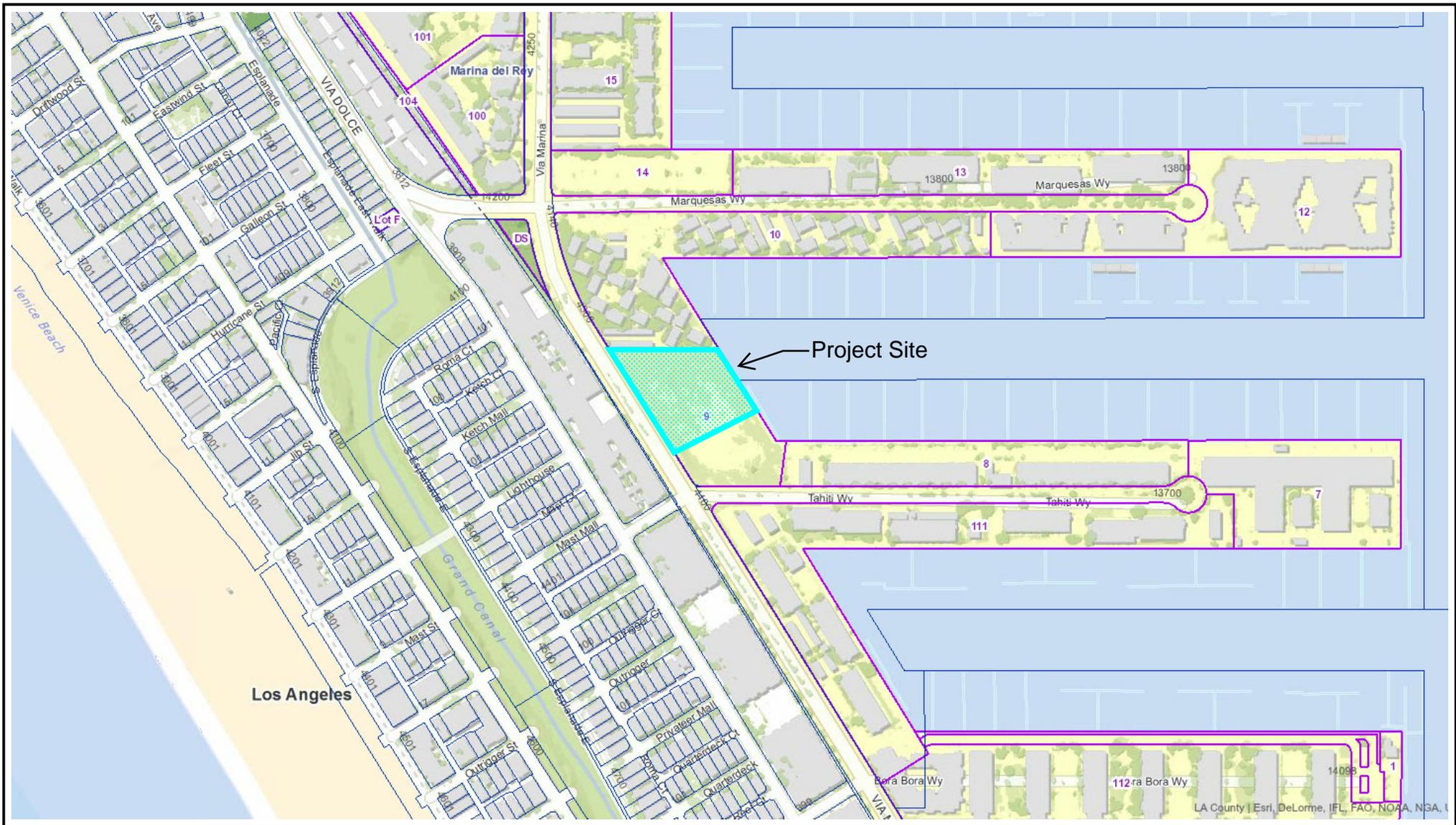
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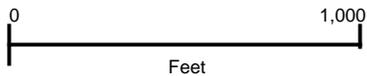
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Marina del Rey Lease Parcel 9U

Printed: Jun 02, 2015

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ENTITLEMENTS REQUESTED

- Coastal Development Permit (“CDP”) Number 200600007 to authorize the construction of the following: 1) a new 288-room hotel in a single building with one five-story wing and one six-story wing and associated amenities including two (2) meeting rooms, restaurant, bar/lounge, fitness center, ground floor outdoor terrace, second floor outdoor deck with a pool, spa, and fire pits, and operations spaces including lobby, offices, laundry and maintenance facilities, 212 parking spaces contained in a one-level subterranean parking structure and 19 spaces contained in a surface parking lot, associated signage, landscaping, grading, and vegetation removal; 2) a new 28-foot-wide public waterfront promenade with associated amenities; and 3) a WaterBus shelter in the Hotel Zone pursuant to County Code Section 22.46.1110.
- Conditional Use Permit (“CUP”) Number 200600288 to authorize development of a parking structure and the sale of a full line of alcoholic beverages for on-site consumption in the Hotel Zone pursuant to County Code Sections 22.46.1360 and 22.56.195.
- Parking Permit Number 200600020 to allow for the use of valet-managed, tandem parking in the Hotel Zone pursuant to Part 7 of Chapter 22.56 of the County Code.
- Variance Number 200600012 to authorize a zero setback from the public waterfront promenade and a reduction in the northerly side yard setback to allow a 7 ½-foot setback in the Hotel Zone pursuant to County Code Sections 22.46.1070 and Part 2 of Chapter 22.56.

PROJECT DESCRIPTION

The proposed development is located on Parcel 9U (a portion of Assessor’s Parcel No. 4224002900) in the unincorporated community of Marina del Rey. The Project Site is an approximately 3.66-acre lease parcel located in the western portion of Marina del Rey and is bound by Parcel 10R to the north, Basin B and Parcel 8T to the east, Tahiti Way to the south, and Via Marina to the west. The proposed development would be confined to the northernmost approximately 2.2 acres of the subject parcel (“Project Site”). The remaining approximately 1.46 acres of Parcel 9U are reserved for a future restored public wetland and upland park authorized by a Coastal Development Permit granted by the California Coastal Commission (“CCC”).

The applicant, MDR Hotels, LLC, is requesting a CDP, CUP, Parking Permit, and Variance (“Project Permits”) to authorize the construction of the following: 1) an approximately 263,000-square-foot, 288-room hotel containing a five-story wing and a six-story wing (approximately 61-foot- and 72-foot-tall respectively). The southern five-story wing is anticipated to be operated under the Marriott’s Courtyard brand and will be comprised of rooms of various types and sizes; some of these rooms will include wet bars. The northern six-story wing is anticipated to be operated under Marriott’s Residence Inn brand and will be comprised of suites of various sizes; these rooms will include small kitchen facilities. The proposed hotel will include approximately 13,800 square feet of amenities including meeting rooms, restaurant, bar/lounge, fitness center,

a ground floor outdoor terrace, a second floor deck with pool, spa, and fire pits overlooking Basin B, and operations spaces including lobby, offices, and laundry and maintenance facilities. To the extent feasible, the hotel is proposing to incorporate Leadership in Energy and Environmental Design features into the overall project design; 2) a one-level subterranean parking garage with 212 valet-managed, tandem parking spaces, a surface parking lot with 15 valet-managed parking spaces and four (4) free, self-park spaces for a total of 231 spaces serving the hotel and future adjacent public wetland and upland park; 3) associated signage and landscaping; 4) the sale of a full line of alcoholic beverages for on-site consumption at several locations throughout the hotel including the proposed restaurant and outdoor terrace dining area, the bar/lounge, meeting rooms, and within hotel guest rooms; 5) an approximately 386-foot-long, 28-foot-wide pedestrian promenade; 6) and a water taxi shelter (collectively known as "Proposed Project").

SITE PLAN DESCRIPTION

The site plan depicts a 288-room hotel in a single building with an approximately 61-foot-tall five-story wing and an approximately 72-foot-tall six-story wing. There is one subterranean level that will contain 212 of the proposed on-site parking and some of the maintenance-related areas. The ground floor contains the main vehicular access point from Via Marina. This ingress/egress provides direct access to the guest motor court, the access ramp for the subterranean parking structure, the delivery/loading areas, and surface parking area for 19 parking spaces. The ground floor also includes the hotel lobby, meeting rooms, restaurant, bar/lounge, outdoor terrace, health room, breakfast area, maintenance areas, and hotel rooms in both wings. The site plan also depicts a 28-foot-wide public waterfront promenade and associated amenities. The public waterfront promenade will incorporate decorative paving, marina-themed railing, landscaping and lighting, shaded seating areas, drinking fountains, bicycle racks, and a new decorative shelter for WaterBus patrons located at the connection point between the gangway for a future public/"transient" dock and the bulkhead. There are two 28-foot-wide fire access lanes/pedestrian access ways, one each on the northern and southern perimeters of the proposed hotel. These access ways provide vertical access to and along the proposed hotel between Via Marina and the public waterfront promenade. The southern access lane will be constructed using a turf block or similar material to maintain compatibility with the delineated wetland area to the south; the turf block material will be constructed in such a way as to be acceptable to Fire Department standards for emergency access. The second floor of the proposed hotel includes an outdoor deck with a pool, spa, and fire pits, a fitness center, and hotel rooms in both wings. Levels three through five are nearly identical and contain hotel rooms in both wings. Level six contains only hotel rooms in the northern wing.

EXISTING ZONING

Parcel 9U is zoned Specific Plan in the Playa del Rey Zoned District. Land use controls within the Marina del Rey Specific Plan area are established by the Marina del Rey Local Coastal Program ("LCP"). The LCP is comprised of two components, the Marina del Rey Land Use Plan ("LUP") and the Marina del Rey Specific Plan ("Specific Plan"), which functions as the Local Implementation Plan ("LIP"). The LUP designates the

Project Site (the northern 2.2 acres of Parcel 9U) Hotel with a Waterfront Overlay and the southern 1.46 acres of Parcel 9U Open Space with a Waterfront Overlay.

Surrounding properties are zoned as follows:

North: Open Space, Residential V, Residential III, Water

South: Residential V, Water, Multi-family Residential (City of Los Angeles)

East: Water, Residential III

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

EXISTING LAND USES

Parcel 9U is currently vacant and is fenced off from the public except for a small paved walkway along the subject parcel's bulkhead. A wetland has been delineated on a portion of the southern approximately 1.46 acres of the parcel and is entitled for the restoration, construction, and maintenance of a public wetland and upland park.

Surrounding properties are developed as follows:

North: Open space, multi-family residential structures, water (Basin B)

South: Vacant land (future site of a restored wetland and upland park), multi-family residential structures (County and City of Los Angeles), water (Basin A)

East: Water (Basin B), multi-family residential structures

West: Multi-family and single-family residential structures (City of Los Angeles)

PREVIOUS CASES/ZONING HISTORY

- CDP No. A-5-MDR-12-161 was approved by the CCC in 2012 and permitted the restoration, construction, and maintenance of a public wetland and upland park on the southerly approximately 1.46 acres of the subject parcel.
- Project No. R2009-02277-(4) was certified by the CCC in 2012. This major amendment to the Marina del Rey Local Coastal Program designated the northern portion of Parcel 9U as Hotel and the southern portion of Parcel 9U as Open Space to accommodate a proposed public wetland and upland park. The amendment also included policies and development standards intended to guide the development and protect the biological productivity of the public wetland and upland park.
- Project No. TR067681 was approved by the Los Angeles County Regional Planning Commission ("RPC") in March 2010 and permitted the development of a 288-room hotel and timeshare resort with associated amenities.
- CUP No. 99-205 was filed in January 1999 to authorize a 288-room hotel and a 527-unit residential complex; the application was denied due to inactivity.
- CDP No. A-207-79 was approved by the CCC in 1981 and permitted the construction of a nine-story, 300-room hotel with associated commercial space.
- CUP No. 837 was approved by the RPC in 1975 and permitted the development of a 10-story, 300-room hotel. In 1977, the RPC granted an extension to this CUP.

PROJECT HISTORY

In 1999, the applicant initially submitted a design concept for a hotel and timeshare resort with the Los Angeles County Department of Beaches and Harbors for consideration by the Design Control Board (“DCB”); the design was conceptually approved. In 2004, the applicant submitted an application for a revised design concept to the DCB for consideration. Subsequent to these submittals, the southern portion of the subject parcel was formally delineated as a wetland. As a result of this delineation, in November of 2006, the applicant submitted a further revision to its application and design concept for the development of the Woodfin Suites hotel on the northern 2.2 acres of Parcel 9U (“Prior Project”). The Prior Project proposed to construct a 19-story, 288-room hotel structure with a timeshare component. The hotel was proposed to include a minimum of 152 conventional hotel suites and 136 timeshare suites and included the following accessory amenities: a restaurant with indoor and outdoor seating; a cocktail lounge; sundry shop; spa/fitness room; banquet and meeting rooms; pre-function areas; pool; and operations and maintenance areas. Due to the project’s proposed height (approximately 225 feet), a helipad was also proposed for the roof of the hotel consistent with Fire Code requirements. The Prior Project incorporated a six-level, above-grade parking structure with 360 parking spaces, which included parking for both the proposed hotel and the adjacent proposed public wetland and upland park. Finally, the Prior Project also incorporated a completely reconstructed, 28-foot-wide public waterfront promenade along the entire length of Parcel 9U and included decorative paving and railing, shaded seating areas, drinking fountains, and a WaterBus shelter.

The RPC considered the Prior Project at hearings on October 29, 2008, November 5, 2008, August 12, 2009, October 14, 2009, February 3, 2010, and March 10, 2010. The Project was approved and the associated Environmental Impact Report was certified by the Commission at its March 10, 2010 meeting and was subsequently appealed by project opponents to the Los Angeles County Board of Supervisors (“BOS”) on March 22, 2010.

In response to concerns raised by the public, the applicant redesigned the proposed hotel. Chief among these changes was a reduction in structure height from 19 stories down to six stories and a removal of the timeshare component in favor of conventional hotel operation. As part of the removal of the timeshare component, in February 2014, the applicant submitted a letter to the Department of Regional Planning requesting to withdraw the previously requested tentative tract map component of the Proposed Project (Tract Map No. TR067861).

In light of the project redesign, on April 26, 2011, the BOS remanded the project back to the Commission for further review.

ENVIRONMENTAL DETERMINATION

An Addendum to the certified Environmental Impact Report (EIR) (State Clearinghouse No. 2007031114) for the Original Project was prepared in compliance with the California Environmental Quality Act (CEQA) and the County environmental guidelines to account for the revised project design. The Addendum concluded that the revised project design

as proposed would not result in any increased or additional environmental impacts beyond those which were analyzed in the EIR. Further, the Addendum concluded that impacts related to visual resources would be reduced to a level of less than significant, and therefore concluded that supplement environmental analysis was not required. A copy of the Addendum is attached.

STAFF EVALUATION

Marina del Rey Local Coastal Program Consistency

The Project Site is located within the Hotel land use category with a Waterfront Overlay Zone of the Marina del Rey LUP. This designation is intended to "...provide overnight accommodations and attendant visitor-serving services including dining and entertainment areas." Additionally, the Waterfront Overlay Zone is intended as an overlay land use category applied to certain waterfront parcels and is intended to encourage more creative and desirable projects by allowing a mix of uses in proposed developments. Permitted uses include hotel, visitor-serving commercial, open space, boat storage, and marine commercial. The Proposed Project, including hotel with appurtenant restaurant, bar/lounge, outdoor deck, waterfront pedestrian promenade, and new water taxi stop, is consistent with the Hotel designation as the proposed uses provide overnight accommodations and visitor-serving amenities. Therefore, the proposed Project is consistent with the permitted uses of the underlying land use category.

The following policies of the LUP are applicable to the proposed project:

A.1. Shoreline Access

- *Policy 1. Public Access to Shoreline a Priority. Maximum public access to and along the Shoreline within the LCP Area shall be a priority goal of this Plan, balanced with the need for public safety, and protection of private property rights and sensitive coastal resources. This goal shall be achieved through the coordination and enhancement of the following components of a public access system: pedestrian access, public transit, water transit, parking, bikeways, circulation network, public views and directional signs and promotional information.*

The Proposed Project includes several components that implement this policy. Buildout involves the provision of numerous points of public access to the shoreline by widening the existing eight-foot-wide concrete waterfront promenade to a full 28 feet in width and incorporating new, higher quality materials including decorative paving and marina-themed railing. The improved promenade will be connected to other existing segments of the promenade to the north and south of Parcel 9U and will provide amenities including shaded seating areas, drinking fountains, decorative landscaping and lighting, bicycle racks, and a new decorative WaterBus shelter. This WaterBus shelter will connect to a new future WaterBus stop that will be constructed along with a previously-approved dock project adjacent to Parcel 9U. Together, the WaterBus stop and associated patron shelter will improve non-automobile access to the western side of the Marina while also improving the experience of those utilizing the WaterBus. In order to access the public waterfront promenade, the Proposed

Project will provide several points of vertical access from Via Marina including along a fire access lane along the southerly side of the proposed hotel, a second fire access lane along the northerly side of the proposed hotel, as well as through the ground floor of the proposed hotel.

In addition to pedestrian access, the Proposed Project will provide improved public parking access to the western side of the Marina by providing public parking opportunities for a future waterfront public wetland and upland park. The Proposed Project will incorporate 21 public parking spaces to serve this park. 17 of these spaces will be valet-managed and users will be assessed a fee comparable to other public parking areas in the vicinity while the remaining four spaces will be free and self-parked. Finally, the Proposed Project will also provide visual access to the shoreline from Via Marina through the dedication of a large view corridor. The LCP requires that all development provide a view corridor across the parcel on which development will occur of at least 20 percent of the parcel's waterfront. By restricting development of the proposed hotel to the northerly 2.2 acres of Parcel 9U, the Proposed Project will maintain expansive views of the water from vantage points along and across Via Marina in a view corridor that accounts for roughly 40 percent of the parcel's waterfront.

- *Policy 3. All development in the existing Marina shall be designed to improve access to and along the shoreline. All development adjacent to the bulkhead in the existing Marina shall provide pedestrian access ways, benches and rest areas along the bulkhead, except where safety may be compromised, such as boatyards, dry stack storage facilities, launch ramps and public and private hoists or small craft staging areas, as well as sheriff, fire, and lifeguard facilities.*

The Proposed Project will widen an existing eight-foot-wide concrete segment of the public waterfront promenade that traverses the waterfront between the adjacent properties to the north and south. The Proposed Project will widen this segment of the promenade to 28 feet and install new decorative color-patterned paving, marina-styled railing, shaded seating areas, drinking fountains, decorative landscaping and lighting, bicycle racks, and a new decorative WaterBus shelter that will match the access point to the hotel from the public waterfront promenade. The Proposed Project will provide several access points to the promenade through the Project Site for use by both hotel guests and the public. Access will be provided through the ground floor of the hotel as well as along fire access lanes maintained along the northern and southern perimeters of the proposed hotel.

- *Shuttle Bus Service Policy. The County shall insure that all hotels and motels built or remodeled in Marina del Rey have shuttle service to and from the Los Angeles International Airport.*

The Proposed Project is conditioned to require the applicant to coordinate the delivery of shuttle service between the hotel and Los Angeles International Airport.

- *Policy 12. The County will operate a WaterBus for the destinations shown on Map 5 (end of Chapter 2, Recreation & Visitor-Serving Facilities) and other destinations which might be advisable in the future. The WaterBus only operates in the summer.*

Map 5 of the LUP identifies the bulkhead of Basin B adjacent to Parcel 9U as a location for a WaterBus stop. As part of the previously-approved waterside improvements adjacent to Parcel 9U, a new WaterBus stop will be developed to serve the western side of the Marina generally and the proposed hotel and adjacent public wetland and upland park specifically. The proposed Project will construct a decorative WaterBus shelter for patrons awaiting the arrival of the WaterBus and those disembarking the WaterBus. The shelter will be located where the gangway from the future dock projects connects to the bulkhead and will be designed to match the entrance to the hotel from the public waterfront promenade.

A.2. Recreation and Visitor-Serving Facilities

- *Policy 2. As defined by the Coastal Act and specified in the specific design guidelines for each parcel in the Local Implementation Program, new development shall provide additional recreational opportunities including trails, bikeways (additions and/or extensions of existing bike path), open space/park areas and viewing areas as appropriate. Adequate support facilities (bike storage lockers, drinking fountains, etc.) shall also be provided.*

The Proposed Project will construct a widened, 28-foot-wide public waterfront promenade along the entire bulkhead length of Parcel 9U (approximately 386 feet) adjacent to Basin B. The expanded promenade will accommodate various recreational opportunities and will include amenities such as shaded seating areas, drinking fountains, bicycle racks, and decorative landscaping and lighting. The public waterfront promenade will be accessible via the fire access lanes on the northerly and southerly perimeters of the hotel as well as through the proposed hotel.

- *Policy 4. Lower cost visitor-serving facilities shall be protected and, to the extent feasible, new lower cost visitor-serving uses shall be encouraged and provided within the existing Marina. For the purposes of this policy, low or no cost visitor-serving facilities include but are not limited to parks, promenades, transient docks, open public plazas and seating areas, wildlife viewing areas, WaterBus transportation, public transit transportation, and special events.*

As part of the Proposed Project, the existing approximately eight-foot-wide concrete waterfront promenade will be expanded to a full 28 feet in width along the entire bulkhead length of Parcel 9U connecting to existing adjacent promenade segments on Parcel 10 to the north and Parcel 8 to the southeast. The promenade will incorporate decorative colored paving and marina-themed railing as well as shaded seating areas, drinking fountains, and bicycle racks to serve those patronizing the new segment of the promenade. The reconstructed promenade will afford views of the Marina del Rey harbor and will allow patrons to view boats and other water-based activities occurring within the Marina's waters. With buildout of the improved

public waterfront promenade, the Proposed Project will provide expanded and improved low-cost visitor-serving facilities along the waterfront as compared to existing conditions.

The Proposed Project will also construct a new decorative WaterBus shelter for patrons awaiting the arrival of the WaterBus and for those disembarking the WaterBus. This shelter will serve a new WaterBus stop that will be established as part of a dock construction project adjacent to Parcel 9U that will include transient slips to access the west side of the Marina generally and the proposed hotel and adjacent public wetland and upland park specifically. Finally, by restricting development of the hotel to the northerly 2.2 acres of the parcel, visual access to the Marina's waters and harbor will be provided across roughly 40 of the parcel's waterfront from points along and across Via Marina.

- *Policy 7. The use of parking structures can enhance capacity but also reduce pollutant contribution to Marina waters that are associated with open parking lots. Parking facilities shall be integrated into the overall design of all development and landscaped to soften their visual appearance. Parking shall be located either below grade, or within multi-story structures, or, if on a level grade shall be attractively designed with a buffer of landscaping, berms or other screening materials. The enhance the visitor experience in Marina del Rey, parking facilities shall include posted public information, including maps and other wayfinding signs and resources*

The Proposed Project will provide 231 parking spaces, 212 of which will be located in a one-level subterranean parking structure; the remaining 19 spaces will be split between two at-grade lots located near the vehicular ingress/egress to the Project Site. One lot will be located adjacent to the northern wing of the hotel and will provide 17 of the 21 spaces while the other lot is adjacent to the southern wing of the hotel near the sidewalk and will provide four free self-park spaces. Both lots will be integrated into the design of the Proposed Project and screened from view along Via Marina through the use of buffer landscaping to soften its visual appearance. Of the 231 space, 21 will be public parking spaces and the remaining 210 will serve the Proposed Project. This total exceeds code requirements, which require the provision of 165 parking spaces to serve the Proposed Project. The 21 public parking spaces are reserved for use by the public and will serve to provide access to the adjacent public wetland and upland park that will be restored, constructed, and maintained on the southern portion of Parcel 9U. The Proposed Project is conditioned to require inclusion public information on signage such as the presence of public parking, maps, and wayfinding.

- *Policy 17. All new development shall provide visitor, public access and guest parking on site. Park and access areas shall be served by convenient and appropriate public parking.*

The Proposed Project will provide 231 parking spaces. Of these, 21 spaces will be reserved for use as public parking and will serve to provide access to the adjacent

public wetland and upland park that will be restored, constructed, and maintained on the southern portion of Parcel 9U. The public parking spaces will be easily accessible via the main ingress/egress driveway to the Project Site from a new left-turn pocket on southbound Via Marina and through traditional right-turn opportunities along northbound Via Marina, some of which will be available.

B.4. Marine Resources

- *Policy 1. The existing wetlands, including the flood control basin on a portion of Parcel P, the Marina waters, and a portion of Parcel 9 are the marine resources which shall be maintained and, where feasible, enhanced and restored. Uses permitted in or adjacent to these areas shall be carried out in a manner to protect the biological productivity of these marine resources and maintain healthy populations of marine organisms.*

The Project Site is located on the northern portion of Parcel 9U, adjacent to the wetland area delineated on the southern portion of the lease parcel. Recognizing the biological value present in the southern portion of Parcel 9U, the California Coastal Commission delineated and granted a CDP for the restoration, construction, and maintenance of the wetland area as a public wetland and upland park, which would be constructed and restored alongside the Proposed Project. The Proposed Project will be set back from the park by a 28-foot-wide fire access lane that will double as a vertical access walkway providing public pedestrian access between Via Marina and the public waterfront promenade and to the wetland park area. This access lane will be constructed of a turf block material. This material allows for runoff infiltration so that runoff from the Project Site does not negatively impact the biological productivity of the delineated wetland. Further, by setting the proposed hotel back from the park area, it ensures that project-related activities will not impede or interfere with the biological function or productivity of the park. The proposed hotel does not include any primary access points along its southern façade ensuring that the daily operation of the hotel does not encroach within the park area and does not negatively affect the wetland's biological integrity.

B.5. Important Biological Resources

- *Bird-Safe Building Policies. All new buildings, and major renovations of existing buildings, shall be required to provide bird-safe building façade treatments in order to reduce potential for bird strikes.*

The Proposed Project is conditioned to require that all final materials and lighting used in the construction and operation of the hotel and appurtenant facilities are treated and operated to reduce potential for bird strikes.

- *Policy No. 34 – Marina del Rey Leasehold Tree Pruning and Tree Removal Policy. To establish guidelines within Marina del Rey for the pruning and removal of trees in accordance with the federal Migratory Bird Treaty Act and California Fish and Game Code, and to ensure the long-term protection of breeding, roosting and nesting habitats of federal and state-listed species, California Species of Special Concern, and colonial waterbirds. To provide Lessees with*

guidelines and procedures for tree pruning and/or tree removal on leaseholds located in Marina del Rey in consideration of the colonial waterbird species, as the term is defined in Section 4.12 of this policy, and the desire to reduce or eliminate impacts to their nesting habitats.

A preliminary tree survey was conducted of the Project Site and the adjacent road medians to identify the presence of trees. The survey identified six (6) trees on the Project Site and 16 trees in the medians along Via Marina and Tahiti Way. The specimens identified are a mix of palm and coral species of which none are considered native to the area and none of which have shown evidence of bird nesting. Because the Proposed Project will completely redevelop the north portion of Parcel 9U, all six (6) of the trees identified on the Project Site will be removed. Additionally, in order to accommodate a new left-turn pocket into the proposed hotel from southbound Via Marina, a “cut” will need to be made in the median that will result in the removal of three (3) median trees along Via Marina. The Proposed Project is conditioned to require compliance with the tree trimming and removal policies of the LCP in order to preclude impacts to any nesting birds that may exist on the Project Site or in a street median. Further, the Proposed Project is conditioned to comply with the tree replacement requirements of the LCP. The landscaping concept developed for the Proposed Project will see the planting of 65 trees across the Project Site. The planting palette includes a variety of species that are considered appropriate for a coastal environment and are not considered invasive. The number of trees proposed for planting is greater than the one-to-one replacement ratio required by the LCP.

C.8. Land Use Plan

- *Policy 1. **Preservation of the Small Craft Harbor facility a Priority.** The primary purpose of the Land Use Plan shall be to maintain Marina del Rey as a Small Craft harbor for recreational purposes. A secondary purpose shall be to promote and provide visitor-serving facilities.*

The Proposed Project will be located on the northern portion of Parcel 9U adjacent to the bulkhead along Basin B on the western side of Marina del Rey. As the Project Site is currently vacant land and all Project components will be located on land, buildout of the proposed Project will not affect the recreational value of the Marina by displacing existing recreation amenities. Further, by constructing a hotel on this parcel, the Proposed Project will develop overnight accommodations in a part of the Marina where no such facility exists. The development of the hotel will provide expanded opportunities for visitor lodging in a portion of the Marina not well served by this amenity allowing people to stay and recreate along the Marina’s waterfront. The ground floor of the proposed hotel, which will include a restaurant and bar lounge, will be available to the public in addition to providing access to the improved public waterfront promenade. This expanded public waterfront promenade will include decorative colored paving, marina-themed railing, decorative lighting and landscaping, shaded seating areas, and will incorporate a decorative WaterBus shelter. Finally, the Proposed Project will be constructed adjacent to an existing wetland area that was approved for restoration, construction, and maintenance of a

public wetland and upland park. The Proposed Project includes a fire access lane along the southern perimeter of the hotel structure that will be utilized as a vertical access way providing access to both the public waterfront promenade and the adjacent future public wetland and upland park. Finally, 21 of the on-site parking spaces are reserved for public parking for patrons of the future public wetland and upland park and are incorporated into the Proposed Project's design to facilitate access to this recreational amenity. Taken together, the Proposed Project will greatly expand the recreation opportunities within Marina del Rey.

- *Policy 4. **Design Control Board.** The Design Control Board (DCB), appointed by the Board of Supervisors, shall review all new development proposals, including renovations, for consistency with the Manual for Specifications and Minimum Standards of Architectural Treatment and Construction, the Statement of Aims and Policies and the Revised Permanent Sign Controls and Regulations.*

The Design Control Board shall conduct a conceptual review of the architectural design (i.e. building and façade design) and site planning during the Coastal Development Permit process. Any Design Control Board recommendations to the Regional Planning Commission or Hearing Officer shall be submitted in a timely fashion. Following the Regional Planning Commission's or Hearing Officer's action on Coastal Development Permits, the Design Control Board will have final review of architectural design (i.e. building and façade design, materials, colors), landscaping and signs based on the site plan approved by the Regional Planning Commission or Hearing Officer.

The DCB recommended approval of the preliminary site plan at its January 22, 2014 meeting. The Proposed Project, if approved by the Commission, will be required to submit to DCB for final design review. Please refer to the full DCB discussion later in this staff report.

C.9. Coastal Visual Resources

- *Policy 1. **Views of the Harbor a Priority.** Maintaining and enhancing views of the Marina shall be a priority goal of this Plan. Enhancing the ability of the public to experience and view the Marina waters shall be a prime consideration in the design of all new, modified or expanded development. This goal shall be achieved by placing conditions on permits for new development to enhance public viewing, to allow for greater public access, and to create new view corridors of the waterfront.*

The Proposed Project will maintain expansive views of the Marina through a series public viewing opportunities. First, the Proposed Project will widen an existing eight-foot-wide concrete promenade to a full 28-foot width along the entire bulkhead of Parcel 9U, approximately 386 feet in length. The public waterfront promenade will provide unobstructed views of the Marina's waters and will provide an improved experience over the existing promenade, including installing decorative colored-paving, marina-themed railings, shaded seating areas, drinking fountains, bicycle racks, and decorative landscaping and lighting as well as a new decorative

WaterBus shelter. Access to the public waterfront promenade will be provided to the public through the ground-floor lobby of the hotel as well as along two vertical fire access lanes along the northern and southern perimeters of the hotel structure. These access ways will also provide views of the Marina's waters from Via Marina and areas west of Parcel 9U. In addition to these viewing opportunities, the southern 1.46 acres of Parcel 9U are entitled for the restoration, construction, and maintenance of a public wetland and upland park. As there will be no structures associated with this project, the park will provide unobstructed views of the Marina and its waters across approximately 41 percent (159 feet) of the parcel's width. Similar to the vertical access ways, this view corridor would provide opportunities for viewing the Marina's waters from Via Marina and areas west of Parcel 9U.

- *Policy 9. **Wind Factor.** Development shall not significantly increase infringements of wind access for boats in their berths, in the fairways, or in the Main Channel. Wind studies shall be required to determine the significant adverse impact of taller buildings on wind currents and sailing by small boats within the Marina. All structures proposed at height greater than 45 feet shall determine the cumulative impact of taller buildings on wind current within the Marina. Development shall only be approved if all identified significant adverse impacts, including cumulative impacts of a pattern of higher buildings, are fully mitigated.*

As part of the environmental review process, a wind study was conducted to determine how the proposed hotel would affect wind currents and sailing conditions for smaller boats in the Marina. The wind study found that the construction of the proposed hotel will produce similar wind patterns throughout the Marina with only localized changes at the western ends of Basins B and C. Impacts to wind patterns were found to be less than significant, consistent with this policy.

- *Policy 13. A landscaped pedestrian viewing area shall be provided along the bulkhead in conjunction with all new development. Such area shall include benches, shade structures and other amenities, and shall be the equivalent of an eight-foot-wide corridor seaward of the fire access road.*

The Proposed Project would be consistent with this policy as it will construct a widened, 28-foot-wide, approximately 386-foot-long public waterfront promenade along the entire length of the bulkhead adjacent to Parcel 9U at the western end of Basin B. The improved stretch of promenade will include amenities such as decorative colored pavement, marine-themed railing, shaded seating areas, drinking fountains, bicycle racks, and decorative landscaping and lighting, as well as a decorative WaterBus shelter.

Zoning Ordinance and Development Standards Compliance

Pursuant to Part 3 of Chapter 22.46 of the County Code, establishments in the Marina del Rey Specific Plan area are subject to the following development standards:

- **Section 22.46.1060 – Communitywide design guidelines.**

A. 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 Proposed Project will incorporate landscaping along the northern, western, and southern perimeters of the Project Site and will include a mixture of trees, shrubs and groundcover in planting areas that range from eight to 10 feet in width. This implementation of landscaping is consistent with this requirement.

B. 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 proposed Project is located on Marina del Rey Lease Parcel 9U. The parcel is approximately 3.66 acres in area and the Proposed Project will be located on the northerly 2.2 acres of this parcel. As such, the development area of the Proposed Project will cover approximately 60 percent of the lot area. In total, the Proposed Project will include approximately 11,115 square feet of landscaped areas. As the Project Site is approximately 95,832 square feet, this amount of landscaping exceeds the minimum 10 percent requirement.

C. Parking. *Parking standards in Marina del Rey shall be set forth in Part 11 of Chapter 22.52 and Appendix 3 of this Title 22.*

Part 11 of Chapter 22.52 requires the provision of 144 parking spaces to serve the Proposed Project. Additionally, 21 spaces are required to serve the previously-approved public wetland and upland park located on the southern portion of Parcel 9U adjacent to the proposed hotel. In total, the Proposed Project will provide 231 parking spaces, 212 of which will be located in a one floor, subterranean parking garage while the remaining 19 will be located at-grade in two separate parking areas. All of the subterranean parking will be valet-managed tandem spaces while 15 of the surface spaces will be valet-managed and the remaining four will be free, self-park spaces for use by park patrons only. The number of spaces proposed is in excess of code requirements. Further, with the granting of the requested Parking Permit and

the use of a valet-system, tandem parking is considered consistent with applicable parking arrangement requirements.

In addition to standard parking requirements, the Proposed Project must provide handicapped/accessible parking spaces and loading spaces to accommodate deliveries. Based on the number of spaces included on-site, the Proposed Project is required to provide five handicapped/accessible parking spaces. The proposed hotel is dedicating six of the parking spaces for use by persons with disabilities, in excess of code requirements. Finally, the Proposed Project is required to provide three Type A loading spaces. The loading areas provided on-site are able to accommodate the required spaces. Thus, the Proposed Project is consistent with this development standard.

- D. Signs.** *Signs shall be as detailed as possible without becoming unreadable. The 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 shall also be regulated by the provisions of Part 10 of Chapter 22.52 of this Title 22 and the design control board's Revised Permanent Sign Controls and Regulations of September 16, 1971 (Appendix C). In the event of a conflict between the design control board's requirements and Title 22, the most restrictive standard shall prevail. Each land use category set out in this Specific Plan shall be subject to the sign standards for a comparable zone designated in Section 22.12.010 of this Title 22. Comparable zones shall be assigned according to the following chart, except that off-premises or outdoor advertising signs shall be prohibited. Marine Commercial shall be equivalent to the C-3 zone.*

The entitlement request for a CDP includes the installation of project-related signage along the perimeter of the Project Site, at access points, within the development, and along the promenade. The Proposed Project is conditioned to submit a sign program consistent with the requirements of the Revised Permanent Sign Controls and Regulations to the DCB and the Department of Regional Planning for review and approval, consistent with this requirement.

- E. View Corridor Requirements.** *Parcels located between the water and the first public road shall provide a view corridor allowing uninterrupted views of the harbor from the road to the waterside, at ground level. The design, location and feasibility of view corridors shall be determined by the director and shall be based on the distance from the first public road to the bulkhead, the parcel's land use category, configuration and the intensity of development allowed by the Specific Plan. Where a view corridor is physically feasible, the optimum width of such a view corridor shall be a minimum of 20 percent of the water frontage of the site.*

The Proposed Project is located on Marina del Rey Lease Parcel 9U. A portion of the southerly approximately 1.46 acres of the subject parcel has been delineated as a wetland and a CDP was issued by the CCC for the restoration, construction, and maintenance of a public wetland and upland park on that portion of Parcel 9U. Due to the presence of wetland habitat, the development area for the proposed hotel is restricted to the northern portion (approximately 2.2 acres) of the parcel. By leaving the southern portion of the parcel undeveloped, a single, uninterrupted view corridor providing views of the Marina harbor between Via Marina and the bulkhead is provided. In total, the Proposed Project provides a continuous view corridor 159 feet (approximately 41 percent) across the parcel's width. Therefore, the Proposed Project provides adequate view corridors as required by this development standard.

F.2.a. Emergency access (or clear zones) on the lateral sides of all multi-story buildings shall be required to be a width of 28 feet, subject to Fire Department determination. A lesser width may be approved where the Fire Department finds such width provides sufficient emergency access; a greater width may be approved where the Fire Department finds such width to be necessary for the provision of adequate emergency access. This emergency access requirement may concurrently apply to 20-foot-wide pedestrian promenades consistent with subsection F.2.b of this section. Where a building is not more than 10 feet from the edge of a road, the roadway may serve as the required access area for that side of the building. Clear zones provided on the sides of buildings may count toward any linear view corridor requirements for buildings located between the first public road and the sea.

Along the southern side of the proposed hotel, the Proposed Project will construct a 28-foot-wide perpendicular fire access lane/pedestrian access way between Via Marina and the public waterfront promenade. Along the northern side of the proposed hotel, the Proposed Project will rely on a 28-foot-wide fire access lane/pedestrian access way/vehicular access lane approved as part of the residential project on Parcel 10. The applicants for the various projects have reached an agreement to allow for the shared use of the fire access lane and the Proposed Project is conditioned to provide documentation to that effect prior to the issuance of building permits. The fire access lanes on both the southern and northern side of the proposed hotel are designed to accommodate a fire truck turnaround where the access lane intersects with the public waterfront promenade. Finally, along the bulkhead of Parcel 9U, the Proposed Project will construct the public waterfront promenade to a full 28-foot width so the public waterfront promenade can be used for fire access in cases of emergency. Thus, the proposed Project is consistent with this requirement.

- **Section 22.46.1090 – Land use monitoring and phasing.**

3. *Transportation Improvements. Expanded transportation facilities should accompany additional development in Marina del Rey and, approval of development projects in the Marina will be contingent upon the developers' fair share payment of trip fees to fund the improvements. Said trip fees will be dependent upon the number of additional p.m. peak-hour trips generated by the project and the established cost per trip.*

The traffic analysis prepared for the Proposed Project found that the proposed hotel and accessory amenities would result in the generation of 102 pm peak hour trips. Based on this trip generation, Mitigation Measure 5.7-1 of the Mitigation Monitoring Plan for the Proposed Project requires the applicant to pay \$580,380 in fair share mitigation fees related to the generation of this number of peak trips. The Proposed Project is consistent with this requirement.

- **22.46.1370 – Hotel – Development standards.**

Height. Building height is limited to a maximum of 225 feet;

The LCP limits height on Project Site to 225 feet. Further, the Site-specific Development Guidelines contained in the Specific Plan further restrict building heights to 140 feet, which can be granted back up to 225 feet but with the provision of an expanded view corridor. None of proposed structures exceed a maximum height of 72 feet. Therefore, all proposed structures are consistent with the height limitation established on the Project Site.

Setbacks. Front, rear, and side-yard setbacks shall be a minimum of 10 feet, in addition to the required highway and promenade setback. View corridors, public open space areas, and/or accessways or emergency access corridors 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 Proposed Project will provide the required 10-foot front- and southerly side-yard setbacks consistent with this requirement. However, the applicant is requesting a variance to reduce the required promenade setback to zero and reduce the northerly side-yard setback to seven feet, six inches. With this granting of the variance, the Proposed Project will be consistent with this requirement.

Shuttle Program. Hotels shall establish a shuttle program to and from Los Angeles International Airport for guests. Hotels shall also provide, on demand, transit passes for those employees requesting the use of public transportation;

The Proposed Project is conditioned to require compliance with this development standard.

Displacement. Hotels shall not reduce the amount of land area devoted to existing public parks, boating, or coastal-dependent marine commercial uses:

The Proposed Project is located in the western portion of Marina del Rey on Lease Parcel 9U. At present, this parcel is vacant, though a portion of the southerly 1.46 acres of the parcel have been delineated as a wetland and a CDP has been approved for the restoration, construction, and maintenance of a public wetland and upland park on this portion of the parcel. Consistent with this delineation, the LUP designates this portion of Parcel 9U as Open Space. The Proposed Project will be developed on the northern portion of Parcel 9U and no part of the proposed hotel or accessory uses will be located on a portion of the parcel reserved for the public wetland and upland park. Thus, the Proposed Project will not reduce the amount of land area devoted to existing public parks or coastal-dependent marine commercial uses. Further, as there are currently no docks in the water adjacent to the parcel or boating facilities on the parcel, the Proposed Project will not reduce the amount of land area devoted to existing boating uses. The Proposed Project is consistent with this requirement.

- **22.46.1810 – Tahiti Area (Map 11) – Site Specific Development Guidelines**

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

The Proposed Project will widen the existing eight-foot-wide concrete waterfront promenade to a full 28 feet in width and incorporate new, higher quality materials including decorative paving and marina-themed railing. The improved promenade will be connected to other existing segments of the promenade to the north and south of Parcel 9U and will provide amenities including shaded seating areas, drinking fountains, decorative landscaping and lighting, bicycle racks, and a new decorative WaterBus shelter. This WaterBus shelter will connect to a new future WaterBus stop that will be constructed along with a previously-approved dock project adjacent to Parcel 9U.

Site Visit

Staff conducted a site visit on April 9, 2015.

Burden of Proof

The applicant is required to substantiate all facts identified by Section(s) 22.56.2320, 22.56.040, 22.56.1020, 22.56 290, and 22.46.1070 of the County Code. 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 Project Site is a vacant, 2.2-acre portion of Lease Parcel 9U in Marina del Rey. Parcel 9U is an irregularly-shaped parcel of land located in the western portion of the Marina del Rey harbor adjacent to the bulkhead at the western end of Basin B. Marina del Rey is an urbanized community in the western portion of Los Angeles County that is served by existing urban services and utility systems. The environmental analysis prepared for the Proposed Project notes that the Project Site is currently served by existing urban services and infrastructure including water, sewer, solid waste, schools, police, fire, library, and parks. The Project Site is accessed on the west side of the lease parcel by Via Marina, an existing full-improved designated parkway.

This portion of Marina del Rey is predominantly residential with development to the west, south, and south east consisting of multi-family residential structures that are three-stories-tall set atop a partially at-grade, partially below-grade parking podium. The parcel to the north of the Project Site (Lease Parcel 10R) is entitled for several multi-family residential structures that will be up to 60 feet tall; a parcel to the northwest at the intersection of Via Marina and Marquesas Way is developed as a small, passive green space area. As noted, a portion of the southern 1.46 acres of Parcel 9U has been delineated as a wetland; there are no places for religious worship, schools, other parks or playgrounds, or similar uses within 600 feet of the Project Site.

The Proposed Project will construct a new 288-room hotel with two wings; the southern five-story wing (approximately 61 feet tall) is anticipated to be operated under Marriott's Courtyard brand and the northern six-story wing (approximately 72 feet tall) is anticipated to be operated under Marriott's Residence Inn brand. The design of the proposed hotel will incorporate a range of high-quality materials into an open, modern design that is consistent with many of the newer developments nearby and will contribute to the aesthetic character of the western portion of Marina del Rey. At a maximum of six stories tall, the Proposed Project is similar in height and massing to many of the structures in the vicinity of the Project Site. With the use of high-quality materials and height and massing similar to other nearby buildings, the exterior appearance of the proposed hotel will be consistent with structures already constructed or under construction within the immediate neighborhood and will not cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

The proposed hotel will include various amenities including meeting rooms, restaurant, bar/lounge, fitness center, ground floor outdoor terrace, second floor deck with pool, spa, and fire pit with views of Basin B, fully improved 28-foot wide promenade with a decorative colored pavement, marina-themed railing, shaded seating areas, decorative lighting and landscaping, bicycle racks, and a decorative WaterBus shelter.

The environmental analysis performed for the Proposed Project found that Via Marina, a designated parkway, has the capacity to accommodate the type and volume of traffic

expected to be generated by the Proposed Project. As such, the Project Site is adequately served by highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of pedestrian, bicycle, and vehicle traffic such use would generate.

The majority of required on-site parking (212 spaces) will be located in a single-floor subterranean parking structure with the remainder (19 spaces) located in an at-grade surface lot. All of the subterranean spaces will be parked in tandem spaces throughout the structure. This arrangement will be supported by a valet-managed parking system to ensure that no conflicts to vehicular access, internal circulation, and ingress/egress arise from the use of tandem parking in the parking structure. The same valet program will be used for 15 of the 19 surface spaces to ensure these same conflicts do not arise at ground level and spill off-site. The remaining four spaces will be self-parked and are not in a tandem arrangement.

The use of tandem spaces allows the Proposed Project to develop a more efficient parking arrangement that consolidates all on-site parking into a smaller space resulting in minimized grading. By reducing the amount of space devoted to parking facilities, the Proposed Project is able to reduce the massing associated with a large parking structure and better integrate the structure both into the proposed hotel and into the aesthetic of the surrounding area. Further, because of the use of a valet system, on-site parking will be managed such that line formation, uncoordinated ingress and egress, and neighborhood circling do not occur. This arrangement will result in a more coordinated, efficient parking operation that should reduce the possibility of any traffic congestion, potential for off-site parking, or the use of parking facilities developed to serve surrounding properties.

The below-grade structure will be completely subterranean and will not be visible from surrounding properties. As such, the Proposed Project integrates this project component into the design of the hotel and out of view such that the parking structure will not detract from the visual character of this portion of the Marina. Further, the parking structure will be constructed to current building code requirements to ensure seismic stability and prevent impacts related to liquefaction. Thus, the proposed subterranean parking structure will not affect the general health, safety, or general welfare.

As part of the Proposed Project, the hotel is proposing to sell a full line of alcoholic beverages for on-site consumption. Alcohol is proposed to be sold and served at several locations throughout the proposed hotel, including the restaurant, bar/lounge, meeting rooms and in guest rooms via mini-bar service. Except for the guest rooms, each alcohol point-of-sale is located in the central part of the structure. Alcohol points-of-sale are located away from nearby residential and open space uses, sufficiently buffered by project structures, 28-foot-wide fire access lanes/pedestrian vertical access ways, surrounding roadways, and the new 28-foot-wide public waterfront promenade so as to not adversely affect these uses. The sale of alcohol is customarily associated the operation of a hotel, and in particular to the proposed restaurant and bar/lounge, and supports the economic sustainability of such uses and comparable facilities elsewhere

in the Marina and throughout Los Angeles County. As such, the sale of alcohol at the Proposed Project will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius.

The Department of Alcoholic Beverage Control (“ABC”) allocates alcohol licenses to census tracts based on the total population of a particular census tract. Based on this allocation for the census tract containing the Project Site, ABC allows for eight establishments to sell alcohol for on-site consumption and five establishments to sell alcohol for off-site consumption. Presently, ABC has issued 38 licenses for on-site consumption and 7 licenses for off-site consumption resulting in an undue concentration per ABC standards. However, as none of these establishments are located within 500 feet of the Project Site, there is not an undue concentration of alcohol licenses surrounding the Project Site per County standards. Thus, the granting of the requested CUP for the sale of a full line of alcohol for on-site consumption would allow the sale of alcohol in a portion of the Marina not readily served by any existing establishment selling alcohol. Further, the alcohol points-of-sale at the on-site restaurant and bar/lounge will be accessible to the public, providing a public convenience as patrons of the hotel and nearby residents cannot easily obtain alcohol near the Project Site. To ensure the operation of alcohol points-of-sale on the Project Site do not adversely affect the surrounding area and the safety of patrons, the Proposed Project is conditioned to, among other things, require staff participation in the Licensee Education on Alcohol and Drugs program and the implementation of a designated driver program. These conditions serve to ensure that staff involved in the sale of alcohol and their premises are adequately prepared to manage the sale of alcohol in a safe manner. Further, because there are no establishments currently selling alcohol within 500 feet of the Project Site, the sale of alcohol at the Project Site will provide an opportunity that currently does not exist in the area and will contribute to the amenities available in this portion of the Marina. Thus, the granting of the requested CUP will not adversely affect the economic welfare of the nearby community.

Due to the project design and the conditions placed on the operation of the Proposed Project, the proposed parking structure and the sale of alcohol will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area and will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site. The design of the Proposed Project and the conditions placed thereon will prevent the Proposed Project from jeopardizing, endangering, or otherwise constituting a menace to the public health, safety or general welfare.

The proposed hotel will provide overnight accommodations to a portion of Marina del Rey not currently served by this use. The hotel’s ground floor amenities, including restaurant and bar/lounge will be available to the public and will provide visitor-serving opportunities for the residents in this portion of the Marina. Further, as the proposed hotel will be located adjacent to a future public wetland and upland park and an expanded and improved segment of the public waterfront promenade, the proposed Project will site overnight accommodations and public parking opportunities adjacent to future recreational opportunities in the Marina. By constructing a hotel that is of similar

height and massing to existing and entitled surrounding development, the Proposed Project is designed to be well-integrated into the built character of the surrounding area. By making many of the on-site amenities available to the public, the Proposed Project will provide resident- and visitor-serving, social, and recreational opportunities to the western portion of Marina del Rey where such opportunities do not currently exist.

As the principal permitted use in the Hotel land use category, the proposed hotel will construct a facility that most clearly implements the designated land uses and policies of the Hotel land use category. Further, the Proposed Project meets or is conditioned to meet all applicable development standards except setback requirements; however, with the granting of the requested variance, the Proposed project will be in compliance with all applicable development standards and is in conformance with the applicable policies and provisions of the Marina del Rey Local Coastal Program.

As noted, a portion of the southern 1.46 acres of Parcel 9U has been delineated as a wetland. This feature is unique in the Marina as it is the only parcel in the western portion of the Marina with this delineation. In order to avoid adverse impacts to this unique topographical and environmental feature, the area acceptable for development of the proposed hotel is limited to the northern portion of the Project Site; no other parcel with this land use designation is similarly restricted. At 2.2 acres, the Project Site is of adequate size and shape to allow the Proposed Project to meet all applicable development standards except setbacks. Because the proposed hotel cannot build on the southern 1.46 acres of Parcel 9U, the Proposed Project does not possess sufficient space to incorporate all required setbacks, other development standards, and project features and construct a hotel that is financially viable. As such, the applicant is requesting a 100 percent reduction in the required promenade setback and a two-and-a-half-foot-reduction in the required northerly side yard setback.

Because of the limited developable area, requiring the Proposed Project to meet all setback and access requirements will not allow the proposed hotel to be financially viable. By granting complete relief from the promenade setback requirement and a small reduction in the side yard setback requirement, the Proposed Project is able to develop a project that is not only financially viable but incorporates project design features that are considered a high priority in the Marina del Rey LCP for incorporation into redevelopment projects (a full-width public waterfront promenade in particular). The Proposed Project will still develop a full, 28-foot-wide public waterfront promenade adjacent to the proposed hotel and will incorporate decorative color paving, marina-themed railing, shaded seating areas, drinking fountains, bicycle racks, decorative landscaping and lighting, and a decorative shelter for a future WaterBus stop. The requested variance would not reduce public access to the Marina's waterfront or reduce capacity on the waterfront promenade. On the northerly side of the Project Site, the side yard setback will be reduced but a full, 28-foot-wide Fire Department-approved access lane/public access way shared by Parcels 9U and 10 will still be provided. As such, the Fire Department will maintain adequate space for emergency vehicles as well as adequate access to the waterfront from Via Marina along the north side of the proposed hotel. Due to the incorporation of a fully improved promenade and the incorporation of a Fire Department-approved fire access lane, the reduction in required setbacks will not

be detrimental to the public welfare or be injurious to other property or improvements in the same vicinity or zone. With the requested variance, the Proposed Project is considered to be in conformance with the certified LCP. The variance will allow a financially viable, principal permitted use to be established on a parcel designated Hotel in the LCP. Thus, the requested variance is consistent with the LCP and the Hotel land use category and will not be a detriment to the environment.

The Proposed Project will greatly expand public access to the waterfront. First, the Proposed Project will widen and improve the existing segment of waterfront promenade to 28 feet. The proposed hotel will allow public access to the improved waterfront promenade at three locations (none of which currently exist): through the ground level of the proposed hotel, through a public access way/fire lane along the northern side of the hotel, and through a public access way/fire lane along the southern side of the hotel. By developing a currently vacant, inaccessible parcel of land, the Proposed Project is improving access to the waterfront by making it easier to reach the bulkhead. In addition to providing vertical access to the promenade, the Proposed Project is widening and improving the public waterfront promenade. Upon completion, the promenade will be 28-feet wide and will incorporate an improved design with amenities such as shaded seating areas, drinking fountains, bicycle racks, decorative landscaping and lighting, and a new decorative WaterBus shelter. Taken together, these amenities will greatly improve access to and the experience along the waterfront.

In addition to the waterfront, the Proposed Project will provide improved access to the future adjacent public wetland and upland park. This will be accomplished through the public access way/fire lane on the southern side of the proposed hotel and through the incorporation of 21 parking spaces reserved for use by patrons to the park. The Proposed Project is conditioned to require signage and other notification of public access ways and public parking opportunities. Thus the Proposed Project is consistent with the public access and public recreation policies of Chapter 3 of Division 20 of the Public Resources Code.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Fire Department – The Los Angeles County Fire Department recommends approval of the Project with conditions related to: fire lanes, turnarounds, alternate surface materials, bollard placement, reciprocal access, fire hydrants, emergency pedestrian access, fire flow, additional fire protection systems, and address numbers. Letter dated June 23, 2015 is included as an attachment to this report.

Department of Public Health – The Los Angeles County Department of Public Health recommends approval of the Project with conditions related to ensuring the availability of potable water, the construction and operation of food establishments, the construction and operation of a swimming pool, and compliance with the requirements of the County Noise Control Ordinance. Letter dated July 25, 2014 is included as an attachment to this report.

Department of Public Works – The Los Angeles County Department of Public Works recommends approval of the Project with conditions related to: sidewalk dedication,

Americans with Disabilities Act access requirements, closure of curb cuts, median reconstruction, street trees, traffic signal modifications, line of sight, and grading. Letter dated March 3, 2015 is included as an attachment to this report.

Marina del Rey Design Control Board (“DCB”) – The proposed project was reviewed by the DCB at its meeting on January 22, 2014. The DCB discussed the following project components: the reduced scale, landscaping components including at the entry point, near public view points and open areas, and along the promenade; architectural design, exterior materials, and promenade details; and connection points between the hotel and adjacent development. The DCB recommended approval of the Project with design recommendations. The Project, if approved by the Regional Planning Commission will be required to return to DCB for final design review. The minutes of the DCB meeting are included as an attachment to this report.

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

Regional Planning staff received four letters in support of the Project and two letters in opposition to the Project. The letters in support of the Project were received from the LAX Coastal Chamber of Commerce, Unite Here! Local 11, and Legacy Partners. These letters indicate that the Project will provide needed visitor-serving uses and will support economic development, job creation, and labor in the area. The letters in opposition to the Project were received from Daniel Gracy and Howard Sibelman. These letters expressed concerns regarding traffic and noise in the area. No other correspondence was received from the public regarding the Project.

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 TR067861, Coastal Development Permit Number 200600007, Conditional Use Permit Number 200600288, Parking Permit Number 200600020, and Variance Number 200600012, subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING, AND, HAVING CONSIDERED THE ADDENDUM ALONG WITH THE CERTIFIED FINAL EIR (ENVIRONMENTAL ASSESSMENT NO. 200600216) FOR THE PROJECT, HEREBY APPROVE THE ADDENDUM AND FIND THAT NONE OF THE CONDITIONS DESCRIBED IN CEQA GUIDELINES SECTION 15162 CALLING FOR THE PREPARATION OF A SUBSEQUENT EIR HAVE OCCURRED.

I MOVE THAT THE REGIONAL PLANNING COMMISSION APPROVE COASTAL DEVELOPMENT PERMIT NUMBER 200600007, CONDITIONAL USE PERMIT NUMBER 200600288, PARKING PERMIT NUMBER 200600020, AND VARIANCE NUMBER 200600012 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Kevin Finkel, AICP, Regional 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

County Department Recommendations

DCB Minutes

Correspondence

Addendum to the Certified Final Environmental Impact Report

Site Plan

Land Use Map

SZD:KAF

6/22/15

**DRAFT FINDINGS OF THE REGIONAL PLANNING COMMISSION
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. TR067861-(4)
COASTAL DEVELOPMENT PERMIT NO. 200600007
CONDITIONAL USE PERMIT NO. 200600288
PARKING PERMIT NO.200600020
VARIANCE NO. 200600012**

1. The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted a duly-noticed public hearing on July 22, 2015, in the matter of Project No. TR067861, consisting of Coastal Development Permit No. 200600007 ("CDP"), Conditional Use Permit No. 200600288 ("CUP"), Parking Permit No. 200600020 ("Parking Permit"), and Variance No. 200600012 ("Variance"). The CDP, CUP, Parking Permit, and Variance are referred to collectively as the "Project Permits." The Commission previously conducted duly-noticed hearings on the Project Permits, on October 29, 2008, November 5, 2008, August 12, 2009, October 14, 2009, February 3, 2010, and March 10, 2010.
2. The permittee, MDR Hotels, LLC ("permittee"), requests the Project Permits to authorize the following: 1) the construction of a new 288-room hotel contained in one building with one five-story wing and one six-story wing and associated amenities including two (2) meeting rooms, restaurant, bar/lounge, fitness center, ground floor outdoor terrace, second floor outdoor deck with a pool, spa, and fire pits, and operations spaces including lobby, offices, laundry and maintenance facilities, 212 parking spaces contained in a one-level subterranean parking structure and 19 parking spaces contained in a surface parking lot, associated signage and landscaping, grading and vegetation removal, a new 28-foot-wide public waterfront promenade and a WaterBus shelter; 2) the sale of a full line of alcoholic beverages for on-site consumption; 3) valet-managed tandem parking; and 4) a reduction in the required promenade and side yard setbacks (collectively referred to as "Project") on an approximately 2.2-acre portion of Lease Parcel 9U in the unincorporated community of Marina del Rey ("Project Site").
3. The Project Site is located on Marina del Rey Lease Parcel 9U. The development area consists of the northern approximately 2.2-acre portion of a larger 3.66-acre lease parcel. The Project Site is irregularly shaped with generally flat and gently-sloping topography towards the water to the east. The Project Site is currently vacant and is fenced off from the public except for a small paved walkway along the subject parcel's bulkhead.
4. The CDP is a request to authorize the construction of the following: 1) a new 288-room hotel contained in one building with one five-story wing and one six-story wing and associated amenities including kitchens in the rooms located in the northern, six-story wing, two (2) meeting rooms, restaurant, bar/lounge, fitness center, ground floor outdoor terrace, second floor outdoor deck with a pool, spa, and fire pits, and operations spaces including lobby, offices, laundry and maintenance facilities, one-level subterranean parking structure, surface parking lot, associated signage,

landscaping, grading, and vegetation removal; 2) a new 28-foot-wide public waterfront promenade with associated amenities; and 3) a WaterBus shelter in the Hotel Zone pursuant to County Code Section 22.46.1110

5. The CUP is a request to authorize development of a parking structure and the sale of a full line of alcoholic beverages for on-site consumption in the Hotel Zone pursuant to County Code Sections 22.46.1360 and 22.56.195.
6. The Parking Permit is a request to allow for the use of valet-managed, tandem parking in the Hotel Zone pursuant to Part 7 of Chapter 22.56 of the County Code.
7. The Variance is a request to authorize a zero setback from the public waterfront promenade and a reduction in the northerly side yard setback to allow a 7 ½-foot setback in the Hotel Zone pursuant to Section 22.46.1070 and Part 2 of Chapter 22.56 of the County Code.
8. The Project Site is located in the Playa del Rey Zoned District and is currently zoned Specific Plan.
9. The Project Site is located within the Hotel land use category with a Waterfront Overlay Zone of the Marina del Rey Land Use Policy Map.
10. Surrounding Zoning within a 700-foot radius includes:
 - North: Open Space, Residential V, Residential III, Water
 - South: Residential V, Water, Multi-family Residential (City of Los Angeles)
 - East: Water, Residential III
 - West: Multi-family residential (City of Los Angeles)
11. Surrounding land uses within a 700-foot radius include:
 - North: Open space, multi-family residential structures, water (Basin B)
 - South: Vacant land (future site of a restored wetland and upland park), multi-family residential structures (County and City of Los Angeles), water (Basin A)
 - East: Water (Basin B), multi-family residential structures
 - West: Multi-family and single-family residential structures (City of Los Angeles)
12. In 1975, the Regional Planning Commission (“RPC”) approved CUP No. 837 for a 10-story, 300-room hotel. In 1977, the RPC granted an extension to the previously approved CUP for the construction of a 10-story, 300-room hotel. In 1981, CDP No. A-207-79 was approved by the CCC and permitted the construction of a nine-story, 300-room hotel with associated commercial space. In 1999, CUP No. 99-205 was filed to authorize a 288-room hotel and a 527-unit residential complex; the application was denied due to inactivity. In 2010, the RPC approved Project No. TR067861 and permitted the development of a 288-room hotel and timeshare resort with associated amenities. In 2012, Project No. R2009-02277-(4) was certified by the CCC. This major amendment to the Marina del Rey Local Coastal Program designated the northern portion of Parcel 9U as Hotel and the southern portion of

Parcel 9U as Open Space to accommodate a proposed public wetland and upland park. The amendment also included policies and development standards intended to guide the development and protect the biological productivity of the public wetland and upland park. In 2012, CDP No. A-5-MDR-12-161 was approved by the CCC and permitted the restoration, construction, and maintenance of a public wetland and upland park on the southerly approximately 1.46 acres of the subject parcel; development is pending.

13. The permittee is requesting the Project Permits to authorize the construction of the following: 1) an approximately 263,000-square-foot, 288-room hotel containing a five-story wing and a six-story wing (approximately 61-foot- and 72-foot-tall respectively). The southern five-story wing is anticipated to be operated under the Marriott's Courtyard brand and will be comprised of rooms of various types and sizes; some of these rooms will include wet bars. The northern six-story wing is anticipated to be operated under Marriott's Residence Inn brand and will be comprised of suites of various sizes; these rooms will include small kitchen facilities. The proposed hotel will include approximately 13,800 square feet of amenities including meeting rooms, restaurant, bar/lounge, fitness center, a ground floor outdoor terrace, a second floor deck with pool, spa, and fire pits overlooking Basin B, and operations spaces including lobby, offices, and laundry and maintenance facilities; to the extent feasible, the hotel is proposing to incorporate Leadership in Energy and Environmental Design features into the overall project design; 2) a one-level subterranean parking garage with 212 valet-managed, tandem parking spaces, a surface parking lot with 15 valet-managed parking spaces and four (4) free, self-park spaces for a total of 231 spaces serving the hotel and future adjacent public wetland and upland park; 3) associated signage and landscaping; 4) the sale of a full line of alcoholic beverages for on-site consumption at several locations throughout the hotel including the proposed restaurant and outdoor terrace dining area, the bar/lounge, meeting rooms, and within hotel guest rooms; 5) an approximately 386-foot-long, 28-foot-wide public waterfront promenade; and 6) a new water taxi shelter.
14. The site plan depicts a 288-room hotel in a single building with an approximately 61-foot-tall five-story wing and an approximately 72-foot-tall six-story wing. There is one subterranean level that will contain 212 of the proposed on-site parking and some of the maintenance areas. The ground floor contains the main vehicular access point from Via Marina. This ingress/egress provides direct access to the guest motor court, the access ramp for the subterranean parking structure, the delivery/loading areas, and surface parking spaces for 19 parking spaces. The ground floor also includes the hotel lobby, meeting rooms, restaurant, bar/lounge, outdoor terrace, health room, breakfast area, maintenance areas, and hotel rooms in both wings. The site plan also depicts the 28-foot-wide reconstructed public waterfront promenade and associated amenities. The public waterfront promenade will incorporate decorative paving, marina-themed railing, landscaping and lighting, shaded seating areas, drinking fountains, bicycle racks, and a new decorative shelter for WaterBus patrons located at the connection point between the gangway for a future public/"transient" dock and the bulkhead. There are two 28-foot-wide fire access lanes/pedestrian access ways, one each on the northern and southern perimeters of the proposed hotel. These access ways provide vertical access to and along the

proposed hotel between Via Marina and the public waterfront promenade. The southern access lane will be constructed using a turf block material to maintain compatibility with the delineated wetland area to the south; the turf block material will be constructed in such a way as to be acceptable to Fire Department standards for emergency access. The second floor of the proposed hotel includes an outdoor deck with a pool, spa, and fire pits, a fitness center, and hotel rooms in both wings. Levels three through five are nearly identical and contain hotel rooms in both wings. Level six contains only hotel rooms in the northern wing.

15. The Project Site is accessible via Via Marina to the west. Primary access to the Project Site will be via a primary entrance/exit on Via Marina. Secondary access to the Project Site will be via two fire/pedestrian access lanes on the northern and southern sides of the proposed hotel. Pedestrian access to the Project Site will also be provided via an expanded public waterfront promenade that connects the Project Site to Lease Parcel 10R to the north and Lease Parcel 8T to the southeast.
16. The Project will provide a total of 231 parking spaces. 212 of the on-site parking spaces will be valet-managed tandem space located in a one-floor subterranean parking structure. The remaining 19 spaces will be located at-grade in two separate parking areas. 15 of these spaces will be located on the north side of the proposed motor court in the center of the Project Site and will be valet-managed while the other four spaces will be located on the south side of the motor court near the entrance to the Project Site and will be self-parked. Of the 231 spaces, 21 are reserved for users of a previously-entitled public wetland and upland park located on the southern approximately 1.46 acres of Parcel 9U. The four self-park spaces are part of these 21 and will be free of charge. The other 17 spaces will be charged a fee comparable to other public parking areas in the vicinity. Additionally, six of the proposed parking spaces will be handicap/accessible spaces and will be located in the northern at-grade parking area. The Project is providing loading areas near the northwest corner of the Project Site consistent with Zoning Code requirements.
17. Following Commission approval on March 10, 2010, the Project was appealed to the Board of Supervisors ("BOS") on March 22, 2010. Prior to the BOS hearing, the permittee redesigned features of the Project to address concerns raised by the public. In light of the redesign, on April 26, 2011, the BOS remanded the Project back to the Commission for further review.
18. The County Department of Public Works ("DPW") recommends approval of the Project and has recommended conditions of approval, which are included in the Project's conditions. The County Fire Department ("FD") recommends approval of the Project and has recommended conditions of approval, which are included in the Project's conditions. The County Department of Public Health ("DPH") recommends approval of the Project and has recommended conditions of approval, which are included in the Project's conditions.
19. An Addendum to the certified Environmental Impact Report (EIR) (State Clearinghouse No. 2007031114) for the original project was prepared in compliance with the California Environmental Quality Act (CEQA) and the County environmental

guidelines to account for the revised project design. The Addendum concluded that the revised project design as proposed would not result in any increased or additional environmental impacts beyond those which were analyzed in the certified EIR. Further, the Addendum concluded that impacts related to visual resources would be reduced to a level of less than significant, and therefore concluded that a supplemental environmental analysis was not required. Department of Regional Planning (“Regional Planning”) staff prepared a Mitigation Monitoring Plan (“MMP”) and Findings of Fact for the Project. The MMP contains all of the mitigation measures necessary to ensure the Project will not have a significant effect on the environment.

20. Pursuant to the provisions of sections 22.56.2400, 22.60.174, and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.

21. Prior to the Commission's public hearing, Regional Planning staff received four letters in support of the Project and two letters in opposition to the Project. The letters in support of the Project were received from the LAX Coastal Chamber of Commerce, Unite Here! Local 11, and Legacy Partners. These letters indicate that the Project will provide needed visitor-serving uses and will support economic development, job creation, and labor in the area. The letters in opposition to the Project were received from Daniel Gracy and Howard Sibelman. These letters expressed concerns regarding traffic and noise in the area. No other correspondence was received from the public regarding the Project.

22. *To be inserted after the public hearing to reflect hearing proceedings.*

23. The Commission finds that the Project is consistent with the goals and policies of the Marina del Rey Local Coastal Program (“LCP”). The Project is located within the Hotel land use category and within the Waterfront Overlay Zone in the LCP. This category is intended to “...provide overnight accommodations and attendant visitor-serving services including dining and entertainment areas.” Additionally, the Waterfront Overlay Zone is intended as an overlay land use category applied to certain waterfront parcels and is intended to encourage more creative and desirable projects by allowing a mix of uses in proposed developments. Permitted uses include hotel, visitor-serving commercial, open space, boat storage, and marine commercial. The Project, including hotel with appurtenant restaurant, bar/lounge, outdoor deck, waterfront pedestrian promenade, and new water taxi stop, is consistent with the Hotel designation as the proposed uses provide overnight accommodations and visitor-serving amenities. Therefore, the Project is consistent with the permitted uses of the underlying land use category.

24. The Commission finds that the Project is consistent with the applicable policies related to shoreline access. Buildout of the Project will provide access to a portion of the Marina that is currently fenced off except for a paved walkway adjacent to the bulkhead. Additionally, the Project will widen the existing eight-foot-wide concrete waterfront promenade to a full 28 feet in width and incorporate new, higher quality materials including decorative paving and marina-themed railing. The improved

promenade will be connected to other existing segments of the promenade to the north and south of Parcel 9U and will provide amenities including shaded seating areas, drinking fountains, decorative landscaping and lighting, bicycle racks, and a new decorative WaterBus shelter. The Project will provide several points of vertical access from Via Marina to the promenade and waterfront including a fire access lane along the southerly side of the proposed hotel, a second fire access lane along the northerly side of the proposed hotel, as well as through the ground floor of the proposed hotel. Additionally, the Project will provide improved public parking access to the western side of the Marina. 21 public parking spaces will be incorporated into the Project design to serve the future adjacent public wetland and upland park. 17 of these spaces will be valet-managed and users will be assessed a fee comparable to other public parking areas in the vicinity while the remaining four spaces will be free and self-parked. Finally, the Project will also provide visual access to the shoreline from Via Marina through the dedication of a large, single view corridor. The LCP requires that all development provide a view corridor across at least 20 percent of the parcel's waterfront. Development of the proposed hotel will be restricted to the northerly 2.2 acres of Parcel 9U leaving in place expansive views of the water from vantage points along and across Via Marina in a view corridor that accounts for roughly 40 percent of the parcel's waterfront.

25. The Commission finds that the Project is consistent with the applicable policies related to recreation and visitor-serving facilities. The existing approximately eight-foot-wide concrete waterfront promenade will be expanded to a full 28 feet in width along the entire bulkhead length of Parcel 9U connecting to existing adjacent promenade segments on Parcel 10R to the north and Parcel 8T to the southeast. The promenade will incorporate decorative colored paving and marina-themed railing as well as shaded seating areas, drinking fountains, and bicycle racks to serve users of the new segment of the promenade. The reconstructed promenade will afford views of the Marina del Rey harbor and will allow patrons to view boats and other water-based activities occurring within the Marina's waters. With buildout of the improved public waterfront promenade, the Project will provide expanded and improved low-cost visitor-serving facilities along the waterfront as compared to existing conditions. The Project will also construct a new decorative WaterBus shelter. This shelter will serve a new WaterBus stop that will be established as part of a dock construction project adjacent to Parcel 9U that will include public/transient slips to access the west side of the Marina generally and the proposed hotel and adjacent public wetland and upland park specifically. By restricting development of the hotel to the northerly 2.2 acres of the parcel, visual access to the Marina's waters and harbor will be provided across roughly 40 percent of the parcel's waterfront from points along and across Via Marina. Finally, the Project will provide 231 parking spaces. 21 of these spaces will be reserved for public parking serving the future public wetland and upland park while the remaining spaces will serve the Project. The Project will include directional signage and other public information directing people to public parking, and recreational opportunities nearby.

26. The Commission finds that the Project is consistent with the applicable policies related to marine resources. The Project will be set back from the park by a 28-foot-wide fire access lane that will double as a vertical access walkway providing public

pedestrian access between Via Marina and the public waterfront promenade and to the wetland park area. This access lane will be constructed of a turf block material. This material allows for runoff infiltration so that runoff from the Project Site does not negatively impact the biological productivity of the delineated wetland. Further, by setting the proposed hotel back from the park area, it also ensures that project operation will not impede the biological productivity of the park. The proposed hotel does not include any primary access points along its southern façade ensuring that the daily operation of the hotel does not encroach within the park area and does not negatively affect the wetland's biological integrity.

27. The Commission finds that the Project is consistent with the applicable policies related to important biological resources. A preliminary tree survey was conducted of the Project Site and the adjacent road medians to identify the presence of trees. The survey identified six (6) trees on the Project Site and 16 trees in the medians along Via Marina and Tahiti Way. The specimens identified are a mix of palm and coral species of which none are considered native to the area and none of which have shown evidence of bird nesting. Because the Proposed Project will completely redevelop the north portion of Parcel 9U, all six (6) of the trees identified on the Project Site will be removed. Additionally, in order to accommodate a new left-turn pocket into the proposed hotel from southbound Via Marina, a "cut" will need to be made in the median that will result in the removal of three (3) median trees along Via Marina. The Proposed Project is conditioned to require compliance with the tree trimming and removal policies of the LCP in order to preclude impacts to any nesting birds that may exist on the Project Site or in a street median. Further, the Proposed Project is conditioned to comply with the tree replacement requirements of the LCP. The landscaping concept developed for the Proposed Project will see the planting of 65 trees across the Project Site. The planting palette includes a variety of species that are considered appropriate for a coastal environment and are not considered invasive. The number of trees proposed for planting is greater than the one-to-one replacement ratio required by the LCP.
28. The Commission finds that the Project is consistent with the applicable policies related to land use. As the Project Site is currently vacant land and all Project components will be located on land, buildout of the Project will not affect the recreational value of the Marina by displacing existing recreation amenities. Further, by constructing a hotel on this parcel, which is consistent with the subject parcel's land use designation, the Project will develop overnight accommodations in a part of the Marina where no such facility exists. The development of the hotel will provide expanded opportunities for visitor lodging in a portion of the Marina not well served by this amenity allowing people to stay and recreate along the Marina's waterfront. The ground floor of the proposed hotel, which will include a restaurant and bar lounge, will be available to the public in addition to providing access to the improved public waterfront promenade. This expanded public waterfront promenade will include decorative colored paving, marina-themed railing, decorative lighting and landscaping, shaded seating areas, and will incorporate a decorative WaterBus shelter. Finally, 21 of the on-site parking spaces are reserved for public parking for patrons of the future public wetland and upland park and are incorporated into the Project's design to facilitate access to this recreational amenity. The Marina del Rey

Design Control Board (“DCB”) reviewed and recommended approval of the preliminary site plan at its January 22, 2014 meeting.

29. The Commission finds that the Project is consistent with the applicable policies related to coastal visual resources. The Project will widen an existing eight-foot-wide concrete promenade to a full 28-foot width along the entire bulkhead of Parcel 9U, approximately 386 feet in length and provide unobstructed views of the Marina’s waters. Views of the water will also be provided along two, 28-foot-wide vertical access fire lanes along the northern and southern perimeters of the hotel structure. These lanes will provide unobstructed views of the Marina’s waters. The southern approximately 1.46 acres of Parcel 9U are entitled for the restoration, construction, and maintenance of a public wetland and upland park. As there will be no structures associated with this project, the park will provide unobstructed views of the Marina and its waters across approximately 41 percent (159 feet) of the parcel’s width. Both the vertical access fire lanes and the wetland portion of Parcel 9U will afford views from points along and across Via Marina. In addition to views, a wind study conducted for the Project found that the construction of the proposed hotel will produce similar wind patterns throughout the Marina with only localized changes at the western ends of Basins B and C that will not significantly affect wind currents and sailing conditions.
30. The Commission finds that the Project is consistent with the applicable landscaping requirements. The Project is providing landscaping along the northern, western, and southern perimeters of the Project Site and will include a mixture of trees, shrubs and groundcover in planting areas that range from eight to 10 feet in width consistent with the requirement.
31. The Commission finds that the Project is consistent with the applicable lot coverage requirements. The parcel is approximately 3.66 acres in area and the Project will be located on the northerly 2.2 acres of this parcel. As such, the development area of the Project will cover approximately 60 percent of the lot area. In total, the Project will include approximately 11,115 square feet of landscaped areas. As the Project Site is approximately 95,832 square feet, this amount of landscaping exceeds the minimum 10 percent requirement.
32. The Commission finds that the Project is consistent with the applicable parking requirements. The Project will provide 231 parking spaces in excess of the 144 parking spaces required by the Zoning code and the 21 parking spaces required to serve the future public wetland and upland park. The proposed hotel is dedicating six of the parking spaces for handicap use, in excess of the five spaces required by the code. The Project is also providing adequate loading space to accommodate the three required Type A loading spaces.
33. The Commission finds that the Project is consistent with the applicable sign requirements. The requested CDP includes the installation of Project signage at numerous points throughout the proposed hotel. The Project is conditioned to submit a sign program consistent with the requirements of the Revised Permanent Sign

Controls and Regulations to the DCB and the Department of Regional Planning for review and approval.

34. The Commission finds that the Project is consistent with the applicable view corridor requirements. Due to the presence of wetland habitat, the development area for the proposed hotel will occur only on the northern portion (approximately 2.2 acres) of the parcel. By leaving the southern portion of the parcel undeveloped, a single, uninterrupted view corridor providing views of the Marina harbor between Via Marina and the bulkhead is provided. In total, the Project provides a continuous view corridor 159 feet (approximately 41 percent) across the parcel's width consistent with this requirement.
35. The Commission finds that the Project is consistent with the applicable emergency access requirements. The Project will construct a 28-foot-wide perpendicular fire access lane/pedestrian access way between Via Marina and the public waterfront promenade along the southern side of the hotel. Along the northern side of the proposed hotel, the Project will rely on a 28-foot-wide fire access lane/pedestrian access way/vehicular access lane approved as part of the residential project on Parcel 10. The applicants for the various projects have reached an agreement to allow for the shared use of the fire access lane and the Project is conditioned to provide documentation to that effect prior to the issuance of building permits. The fire access lanes on both the southern and northern side of the proposed hotel are designed to accommodate a fire truck turnaround where the access lane intersects with the public waterfront promenade. Finally, along the bulkhead of Parcel 9U, the Project will construct the public waterfront promenade to a full 28-foot width so the public waterfront promenade can be used for fire access in cases of emergency.
36. The Commission finds that the Project is consistent with applicable transportation improvement requirements. The Mitigation Monitoring Plan for the Project includes a mitigation measure for the fair-share payment of mitigation fees related to the generation of this number of peak trips.
37. The Commission finds that Section 22.46.1180.A.15.b of the Marina del Rey Specific Plan requires applicants for a hotel use to designate no less than 25 percent of the land area of the site proposed for new hotel development for a lower cost overnight facility and provide plans and agree to construct the facility as part of the project. Such area may be reduced if a facility containing one-tenth of the number of beds as the hotel contains rooms can feasibly be provided is proposed on site. Such a facility may include a youth hostel, lower cost conference facility with overnight accommodations, or campground. However, subsection "v" of this same Code section expressly exempts an applicant's on-site provision of such lower-cost overnight facilities in cases where it is demonstrated that a proposed hotel project of the same or lesser size on the same parcel paid a lower-cost overnight accommodation in-lieu fee, or its equivalent, within 20 years of the date of a subsequent hotel application for the same site.
38. The Commission finds that pursuant to Section 22.46.1180.A.15.b.v, the Permittee is exempt from the lower-cost overnight facility provisions of the LCP. The Permittee

has demonstrated that the developer of a previously-approved hotel project on Parcel 9U (the Marina Plaza Hotel) already fulfilled this obligation through its prior payment of a lower cost overnight facility “in-lieu fee;” this payment occurred within 20 years of the Permittee’s filing of its application for the Project on Parcel 9U. Records indicate that the developer of the Parcel 9U Marina Plaza Hotel paid a lower-cost overnight accommodations in-lieu fee in the amount of \$365,000. These monies were utilized for the construction of an American Youth Hostels, Inc. (“AYH”) youth hostel in the City of Santa Monica, which has been in operation since 1989 (see Coastal Commission Coastal Development Permit Application no. 5-86-175, American Youth Hostels, Inc., applicant).

39. The Commission finds that the Project is consistent with the applicable height requirements. The LCP limits height on Project Site to 225 feet. Further, the Site-specific Development Guidelines contained in the Specific Plan further restrict building heights to 140, which can be granted back up to 225 feet with the provision of an expanded view corridor. None of proposed structures exceed a maximum height of 72 feet, consistent with this requirement.
40. The Commission finds that with the granting of the requested variance, the Project is consistent with applicable setback requirements. The Project will provide the required 10-foot front- and southerly side-yard setbacks consistent with this requirement. The applicant is requesting a variance to reduce the required promenade setback to zero and reduce the northerly side-yard setback to seven feet, six inches.
41. The Commission finds that the Project is adequately conditioned to require the implementation of a shuttle program between the proposed hotel and Los Angeles International Airport consistent with this requirement.
42. The Commission finds that the Project is consistent with the applicable displacement requirements pertaining to public parks and coastal-dependent and/or boating uses. The Project is located in the western portion of Marina del Rey on Lease Parcel 9U. At present, this parcel is vacant, though a CDP has been approved for the restoration, construction, and maintenance of a public wetland and upland park on the southerly approximately 1.46 acres of the parcel. Consistent with this delineation, the LUP designates this portion of Parcel 9U as Open Space. The Project will be developed on the northern portion of Parcel 9U and no part of the proposed hotel or accessory uses will be located on a portion of the parcel reserved for the public wetland and upland park. Thus, the Project will not reduce the amount of land area devoted to existing public parks or coastal-dependent marine commercial uses. Further, as there are currently no docks in the water adjacent to the parcel or boating facilities on the parcel, the Project will not reduce the amount of land area devoted to existing boating uses.
43. The Commission finds that the Project is consistent with the applicable site specific development guidelines. The Project will widen the existing eight-foot-wide concrete waterfront promenade to a full 28 feet in width and incorporate new, higher quality materials including decorative paving and marina-themed railing. The improved

promenade will be connected to other existing segments of the promenade to the north and south of Parcel 9U and will provide amenities including shaded seating areas, drinking fountains, decorative landscaping and lighting, bicycle racks, and a new decorative WaterBus shelter. This WaterBus shelter will connect to a new future WaterBus stop that will be constructed along with a previously-approved dock project adjacent to Parcel 9U.

44. The Commission finds that the Project Site is adequately served by highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of pedestrian, bicycle, and vehicle traffic such use would generate. The Project Site is accessed on the west side of the lease parcel by Via Marina, an existing full-improved designated parkway. The environmental analysis performed for the Project found that Via Marina is capable of accommodating the proposed 288-room hotel and associated amenities.
45. The Commission finds that the Project Site is adequately served by public or private utilities and services that are required for operation. The Project Site is located in Marina del Rey, an urbanized community in the western portion of Los Angeles County that is served by existing urban services and utility systems. The environmental analysis prepared for the Project notes that the Project Site is currently served by existing urban services and infrastructure including water, sewer, solid waste, schools, police, fire, library, and parks.
46. The Commission finds that the majority of required on-site parking (212 spaces) will be located in a single-floor subterranean parking structure and arranged in tandem spaces.
47. The Commission finds that the Project's tandem parking arrangement will be supported by a professional, valet-managed parking system to ensure that no conflicts to vehicular access, internal circulation, and ingress/egress and with the surrounding neighborhood arise from the use of tandem parking in the parking structure. Further, the use of a valet system for on-site parking will ensure that such impacts as line formation, uncoordinated ingress and egress, and neighborhood circling do not occur.
48. The Commission finds that the valet-managed, tandem parking arrangement will result in a more coordinated, efficient parking operation that should reduce the possibility of any traffic congestion, potential for off-site parking, or the use of parking facilities developed to serve surrounding properties.
49. The Commission finds that the use of tandem spaces allows the Project to develop a more efficient parking arrangement that consolidates all on-site parking into a smaller space resulting in minimized grading.
50. The Commission finds that by reducing the amount of space devoted to parking facilities, the Project is able to reduce the massing associated with a large parking structure and better integrate the structure into the proposed hotel.

51. The Commission finds that the below-grade structure will be completely subterranean and will not be visible from surrounding properties. As such, the Project integrates this project component into the design of the hotel and out of view such that the parking structure will not detract from the visual character of this portion of the Marina.
52. The Commission finds that the parking structure will be constructed to current building code requirements to ensure seismic stability and prevent impacts related to liquefaction.
53. The Commission finds that alcohol is proposed to be sold at several locations throughout the proposed hotel, including the restaurant, bar/lounge, meeting rooms and in guest rooms via mini-bar service.
54. The Commission finds that the Project is adequately conditioned to ensure that staff involved in the sale of alcohol and the operation of alcohol points-of-sale are adequately prepared to manage the sale of alcohol in a safe manner and ensure the safety of nearby residents and hotel patrons.
55. The Commission finds that the sale of alcohol is customarily associated with the operation of a hotel, in particular at the proposed restaurant and bar/lounge, and supports the economic sustainability of such uses customarily offered at comparable facilities elsewhere in the Marina and Los Angeles County.
56. The Commission finds that, except for the guest rooms, each alcohol point-of-sale is located in the central part of the structure and are located away from nearby residential and open space uses, buffered by project structures, fire access lanes/pedestrian vertical access ways, surrounding roadways, and the public waterfront promenade. The Commission further finds that mini-bar service within individual guest rooms is customarily offered by similar hotels throughout the County.
57. The Commission finds that the Project Site is approximately 2.2 acres in size.
58. The Commission finds that the Project meet all applicable development standards, including landscaping, lot coverage, parking, signage, view corridors, emergency access, transportation improvements, height, shuttle program operation, displacement, and public promenade construction. However, due to the limited development area on Parcel 9U, the Project cannot meet applicable promenade and northern side yard setback requirements. Thus, with the granting of the requested variance, the Project will meet all applicable development standards.
59. The Commission finds that development to the west, south, and south east consisting of multi-family residential structures that are three-stories-tall set atop a partially at-grade, partially below-grade parking podium. The parcel to the north of the Project Site is entitled for several residential structures that will be up to four stories tall; a parcel to the northwest at the intersection of Via Marina and

Marquesas Way is developed as a small, passive green space area. A portion of the southern 1.46 acres of Parcel 9U has been delineated as a wetland.

60. The Commission finds that there are no places used exclusively for religious worship, schools, parks, playgrounds, or similar uses within a 600-foot radius of the Project Site.
61. The Commission finds that at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area. On-site alcohol point-of-sale are buffered from the nearby residential uses by project structures, 28-foot-wide fire access lanes/pedestrian vertical access ways, surrounding roadways, and the new 28-foot-wide public waterfront promenade.
62. The Commission finds that there are no establishments which possess a license for the sale of alcohol within 500 feet of the Project Site and thus does not result in an undue concentration pursuant to the Los Angeles County Planning and Zoning Code.
63. The Commission finds that within the census tract containing the Project Site, the California Department of Alcoholic Beverage Control ("ABC") has allocated eight licenses to sell alcohol for on-site consumption and five licenses to sell alcohol for off-site consumption within the census tract containing the Project Site.
64. The Commission finds that, presently, ABC has issued 38 licenses for on-site consumption and 7 licenses for off-site consumption in the census tract resulting in an undue concentration per ABC standards.
65. The Commission finds that because there are no establishments within 500 feet of the Project Site possessing a license to sell alcohol to this portion of the Marina broadly and to patrons of the proposed hotel specifically, the granting of the requested CUP for the sale of a full line of alcohol for on-site consumption would allow the sale of alcohol in a portion of the Marina not readily served by any existing establishment.
66. The Commission finds that the sale of alcohol at the Project Site will provide an economic opportunity that currently does not exist within the vicinity of the Project Site and will contribute to the amenities available in this portion of the Marina.
67. The Commission finds that all of the Project's alcohol points-of-sale except for the hotel rooms will be accessible to the public, thus providing a public convenience as patrons of the hotel and nearby residents cannot easily obtain alcohol near the Project Site.
68. The Commission finds that the Project will consist of a single building with two wings; the southern five-story wing will be approximately 61 feet tall and the northern six-story wing will be approximately 72 feet tall.

69. The Commission finds that the design of the proposed hotel will incorporate a range of high-quality materials into an open, modern design that is consistent with many of the newer developments nearby and will contribute to the aesthetic character of the western portion of Marina del Rey.
70. The Commission finds that at a maximum of six stories tall, the Project is similar in height and massing to many of the structures in the vicinity of the Project Site.
71. The Commission finds that with the use of high-quality materials and a height and massing that are similar to other nearby buildings, the exterior appearance of the proposed hotel will be consistent with structures already constructed or under construction within the immediate neighborhood and will be well-integrated into the surrounding area.
72. The Commission finds that there is an existing wetland delineated on a portion of the southern 1.46 acres of Parcel 9U. No wetlands are found on any other parcel in the western portion of the Marina.
73. The Commission finds that the presence of the wetland restricts the development area to the northern 2.2 acres of Parcel 9U. This limitation in building area is not present on any other Hotel-designated parcel in the Marina.
74. The Commission finds that the limitation in development area hinders the ability of the Permittee to design a project that implements the intention of the land use category and meets all applicable development standards.
75. The Commission finds that other properties in Marina del Rey with the Hotel designation are not similarly constrained.
76. The Commission finds that without the required setbacks, the Project will still be able to provide adequate emergency access along all sides of the proposed hotel.
77. The Commission finds that even without the required setbacks, the Project will still be located completely on Parcel 9U and will be designed and conditioned such that operation of the facility will not negatively impact other property in the area.
78. The Commission finds that even without a promenade setback and a reduced northern side yard setback, the Project will implement the principal permitted use in the Hotel land use category, clearly implementing the intended purpose of the land use category.
79. The Commission finds that the granting of the requested variance will not interfere with the establishment of the required public access components including the 28-foot-wide public waterfront promenade and the required 28-foot-wide vertical access way between Via Marina and the public waterfront promenade on the northern side of the proposed hotel.

80. The Commission finds that without the required promenade and northern side yard setback, the Project still provides the required 28-foot-wide public waterfront promenade with recreational amenities including shaded seating areas, drinking fountains, decorative landscaping and lighting, bicycle racks, and a new, decorative WaterBus shelter.
81. The Commission finds that the reduction in required setbacks will not negatively impact the surrounding environment including the Marina's waters or the nearby delineated wetland.
82. The Commission finds that the construction of the proposed hotel incorporating all of the applicable development standards and with the requested entitlements is in conformity with the Marina del Rey Local Coastal Program.
83. The Commission finds that the Project Site is located between the nearest public road and the sea.
84. The Commission finds that the Project is conditioned to provide adequate informational signs to direct the public and hotel patrons to the waterfront and waterfront access points.
85. The Commission finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of the Marina del Rey community. On June 16, 2015, a total of 534 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as 28 notices to those on the courtesy mailing list for the Playa del Rey Zoned District and to any additional interested parties.
86. The Commission finds that the Addendum to the previously-certified EIR for the Project was prepared in accordance with CEQA, the State CEQA Guidelines, and the County's Environmental Document Reporting Procedures and Guidelines. The Commission reviewed and considered the Addendum, along with its associated MMP and Findings of Fact, and finds that they reflect the independent judgment of the Commission. The Findings of Fact are incorporated herein by this reference, as set forth in full.
87. The Commission finds that the MMP for the Project is consistent with the conclusions and recommendations of the Addendum to the previously-certified EIR and that the MMP's requirements are incorporated into the conditions of approval for the Project.
88. The Commission finds that the MMP, prepared in conjunction with the Addendum to the previously-certified EIR, identifies in detail how compliance with its measures will mitigate or avoid potential adverse impacts to the environment from the Project.

89. The location of the documents and other materials constituting the record of proceedings upon which the 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, California 90012. The custodian of such documents and materials shall be the Section Head of the Special Projects Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES THAT:

Regarding the Coastal Development Permit:

- A. The proposed use with the attached conditions is consistent with the certified Marina del Rey Local Coastal Program.
- B. The proposed use being located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone, is in conformity with the public access and public recreation policies of Chapter 3 of Division 20 of the Public Resources Code.

Regarding the Conditional Use Permit:

- A. The proposed use at the site 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.
- B. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- C. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

Regarding the Parking Permit:

- A. The proposed use will not create conflicts arising from special parking arrangements allowing shared vehicle parking facilities, tandem spaces, or compact spaces because vehicle parking facilities using tandem spaces will employ valets or will utilize other means to insure a workable plan.
- B. 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.

- C. 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.

Regarding the Variance:

- A. There are special circumstances or exceptional characteristics applicable to the property involved, such as size, shape, topography, location, or surroundings, which are not generally applicable to other properties in the same vicinity and under identical zoning classification.
- B. That such variance is necessary for the preservation of a substantial property right of the applicant such as that possessed by owners of other property in the same vicinity and zone.
- C. That the granting of the variance will not be materially detrimental to the public welfare or be injurious to other property improvements in the same vicinity and zone.
- D. That the variance is consistent with the Local Coastal Program including the land use category of the Specific Plan and the public access and recreation policies of the Coastal Act.
- E. That there would be no adverse impact on the environment.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Having considered the addendum along with the certified Final EIR (Environmental Assessment No. 200600216) for the Project, hereby approves the addendum and find that none of the conditions described in CEQA Guidelines Section 15162 calling for the preparation of a subsequent EIR have occurred.
2. Approves Coastal Development Permit No. 200600007, Conditional Use Permit No. 200600288, Parking Permit No. 200600020, and Variance No. 200600012, subject to the attached conditions.

ACTION DATE: July 22, 2015

SZD:KAF

Jun 25, 2015

- c: Each Commissioner, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. TR067861-(4)
COASTAL DEVELOPMENT PERMIT NO. 200600007
CONDITIONAL USE PERMIT NO. 200600288
PARKING PERMIT NO. 200600020
VARIANCE NO 200600012**

PROJECT DESCRIPTION

The project is a 288-room hotel in a single building with a five-story wing and a six-story wing (approximately 61-foot- and 72-foot-tall respectively) and approximately 13,800 square feet of amenities including meeting rooms, restaurant, bar/lounge, fitness center, a ground floor outdoor terrace, a second floor deck with pool, spa, and fire pits overlooking Basin B, and operations spaces including lobby, offices, and laundry and maintenance facilities. The hotel also includes 231 parking spaces contained in a one-level subterranean parking garage and surface parking areas; the sale of a full line of alcoholic beverages for on-site consumption at several locations throughout the hotel including the proposed restaurant and outdoor terrace dining area, the bar/lounge, meeting rooms, and within hotel guest rooms; a reconstructed, approximately 386-foot-long, 28-foot-wide pedestrian promenade; and a new water taxi shelter 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 Nos. 10 and 13. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 8 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 22.56.2490 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, 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. **The grant to authorize the sale of a full line of alcoholic beverages for on-site consumption at the hotel will terminate on July 22, 2035.** 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, a new Conditional Use Permit application for alcohol sales shall be filed with the Department of Regional Planning at least six months prior to the termination date of this permit, whether or not any modification of the use is requested at that time.
9. This grant shall expire unless used within two (2) years from the date of final approval of the grant. Three (3) one-year time extensions 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 **\$4,000.00**. 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 **20 annual** inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional 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. The permittee shall comply with all mitigation measures identified in the Mitigation Monitoring Plan ("MMP"), which are incorporated by this reference as if set forth fully herein.
12. Within thirty (30) days of the date of final approval of the grant by the County, the permittee shall submit to Regional Planning a covenant and agreement, which attaches the MMP and agrees to comply with the mitigation measures imposed by the Environmental Impact Report for this project. The permittee shall submit a draft copy of the covenant and agreement to Regional Planning for review and approval. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to Regional Planning for approval or as required. The reports shall describe the status of the permittee's compliance with the required mitigation measures.
13. The permittee shall deposit an initial sum of \$6,000.00 with Regional Planning within thirty (30) days of the date of final approval of this grant in order to defray the cost of reviewing and verifying the information contained in the reports required by the MMP. The permittee shall replenish the mitigation monitoring account if necessary until all mitigation measures have been implemented and completed.
14. 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.
15. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.

16. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
17. 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").
18. 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.
19. 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 such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

20. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **September 21, 2015**.
21. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS – COASTAL DEVELOPMENT PERMIT

22. Prior to the issuance of a building permit for the Proposed Project, the permittee shall return to the Design Control Board ("DCB") for said Board's final approval of project design, signage, landscaping, lighting, building colors and materials palette, and public amenities (concerning final design details of the public waterfront promenade shaded seating areas, drinking fountains, lighting standards, decorative paving and railing).

23. Within sixty (60) days of the DCB's final design approval, the permittee shall submit to the Director for review and approval **three (3) copies** of signage plans depicting the location, size, and height of all proposed project signage, including, but not limited to, identification signage, regulatory signage, and wayfinding signage. Said signage shall be designed and installed on the subject property in accordance with the requirements of the Marina del Rey Local Coastal Program. The Director shall not approve signage plans until the plans have been first approved by the DCB.
24. The permittee shall post signs conspicuously at the subject property's frontage on Via Marina notifying members of the public about the availability of the 21 public-access parking spaces available on the Project Site, which the permittee shall continually maintain for the public's use within the Project parking structure and surface parking areas. The permittee shall clearly mark each of the 21 public parking stalls with signs or paint that note the public nature of said stall. Further, the permittee shall ensure that the valet parking management and valet staff are aware that said spaces are to be reserved for exclusive use by the visiting public. The permittee shall include any public parking signs created as a result of this condition in the signage plan submitted for approval by the DCB pursuant to condition no. 22 of this grant.
25. The permittee shall provide signage at the bulkhead entrance and at conspicuous locations along the length of the promenade identifying the access ways as public. Benches shall be provided along the promenade.
26. Within (60) days of the DCB's final design approval, the permittee shall submit to the Director for review and approval **three (3) copies** of a landscaping and lighting plan, depicting the size, type and location of all proposed landscaping and lighting on the site as well as all proposed irrigation. Said plans shall also include details for the public waterfront promenade, including surfacing materials, lighting, benches and other proposed facilities. The permittee shall be prohibited from including exotic invasive plants or other species that are incompatible with the restored wetland and upland park. The Director shall not approve landscaping plans until the plans have been first approved by the DCB.
27. Outside lighting shall be so arranged to prevent glare or direct illumination onto any adjacent properties and shall be subject to the requirements and approval of the DCB.
28. The following conditions shall apply to project construction activities:
 - All graded material shall be sufficiently watered to prevent excessive amounts of dust during the construction phase. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after work is done for the day. All clearing, grading, earth moving or excavation activities shall cease during periods of high winds (i.e. greater than 20 mph averaged over one hour) to prevent excessive amounts of dust. Any materials transported

off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.

- Construction activities shall be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday. Written permission from the Departments of Beaches and Harbors and Public Health is required prior to any construction on Saturdays. No construction shall occur on Sundays and legal holidays. Grading, hauling and pile driving shall not commence before 8:00 a.m., Monday through Friday and shall not occur on Saturdays, Sundays or legal holidays.
- During demolition and construction, the permittee and its contractor shall comply with Sections 12.12.010 – 12.12.100 of the Los Angeles County Code regarding building construction noise.
- All stationary construction noise sources shall be sheltered or enclosed to minimize adverse effect on nearby properties. Generators and pneumatic compressors shall be noise protected in a manner that will minimize noise inconvenience to adjacent properties. Parking of construction worker vehicles shall be on-site or at an adjacent off-site location approved by the Director and agreed to by the lessee of said property and restricted to areas buffered from residences located in the vicinity of the subject property, as approved by the Director. If the permittee chooses to provide parking for construction workers off-site, the permittee shall submit to the Director for review and approval plans for temporary construction worker parking and shall demonstrate that the use of the off-site parking spaces shall not interfere with parking spaces required for operation of any use or uses on the property to be used for temporary parking. All construction equipment, fixed or mobile, that is utilized on the site for more than two working days shall be in proper operating condition and fitted with standard factory silencing features. To ensure that mobile and stationary equipment is properly maintained and meets all federal, state, and local standards, the permittee shall maintain an equipment log. Said log shall document the condition of equipment relative to factory specifications and identify the measures taken to ensure that all construction equipment is in proper tune and fitted with an adequate muffling device. Said log shall be submitted to the Director and the Department of Public Works for review and approval on a quarterly basis. In areas where construction equipment (such as generators and air compressors) is left stationary and operating for more than one day within 100-feet of residential land uses, temporary portable noise structures shall be built. These barriers shall be located between the piece of equipment and sensitive land uses.
- Pile driving shall be restricted to the hours between 8:00 a.m. to 5:00 p.m., Monday through Friday. No pile driving activity shall be conducted on Saturdays, Sundays, or legal holidays. The permittee shall provide adjacent property owners, building management, or homeowner's association, as applicable, with a pile-driving schedule 10 days in advance of such activities, and a three-day notice of any re-tapping activities that may occur. The

- permittee shall submit a copy of the schedule and mailing list to the Director and to Public Works prior to the initiation of construction activities. In addition, at least 10 days in advance of any construction activities on the subject parcel, the permittee shall conspicuously post a construction schedule at the subject parcel's Via Marina and Marquesas Way street frontages. The schedule shall also include information where individuals may register questions, concerns, or complaints regarding noise issues. The permittee shall take appropriate action to minimize any reported noise problems.
- All project-related truck hauling shall be restricted to a route approved by the Department of Public Works, a map of which shall be provided to the Director upon approval. The permittee shall post a notice at the construction site and along the proposed truck haul route. The notice shall contain information on the type of project, anticipated duration of construction activity, and provide a phone number where people can register questions and complaints. The permittee shall keep record of all complaints and take appropriate action to minimize noise generated by the offending activity where feasible. A monthly log of noise complaints shall be maintained by the permittee and submitted to the County of Los Angeles Department of Health Services.
 - Prior to any project construction activities, the permittee shall submit a site plan to the Director of Planning for approval, that depicts the following:
 - The location of the staging area;
 - Location and content of the required notice;
 - The expected duration of construction activities.
 - The permittee shall develop and implement a construction management plan, as approved by the Director of Planning and the Director of Public Works, which includes all of the following measures as recommended by the South Coast Air Quality Management District (SCAQMD), or other measures of equivalent effectiveness approved by the SCAQMD:
 - i. Configure construction parking to minimize traffic interference.
 - ii. Provide temporary traffic controls during all phases of construction activities to maintain traffic flow (e.g., flag person).
 - iii. Schedule construction activities that affect traffic flow on the arterial system to off-peak hours to the degree practicable as determined by the Director of Public Works.
 - iv. Consolidate truck deliveries when possible.
 - v. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.

- vi. Suspend use of all construction equipment operations during second stage smog alerts. Contact the SCAQMD at (800) 242-4022 for daily forecasts.
 - vii. Use electricity from power poles rather than temporary diesel- or gasoline-powered generators, except as approved by the Director.
 - viii. Use methanol- or natural gas-powered mobile equipment and pile drivers instead of diesel if readily available at competitive prices.
 - ix. Use propane- or butane-powered on-site mobile equipment instead of gasoline if readily available at competitive prices.
- The permittee shall develop and implement a dust control plan, as approved by the Director of Planning and the Director of Public Works, which includes the following measures recommended by the SCAQMD, or other measures of equivalent effectiveness approved by the SCAQMD:
- i. Apply approved non-toxic chemical soil stabilizers according to the manufacturer's specification to all inactive construction areas (previously graded areas inactive for four days or more).
 - ii. Replace ground cover in disturbed areas as quickly as possible.
 - iii. Enclose, cover, water twice daily, or apply approved soil binders to exposed piles (i.e., gravel, sand, dirt) according to manufacturers' specifications.
 - iv. Provide temporary wind fencing consisting of three- to five-foot barriers with 50 percent or less porosity along the perimeter of sites that have been cleared or are being graded.
 - v. Sweep streets at the end of the day if visible soil material is carried over to adjacent roads (recommend water sweepers using reclaimed water if readily available).
 - vi. Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip.
 - vii. Apply water three times daily or chemical soil stabilizers according to manufacturers' specifications to all unpaved parking or staging areas or unpaved road surfaces.
 - viii. Require construction vehicles to observe traffic speed limits of 15 mph or less on all unpaved roads.

- All construction and development on the subject property shall comply with the applicable provisions of the Uniform Building Code and the various related mechanical, electrical, plumbing, fire, grading and excavation codes as currently adopted by the County of Los Angeles.
 - The permittee shall demonstrate that all construction and demolition debris, to the maximum extent feasible as determined by the Director, will be salvaged and recycled in a practical, available, and accessible manner during the construction phase. Documentation of this recycling program shall be provided to the Director and the County of Los Angeles Department of Public Works, prior to building permit issuance.
29. Final construction materials, lighting, and landscaping used in the construction and operation of the hotel and appurtenant facilities shall be treated and operated to reduce potential for bird strikes.
 30. The permittee shall comply with the requirements of the tree trimming and removal policies identified in the Marina del Rey Land Use Plan.
 31. The building shall be designed and constructed utilizing earthquake resistant construction and engineering practices and shall be designed to withstand a seismic event. All earthquake studies shall comply with the latest recommendations of the state Department of Conservation and the Seismic Safety Board for seismic safety.
 32. A minimum of 231 parking spaces shall be provided on-site, developed in compliance with Chapter 22.52, Part 11 of the County Code and in substantial conformance with the approved parking plan on-file (marked Exhibit "A"). Of these 231 parking spaces, at least 21 shall be reserved at all times for use by the general public. Of the 21 spaces, 17 shall be fee-based and valet managed and four (4) shall be free and self-parked. The fee associated with the 17 fee-based public parking spaces shall be comparable to the fees assessed at other public parking areas in the vicinity. The County shall establish the hourly use fee for said 21 public parking spaces in compliance with County policy and/or ordinance affecting same. The balance of these parking spaces are authorized to be valet-managed parking spaces for use by hotel patrons. On-street parking and parking in access driveways shall be prohibited.
 33. The permittee shall provide all code-required bicycle parking spaces.
 34. In the event of discovery of Native American remains or of grave goods, §7050.5 of the Health and Safety Code, and §5097.94, §5097.98 and §5097.99 of the California Public Resources Code shall apply and govern the permittee's development activities.
 35. Prior to commencement of grading, the permittee shall provide evidence that it has notified the Office of State Historic Preservation and the Native American Heritage

Commission of the location of the proposed grading, the proposed extent of the grading and the dates on which the work is expected to take place.

36. All ground- and roof-mounted equipment shall be fully screened from public view. All roof-mounted facility screening materials shall be constructed of high quality building materials and shall be fully integrated into the building architecture.
37. All necessary Public Works facilities and infrastructure shall be provided for the project prior to the County's issuance of a Certificate of Occupancy for the project, to the satisfaction of the Director of the Department of Public Works. All project infrastructure shall be designed and constructed in an environmentally sensitive manner, in full conformance with County Department of Public Works' requirements to the satisfaction of said Department, and shall follow the design and recreation policies of the certified Local Coastal Program, including landscaping standards required by the DCB.
38. The permittee shall establish a functional Transportation Demand Management (TDM) program or shall participate in an existing TDM program. Viable TDM components may include, but shall not be limited to:
 - Carpools
 - Ridesharing
 - Vanpools
 - Increase use of bicycles for transportation
 - Bicycle racks
 - Preferential parking for TDM participants
 - Incentives for TDM participants
 - Disincentives

Said TDM program shall follow the guidelines in the Transportation Improvement Program contained in Appendix G of the Marina del Rey Local Coastal Program. An annual report on the effectiveness of the TDM program shall be submitted to the Director for each of the first three years following receipt of the certificate of occupancy. Following this three year period, the frequency of report preparation shall be at the discretion of the Director.

39. Project development shall conform to the phasing schedules in the certified Local Coastal Program. The phasing schedules include requirements for the existing Marina, circulation and public recreation improvements and infrastructure.
40. The permittee shall incorporate water-conserving devices and technologies into the project, in compliance with local, state and/or federal regulations controlling same, to the satisfaction of the Director of the Department of Public Works.
41. The permittee shall maintain a management staff on-site that is available to respond to any issues 7 days per week, 24 hours per day.

42. The hotel operator, if other than the permittee, shall file at the office of the Department of Regional Planning an affidavit stating that the hotel operator is aware of and agrees to comply with all of the conditions contained herein.
43. Amplified sound equipment, music or public address systems intended to be audible outside the Hotel boundaries are prohibited, except for an emergency address system.
44. Security lighting shall be low intensity, shielded, at low height, and directed downward.
45. The Hotel shall be operated in manner such that guest rooms and suites will be occupied and rented on a temporary basis and no commercial apartments shall be permitted on the Hotel site consistent with Section 8.52.020 of the County Code.
46. Hotel guest rooms shall not be rented for a period of less than one (1) night's stay, and rent for each guest room shall not be collected more frequently than once daily.
47. The hotel operator shall maintain a current contact name, address, and phone number on file with the Department of Regional Planning at all times.
48. Prior to the issuance of a certificate of occupancy for the hotel, the permittee shall submit an evacuation/emergency management plan for all persons working at, staying, or visiting the Project.
49. All outdoor events, with or without the inclusion of accessory live entertainment, shall be allowed to occur from 8:00 a.m. to 10:00 p.m., seven days a week.
50. The hotel restaurant shall be permitted to operate between the hours of 6:00 a.m. and 12:00 a.m. seven days a week. Service from the dining facilities for purposes of room service to the hotel rooms shall be allowed 24 hours per day.
51. The permittee shall keep a log indicating the date and time of all scheduled outdoor events that take place on the hotel premises. Said log shall be made available upon request for inspection by Regional Planning staff.
52. At the time of registration, guests shall be required to present a driver's license or photo identification or other form of identification acceptable to the permittee.
53. The permittee shall maintain and keep current any required registration or business license with the County Treasurer and Tax Collector.
54. The permittee shall install a video camera(s) at the hotel registration desk. The footage shall be kept for at least a two-week period and shall be made available to law enforcement personnel if requested.

55. A copy of these conditions shall be kept in the permittee's management office and shall be made available to all enforcement personnel upon request.
56. Hours of operation for the swimming pool shall be between 6:00 a.m. and 10:00 p.m. seven days a week.
57. The permittee shall implement or coordinate the delivery of shuttle service between the hotel and Los Angeles International Airport.

PERMIT SPECIFIC CONDITIONS - CONDITIONAL USE PERMIT (SALE OF ALCOHOLIC BEVERAGES)

58. This grant authorizes the sale of alcoholic beverages from 6:00 a.m. to 2:00 a.m. seven days a week; this condition notwithstanding, hotel guestroom patrons may access minibars within the hotel guestrooms on a 24 hour per day basis.
59. The service of a full-line of alcoholic beverages at the hotel is limited to consumption on the premises only (the sale of alcoholic beverages on the premises for off-site consumption by patrons is strictly prohibited).
60. The conditions of this grant shall be retained on the premises at all times and shall be immediately produced upon request of any County Sheriff, Zoning Inspector or Department of Alcoholic Beverage Control agent. The manager and all employees of the facility shall be knowledgeable of the conditions herein.
61. Loitering shall be prohibited on the subject property, including loitering by employees of the subject property. Signage in compliance with Section 22.52 Part 10 of the County Code shall be placed on the premises indicating said prohibition. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary.
62. The permittee, and all managers and designated employees of the establishment, who directly serve or are in the practice of selling alcoholic beverages, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by the State of California Department of Alcoholic Beverage Control. All new designated employees shall be required to attend. The licensee shall display a certificate or plaque in a publicly accessible area of the establishment such as the lobby, indicating they have participated in this program. Proof of completion of the facilities' training program by employees, the licensee and all managers shall be available upon request.
63. The permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure on the subject property including windows, walls, fences or similar structures.
64. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced.

65. The permittee shall post or otherwise provide telephone numbers of local law enforcement agencies and taxicab companies at or near the cashier, or similar public service area. Such telephone numbers shall be visible by and available to the general public.
66. The permittee shall develop and implement a Designated Driver program (i.e. free soft drinks or coffee to a designated driver of a group). The permittee shall submit the program to the Director of Planning for approval prior to the approval of the Exhibit "A". A printed two-sided card explaining this program shall be placed on all tables in the restaurant or an explanation regarding the program shall be printed on the menu.
67. All servers of alcoholic beverages must be at least 18 years of age.
68. Employees on duty after 10:00 pm shall be at least 21 years of age.
69. The permittee may hold "happy hour" drink specials, specials or similar promotions from 4:00 p.m. to 7:00 p.m. seven days a week and only in conjunction with the sale of food.
70. The permittee shall provide adequate lighting in areas where alcoholic beverages are sold and consumed on the premises. Said lighting shall be of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons.
71. There shall be no coin-operated games or video machines maintained upon the premises at any time.
72. The permittee shall maintain on the premises and present upon request to any law enforcement officer, Department of Regional Planning Zoning Enforcement Inspector or CA Department of Alcoholic Beverage Control ("ABC") investigator a copy of the Business Permit, Insurance information and a valid emergency contact phone number for the valet service used by the permittee.
73. The conditions of this grant shall be maintained at all times on-site and be immediately produced upon request of any County Sheriff, Department of Regional Planning Zoning Enforcement Inspector or CA ABC investigator. The hotel management and all employees engaged in the sales and service of alcoholic beverages on the premises shall be knowledgeable of the conditions of this grant which pertain to the sale and service of alcoholic beverages.

PERMIT SPECIFIC CONDITIONS - PARKING PERMIT

74. Where tandem parking is proposed for nonresidential uses, there shall be valets or other persons employed to assist in the parking of automobiles. The ratio of valets to parking spaces shall be established. The parking of automobiles by valets on public streets shall be prohibited. Each tandem parking space shall be eight feet wide; the length of the space shall be 18 feet for each automobile parked in

tandem. Parking bays shall contain only two parking spaces where access is available from only one end. Bays of four parking spaces may be permitted where access is available from both ends.

75. The valet management parking system shall be reviewed annually to determine effectiveness. In the event that this program is terminated or unsuccessful, the permittee shall supply a traditional parking arrangement or propose an alternative program through a revised Exhibit "A."

PROJECT SITE SPECIFIC CONDITIONS

76. The permittee shall comply with all conditions set forth in the attached County Fire Department letter dated June 23, 2015.
77. The permittee shall comply with all conditions set forth in the attached County Public Health Department letter dated July 25, 2014.
78. The permittee shall comply with all conditions set forth in the attached County Public Works Department letter dated March 3, 2015.

Attachments:

Mitigation Monitoring Plan

Fire Department Letter dated June 23, 2015

Department of Public Health Letter dated July 25, 2014

Department of Public Works Letter dated March 3, 2015



Gary Jones
Acting Director

Kerry Silverstron
Chief Deputy

John Kelly
Deputy Director

DESIGN CONTROL BOARD MINUTES January 22, 2014

Members Present: Helena Jubany, Vice Chair (First District); Simon Pastucha, Member (Third District); Tony Wong, P.E, Member (Fifth District)

Members Absent: Peter Phinney, AIA, Chair (Fourth District);

Department Staff Present: Gary Jones, Acting Director; Charlotte Miyamoto, Planning Division Chief; Michael Tripp, Planning Specialist; Ismael Lopez, Planner; Catrina Love, Sr. Marketing Analyst; Angela Mahone, Secretary

County Staff Present: Anita Gutierrez, Department of Regional Planning; Amy Caves, County Counsel

Guests Testifying: Aaron Clark, Armbruster, Goldsmith & Delvac LLP; Dennis Rogers and Scot McGill, ACM-Architects; John Patterson, Gillespie Moody Patterson Landscape Architect for Marriott

1. Call to Order and Pledge of Allegiance

Vice Chair Jubany called the meeting to order at 6:33 PM

**On a motion of Mr. Wong, seconded by Mr. Pastucha the absence of Chair Phinney was excused.
Ayes: 3 – Vice Chair Jubany, Mr. Pastucha and Mr. Wong**

Vice Chair Jubany led the Pledge of Allegiance.

2. Approval of October 30, 2013 and November 20, 2013 Minutes

Mr. Wong stated that the date of the minutes for the November meeting was incorrectly listed in the agenda. He explained that the correct date was November 20th, not November 19th.

Jon Nahhas spoke about the October 2013 night meeting where the Visioning Process was discussed and about the meeting minutes.

Nancy Marino spoke about the October 2013 minutes and the small font size of the Redevelopment Project Status Report.

Mr. Wong responded that the minutes only summarize meeting items and added that audio recording of the meeting was available.

Mr. Wong and Mr. Pastucha suggested that the October 2013 minutes return for approval with more detail of the discussions by Board Members that occurred during the Visioning Process item. Both Members stated that comments that they made during the October meeting were not adequately reflected in the minutes.

Mr. Jones replied that staff would make corrections to address the Board's comments.

Ms. Gutierrez added that Regional Planning also has a recording of the meeting.

Vice Chair Jubany commented that the October and November 2013 minutes could be approved individually, and agreed that staff should add more content to the October 2013 minutes.

On a motion by Mr. Wong, seconded by Mr. Pastucha, the November 20th minutes were approved. The October 30th minutes were continued and shall include additional detail on the Board's discussion of the Visioning Process item.

Ayes: 3 – Vice Chair Jubany, Mr. Pastucha and Mr. Wong

3. Public Comment

Nancy Marino commented on the DCB meeting date change process and keeping the Post Office in Marina del Rey open.

Jon Nahhas commented on his concerns about special night meetings and proper noticing efforts.

Lynne Shapiro stated her agreement with Mr. Nahhas' comments.

Jessica Kurland stated that she did not receive a notice regarding the project proposed for Parcel 9.

Dan Gottlieb praised staff members' efforts to stop rent increases during the lease renewal process.

Board Comment

Vice Chair Jubany commented that Ms. Marino made a good point about the accuracy of notices, and asked if any changes were made to the notice for the January meeting.

Mr. Lopez responded that staff sent meeting date change notices in early December for the January night meeting. He added that both Parcel 9 and Parcel 113 projects were anticipated for review at the January meeting, but thereafter the Parcel 113 project was not ready for the meeting. Revised notices were released that removed reference to the Parcel 113 project for the January meeting.

Vice Chair Jubany stated she received an additional notice about the meeting the day prior to the meeting, and asked staff to elaborate on that notice.

Mr. Lopez replied that all materials and notices were made public on Thursday, January 16th. He added that notices were posted on the website and hard copies of all meeting materials were available for review at four public viewing locations. He explained that the Agenda and all staff reports were posted on the Department's website, but that the electronic copies of the project submittals failed to upload correctly because of technical issues. He reiterated that hard copies of the project submittals were made available for review on Thursday night. Staff was informed about the website technicalities on Tuesday, January 21st, fixed the problem and uploaded the project submittals. Mr. Lopez further explained that staff then informed the DCB members that the link had been fixed.

Vice Chair Jubany agreed with Mr. Nahhas, that one day is an inadequate amount of time to review plans for a project.

Mr. Wong suggested that the project be continued to a later date, and asked staff if their project review and noticing procedures needed to be changed.

4. Consent Agenda

Public Comment

Nancy Marino commented on the consent agenda.

Mr. Wong clarified that the Board decides at the beginning of a meeting which items would be placed on the consent agenda.

Mr. Pastucha added that the Board does not hear any items on consent, unless they have been previously discussed.

5. Old Business

A. Parcel 9 – Marriott Courtyard and Residence Inn – Further consideration of site redevelopment and Design Control Board Review related thereto – DCB #04-15-D

Mr. Lopez presented the project staff report.

Aaron Clark made a brief statement in support of the staff report.

Public Comment

Lynne Shapiro stated that neither natural nor created wetlands could be built on and that The Hardage Group was a non-union employer.

Jon Nahhas stated that he had concerns about the project.

Bruce Russell stated that there was a legal challenge to this project.

Dan Gottlieb asked when Marriott became involved with the project.

Nancy Marino commented on a wetland being present on Parcel 9.

Jessica Kurland raised concerns about the hotel and the seawall.

Mr. Clark stated that the wetlands litigation was ongoing and that the Coastal Commission had approved the Wetland Park.

Mr. Jones stated that the potential developer of the hotel has not changed.

Mr. Wong wanted to clarify the project was previously approved by the DCB in 2006 with a high rise hotel, then asked if the project had proceeded to Regional Planning with an Environmental Impact Report.

Mr. Lopez confirmed that the original project was approved by DCB and subsequently approved by the Regional Planning Commission.

Mr. Jones added that a timeshare component was originally contemplated for the project.

Ms. Gutierrez stated that the project would need to return to the Regional Planning Commission for review and a public hearing. She noted that staff would determine whether additional environmental concerns were raised due to the proposed design change.

Vice Chair Jubany and Mr. Wong asked if the current applicant, The Hardage Group, was the same applicant that brought a project to the DCB in 2006.

Mr. Jones replied affirmatively.

Mr. Clark stated that the Board of Supervisors requested that the project be reduced in scale, and remanded it back to the DCB and the Regional Planning Commission for further review.

Board Comment

Mr. Pastucha asked for clarification that only the conceptual project design was before the DCB for approval, not an environmental document or a Coastal Development Permit. He further stated that a hotel had always been envisioned for Parcel 9.

Mr. Jones confirmed that Mr. Pastucha's statement was accurate.

Mr. Pastucha praised the applicant for reducing the scale of the project and commented on the landscaping aspects of the project, including at the entry point, near the public view points and open areas, and along the promenade.

Vice Chair Jubany commented on the architectural design, exterior materials and promenade details. She noted that the promenade design shown was different than the previously approved version. She asked that design details be explained in more detail during the final design review.

Mr. Clark stated that the project is only being considered for conceptual review and that the applicant would return with specific details on promenade for final approval post entitlement.

Vice Chair Jubany asked the applicant to show adjacent development and connection points when the project returns for final review. She then stated that she agreed with Mr. Pastucha's comments regarding improvements that could be made along the promenade.

On a motion by Mr. Wong, seconded by Mr. Pastucha, item was conceptually approved unanimously, with design recommendations and conditioned to return for final design review.

Ayes: 3 – Vice Chair Jubany, Mr. Pastucha and Mr. Wong

6. New Business

A. Marina del Rey Farmers' Market Signage – Consideration of seasonal event signage and Design Control Board Review related thereto – DCB #13-016

Mr. Lopez presented the project staff report.

Vice Chair Jubany asked for clarification on existing banners, proposed temporary signs and the proposed approval period.

Mr. Lopez identified existing signs, proposed temporary wind banners, and proposed light standard banners. He confirmed that the Department provided a 60-day approval for six existing temporary banners and added that approval for all temporary signs is being requested through the end of September 2014.

Mr. Pastucha asked which signs would be erected 24 hours a day, 7 days a week, and which signs would only be used during events.

Mr. Lopez explained that proposed wind banners would be erected each Thursday, while the Farmers' Market was in effect, and that proposed light standard signs were proposed to stay in place 24 hours a day, 7 days a week, through September 2014.

Mr. Wong asked for clarification on the location of the Farmers' Market, the number and locations of proposed light standard signs, and for justification of total number signs being proposed.

Mr. Lopez identified the location Parcel IR, known as Marina Beach, and pointed out the locations of the proposed 14 light standard banners on Parcel IR and the 26 light standard banners proposed within the Admiralty Way road medians.

Catrina Love stated that the Department's Community & Marketing Services Division was deploying many efforts to keep the Farmers' Market in business.

Public Comment

Nancy Marino spoke about the number and effectiveness of the signs for the Farmers' Market event.

Jon Nahhas stated the community does not support this Farmers' Market.

Board Comment

Mr. Wong stated that too many signs along the street are distracting. He requested a revised plan that considers the number of signs and their design. Also, Mr. Wong suggested way-finding type signage and to consider methods of advertising other than signs.

Mr. Pastucha questioned the effectiveness of the number of temporary signs being proposed to find the market. He recommended removing the ground-mounted signs and using only pole-mounted signs. He also noted his preference for the wind banner graphic and color design and asked for a comprehensive sign package. He also said that signs shouldn't be the only type of marketing.

Vice Chair Jubany stated the banner sign is not of the quality that should be in the Marina and there should not be a banner on every light pole on Admiralty. She did not feel comfortable approving the temporary signs for 6 months and asked Ms. Love what direction she would like to take. Vice Chair Jubany requested a signage plan.

Mr. Wong suggested that Applicant tell the sign designer to develop way-finding signs, not advertising signs.

Ms. Love thanked the Board for their input and stated the temporary sign proposal would be revised.

Mr. Jones stated that staff will return with a more comprehensive Farmers' Market sign submittal, but would like to keep the existing 6 temporary banners in place, and continue to erect the 12 temporary wind banners each week on the day of the Farmers' Market, until a revised package was approved.

Mr. Wong suggested an approval period of 60 days for the existing banners. He directed that staff should return within that 60-day period with a new sign program that does not cause a proliferation of signage on Admiralty Way and not include advertising signs.

Mr. Pastucha suggested the looking at the more colorful signs.

Vice Chair Jubany agreed with the 60 day suggestion and clarified that if DCB approval was not granted by the end of the 60-day period, the signs would have to be removed. She suggested focus on framing the banner.

Mr. Jones agreed to the conditions.

On a motion of Mr. Wong, seconded by Mr. Pastucha, the item was granted a 60-day extension period for existing signs; and, was conditioned to return with a comprehensive temporary sign program before the 60 day period expires.

Ayes: 3 – Vice Chair Jubany, Mr. Pastucha and Mr. Wong

7. Staff Report

All reports were received and filed.

Public Comment

Jon Nahhas stated his displeasure with the public noticing procedure.

Nancy Marino commented on the Ongoing Activities Report.

Board Comment

None

8. Adjournment

Mr. Wong adjourned the meeting at 9:37 PM.

Respectfully Submitted,

Angela Mahone
Secretary for the Design Control Board



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

March 3, 2015

IN REPLY PLEASE

REFER TO FILE:

LD-2

TO: Samuel Dea
Special Project Section
Department of Regional Planning

Attention Anita Gutierrez

FROM: Art Vander Vis 
Land Development Division
Department of Public Works

**MARINAL DEL REY MARRIOTT COURTYARD AND RESIDENCE INN HOTEL
COASTAL DEVELOPMENT PERMIT (CDP) NO. 200600007
CONDITIONAL USE PERMIT (CUP) NO. 200600288
PROJECT NO. TR067861
13800 TAHITI WAY, PARCEL 9
ASSESSOR'S MAP BOOK NO. 4224, PAGE 2, PARCEL 900
UNINCORPORATED COUNTY AREA OF MARINA DEL REY**

We reviewed the site plan for the proposed Marina del Rey Marriott Courtyard and Residence Inn Hotel in the Marina del Rey area. The project has been revised from the single building, 19-story hotel, that was originally approved under TR 067861 with a timeshare component. The new proposed development is for two hotel buildings, one with 5 stories and one with 6 stories, on the northerly 2.15 acres of the parcel. These two hotel buildings combined have a total of 288 rooms, studios, suites, and accessory patron and visitor service uses including two meeting rooms, a restaurant, a bar/lounge, an exercise room, and an outdoor pool/spa. The downsized project will not have a timeshare component.

- Public Works recommends approval of this CDP.
- Public Works does **NOT** recommend approval of this CDP.

1. Road

- 1.1 Dedicate, through the set aside process, adequate right of way to provide an 8-foot-wide sidewalk along the property frontage of Via Marina to the satisfaction of Public Works. A fee will be required for the review of the dedication documents.

- 1.2 Construct/reconstruct parkway improvements (sidewalk, driveways, and etc.) that either serve or form a part of a pedestrian access route to meet current Americans with Disabilities Act guidelines, along the property frontage on Via Marina, and to the satisfaction of Public Works. Additional sidewalk pop-outs in the vicinity of any above-ground utilities/obstructions will be necessary.
- 1.3 Close any unused driveways with standard curb, gutter, and sidewalk, along the property frontage on Via Marina, to the satisfaction of Public Works.
- 1.4 Reconstruct the raised median on Via Marina to provide an exclusive left-turn pocket at the project's easterly driveway to the satisfaction of Public Works. Relocate any affected utilities.
- 1.5 Plant street trees along the property frontage on Via Marina to the satisfaction of Public Works.
- 1.6 Provide detailed, full-scale (1"=40'), signing and striping plans on Via Marina, along the property frontage, to provide an exclusive left-turn pocket at the project's easterly driveway to the satisfaction of Public Works.
- 1.7 Provide a detailed, full-scale (1"=20'), traffic signal modification plan for the intersection of Via Marina and Tahiti Way if any traffic signal equipment is impacted as a result of any construction activities.
- 1.8 Comply with the mitigations measures identified in the attached April 22, 2014, letter from Public Works' Traffic and Lighting Division or any revisions thereafter, to the satisfaction of Public Works. Additional signing and striping and/or traffic signal plans may be required.
- 1.9 Acquire street plan approval before obtaining a grading/drainage permit.
- 1.10 In the event that this project is required to develop the Wetland Park located at the northeast corner of Via Marina and Tahiti Way, additional improvements including, but not limited to, pavement repairs; reconstruction of the existing sidewalk to 8 feet; reconstruction of the existing curb, gutter and curb ramp; and traffic signal modifications may be required on Via Marina and Tahiti Way along the Wetland Park frontage to the satisfaction of Public Works. Additional dedications, through the set-aside process along Via Marina and Tahiti Way, may also be necessary.

- 1.11 Provide an adequate landing area with a maximum 3 percent grade on the subterranean driveway exit and provide adequate sight distance from the subterranean driveway exit to the sidewalk (both directions), to the satisfaction of Public Works. Line-of-sight shall not be impaired by any proposed monument wall and/or landscaping adjacent to the subterranean driveway.
- 1.12 Execute an Agreement to Improve for the street improvements prior to issuance of a grading permit.

2. Grading

- 2.1 Submit a grading plan to Public Works for review and approval that complies with the approved drainage concept/hydrology/Standard Urban Stormwater Mitigation Plan dated July 3, 2008, or any revisions thereafter. Acknowledgement and/or approval from all easement holders may be required.
- 2.2 Acquire permits and/or letters of non-jurisdiction from all State and Federal agencies, as applicable. These agencies may include, but may not be limited to, the California Coastal Commission; State of California Regional Water Quality Control Board; State of California Department of Fish and Game; State of California Department of Conservation, Division of Oil, Gas; and Geothermal Resources; and the Army Corps of Engineers.

For questions regarding the road and grading conditions, please contact Sam Richards of Public Works' Land Development Division at (626) 458-4921 or srich@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Ruben Cruz of Land Development Division at (626) 458-4910 or rcruz@dpw.lacounty.gov.

RC:tb

P:\ldpub\SUBPCHECK\Plan Checking Files\Tract Map\TR 067861\Site Plan\12-18-2015\TR 067861 parcel 9 Marina del Rey Comments.docx

Attach.



**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: TR 67861 – Scaled Down Project

**THE FIRE DEPARTMENT RECOMMENDS APPROVAL OF THIS PROJECT AS
PRESENTLY SUBMITTED WITH THE FOLLOWING CONDITIONS OF APPROVAL.**

CONDITIONS OF APPROVAL

1. All proposed buildings shall be places such that a fire lane is provided to within 150 feet of all exterior walls of the first story. This measurement shall be by an approved route around the exterior of the building or facility. Verification for compliance will be performed during the Fire Department review of the architectural plan prior to building permit issuance.
2. Fire lanes exceeding a length of 150 feet that dead end are required to provide an approved Fire Department turnaround. All required Fire Department turnarounds shall be designed to accommodate the required fire apparatus as mentioned on the Fire Department standards due to the size of the building and shall be clearly depicted on the final design plans.
3. All fire lanes, including the required Fire Department turnarounds and the required Fire Department access along the promenade, shall be labeled as "Private Driveway and Fire Lane" on the architectural site. Verification for compliance will be performed during the Fire Department review of the architectural plan prior to building permit issuance.
4. The fire lanes on the east and west side of the project shall provide a minimum paved unobstructed width of 28 feet, clear to the sky. Verification for compliance will be performed during the Fire Department review of the architectural plan prior to building permit issuance.
5. The fire lane on the east side of the project has been accepted as an alternate surface but maintaining a minimum unobstructed width of 28 feet, clear to the sky. The proposed alternate surface material to be used, the weight capacity of that material, and the width of the fire lane shall be reviewed and approved by the Fire Department prior to building permit issuance.



COUNTY OF LOS ANGELES FIRE DEPARTMENT FIRE PREVENTION DIVISION

Land Development Unit
5823 Rickenbacker Road
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PROJECT: TR 67861 – Scaled Down Project

6. The proposed removal bollards as indicated on the site plan are not acceptable and shall be setback from the public right of way a minimum of 50 feet. Verification for compliance will be performed during the Fire Department review of the architectural plan prior to building permit issuance.
7. The Fire Department shall review and approved the type of removal bollards to be used at this development. Submit a detailed exhibit providing this information to the Fire Department for review and approval concurrently with the architectural plan prior to building permit issuance.
8. The Fire Department shall review and approved the spacing between the proposed removal bollards to ensure adequate fire apparatus vehicular access. Submit a detailed exhibit providing this information to the Fire Department for review and approval concurrently with the architectural plan prior to building permit issuance.
9. The fire lane on the promenade shall provide a minimum unobstructed width of 20 feet, clear to the sky. The material to be used on this fire lane shall be of an all-weather access surface. Verification for compliance will be performed during the Fire Department review of the architectural plan prior to building permit issuance.
10. A reciprocal access agreement is required for all fire lanes within this development. Submit documentation to the Fire Department for review prior to building permit issuance.
11. Any change of direction within a fire lane shall provide a 32 feet centerline turning radius. Verification for compliance will be performed during the Fire Department review of the architectural plan prior to building permit issuance.
12. Any proposed alternate surface material besides pavement within the required fire lane shall be capable to support a live load of 75,000 pounds. Provide construction detail on the load capacity of the permeable pavement product to be used and a note on the architectural plans so the Fire Department can verification for compliance prior to building permit issuance.



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PROJECT: TR 67861 – Scaled Down Project

13. A minimum unobstructed width of 26 feet is required adjacent to a required fire hydrant for a distance of 25 feet on each side, a total of 50 feet. Verification for compliance will be performed during the Fire Department review of the architectural plan prior to building permit issuance.
14. Fire Department emergency pedestrian access, such as to the roof of the buildings and/or to the proposed pool terrace, in compliance with the applicable Fire and Building Codes will be performed during the Fire Department review of the architectural plan prior to building permit issuance. Additional access maybe required at that time.
15. This development is required to provide a minimum of 4 fire hydrants. Some of the fire hydrants maybe existing and some may need to be installed. Verification of the existing fire hydrant and the location of any new fire hydrants will be determined by the Fire Department during the architectural plan review process prior to building permit issuance.
16. All required fire hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, be located to provide a minimum clearance of 3 feet around the fire hydrant, and conform to current AWWA standard C503 or approved equal.
17. The required fire flow from the public fire hydrant for this development with the allowable reduction for an approved fire sprinkler system in the buildings can be up to 4000 gallons per minute at 20 psi for a duration of 4 hours, over and above maximum daily domestic demand. The required fire flow will be calculated by the Fire Department during the architectural plan review process prior to building permit issuance.
18. A fire flow test from the jurisdictional water purveyor is required with the submittal of the architectural drawing to the Fire Department prior to building permit issuance. The closest existing public fire hydrant(s) to the project site shall be tested and shown on the architectural site plan.
19. Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested, and accepted prior to construction.



**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: TR 67861 – Scaled Down Project

20. Additional fire protection systems, such as an automatic fire sprinkler system and automatic fire alarm system are required for each proposed building within this development. Submit design plans to the Fire Department for review and approval prior to installation
21. A License Civil Engineer shall test the structural integrity of any approved alternate surface after installation and confirm the load capacity prior to occupancy. Copy of the test shall be submitted to the Fire Department.
22. A maintenance agreement by the future building operator for the proposed alternate surface and the proposed bollard is required by the Fire Department. The language of the agreement shall be reviewed and approved by the Fire Department and recorded into the CC&R document or recorded in the deed of the property. Indicate compliance prior to occupancy.
23. The driveways required for fire apparatus access shall be posted with signs stating "No Parking-Fire Lane" and/or stripped accordingly in compliance with the County of Los Angeles Fire Code prior to occupancy.
24. All future buildings shall provide approved address numbers. Compliance required prior to occupancy to the satisfaction of the Department of Public Works and the County of Los Angeles Fire Code.

For any questions regarding the report, please contact Juan Padilla at (323) 890-4243 or Juan.Padilla@fire.lacounty.gov.



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

CYNTHIA A. HARDING, M.P.H.
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Fifth District

July 25, 2014

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

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

SUBJECT: CUP CONSULTATION
PROJECT NO. TR 067861/ RCUP 200600288
Marina del Rey Marriott Courtyard and Residence Inn Hotel/The Reduced-Scale Project
13800 Tahiti Way, Marina del Rey

- 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 for The Reduced Scaled Project which proposes a hotel with meeting rooms, a restaurant, a dining deck, a bar, a pool deck, a sundry shop, and a gym for hotel guests.

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

1. A water availability letter from the water purveyor (Los Angeles County Waterworks District #80) shall be submitted to this Department to ensure the availability of the potable water supply.
2. The project shall comply with all Public Health requirements relating to the construction and operation of food establishments. Three sets of construction plans for the proposed food establishments shall be submitted to the Department's Plan Check Program for review and approval prior to issuance of any building permits. Each proposed food establishment must be issued a Public Health Permit to operate by this Department after construction. For questions regarding the above conditions, please contact the Plan Check Program at (626) 430-5560.

3. The project shall comply with all Public Health requirements relating to the construction and operation of a commercial swimming pool. Three sets of construction plans for the proposed pool shall be submitted to the Department's Recreational Waters Program for review and approval prior to issuance of any building permits. The proposed commercial pool must be issued a Public Health Permit to operate by this Department after construction. For questions regarding the above conditions, please contact the Recreational Waters Program at (626) 430-5360.
4. The project shall comply with the requirements of the Los Angeles County Noise Control Ordinance as found in Title 12 of the Los Angeles County Code.

For questions regarding this report, please contact me at (626) 430-5382 or at mtsiebos@ph.lacounty.gov.

Attachment A

**Marina del Rey Parcel 9U: Marriott Courtyard and Residence Inn Hotel Burden of Proof Statements for Coastal Development Permit
MDR Hotels, LLC (Applicant)**

This exhibit has been prepared pursuant to Section 22.56.2410 of the Los Angeles County Code (LACC), which outlines the requisite findings for approval of a coastal development permit. Each required finding is listed below in bolded italicized font; the applicant's description of how the proposed development project satisfies each finding follows in regular font.

The applicant shall substantiate to the satisfaction of the Planning Commission the following facts:

1. That the proposed development is in conformity with the certified local coastal program.

The proposed development project is consistent with the certified Marina del Rey Local Coastal Program ("LCP"):

The project proposes to develop a visitor-serving hotel on a parcel that is specifically designated for hotel use in the certified Marina del Rey Local Coastal Program ("LCP"). In addition to overnight accommodations, the project will develop other visitor-serving uses to encourage hotel patrons' and the public's use and enjoyment of the Marina and coastal resources. These include a restaurant, a cocktail lounge, a pool, a 28-foot pedestrian promenade along the parcel's waterfront and public parking facilities for a public wetland park to be developed (under separate permit) on the southerly portion of the subject parcel. The project Applicant will also assist the County with funds to develop the wetland park on the southerly portion of the parcel, which will enhance and preserve existing wetland resources on the property.

- Consistent with LACC 22.46.1180.A.11.a, the project was reviewed and conceptually approved by the Department of Beaches & Harbors' Design Control Board ("DCB") on January 22, 2014.
- Pursuant to LACC 22.46.1180.A.15.b.v, this project is exempt from the lower-cost overnight facility provisions of the LCP because a prior hotel developer on Parcel 9U has already fulfilled this obligation through prior payment, within 20 years of this application, of a lower-cost overnight accommodations "in-lieu fee." The prior hotel developer received approval for a larger 300-room hotel on the subject Parcel 9U (see CDP A-207-79 and supporting documentation with this application regarding prior Parcel 9U hotel developer's in-lieu fee payment, which fees were utilized by American Youth Hotels, Inc., in support of its construction of a now operational youth hostel located in the Coastal Zone portion of the City of Santa Monica).
- Consistent with LACC 22.46.1190.A.1, proposed site development on Parcel 9U will occur in geologically safe areas.

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Marina del Rey Parcel 9U: Marriott Courtyard and Residence Inn Hotel Burden of Proof Statements for Coastal Development Permit MDR Hotels, LLC (Applicant)

- The Applicant will be required to conduct site development in conformity with the archeological reporting requirements specified in LACC 22.46.1190.2.a-c.
- Consistent with LACC 22.46.1190.A.3, the project will be required to implement a functional transportation systems management (TSM)/Transportation Demand Management (TDM) program incorporating the on-site installation of bike racks and a carpooling informational bulletin board.
- The proposed development project conforms to the phasing schedules in the LCP because:
 - With development of the project, there will be no significant, unmitigated peak-hour adverse traffic impacts created as a result of project development;
 - There is sufficient traffic capacity in both the Marina del Rey internal system and the sub-regional highway system serving the Marina to accommodate the traffic generated by the planned development; and
 - Parcel 9U is located in LCP Development Zone 1, which has a current hotel room capacity/"cap" of 288 additional hotel rooms. Therefore, the Applicant's planned development of a total of 288 hotel rooms on the parcel is consistent with the land use phasing/build-out limitations of the LCP specified for hotel development in Development Zone 3. The proposed project contains no timeshare units.
- The proposed hotel development is consistent with the subject parcel's applicable "Hotel-WOZ" land use designation in that:
 - All proposed land uses (i.e., visitor-serving hotel with accessory restaurant and kitchen, cocktail lounge, gift shop, meeting rooms, pool, structured parking, waterfront pedestrian promenade and other appurtenances) are permitted land uses in the LCP for the Hotel land use category (see LACC 22.46.1350); per LACC 22.46.1630.A, a public park, which the project will assist the County with funding to develop on the southerly portion of the property, is a principal permitted use of the "Open Space" land use designation that comprises the southerly portion of the subject parcel;
 - The proposed project is consistent with the Water Overlay Zone ("WOZ") development standards specified in the certified LCP;

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Marina del Rey Parcel 9U: Marriott Courtyard and Residence Inn Hotel Burden of Proof Statements for Coastal Development Permit

MDR Hotels, LLC (Applicant)

- The project will not displace existing public recreation or visitor-serving uses. To the contrary, the project substantially enhances public recreational and visitor-serving opportunities at the site. The project will develop a visitor-serving hotel with accessory waterfront dining and other visitor-serving uses. The project will assist in developing a public wetland park and will construct a 28-foot-wide public pedestrian promenade along the Parcel 9U's entire water frontage. Currently, the vacant parcel is fenced-off from the public, which precludes any recreational or visitor-serving use of the site;
- The proposed development is in conformity with the front, rear and side yard setbacks specified in LACC 22.46.1370, except as proposed for modification pursuant to the yard reduction variance request filed with this application; and
- Consistent with LACC 22.46.1370, the proposed development will not reduce the amount of land area devoted to existing public parks, boating or coastal-dependent marine commercial uses. To the contrary, the planned development will develop substantial new, high-quality visitor-serving land uses, where none now exist. As noted, the vacant parcel is currently fenced-off from the public. With the project, the site will be improved with a hotel, including a restaurant, cocktail lounge, improved pedestrian promenade, and potential for future marina tour boat excursions. The project Applicant will also assist the County with funding to develop a public wetland park on-site.

LCP Development Standards Consistency Analysis:

The LCP outlines development standards for each parcel and each land use category. A project consistency analysis with respect to these standards for the subject Parcel 9U follows:

Principal Permitted Use: The proposed hotel is a principal permitted use in the applicable "Hotel-WOZ" land use designation comprising the northerly portion of the parcel; public parks are also principal permitted uses in the "Open Space" category comprising the southerly portion of the parcel. Therefore, the proposed hotel and park development is consistent with the LCP's applicable Hotel and Open Space land use categories. Pursuant to Section 22.46.1350.C of the Specific Plan, the proposed restaurant, cocktail lounge, recreational services (pool), sundry shop, and meeting rooms are permitted land uses in conjunction with and appurtenant to the principal hotel use.

Height & View Corridors: Consistent with the certified LCP, the height of the hotel structure would not exceed approximately 72 feet (exclusive of appurtenant, screened rooftop equipment) when measured per County standards. The certified LCP classifies the northerly,

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**Marina del Rey Parcel 9U: Marriott Courtyard and Residence Inn Hotel Burden of Proof
Statements for Coastal Development Permit
MDR Hotels, LLC (Applicant)**

“Hotel”-designated portion of the subject parcel as Height Category 5, allowing a maximum building height of 225 feet with provision of a view corridor comprising at least 40 percent of the parcel’s water frontage. The hotel structure has been oriented on the site in a fashion that maximizes public views to the water from Via Marina. The structure would front on Via Marina over the northerly portion of the parcel. The project has been designed with an unobstructed view corridor comprising 41 percent of the parcel’s frontage on Via Marina (159 feet); this large public view corridor would be provided over the public Wetland Park to be developed on the southerly approximately 1.46 acres of the parcel. Public viewing of the harbor would be further enhanced through the project’s development of a 28-foot-wide public pedestrian promenade along the parcel’s entire water frontage (which would connect seamlessly to the waterfront pedestrian promenade being constructed as part of the Parcel 10R project component). Public access from Via Marina to the waterfront would be provided along the perimeter of the adjacent public Wetland Park. Moreover, the public would be able to access both the public waterfront promenade and adjacent Wetland Park at multiple access points to be provided within the proposed hotel facility.

Architectural Treatment: Balconies, terraces and patios are encouraged in the LCP, and have been included within the hotel. Outdoor dining facilities that do not interfere with public access ways are also encouraged in the LCP, to take advantage of water views and scenic vistas throughout Marina del Rey. This project provides a large outdoor dining terrace directly overlooking Marina waters with direct pedestrian access to the waterfront promenade and the public wetland park on the southerly portion of Parcel 9U.

Promenade: The LCP requires development of a continuous 28-foot-wide pedestrian promenade along the Parcel 9U bulkhead, with seating and landscaping provided along the bulkhead. As depicted on the site plan, the project fully complies with these requirements.

Site Design: Consistent with LCP requirements, the planes of the exterior building walls vary in depth and/or direction so as to avoid bulk and monotony, and have been designed to relate closely to the pedestrian promenade. The hotel has been oriented on the parcel and designed to avoid long, continuous blocking of water views. Over 40 percent of the parcel will be left open to allow unobstructed views from Via Marina to the water. Moreover, as noted, the DCB has reviewed and conceptually approved the proposed architectural design and site plan.

Lot Coverage: Consistent with LCP requirements, project building coverage does not exceed 90 percent of the net area of Parcel 9U and landscaping comprises more than 10 percent of the net lot area.

Parking: Consistent with County Code parking requirements, which require a total of 170 parking spaces for the Project, a minimum of 215 parking spaces would be provided in a

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Marina del Rey Parcel 9U: Marriott Courtyard and Residence Inn Hotel Burden of Proof Statements for Coastal Development Permit

MDR Hotels, LLC (Applicant)

single-level subterranean parking garage to serve the proposed hotel and accessory uses, as well as an additional 21 public parking spaces (four of which would be self-park and the remaining 17 valet parked) available for the adjacent Wetland Park, for a total parking supply of 236 spaces. The garage parking would be 100% valet serviced; the Applicant is seeking a Parking Permit to authorize commercial valet parking.

Fire Safety: Project structures will be fully sprinklered, in conformance with County Fire Department requirements. Emergency access to all structures and common areas of the project will be provided to the satisfaction of the County Fire Department. A County Fire Department-approved Fire Safety Plan will be approved prior to issuance of a building permit.

Landscaping: Consistent with LCP landscaping requirements, the project has been designed so that any landscaped borders used to shield obtrusive uses have a minimum width of eight feet and consist of vegetation of sufficient density to hide the use. Also, landscaping along site perimeters will have a minimum width of eight feet to allow visual access into the lot, except where landscaping is being used to screen an obtrusive use.

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

Marina del Rey Land Use Plan Policy Consistency Analysis:

The project is compliant with the following applicable policies of the MDR Land Use Plan:

Shoreline Access ("SA"): LUP Chapter 1

Policies 1-4 and 10-14 of this element of the LUP establish requirements for new development to follow which would preserve or enhance public access to the shoreline and awareness of shoreline access points.

- (SA Policy 1) (*Public Access to Shoreline a Priority*). The project provides public pedestrian access and ensures passive recreational use to and along all portions of the Parcel 9U bulkhead, in conformance with Sections 30210-30212 of the California Coastal Act and Chapter 1 ("Shoreline Access") of the Marina del Rey Land Use Plan.

The project implements this key public access policy through provision of a 28-foot-wide public pedestrian promenade along the parcel bulkhead; through provision of public views to the water from streets fronting the project (Via Marina and Tahiti

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Marina del Rey Parcel 9U: Marriott Courtyard and Residence Inn Hotel Burden of Proof Statements for Coastal Development Permit MDR Hotels, LLC (Applicant)

Way); through provision of directional signage regarding the project's public waterfront promenade and assistance in funding for a public wetland park; and through provision of a Marina del Rey visitor-serving activities promotional kiosk in the hotel lobby.

In furtherance of these important shoreline public access policies, the Applicant will provide signage at the project's Via Marina entrance and at each bulkhead entrance to identify these as public access ways. The Applicant will also provide signage at conspicuous locations along the length of the bulkhead public access ways (public promenade) identifying the access ways as public.

- (SA Policy 2) Public access to the water front is a key priority of the LCP, and will be enhanced through project's provision of a public pedestrian promenade along the entire water frontage of the parcel. Public access from Via Marina to the waterfront will be provided along the perimeter of the adjacent public wetland park to be developed over the southerly portion of parcel. Moreover, the public will be able to access both the public waterfront promenade and adjacent wetland park at multiple access points to be provided within the hotel.
- (SA Policy 3) The project design vastly improves access to and along the shoreline through provision of waterfront pedestrian promenade and connection points thereto through the resort facility and the adjacent wetland park to be developed over the southerly portion of the parcel. (The parcel is currently inaccessible to the public due to fencing around the site perimeter.) Development adjacent to the bulkhead (i.e., public promenade) will provide pedestrian access ways, benches and rest areas along the bulkhead. Conspicuous signage will be posted indicating the project's lateral access ways, the waterfront promenade and the wetland park as public.
- (SA Policy 4) (*Provision of public access over lateral access ways*). The project provides for public access from the first public road to the shoreline along all fire roads and across all dedicated open space areas (i.e., from Via Marina across fire access lane to be sited along perimeter of the adjacent wetland park to be developed over southerly portion of parcel).
- (SA Policy 10) (*Provision of shuttle-bus turnout*). Consistent with this policy, the project will accommodate a shuttle stop and/or transit stop (at main motor court entrance drive), in the event a shuttle bus begins operations in the Marina in the future.

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Marina del Rey Parcel 9U: Marriott Courtyard and Residence Inn Hotel Burden of Proof Statements for Coastal Development Permit MDR Hotels, LLC (Applicant)

- (SA Policy 11) (*Future establishment of Marina shuttle Bus*). The Applicant will be conditioned to participate in its proportionate share (through the County's appropriation of Applicant's paid traffic mitigation fees), if and when such a shuttle system is established in the future.
- (SA Policy 12) (*Shuttle Bus Funding*). As noted, the Applicant will contribute to traffic mitigation fees, administered by the County Department of Public Works, which fees may be appropriated by DPW to fund establishment of a public shuttle service in the Marina.
- (SA Policy 13) (*Directional Signs*). Consistent with this policy, the project will incorporate signage, outdoor exhibits and brochures to enhance public awareness of shoreline access ways and public areas, to include: i) conspicuous signage regarding public waterside access (public promenade); ii) outdoor map indicating the location and type of public access ways and adjacent public wetland park to be developed over southerly portion of the parcel; and iii) kiosk within hotel lobby containing information on visitor-serving activities in the Marina.
- (SA Policy 14) (*Waterfront Viewing Opportunities*). The project will provide a substantial "window to the water" (41 percent of the parcel's water frontage) from the adjoining Via Marina over the adjacent public wetland park that the Applicant will assist the County to develop on the southerly portion of site. The visitor-serving hotel has been designed with substantial opportunities and vantage points for public viewing of boating activity (i.e., viewing from elevated restaurant terrace fronting the basin).

Recreation & Visitor-Serving Facilities ("R&V-S"): LUP Chapter 2

- (R&V-S Policy 1) (*Calling for additional visitor-serving opportunities in new developments*). The proposed project fulfills this policy through its provision of a visitor-serving hotel on the parcel.
- (R&V-S Policy 2) (*Calling for additional recreational opportunities in new developments*). The project infuses new, high-quality visitor-serving uses (overnight lodging, waterfront restaurant, cocktail lounge, pool, and meeting facilities) into the westerly side of Marina del Rey, which is presently dominated by multi-family residential use. The Applicant will assist the County with funds to develop a public wetland park on the southerly portion of the site, greatly enhancing the site's public recreational and resource opportunities. Further, the project provides substantially enhanced on-site recreational opportunities through its development of a new 28-foot-wide public pedestrian promenade along the entire waterfront of the parcel.

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Marina del Rey Parcel 9U: Marriott Courtyard and Residence Inn Hotel Burden of Proof Statements for Coastal Development Permit MDR Hotels, LLC (Applicant)

- (R&V-S Policy 4) (*Calling for the protection and advancement of additional low-cost visitor-serving facilities/uses in the Marina*). The project will provide high-quality, lower-cost, visitor-serving uses. The Applicant will assist the County in developing a public wetland park on the southern portion of the parcel, which will include an educational signage program describing the wetland resources and a public pedestrian promenade along the entire bulkhead of the parcel.

In accordance with LACC 22.46.1180.A.15.b.v, this project is exempt from the lower-cost overnight facility provisions of the LCP because a prior hotel developer on Parcel 9U has already fulfilled this obligation through payment, within 20 years of this application, of a lower-cost overnight accommodations “in-lieu fee.” The prior payment was made in conjunction with a larger 300-room Marina Plaza Hotel approved by Coastal Commission (CDP A-207-79), which authorized hotel development on the subject Parcel 9U (see supporting documentation with this application regarding prior Parcel 9U hotel developer’s in-lieu fee payment, which fees were utilized by American Youth Hotels, Inc., in support of its construction of a now operational youth hostel located in the Coastal Zone portion of the City of Santa Monica).

- (R&V-S Policy 6) (*Parking*). Consistent with County Code parking requirements, which require a total of 170 parking spaces for the Project, a minimum of 215 parking spaces would be provided in a single-level subterranean parking garage to serve the proposed hotel and accessory uses, as well as an additional 21 public parking spaces (four of which would be self-park and the remaining 17 valet parked) available for the adjacent Wetland Park, for a total parking supply of 236 spaces. The garage parking would be 100% valet serviced; as noted, the Applicant is seeking a Parking Permit to authorize commercial valet parking.
- (R&V-S Policy 7) (*Parking Integration*) Consistent with this policy, project parking facilities will be integrated into the overall design of the project. As noted, the project, including proposed subterranean parking elements, has been reviewed and conceptually approved by the DCB.

Recreational Boating (“RB”): LUP Chapter 3

- (RB Policy 3) (*Boating-related support facilities*). Project construction will not adversely impact existing boater or boating support facilities in the Marina.

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Marina del Rey Parcel 9U: Marriott Courtyard and Residence Inn Hotel Burden of Proof Statements for Coastal Development Permit MDR Hotels, LLC (Applicant)

Marine Resources (“MR”): LUP Chapter 4

- (MR Policy 2) (*Reduce contaminated run-off into Marina waters*). This policy of the LUP requires that appropriate measures be taken to reduce contaminated runoff into the small craft harbor and Ballona Creek. The Applicant has completed a drainage concept, which has been approved by the County Department of Public Works. To avoid adverse impacts on the local Marina and greater ocean waters, the Applicant will be required to comply with National Pollution Discharge Elimination System requirements of the California Regional Water Quality Control Board, as well as all pertinent stormwater quality management programs of the Federal, State and County agencies.

Important Biological Resources (“IBR”): LUP Chapter 5

- Consistent with policies of the certified MDR LUP concerning important biological resources, prior to and during all project-related construction activities, the project CDP will condition Applicant to strictly comply with all applicable mitigation measures intended to minimize impacts to special-status biological resources (contained within “Biological Report & Construction Monitoring Requirements”) identified for protection in the certified LCP.

Cultural Heritage Resources (“CHR”): LUP Chapter 4

- (CHR Policy 1) Consistent with the Policy, project development is not anticipated to adversely impact cultural resources, as the parcel’s soils are comprised entirely of fill deposited on site in conjunction with Marina del Rey’s construction in the 1960’s.
- (CHR Policy 2) Consistent with the Policy, in the unlikely event a cultural resource is found on-site during construction, it will be collected and maintained at the Los Angeles County Museum of Natural History, or other appropriate location as otherwise provided by state law.
- (CHR Policy 3) Consistent with the Policy, the Applicant will be conditioned to notify the County Department of Regional Planning and the State Historic Preservation Office in the event a cultural resource is discovered during any construction phase. A halt-work condition will be instituted in the event of cultural resource discovery during construction.

Land Use Plan (“LUP”): LUP Chapter 8

- (LUP Policy 1) (*“The primary purpose of the Land Use Plan shall be to maintain Marina del Rey as a Small Craft harbor for recreational purposes. A secondary purpose shall be to promote and provide visitor-serving facilities. Development shall*

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Marina del Rey Parcel 9U: Marriott Courtyard and Residence Inn Hotel Burden of Proof Statements for Coastal Development Permit

MDR Hotels, LLC (Applicant)

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

This classically visitor-serving hotel project directly advances the LCP’s “secondary purpose” of promoting new visitor-serving facilities.

Project construction will be coordinated in a manner to ensure that the planned development will neither detract from nor interfere with the use of existing boating facilities, nor the ancillary uses which support these facilities.

- (LUP Policy 2) (*Maintenance of the physical and economic viability of the marina is a priority*). The project achieves this objective through redeveloping the vacant parcel with visitor-serving hotel and public wetland park uses. The proposed new development will help ensure maintenance of the physical and economic viability of the marina.
- (LUP Policy 6) (*Design Control Board*). The project has received conceptual design approval from the Marina del Rey DCB. This DCB’s review included review for consistency with the *Manual for Specifications and Minimum Standards of Architectural Treatment and Construction* and applicable policies of the certified LCP.
- (LUP Policy 8) (*Land Use Consistency*). The proposed project meets all applicable policies and development standards of the certified LCP, including, but not limited to, adequate parking, view corridors, building height, hotel room density, public access to the shoreline, provision of new usable public recreation and open space (waterfront public pedestrian promenade) and provision of adequate traffic capacity.

Coastal Visual Resources (“CVR”): LUP Chapter 9

- (CVR Policy 1) (*Views of the Harbor a Priority*). The project provides a LCP-compliant view corridor across the parcel from adjacent public streets to the water. Public viewing of the harbor will be further enhanced through the project’s development of a 28-foot-wide public pedestrian promenade along the parcel’s entire water frontage. *The entirety of the property’s water frontage will be made available for public viewing of the waterfront. The most valuable, visible, desirable area of the site—the waterfront—will be fully enhanced for public use.*
- (CVR Policy 2) (*Signage*). Consistent with this policy, project signage will be in keeping with the character of the neighborhood and will be subject to review and approval by the Regional Planning Commission and the Marina del Rey DCB.

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- (CVR Policy 4) (*Design Control Board Review*). Consistent with this policy, the DCB has reviewed and conceptually approved this development proposal for consistency with the policies and objectives of the LCP.
- (CVR Policy 6) (*View protection*). Consistent with this policy, the project incorporates harbor views from streets and pedestrian access ways consistent with security and safety considerations. As noted, the project provides view corridors from public streets to the Marina waters consistent with LCP requirements.
- (CVR Policies 7&8) (*Building height standards*). The project complies with the building height design concept for the "Hotel-WOZ"-designated portion of Parcel 9U, which permits building height up to 225 feet on this parcel with provision of a view corridor comprising no less than 40 percent of the parcel water frontage; as noted, maximum building height for the hotel will be approximately 72 feet (exclusive of rooftop parapets, machine rooms, elevator enclosures and like appendages) and a view corridor comprising 41 percent of the parcel's water frontage will be provided.
- (CVR Policy 9) (*Wind*). Consistent with LCP requirements, a wind study has been prepared for the project by a licensed engineering firm (RWDI, Inc.), which indicates that the project will not result in significant wind impacts to sailing vessels or birds.
- (CVR Policy 13) (*Landscaped viewing area provided along promenade*). Consistent with this LCP policy, an 8-foot-wide landscaped pedestrian viewing area will be provided along the parcel bulkhead seaward of the 20-foot-wide dual purpose pedestrian promenade/fire access road.

Hazards Chapter: LUP Chapter 10

- (Hazards Policy 1) (*Flood and Drainage review*). Consistent with this policy, the Applicant will submit flood control, runoff and storm drain plans to the County Department of Public Works for review and approval prior to commencement of construction, consistent with the Santa Monica Bay Recovery Plan.
- (Hazards Policy 2) (*Geotechnical review*). The Applicant has submitted a preliminary geotechnical report to County Department of Public Works as part of its application filing, the content of which is compliant with LCP requirements; site development will be based on thorough site-specific geologic and soils studies, including specific geotechnical studies related to mitigation of liquefaction and lateral spreading.

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Marina del Rey Parcel 9U: Marriott Courtyard and Residence Inn Hotel Burden of Proof Statements for Coastal Development Permit MDR Hotels, LLC (Applicant)

- (Hazards Policy 3) (*Earthquake engineering*). Consistent with this policy, the project will utilize earthquake resistant construction and engineering practices, in full compliance with applicable County and state regulations and ordinances. Preliminary engineering mitigation and planned structural setbacks for the project have been designed for a bedrock acceleration of no less than 0.5g and high potential for liquefaction.

Circulation ("CIR"): LUP Chapter 11

The policies of this chapter of the LUP detail appropriate circulation improvements that must be completed in order to mitigate traffic impacts of all potential development in the Marina. Consistent with this LUP Chapter, the Applicant has been conditioned by Public Works to pay, prior to issuance of a building permit for the project, its fair-share of developer traffic mitigation fees based on the number of additional PM peak-hour trips generated by the project. These fees will be used by the County to fund the Revised Set of Intersection Improvement Projects set forth in LACC 22.46.1100.C., and the transportation improvements to the Regional Transportation System shown on Map 16 of the Marina Del Rey Land Use Plan.

Public Works ("PW"): LUP Chapter 12

- (PW Policy 2) (*Public Works improvements phasing*). Necessary public works facilities/infrastructure will be provided for the project before a Certificate of Occupancy is obtained from the County by the Applicant for the project.

Water and Sewer Services

- (PW Policy 3) Consistent with this policy, the project will not be approved by the County unless the developer is able to provide proof of available water and sewerage facilities and capacity.
- (PW Policy 4) Consistent with this policy, if existing water or sewer capacities and/or facilities are inadequate to service the project, then the Applicant will be required to increase and/or improve such capacities and/or facilities to a level acceptable to County Public Works during construction of the project.
- (PW Policy 5) Consistent with this policy, the project will be conditioned to assure that installation of any new water or sewer lines is accomplished in an environmentally sensitive manner.
- (PW Policy 6) Consistent with this policy, the project will be conditioned to incorporate water-conserving technology consistent with local, state and/or federal

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regulations affecting same. County Public Works will review the project plans and will assure that water conservation measures and techniques are incorporated.

Fire and Emergency Services

- (PW Policy 8) Consistent with this policy, the project provides a minimum 28-foot-wide fire lane (dual-use promenade/fire lane) along the parcel bulkhead. All fire access lanes in the project will be designed to maintain unimpeded access, clear to sky, with no benches, planters or fixed objects.
- (PW Policy 9) Consistent with this policy, the project includes a 28-foot-wide, dual-use public pedestrian promenade/fire lane along the parcel bulkhead (i.e., dual promenade/fire access lane).
- (PW Policy 10) Consistent with this policy, the project will be fully sprinklered in conformance with Fire Department requirements.
- (PW Policy 11) Consistent with this policy, the project will be subject to review and approval by the County Fire Department for fire emergency access requirements prior to issuance of building permits. The developer will receive approval of a Fire Safety & Evacuation Plan prior to issuance of a building permit.

[Note: The policies of LUP Chapters 13 “Diking, Dredging, Filling & Shoreline Structures” and 14 “Industrial Development & Energy Facilities” are not applicable to this project.]

2. *That any development, located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone, is in conformity with the public access and public recreation policies of Chapter 3 of Division 20 of the Public Resources Code:*

(Applicable Coastal Act Sections below)

COASTAL ACT PUBLIC ACCESS POLICIES

CA Coastal Act (“CCA”) Section 30210:

“In carrying out the requirements of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of property owners, and natural resource areas from

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overuse.”

The proposed project fully complies with CCA Section 30210, as set forth in detail in Applicant’s responses above addressing project consistency with the Policies contained in LUP Chapters 1-3 & 9 (“Shoreline Access,” “Recreation & Visitor-Serving Facilities,” “Recreational Boating” and “Coastal Visual Resources”).

CCA Section 30211:

“Development shall not interfere with the public’s right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rock coastal beaches to the first line of terrestrial vegetation.”

As detailed in Applicant’s responses above addressing project consistency with the Shoreline Access, Recreational Boating and Coastal Visual Resources policies of the LUP (LUP Chapters 1, 3 and 9), the project does not interfere with, but, rather, enhances the public’s right of access to the Marina waters.

CCA Section 30212(a):

“Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects...”

The project complies with this CCA section, as detailed in Applicant’s responses above concerning SA Policy 1, SA Policy 4 and CVR Policy 6.

CCA Section 30213:

“Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred...”

The project will fulfill this CCA Section by providing an assortment of high-quality, lower-cost, visitor-serving uses, including a public wetland park on the southern portion of the parcel (to include a wetland resource educational signage program) and a public pedestrian promenade along the entire bulkhead of the parcel. The waterfront public pedestrian promenade will be fully improved with attractive paving, seating, landscaping, benches, lighting and fencing.

As noted, in accordance with LACC 22.46.1180.A.15.b.v, this project is exempt from the lower-cost overnight facility provisions of the LCP because a prior hotel developer had fulfilled this obligation through prior payment, within 20 years of this application, of a lower-cost overnight accommodations “in-lieu fee” in conjunction with a larger (300-

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room hotel), previously permitted hotel development on the subject Parcel 9U; see supporting documentation with this application regarding prior Parcel 9U hotel developer's in-lieu fee payment (related to the Coastal Commission's approval of the "Marina Plaza Hotel" in case no. CDP A-207-79), which fees were utilized by American Youth Hotels, Inc., in support of its construction of a now operational youth hostel in the Coastal Zone portion of the City of Santa Monica).

COASTAL ACT RECREATION POLICIES

CCA Section 30220:

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

The proposed project advances this CCA "water-oriented recreational activities" Section through development of a public wetland park over the southerly portion of the parcel, to adjoin the waterfront public pedestrian promenade to be developed by the Applicant along the parcel bulkhead.

CCA Section 30221:

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

As outlined in the LUP consistency responses above, the proposed project advances this CCA Section by substantially enhancing and improving visitor-serving and public recreational uses of the site over existing conditions (the parcel is currently vacant and fenced off from the public). As noted herein, the proposed project will enhance public recreational and visitor-serving use of the site through provision of a new public waterfront promenade; development of a public wetland park on the parcel; installation of public access signage on the site; and through provision of an assortment of high-quality visitor-serving uses provided in conjunction with the hotel (e.g., overnight lodging facilities, restaurant/lounge, etc.).

CCA Section 30223:

"Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible."

As set forth in the Applicant's responses to the Recreational & Visitor-Serving Facilities

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and Recreational Boating policies of the LUP (“R&V-S” and “RB” policy responses above) and as shown on the project plans, sufficient upland space has been reserved to support an assortment of landside coastal recreational uses: i.e., waterfront public pedestrian promenade and public wetland park.

CCA Section 30224:

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

In order to augment lower-cost public serving use on this side of the Marina, and should adequate parking be identified, an opportunity exists for two to three of the transient slips that are being proposed for development (under a separate application by Legacy Partners Residential, Inc.) in the Marina waters adjoining the Parcel 9U bulkhead to be used for charter boats, whale watching boats, and the like. These excursion opportunities could constitute an important new public/visitor-serving boating feature on this side of the marina, as no such boating services are provided in this primarily residential portion of the marina. Therefore, the Applicant, which would administer the charter use at the adjacent public/transient anchorage through its hotel, may make application for the charter boat use at a future date after occupancy of the hotel, when the actual performance of the hotel may be scrutinized to demonstrate that sufficient parking can be provided in the resort or in another location to service the charter use.

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**Marina del Rey Parcel 9U: Marriott Courtyard and Residence Inn Hotel Burden of Proof Statements for Conditional Use Permit
MDR Hotels, LLC (Applicant)**

This exhibit has been prepared pursuant to Section 22.56.040 of the Los Angeles County Code (LACC), which contains the requisite findings for approval of a conditional use permit in unincorporated Los Angeles County. Each required finding is listed below in italicized, bolded font. The applicant's description of how the proposed development project satisfies each finding follows in normal font.

Description of Conditional Use Permit Requests:

- Per LACC 22.46.1360.A, to authorize construction of the proposed parking structure; and to authorize installation of project building identification signage as provided in Part 10 of Chapter 22.52 and in Section 22.46.1060 of the Marina del Rey Specific Plan; and
- Per LACC 22.28.210 - C3 Zone equivalency, to authorize the sale of alcoholic beverages for on-site consumption at the proposed hotel restaurant (including outdoor terrace dining area), lounge/bar, meeting rooms, pool area and within hotel guest rooms (via standard "mini-bar" service).

Required Findings for the Project Conditional Use Permit:

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

Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.

With respect to the Applicant's CUP request pertaining to construction of the parking garage and installation of project signage:

The project has been reviewed and conceptually approved by the Marina del Rey Design Control Board ("DCB") for consistency with the *Specifications and Minimum Standards of Architectural Treatment and Construction*. In conceptually approving the project, the DCB found that, consistent with parking policies of the LCP, the project's structured parking facilities have been appropriately integrated into the overall design of the project.

The DCB will again review the project, at the end of the land use entitlements process, to review the project's final design details, landscaping and signage. This review will include an analysis by the DCB to ensure that project signage is in conformance with the DCB's *Revised Permanent Sign Controls and Regulations*; the DCB will impose such conditions as may be needed to insure project signage is in compliance with these controlling signage regulations.

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With respect to the Applicant's CUP request pertaining to the service of a full-line of alcoholic beverages for on-site consumption at the proposed hotel restaurant (including outdoor terrace dining area), lounge/bar, meeting rooms, pool area and within hotel guest rooms (via standard "mini-bar" service):

Patrons' and the visiting public's on-site consumption of alcoholic beverages is an ordinary incident of high-quality hotel restaurants, lounges, meeting facilities, pool facilities and within patrons' hotel guest rooms, and significantly contributes to such businesses' success, thereby promoting the general welfare. Indeed, hotel patrons and the visiting public will expect to be able to purchase alcoholic beverages at the type of hotel facility being proposed here. The numerous conditions of approval imposed by the County per the CUP for alcohol service and those imposed by the State as part of the business' ABC license will work in concert to insure that potential adverse impacts to the public welfare, health, comfort and/or safety are appropriately mitigated.

- 1. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site.***

With respect to the Applicant's CUP request pertaining to construction of the parking garage and installation of project signage:

As noted, the project has been reviewed and conceptually approved by the Marina del Rey Design Control Board ("DCB") for consistency with the *Specifications and Minimum Standards of Architectural Treatment and Construction*. In conceptually approving the project, the DCB found that, consistent with parking policies of the LCP, the project's structured parking facilities have been appropriately integrated into the overall design of the project. The project architect has designed the structured parking facilities in a manner that ensures internal vehicular circulation and parking is appropriately controlled on-site (through professional hotel valet service), so as not to cause vehicular queuing onto Via Marina during high-use periods. These measures will help to ensure that the project's structured parking facilities will not be materially detrimental to the enjoyment, use or valuation of property of other persons residing or working in the vicinity of the project site.

As noted, the DCB will again review the project, at the end of the land use entitlements process, to review the project's final design details, landscaping and signage. This review will include an analysis by the DCB to ensure that project signage is in conformance with the DCB's *Revised Permanent Sign Controls and Regulations*; the DCB will impose such conditions as may be needed to insure project signage is in compliance with these controlling signage Regulations. This review will ensure that the project signage program will not be materially detrimental to the enjoyment, use or

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valuation of property of other persons residing or working in the vicinity of the project site.

With respect to the Applicant's CUP request pertaining to the service of a full-line of alcoholic beverages for on-site consumption at the proposed hotel restaurant (including outdoor terrace dining area), lounge/bar, meeting rooms, pool area and within hotel guest rooms (via standard "mini-bar" service):

The service of a full-line of alcoholic beverages for on-site consumption will be purely incidental to the operations and use of the high-quality restaurant, lounge/bar, meeting functions, pool facility and guest rooms of the proposed hotel. Because the service of alcoholic beverages for on-site consumption will be so heavily regulated through the numerous conditions of the County and State permits regulating same, this activity at the location proposed will not adversely affect the economic welfare of the community or otherwise be materially detrimental to the use, enjoyment or valuation of property of persons either working or residing in the vicinity of the project site. To the contrary, such activities will only serve to make the hotel competitive with other such establishments in the Marina vicinity (such as those offered nearby at the Marina del Rey Marriott Hotel, Jamaica Bay Inn and Hilton Garden Inn) and will allow the hotel to fulfill the normal expectations of its patrons and the visiting public. Again, the numerous conditions imposed by the County and State regulatory agencies in relation to alcoholic beverage service at the resort will work to reduce/mitigate possible adverse impacts this use might otherwise have on adjoining or nearby properties or residents.

2. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

With respect to the Applicant's CUP request pertaining to construction of the parking garage and installation of project signage:

The project has been reviewed and conceptually approved by the Marina del Rey Design Control Board ("DCB") for consistency with the *Specifications and Minimum Standards of Architectural Treatment and Construction*. In conceptually approving the project, the DCB found that, consistent with parking policies of the LCP, the project's structured parking facilities have been appropriately integrated into the overall design of the project. The project architect has designed the structured parking facilities in a manner that ensures internal vehicular circulation and parking is appropriately controlled on-site (through professional hotel valet service), so as not to cause vehicular queuing onto Via Marina during high-use periods. These measures will help ensure that the project's structured parking facilities will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

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As noted, the DCB will again review the project at the end of the land use entitlements process to analyze the project's final design details, landscaping and signage. This review will include an analysis by the DCB to ensure that project signage is in conformance with the DCB's *Revised Permanent Sign Controls and Regulations*; the DCB will impose such conditions as may be needed to insure project signage is in compliance with these controlling signage Regulations. These measures will help to ensure that the project's signage program will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

With respect to the Applicant's CUP request pertaining to the service of a full-line of alcoholic beverages for on-site consumption at the proposed hotel restaurant (including outdoor terrace dining area), lounge/bar, meeting rooms, pool area and within hotel guest rooms (via standard "mini-bar" service):

As noted, the sale of alcoholic beverages for on-site consumption is a customary incident of the type of high-quality restaurant, cocktail lounge /bar, meeting facilities, pool and hotel guest rooms being proposed and is key component to a hotel's marketability. The service of alcoholic beverages for on-site consumption has come to be accepted as desirable component of normal hotel operations, especially those associated with the type of coastal waterfront hotel being proposed here. Alcoholic beverage service is needed at the hotel in order to make the hotel competitive with other hotels in the Marina area, all of which offer a full-line of alcoholic beverages to their patrons and the visiting public. The numerous County and State conditions of approval regulating the sale of alcoholic beverages at the establishments will work to ensure that the service of alcoholic beverages on the premises will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or welfare. To the contrary, the public convenience and welfare will be positively served by providing alcoholic beverage service at the proposed hotel, which will be located on the western side of Marina del Rey, which is currently lacking such establishments. In addition, the proposed hotel, with requested service of a full-line of alcoholic beverages for on-site consumption, will positively serve public welfare by generating additional jobs and sales tax revenues.

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.

With respect to the Applicant's CUP request pertaining to construction of the parking garage and installation of project signage:

The project has been reviewed and conceptually approved by the Marina

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del Rey Design Control Board (“DCB”) for consistency with the *Specifications and Minimum Standards of Architectural Treatment and Construction*. In conceptually approving the project, the DCB found that, consistent with parking policies of the LCP, the project’s structured parking facilities have been appropriately integrated into the overall design of the project. The project architect has designed the structured parking facilities in a manner that ensures internal vehicular circulation and parking is appropriately controlled on-site, so as not to cause vehicular queuing onto Via Marina during high-use periods.

As noted, the DCB will again review the project at the end of the land use entitlements process to analyze the project’s final design details, landscaping and signage. This review will include an analysis by the DCB to ensure that project signage is in conformance with the DCB’s *Revised Permanent Sign Controls and Regulations*; the DCB will impose such conditions as may be needed to insure project signage is in compliance with these controlling signage Regulations.

For these reasons, with respect to project parking facilities and signage, the proposed site is adequate in size and shape to accommodate the parking, signage and other development features prescribed in the County Zoning Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

With respect to the Applicant’s CUP request pertaining to the service of a full-line of alcoholic beverages for on-site consumption at the proposed hotel restaurant (including outdoor terrace dining area), lounge/bar, meeting rooms, pool area and within hotel guest rooms (via standard “mini-bar” service):

As described above and in the Applicant’s Coastal Development Permit Burden of Proof statement (provided with this application), the Applicant has demonstrated 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 the County Zoning Code, or as is otherwise required in order to integrate this use with the uses in the surrounding area.

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate.

As described in detail in the project traffic study, access to the project will be provided on Via Marina, a fully-improved public street. As confirmed in the project traffic report, Via Marina is of sufficient width necessary to carry the kind and quantity of traffic that will be generated by the planned hotel.

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2. By other public or private service facilities as are required.

As described in detail in the project EIR, the project will be adequately served by public fire, law enforcement, utility and/or other public services, as required.

Addendum Burden of Proof for Alcoholic Beverage Sales Conditional Use Permit (22.56.195):

1. That the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or other similar use within a 600-foot radius.

The sale of a full-line of alcoholic beverages for on-site consumption at the hotel's restaurant, lounge/bar, meeting rooms, pool and within hotel patron guest rooms will in no way adversely impact any church or school because no such uses exist within a 600-foot radius of the subject property. Moreover, although a public wetland park will be developed on the southerly portion of the subject property, appropriate staff training, management controls and regulatory conditions will regulate the sale of alcoholic beverages at the hotel to ensure that the sale of alcoholic beverages on the premises will not adversely affect the public's use of the adjacent wetland park.

2. That the requested use at the proposed location is sufficiently buffered in relation to any residential area in the immediate vicinity so as not to adversely affect said area.

While apartments are located in the local vicinity, the sale of alcoholic beverages for on-site consumption at the hotel will be managed and regulated and will be sufficiently buffered from nearby apartments so as not to adversely affect apartment residents. The proposed restaurant and lounge will be high-class establishments, tastefully incorporated into the project. These establishments will be a convenient amenity to apartment and condominium residents in the vicinity of the project site, who may chose to walk to the resort to have a nice meal and a drink in a lovely waterside hotel setting.

3. That the requested use at the proposed location will not result in an undue concentration of similar premises, or that the public convenience or necessity for the proposed facility selling alcoholic beverages for off-site consumption outweighs the fact that it is located within 500 feet of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than 5 percent of the shelf space in the establishment .

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The requested sale of a full-line of alcoholic beverages for consumption on the premises will not result in an undue concentration of similar premises because no such other establishments sell alcoholic beverages for on-site or off-site consumption within a 500-foot radius of the subject property.

4. That the requested use at the proposed location will not adversely affect the economic welfare of the surrounding community.

The alcohol service will be incidental to the operations and use of the high-quality hotel restaurant, lounge/bar, meeting facilities, pool facility and hotel guest rooms (via normal guest room mini-bar service). Approval of this use at this location will not adversely affect the economic welfare of the community; to the contrary, such activities will serve to stimulate additional sales tax revenues and jobs and increase the overall marketability of the proposed hotel, thereby contributing to the economic welfare of the community.

5. That the exterior appearance of the structure will not be inconsistent with the exterior appearance of other commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within said neighborhood.

The proposed site plan and development scheme has been reviewed and conceptually approved by the Marina del Rey Design Control Board, as required by the Marina del Rey Local Coastal Program. Moreover, the Applicant will again submit the project plans to the DCB for a "final" design review at the end of the regulatory process. This review will ensure that the proposed architecture, materials and exterior appearance of the proposed hotel structure is complementary to and enhances the neighborhood aesthetic. There are no other commercial establishments in the local vicinity of the subject property.



Attachment C

**Marina del Rey Parcel 9U: Marriott Courtyard and Residence Inn Hotel Burden of Proof Statements for Parking Permit
MDR Hotels, LLC (Applicant)**

This exhibit has been prepared pursuant to Section 22.56.1020 of the Los Angeles County Code (LACC), which outlines the requisite findings for approval of a parking permit. Each required finding is listed below in italicized, bold font. The applicant's description of how the proposed development project satisfies each finding follows in normal font. Moreover, for staff use, we have provided a shared-parking analysis, prepared by traffic engineering firm Crain & Associates, justifying the request for reduced parking and valet service for the project.

Parking Permit Request

- Per LACC 22.56.990.C.2, to authorize a professional valet-managed, tandem parking program for the project.

The applicant shall substantiate to the satisfaction of the Planning Commission the following facts:

- A. There will be no need for the number of parking spaces required by Part 11 of Chapter 22.52 because the nature of the use is such that there is a reduced occupancy (e.g., shared parking opportunities are present among the project's proposed uses).***

This finding is not applicable because the Applicant is providing on-site parking in excess of County Code requirements for the proposed hotel.

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

The Applicant proposes to employ a professional valet company to manage the project's tandem parking spaces. Professionally managed tandem parking is pervasive across the Los Angeles region for commercial uses, and is an especially important component of conventional hotel developments. As configured, and with the proposed professional valet service, the tandem parking area will constitute an alternate parking arrangement that, while not compromising vehicular ingress, egress and movement throughout the site, enables the Applicant to maximize on-site parking for the project. The professional valet service will also help to ensure the most efficient and safe flow of vehicles to and from the site, thereby reducing the potential for vehicular queuing onto Via Marina.

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- C. That off-site facilities, leases of less than 20 years, rear lot transitional parking lot and uncovered residential parking spaces...***

This finding is not applicable because the applicant is not requesting off-site parking, transitional parking or uncovered residential parking.

- 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.***

To the contrary, approval of the requested parking permit will enable implementation of a contemporary parking design for the project that will ensure more efficient traffic circulation throughout project site. The tandem parking and drive aisle configuration will ensure safe and efficient vehicular circulation through the site. Approval of the requested parking permit will also enable the applicant to maximize the number of on-site parking spaces provided in the project. The project will accommodate a sufficient number of on-site parking spaces to service the projects' uses at all times, including during the peak parking demand. Thus, no parking spillover onto area streets, or unauthorized use of parking facilities into the nearby neighborhoods, is anticipated to occur.

- 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 the Zoning Ordinance.***

As depicted on the project site plan submitted with the application, and as detailed in the project EIR and Applicant's Burden of Proof statement for the project Coastal Development Permit, the subject Parcel 9U is of sufficient size and shape to accommodate the proposed signs, parking, yards, walls, fences and loading facilities, landscaping and other development features prescribed in the County Zoning Code, or as is otherwise required in order to integrate the proposed uses with the uses in the surrounding area.

Attachment D

Marina del Rey Parcel 9U: Marriott Courtyard and Residence Inn Hotel Burden of Proof Statements for Variance MDR Hotels, LLC (Applicant)

This exhibit has been prepared pursuant to LACC Section 22.56.290, which outlines the requisite burden of proof for approval of a variance in the County of Los Angeles. Each required variance finding is numbered in italicized, bolded font, and is followed, in normal font, by the Applicant's explanation of how each finding is being satisfied in this case.

Variance Requests:

- Pursuant to LACC 22.46.1070, a variance to development standards to permit a reduction in the required 10-foot yard adjacent to the public waterfront pedestrian promenade (no yard is proposed along the portion of the promenade abutting the resort's outdoor terrace and parking structure), and to permit a reduction in the required 10-foot yard along the parcel's northerly property line (a 7½-foot yard is proposed along the parcel's northerly property line).

Applicant's Burden of Proof for Variance:

1. *That there are special circumstances or exceptional characteristics applicable to the property involved, such as size, shape, topography, location or surroundings, which are not generally applicable to other properties in the same vicinity and under identical zoning classification; and*

There are special circumstances applicable to the property, including the LCP requirement for provision of public recreational space (i.e., 28-foot-wide waterfront pedestrian promenade), the relatively narrow depth of the parcel, and Applicant's desire to assist the County in developing (under separate permit) a public wetland park over the southerly 1.46 acres of the site, which justify the requested yard setback reduction variance at the public waterfront pedestrian promenade and along the northerly property line. Moreover, existing development on adjoining parcels eliminates the development alternative of acquiring additional property or adjusting lot lines to create additional developable area to accommodate the 10-foot yard setback adjacent to the promenade and the northerly property line.

A review of the site plan shows a series of design features required by the Marina del Rey Specific Plan that limit the area available to the footprint of the proposed hotel building, and the resulting necessity to vary from setback standards at the location of the waterfront promenade and northerly parcel line. These required design regulations include the 28-foot-wide waterfront public pedestrian promenade, building height limitations, maintenance of public view corridors to the water from adjacent public streets and other specific requirements. As noted, the site is further constrained by Applicant's proposal (in conjunction with a neighboring developer) to assist the County in developing a public wetland park over the southerly approximately 1.46 acres of the 3.66-acre Parcel 9U; the requested variance to yard standards along the northerly parcel line (i.e., a 7½-foot setback in lieu of 10 feet), in particular, is driven by the Applicant's desire to provide additional buffer area

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between the hotel structure and the adjacent wetland park. In two previous cases involving identical promenade-adjacent yard setback reduction variance requests, the Regional Planning Commission concluded that such variances were justified (see Variance Case Nos. 98-172-4 and 98-134-4 pertaining to development on nearby Marina waterfront Parcels 20 and 12 & 15); indeed, the Regional Planning Commission approved this identical promenade yard variance for the larger hotel/timeshare development that it unanimously approved for the site in March 2010.

2. *That such variance is necessary for the preservation of a substantial property right of the applicant such as that possessed by owners of other property in the same vicinity and zone; and*

The requested variance is necessary for the preservation of a substantial property right of the applicant such as that possessed by owners of other property in the same vicinity and zone inasmuch as the County's Regional Planning Commission has previously approved similar yard setback reduction variances for two other Marina projects located in the same "Specific Plan" zone and vicinity; see Variance Case Nos. 98-172-4 and 98-134-4.

3. *That the granting of the variance will not be materially detrimental to the public welfare or be injurious to other property or improvements in the same vicinity and zone.*

The character of existing and planned development in this area is for multi-story waterfront developments. The proposed Project at this location is consistent with this development concept; indeed, the apartment complex which is proposed for development on the adjoining Parcel 10R as well as the apartment complex under construction at Parcel 12 (at the end of the Marquesas Way mole road, adjacent to Parcel 10R) will be constructed with an identical promenade-adjacent yard setback reduction, so development of this project, as proposed, would be entirely consistent with the local development pattern with respect to the waterfront public pedestrian promenade/adjoining building relationship. With respect to the requested variance for a modestly-reduced yard along the northerly parcel line, this request is driven by the Applicant's desire to provide additional buffer area between the hotel structure and the wetland park to be developed on the southerly portion of the site. Of significant note, the lessee of the parcel adjoining the subject parcel to the north, Legacy Partners Residential, Inc. (which shares the northerly parcel boundary with the Applicant), has written a letter supporting the Applicant's variance request. For these reasons, the granting of the subject variance will not be detrimental to the public welfare or injurious to other property or improvements in the same zone and vicinity.

4. *That the requested use at the location proposed with not: 1) adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area; 2) be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site; or 3) jeopardize, endanger or otherwise constitute a menace to the public health,*

Attachment D

**Marina del Rey Parcel 9U: Marriott Courtyard and Residence Inn Hotel Burden of Proof Statements for Variance
MDR Hotels, LLC (Applicant)**

safety or general welfare.

As noted, the character of existing and planned development in this area is for multi-story waterfront projects. The proposed Project at this location is consistent with this development concept; indeed, the apartment complex that is proposed for development immediately north of this site, as well as the apartment project adjoining that one on Parcel 12, will and/or is being constructed with an identical promenade yard setback reduction at the these project's public pedestrian promenade, so development of this project, as proposed, would be entirely consistent with the local development pattern with respect to the waterfront public pedestrian promenade/building relationship. And, as noted, the lessee abutting the subject parcel to the north has submitted a letter of support regarding the Applicant's variance request. For these and other reasons articulated above, the requested variance relating to the yard setback will in no way: adversely affect the health, peace, comfort or welfare of the public; be detrimental to the use, enjoyment or valuation of property of other persons in the vicinity of the site; jeopardize, endanger or constitute a menace to the public health, safety or general welfare.

- 5. 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.***

As depicted on the project site plan submitted with the application, and as detailed in the project EIR and Applicant's Burden of Proof statement for the project Coastal Development Permit, the subject Parcel 9U is of sufficient size and shape to accommodate the proposed signs, parking, yards, walls, fences and loading facilities, landscaping and other development features prescribed in the County Zoning Code, or as is otherwise required in order to integrate the proposed uses with the uses in the surrounding area.

- 6. 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.***

As described in detail in the project traffic study, access to the project will be provided on Via Marina, which is a fully-improved public street. As confirmed in the project traffic report, Via Marina is of sufficient width necessary to carry the kind and quantity of traffic that will be generated by the project.

As described in detail in the project EIR, the project will be adequately served by public fire, law enforcement, utility and/or other public services, as required.

COMMUNITY PLAN

COMMUNITY PLAN 700 FOOT RADIUS MAP

Proj. TR067861 (4)
 RCDP 2006-00007
 RCUP 2006-00288
 RPKP 2006-00020
 RVAR 2006-00012

Legend

-  R III - Residential III (35 du/ac)
-  R IV - Residential IV (45 du/ac)
-  R V - Residential V (75 du/ac)
-  H - Hotel
-  VS/CC - Visitor-Serving / Convenience Commercial
-  OS - Open Space
-  W - Water

VICINITY MAP



0 50 100 200 300 400 Feet



LOS ANGELES COUNTY
 Department of Regional Planning
 320 W. Temple St.
 Los Angeles, CA 90012



Bora Bora Wy

LAND USE

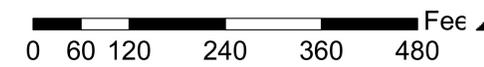
LAND USE 700 FOOT RADIUS MAP

Proj. TR067861 (4)
 RCDP 2006-00007
 RCUP 2006-00288
 RPKP 2006-00020
 RVAR 2006-00012

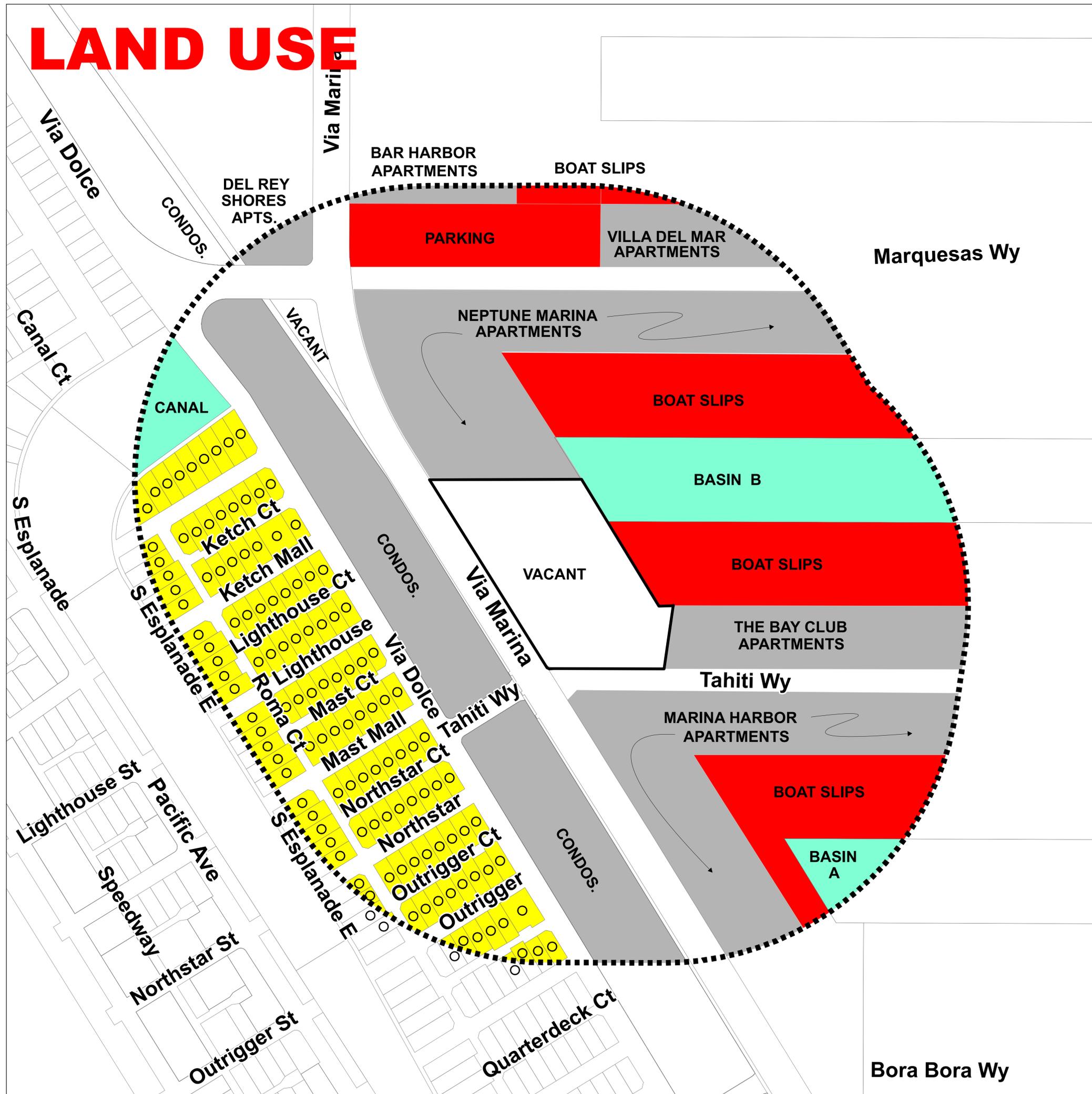
Legend

-  SINGLE-FAMILY RESIDENCE
-  SINGLE-FAMILY RESIDENCE
-  MULTI-FAMILY RESIDENCE
-  COMMERCIAL
-  WATER
-  VACANT

VICINITY MAP



LOS ANGELES COUNTY
 Department of Regional Planning
 320 W. Temple St.
 Los Angeles, CA 90012



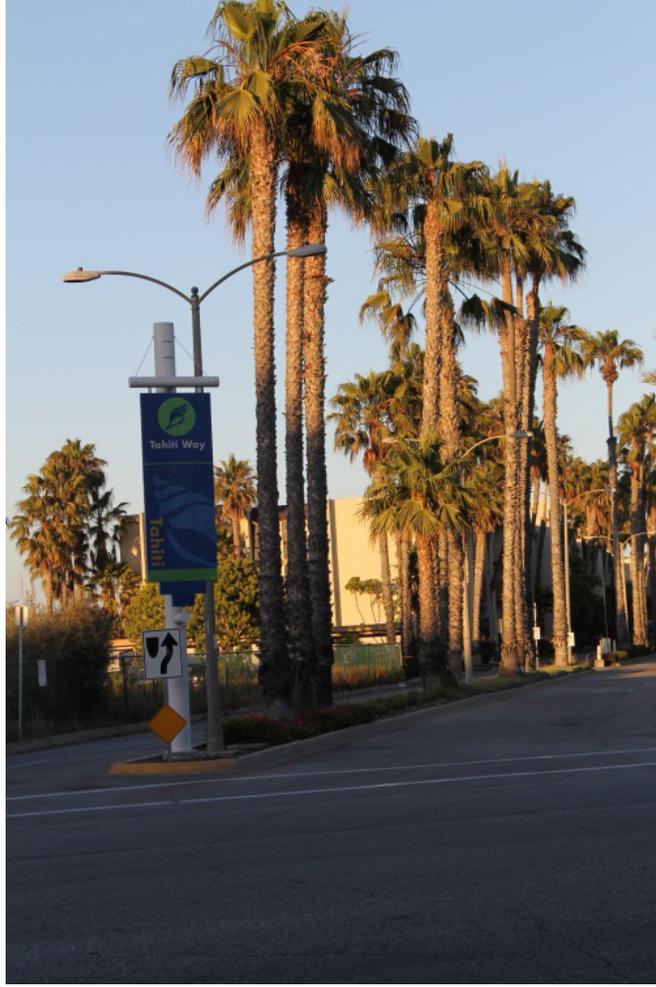
SITE PHOTOS













9100 S. Sepulveda Blvd., Ste. 210
Los Angeles, CA 90045
tel 310.645.5151

February 20, 2015

Supervisor Don Knabe
822 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Re: Support: Courtyard Marriott & Residence Inn Hotel; MDR Parcel 9U

Dear Supervisor Knabe:

The LAX Coastal Chamber of Commerce is an organization dedicated to the promotion of business and enhanced vitality of community focused in our service area which includes Marina del Rey, Playa Vista, Westchester and surrounding communities. The Chamber has extensively reviewed the proposed development for the Marina del Rey Parcel 9U which consists of both a Courtyard by Marriott and Residence Inn as well as an active wetlands park. At our meeting on February 19, 2015, the Board of Directors voted to support the proposed update to this development.

The proposal for the Courtyard Marriott and Residence Inn Hotel is a welcome addition to the community that will provide additional revenue to the County of Los Angeles, economic development for Marina del Rey and hundreds of jobs in the area. Furthermore, this development will provide additional green space in the form of an active wetland that will be available to the public and an enhanced pedestrian promenade.

Additionally, we appreciate that is new development is at a greatly reduced scale from its original proposal of a 19-story hotel, which is more in character with the other properties in Marina del Rey.

We strongly urge you to support the proposed development at Parcel 9U which will consist of a new Courtyard Marriott / Residence Inn Hotel and active wetland park.

Thank you very much for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Christina Davis", enclosed within a large, hand-drawn circle.

Christina Davis
President/CEO

UNITEHERE! LOCAL 11

June 3, 2015

Los Angeles County Board of Supervisors
Attn: Supervisor Sheila Kuehl
500 W. Temple Ave.
Los Angeles, CA 90012

Honorable Supervisor Kuehl:

I write on behalf of the 20,000 hotel and food service workers that UNITE HERE Local 11 represents in Los Angeles and Orange County to support the MDR Hotels LLC hotel development (formerly known as the Woodfin Hotel project) on Parcel 9U.

The developer, Samuel Hardage of MDR Hotels LLC, has recently agreed for the property to operate under a labor peace agreement. This is ideal for the County since it has a financial interest in the revenues from the land lease. A labor peace agreement will ensure that the revenues from the hotel are not disrupted from a labor dispute or work stoppage.

This is the first labor peace agreement for a hotel development in the Marina. It is a good precedent for the County to set regarding its financial interests in the hospitality industry.

If you have any questions or concerns please feel free to call me at (213) 481-8530.

Sincerely,



Thomas Walsh
President

MAIN OFFICE
464 S. Lucas Ave., Suite 201
Los Angeles, CA 90017
(213) 481-8530 • Fax (213) 481-0352

GARDEN GROVE OFFICE
13252 Garden Grove Blvd., Suite 200
Garden Grove, CA 92843
(714) 750-4373 • Fax (714) 750-2683

AIRPORT OFFICE
4634 W. Imperial Hwy.
Inglewood, CA 90304
(310) 671-0720 • Fax (310) 671-5021

UNITEHERE! LOCAL 11

June 3, 2015

Los Angeles County Board of Supervisors
ATTN: Supervisor Hilda Solis
500 W. Temple Ave.
Los Angeles, CA 90012

Honorable Supervisor Solis:

I write on behalf of the 20,000 hotel and food service workers that UNITE HERE Local 11 represents in Los Angeles and Orange County to support the MDR Hotels LLC hotel development (formerly known as the Woodfin Hotel project) on Parcel 9U.

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UNITE HERE! LOCAL 11

June 3, 2015

Los Angeles County Board of Supervisors
ATTN: Supervisor Mark Ridley-Thomas
500 W. Temple Ave.
Los Angeles, CA 90012

Honorable Supervisor Ridley-Thomas:

I write on behalf of the 20,000 hotel and food service workers that UNITE HERE Local 11 represents in Los Angeles and Orange County to support the MDR Hotels LLC hotel development (formerly known as the Woodfin Hotel project) on Parcel 9U.

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UNITE HERE! LOCAL 11

June 3, 2015

Los Angeles County Board of Supervisors
ATTN: Supervisor Michael Antonovich
500 W. Temple Ave.
Los Angeles, CA 90012

Honorable Mayor Antonovich:

I write on behalf of the 20,000 hotel and food service workers that UNITE HERE Local 11 represents in Los Angeles and Orange County to support the MDR Hotels LLC hotel development (formerly known as the Woodfin Hotel project) on Parcel 9U.

The developer, Samuel Hardage of MDR Hotels LLC, has recently agreed for the property to operate under a labor peace agreement. This is ideal for the County since it has a financial interest in the revenues from the land lease. A labor peace agreement will ensure that the revenues from the hotel are not disrupted from a labor dispute or work stoppage.

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UNITEHERE! LOCAL 11

June 3, 2015

Los Angeles County Board of Supervisors
ATTN: Supervisor Don Knabe
500 W. Temple Ave.
Los Angeles, CA 90012

Honorable Supervisor Knabe:

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(310) 671-0720 • Fax (310) 671-5021

From: _____
To: _____
Subject:
Date: 2 2 1 12 1

Kevin,

I understand growth, building new places, building on unused property etc. but I don't see how adding thousands more people in a small peninsula area with one way in and one way out is going to work out well. Currently most everything that is new build, twice as big, or going to be slated to be torn down and built double the size and now adding a huge hotel where there is no building currently.

Via Marina is basically a freeway now with a speed limit of 45 so 50+ is really what everyone goes with some thinking it's a race track or a place to get up to 50 as quick as possible. The noise level is already becoming oppressive with all the trucks, motorcycles, fire engines, ambulances, increased traffic, and basically a freeway sound from all the cars. Check the local fire station and ambulance calls. Almost everyday loud sirens go right past my window. Many days it is multiple sirens up and back. Someone in our building mentioned that is has been going on every Friday for months.

From where we are today, which is much worse than four years ago when I bought in this area, they are going to build in the area they tore down the old apartments (put in twice as many people), tear down the place next to them and double its size, tear part down farther down the street and add more people, restaurants, stores etc., and add a huge hotel! I can't imagine adding thousands of people from where we are today and all the cars, delivery trucks, garbage trucks, Harleys, taxis, sirens etc. The noise pollution will be unbelievable. It has already become bad where I can't leave my window open like I used to before. It will be like New York with just noise all the time.

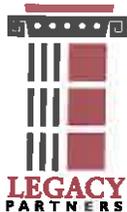
In the letter received it mentions an environmental report done in 2011. During that one did they put in all the new places when everything is done?

I work from home so I hear it all day long. I can't imagine what it will be like when everything is done. Some of it will be nicer but that only goes so far when you over populate then one just becomes agitated all the time not even including all the extra people traveling down to the beach.

More people, more traffic, more noise, more construction, less peace and quite, marina views gone, harder to get in and out, and more people blowing through stop signs (everyday), more cars flying past others in the opposite lanes to pass, more cars zooming past families on bikes, people with dogs, kids etc. I guess it will be the new Venice. Not a place or area I want to live!

Thanks,

Daniel



June 30, 2015

Rental
Real Estate

Property
Management

Acquisitions

Development

Construction
Management

Financial Services

Marketing
Services

Design Services

Renovations

Mr. Kevin Finkel, AICP
Los Angeles County Department of Regional Planning
320 W. Temple Street
Los Angeles, California 90012

Re: Proposed Marriott Courtyard and Residence Inn- Project No. TR067861-(4)

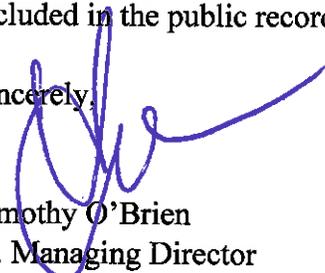
Dear Mr. Finkel,

I wanted to express my support for the proposed project referenced above. Legacy Partners owns the neighboring properties, Neptune Marina (10R) and Mariners Bay (28) and believe this well-conceived project will add to the overall betterment of Marina Del Rey by providing needed visitor serving uses, jobs and additional critical mass to the area.

It is my understanding that the project applicant has made substantial modifications to its proposal to strike a fair balance with the community and he should be applauded for his efforts and his dedication to the effort.

I will be unable to attend the planning meeting on July 22nd but wish for this letter to be included in the public record.

Sincerely,


Timothy O'Brien
Sr. Managing Director

Cc: Gary Jones
Michael Tripp
Aaron Clark

Kevin Finkel

From: Richard Bruckner
Sent: Tuesday, July 07, 2015 2:59 PM
To: Kevin Finkel
Subject: FW: Marina del Rey - Parcel 9U - proposed hotel or alternative apartment complex

-----Original Message-----

From: Howard Sibelman [<mailto:howeez8802@gmail.com>]
Sent: Tuesday, July 07, 2015 2:35 PM
To: Richard Bruckner; Kevin Finkel; Sheila@bos.lacounty.gov;
MarkRidleyThomas@bos.lacounty.gov; hildalsolis@bos.lacounty.gov; Don@bos.lacounty.gov;
fifthdistrict@lacbos.org
Subject: Marina del Rey - Parcel 9U - proposed hotel or alternative apartment complex

The purpose of this email is to protest the development of Parcel 9U as anything other than a public park containing a small maritime museum including the history of Marina del Rey, and perhaps a center for educating the public about the Ballona wetlands (the southern portion of the parcel contains a wetland). One way of financing this would be to put a public bond issue on the ballot. I cannot attend the July 22, 2015 meeting of the Regional Planning Commission at which this proposal will be discussed and so I am writing this email.

Parcel 9U sits squarely in the middle of a residential area; a hotel does not belong on Via Marina. Moreover, there are already plenty of hotels nearby.

But even additional residential development would not be appropriate. The whole Marina suffers from incredible congestion caused by increasing the allowable population density to levels that the infrastructure cannot sustain. The Marina can only be accessed by a few streets off of Lincoln Blvd. The traffic on Lincoln Blvd, pumped up by the Playa Vista development, is intolerable. Accessing left turn lanes from Lincoln to enter the Marina is frequently impossible. Accessing left turn lanes to exit the Marina from Admiralty Way is often impossible. The meager left turn lanes cause traffic to back up into what are supposed to be through lanes further exacerbating what are already insufferable and dangerous conditions.

I have no doubt that there are already in existence, or will be in existence, environmental impact studies that conclude further development is feasible. I also have no doubt that not a single author of such studies lives in the Marina and suffers from the irreparable damage that has already been inflicted on its residents by allowing the current level of development.

Neither a hotel, nor a residential development should be allowed on Parcel 9U.

Howard Sibelman, CPA Retired

hss37@cornell.edu <<mailto:hss37@cornell.edu>> (preferred), or

howeez8802@gmail.com <<mailto:howeez8802@gmail.com>>

310 693-8802 Direct

310 736-8071 Mobile

UNITE HERE! LOCAL 11

Honor Roll Commissioners
Attn: Kevin Finkel
320 W. Temple Street RM 1350
Los Angeles, CA 90012
Sent via E-mail to: kfinkel@planning.lacounty.gov

July 8, 2015

Subject: Project Number: TR067861-(4)

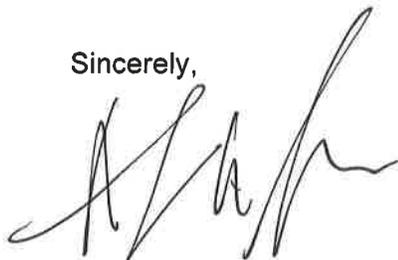
Honor Roll Commissioners:

I write on behalf of the 20,000 hotel and food service workers that Unite Here Local 11 represents in Los Angeles and Orange County to support the MDR Hotels LLC hotel development (formerly known as the Woodfin Hotel project) on Parcel 9U.

The developer, Samuel Hardage of MDR Hotels LLC, has recently agreed for the property to operate under a labor peace agreement. This is ideal for the County since it has a financial interest in the revenues from the land lease. A labor peace agreement will ensure that the revenues from the hotel are not disrupted from a labor dispute or work stoppage.

This is the first labor peace agreement for a hotel development in the Marina. It is a good precedent for the County to set regarding its financial interests in the hospitality industry. If you have any questions or concerns please feel free to call me at (818) 512-6210.

Sincerely,



Alexandra Weyman

UNITE HERE Local 11

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464 S. Lucas Ave., Suite 201
Los Angeles, CA 90017
(213) 481-8530 • Fax (213) 481-0352

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