

REPORT TO THE HEARING OFFICER

DATE ISSUED: September 19, 2024

HEARING DATE: October 1, 2024 AGENDA ITEM: 3

PROJECT NUMBER: R2013-02379-(2)

PERMIT NUMBER(S): Conditional Use Permit (“CUP”) No.
RPPL2023005551

SUPERVISORIAL DISTRICT: 2

PROJECT LOCATION: 4718 Admiralty Way, Marina del Rey, CA 90290

OWNER: County of Los Angeles

APPLICANT: Chipotle Mexican Grill

CASE PLANNER: Shawn Skeries, Principal Planner
sskeries@planning.lacounty.gov

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:

LA County Planning staff (“Staff”) recommends **APPROVAL** of Project Number R2013-02379-(2), CUP Number RPPL2023005551, based on the Findings (Exhibit C – Findings) contained within this report and subject to the Draft Conditions of Approval (Exhibit D – Conditions of Approval).

Staff recommends the following motions:

CEQA:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES.

ENTITLEMENT:

I, THE HEARING OFFICER, APPROVE CONDITIONAL USE PERMIT NUMBER RPPL2023005551 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

PROJECT DESCRIPTION

A. Entitlement Requested

The applicant is requesting a CUP to authorize the sale of a full line of alcoholic beverages for on-site consumption (Type 47 California Department of Alcoholic Beverage Control (“ABC”) License – Beer, Wine, and Distilled Spirits) in association with an existing Chipotle Mexican Grill restaurant (“Project”) pursuant to County Code Section 22.140.030 (Alcoholic Beverage Sales). The restaurant already sells beer and wine for on-site consumption. The Project is located at 4718 Admiralty Way within the Waterside at Marina del Rey shopping center (“shopping center”) in the unincorporated Marina del Rey community (“Project Site”). The Project Site is located in the Marina del Rey Land Use Plan’s (“LUP’s”) VS/CC (Visitor-Serving / Convenience Commercial) land use designation and the SP (Specific Plan) Zone.

B. Project

The Project consists of a request to authorize the sale of a full line of alcoholic beverages for on-site consumption in association with the existing Chipotle Mexican Grill restaurant on the Project Site. Chipotle Mexican Grill is an existing 2,445-square-foot restaurant with a 275-square-foot outdoor patio. The restaurant provides indoor seating for 50 patrons and an additional 20 seats for patrons on the outdoor patio. Parking for the Project is provided in the parking lot located in the center of the shopping center. At the time the shopping center was established, 630 parking spaces were provided in the parking lot, which was adequate for all the proposed commercial uses. The County Department of Public Works’ Building and Safety Division has determined that the restaurant has an occupancy load of 73 persons, requiring 24 parking spaces. These spaces are available in the parking lot.

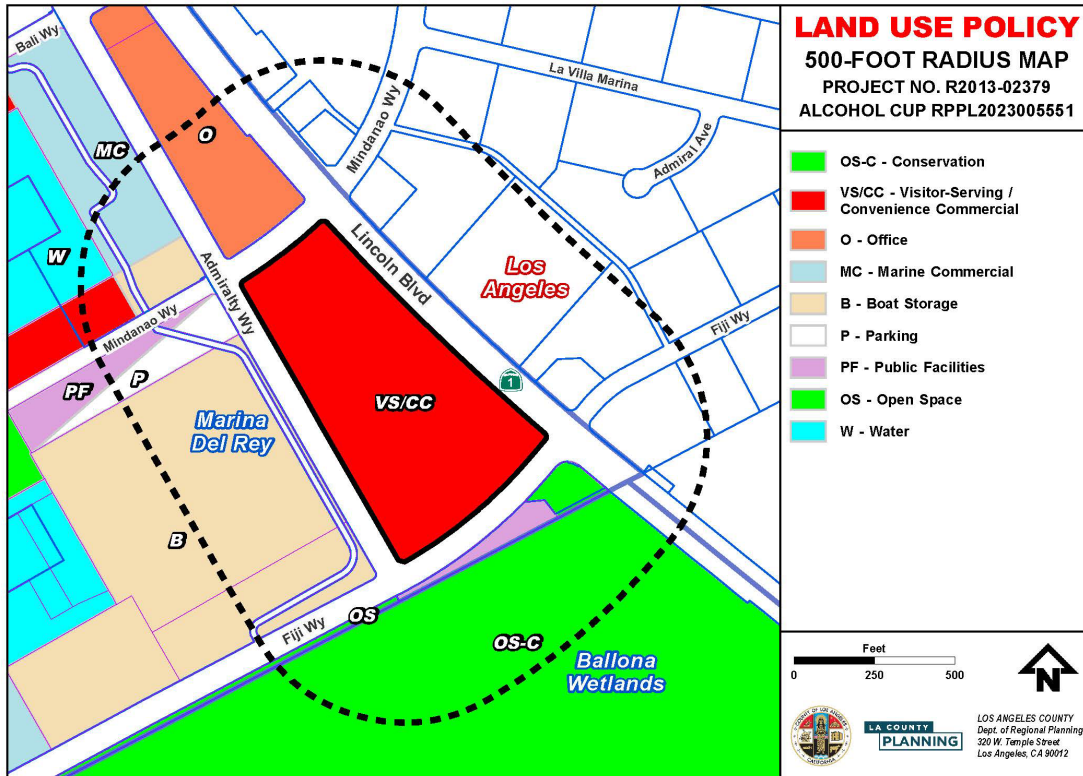
SUBJECT PROPERTY AND SURROUNDINGS

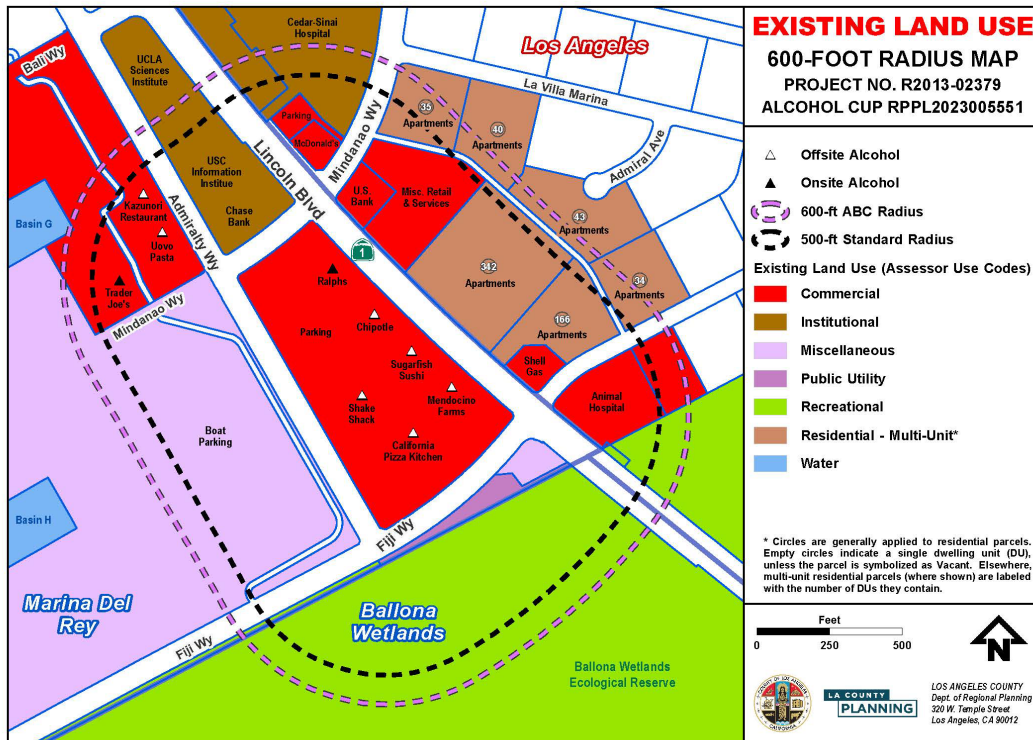
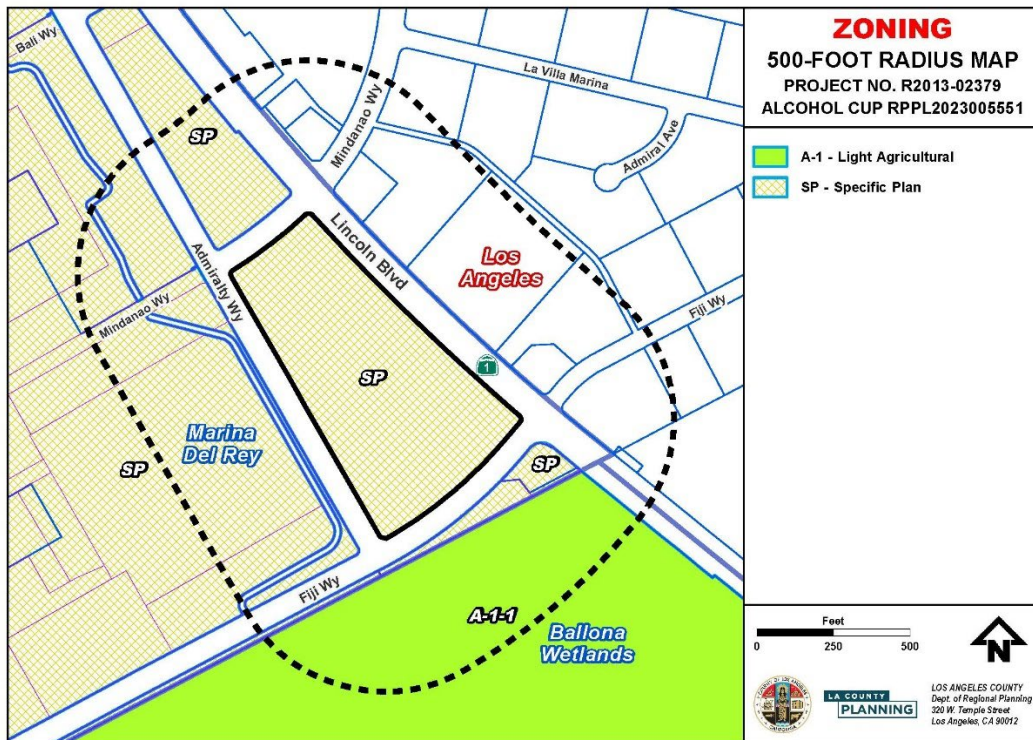
The following chart provides property data within a 500-foot radius:

LOCATION	MARINA DEL REY LAND USE POLICY	ZONING	EXISTING USES
SUBJECT PROPERTY	VS/CC (Visitor-Serving / Convenience Commercial)	SP	Restaurant in the Waterside at Marina del Rey Shopping Center
NORTH	O (Office) P (Parking) City of Los Angeles	SP	Park with Bike/Pedestrian Trail, Public Parking, Residential Uses
EAST	VS/CC O (Office) P (Parking) City of Los Angeles	SP	Mixed Commercial Uses, Public Parking, Boat

			Storage, Boat Slips, County Library
SOUTH	PF (Public Facilities) OS (Open Space) OS-C (Conservation)	SP A-1-1 (Light Agricultural One Acre Minimum Lot Size)	Boat Slips, Public Parking, Recreational
WEST	MC (Marine Commercial) B (Boat Storage) VS P OS W (Water) PF	SP	Restaurants, Boat Slips, Boat Parking, Mixed Commercial Uses

MAPS





PROPERTY HISTORY

A. Zoning History

ORDINANCE NO.	ZONING	DATE OF ADOPTION
1494	7 - Unrestricted	September 12, 1927
5575	A-1 (Light Agricultural)	August 8, 1950
7787	M-1 (Light Manufacturing)	May 17, 1960
7925	C-4 (Unrestricted Commercial)	January 3, 1963
900157z	SP (Specific Plan)	November 6, 1990

B. Previous Cases

CASE NO.	REQUEST	DATE OF ACTION
Plot Plan Number 15509	Construction of the Waterside at Marina del Rey Shopping Center	February 12, 1981
Variance Number 200900012	Vinyl window signs and freestanding signs	January 5, 2011
Conditional Use Permit Number 00-258	Sale of a full line of alcoholic beverages for on-site consumption	April 11, 2001
Conditional Use Permit Number 201300120	Sale of a full line of alcoholic beverages for on-site consumption	April 15, 2014

C. Violations

CASE NO.	VIOLATION	CLOSED/OPEN
N/A	N/A	N/A

ANALYSIS

A. Land Use Compatibility

The Project Site is located in the LUP's VS/CC land use designation. The Project is consistent with the goals and policies of the LUP because the VS/CC land use designation is intended for commercial uses, such as restaurants and the associated sale of alcoholic beverages for on-site consumption. The continued operation of the Chipotle Mexican Grill restaurant and the associated sale of a full line of alcoholic beverages for on-site consumption support the objectives of the LUP by taking advantage of the unique and desirable conditions in Marina del Rey to provide dining and entertainment opportunities for residents and visitors.

B. Neighborhood Impact (Need/Convenience Assessment)

The Chipotle Mexican Grill restaurant and the associated sale of a full line of alcoholic beverages for on-site consumption contribute to Marina del Rey's lively public

environment, which is well-known and appreciated by residents and visitors. Additionally, the existing restaurant will continue to contribute to the critical mass of entertainment and restaurant uses in Marina del Rey. Marina del Rey is a dense and active urban center, so the continued operation of the Chipotle Mexican Grill and the associated sale of a full line of alcoholic beverages for on-site consumption will positively impact the neighborhood by providing dining and entertainment options in the area.

Staff recommends a condition of Project approval that will allow the sale of a full line of alcoholic beverages for on-site consumption from 10 a.m. to 11 p.m. every day. Staff typically recommends limiting the hours of alcoholic beverage sales for off-site consumption at retail stores, such as convenience stores and supermarkets, from 10 a.m. to 10 p.m. However, this Project will allow alcoholic beverage sales for on-site consumption at a restaurant and Staff believes it is appropriate to allow sales until 11 p.m. every day due to the nature of the business, the Project Site, and the surrounding area, as described below.

The Chipotle Mexican Grill restaurant is open until 11 p.m. every day and the sale of alcoholic beverages for on-site consumption is a supplemental activity that compliments the primary activity of dining, so Staff believes it is appropriate to allow alcoholic beverage sales for on-site consumption during all hours that the restaurant is open. The Project is located in a community that ABC categorizes as a high crime reporting district and an area of undue concentration. Therefore, pursuant to County Code Section 22.140.030.F.2.a.i, the Hearing Officer must make a finding of public convenience or necessity.

Although the Project's Census Tract has a high concentration of ABC licenses authorizing the sale of alcoholic beverages for on-site consumption (31 existing where 12 are allowed), the request supports the public convenience of purchasing a full line of alcoholic beverages to complement the dining and food service activities at the associated restaurant. The request contributes to the dynamic and urban environment in Marina del Rey and enhances the aesthetic character and ambiance of the location by supporting an establishment committed to providing both high-quality fast food and a thoughtfully designed physical space with high-quality finishes. As noted below, the County Sheriff's Department, in a letter dated September 12, 2024, stated that all calls for service at the location have been route in nature, that this establishment has not been a problem, and recommended approval of the CUP. There have been no issues with the restaurant and the sale of beer and wine for on-site consumption at this location according to records maintained by the County Sheriff's Department and LA County Planning's Land Use Regulation Division, which handles zoning enforcement activities.

The Project is located in Marina del Rey, a community widely considered to be an entertainment and night-life district in which visitors and residents enjoy the concentration of restaurants and the associated sale of alcoholic beverages for on-site consumption. The sale of alcoholic beverages for on-site consumption in association with the restaurant

will contribute to an active and vibrant urban milieu enjoyed by residents and visitors of Marina del Rey and will not constitute a menace to public health, safety, and welfare, provided that the sales are conducted in compliance with the conditions of Project approval, including the condition limiting sales from 10 a.m. to 11 p.m. every day.

C. Design Compatibility

The existing restaurant with the associated alcoholic beverage sales for on-site consumption is located in an existing structure. This Project does not propose altering any previously approved structures. The location of this resident and visitor serving tenant supports the neighborhood and contributes to its medium-density, multi-use character. The existing restaurant and associated alcoholic beverage sales for on-site consumption will be a significant contributor to the urban character and relatively intense development of the Marina del Rey area and will support Marina del Rey's reputation as a destination for residents and visitors.

GENERAL PLAN/COMMUNITY PLAN CONSISTENCY

The Project is consistent with applicable goals and policies of the General Plan and the LUP. Consistency findings can be found in the attached Findings (Exhibit C – Findings).

ZONING ORDINANCE CONSISTENCY

The Project complies with all applicable zoning requirements. Consistency findings can be found in the attached Findings (Exhibit C – Findings).

BURDEN OF PROOF

The applicant is required to substantiate all facts identified by County Code Sections 22.140.030 (Alcoholic Beverage Sales) and 22.158.050 (Conditional Use Permit Findings and Decision). The Burdens of Proof with the applicant's responses are attached (Exhibit E – Applicant's Burden of Proof). Staff is of the opinion that the applicant has met both burdens of proof.

ENVIRONMENTAL ANALYSIS

Staff recommends that this Project qualifies for a Categorical Exemption (Class 1, Existing Facilities) under the California Environmental Quality Act ("CEQA") and the County environmental guidelines. The Project only authorizes the sale of a full line of alcoholic beverages for on-site consumption in association with an existing Chipotle Mexican Grill restaurant located at 4718 Admiralty Way within an existing shopping center in the unincorporated Marina del Rey community. Therefore, Staff recommends that the Hearing Officer determine that the Project is categorically exempt from CEQA. An environmental determination (Exhibit F – Environmental Determination) was issued for the Project.

COMMENTS RECEIVED

A. County Department Comments and Recommendations

The Sheriff's Department, in a letter dated September 12, 2024, stated that all calls for service at the location have been routine in nature, that this establishment has not been a problem, and recommended approval of the CUP.

B. Other Agency Comments and Recommendations

Staff has not received any comments at the time of report preparation.

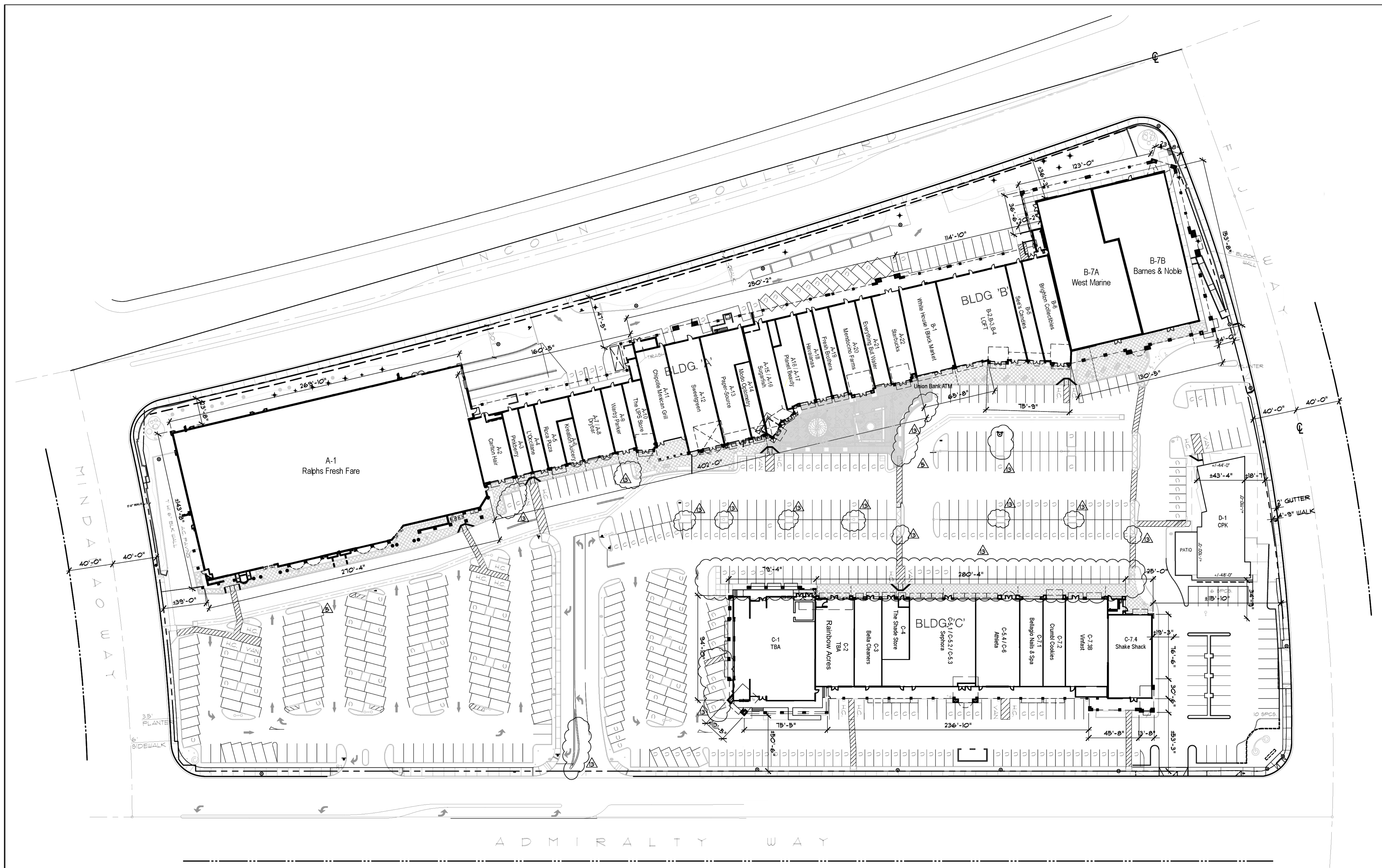
C. Public Comments

Staff has not received any comments at the time of report preparation.

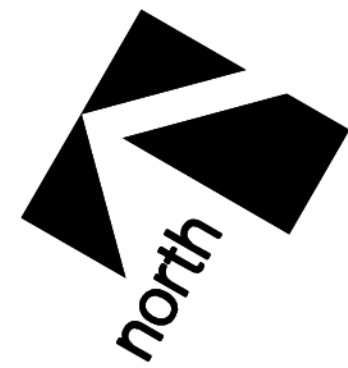
Report
Reviewed By: Rob Glaser
Robert Glaser, Supervising Regional Planner

Report
Approved By: M. Glaser
Mitch Glaser, Assistant Deputy Director

LIST OF ATTACHED EXHIBITS	
EXHIBIT A	Plans
EXHIBIT B	Project Summary Sheet
EXHIBIT C	Findings
EXHIBIT D	Conditions of Approval
EXHIBIT E	Applicant's Burden of Proof
EXHIBIT F	Environmental Determination
EXHIBIT G	Informational Maps
EXHIBIT H	Photos
EXHIBIT I	Agency Correspondence



NOTES:
 1. THE SIZE AND LOCATION OF THE BUILDINGS AND RELATED STRUCTURES ARE APPROXIMATE. THE CONFIGURATION OF THE DEVELOPMENT, THE DESIGN AND LOCATION OF THE BUILDINGS AND RELATED STRUCTURE PARKING, VEHICULAR ACCESS, STREETS, ROADS, ENTRANCES, COMMON AREAS AND ALL OTHER IMPROVEMENTS AND IDENTITY AND LOCATION OF OTHER TENANTS, TO THE EXTENT DEPICTED, ARE SUBJECT TO CHANGE FOR ANY REASON DEEMED SUFFICIENT BY LANDLORD WITHOUT NOTICE TO PROSPECTIVE TENANTS OR EXISTING TENANTS.



OVERALL SITE PLAN

SCALE: 1"=40'

1

REVISIONS		
08-03-08		
08-23-12	05-14-12	
05-12-12	04-02-13	
05-12-14	08-04-14	
09-29-15	05-18-17	

OWNER:
 101 The Grove Drive
 Los Angeles, CA 90036



PERKOWITZ+RUTH ARCHITECTS
 Architecture/Planning/Store Design
 15 Corporate Plaza, Suite 200, Newport Beach, CA 92660 Tel: (949) 771-8888 Fax: (949) 771-8851

PROJECT:
 4745 Lincoln Blvd.
 Marina del Rey, CA 90292



BID DATE: 08-06-04
 JOB NUMBER: C3-450-23
 PLOT DATE: 06-21-06
 DRAWN BY:
 TEAM:
 SHEET TITLE:
 OVERALL SITE PLAN
 SHEET NO:

SA10

PARKING MATRIX FORM

PROJECT NO:

SITE ADDRESS:

PERMIT NO:

APN:

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NAME OF BUSINESS	ADDRESS, UNIT OR SUITE NO.	USE (Retail, office, restaurant, residential, etc.)	GROSS SQ. FT. OF UNIT	OCCUPANT LOAD ¹ (If applicable)	PARKING RATIO	SPACES REQUIRED ²	SPACES PROVIDED
Ralphs	A-1	Retail	35983		1 p/250sf	143.932	143.932
Carlton Hair	A-2	Retail	1700		1 p/250sf	6.8	6.8
Pinkberry	A-3	Restaurant	856	27	1 p/3 occupants	9	9
L Occitane	A-4	Retail	900		1 p/250sf	3.6	3.6
Roca Pizza	A-5	Restaurant	1320	24	1 p/3 occupants	8	8
Kreation Juicery	A-6	Retail	600		1 p/250sf	2.4	2.4
Drybar	A-7/A-8	Retail	1796		1 p/250sf	7.184	7.184
Warby Parker	A-9	Retail	1100		1 p/250sf	4.4	4.4
The UPS Store	A-10	Retail	1143		1 p/250sf	4.572	4.572
Chipotle Mexican Grill	A-11	Restaurant	2700	73	1 p/3 occupants	24.333	24.333
Sweetgreen	A-12	Restaurant	3200	61	1 p/3 occupants	20.333	20.333
Paper Source	A-13	Retail	2922		1 p/250sf	11.688	11.688
Modo Optometry	A-14	Retail	985		1 p/250sf	3.94	3.94
Sugarfish	A-15/A-16	Restaurant	2185	67	1 p/3 occupants	22.333	22.333
Planet Beauty	A-17	Retail	2010		1 p/250sf	8.04	8.04
						TOTAL SPACES REQUIRED³	
						TOTAL SPACES PROVIDED	
<p>1 Attach completed Building & Safety Occupancy Load Determination Form A.</p> <p>2 Please refer to Chapter 22.112 of the Zoning Code.</p> <p>3 If the total number of required spaces is a fraction, round to the nearest whole number.</p>						<i>Difference*</i>	

By my signature below, I certify that this analysis data is true to the best of my knowledge.

*A negative difference may require an authorized Parking Permit or Minor Parking Deviation

PROPERTY OWNER OR APPLICANT SIGNATURE

DATE OF SIGNATURE

PRINT NAME

Attach additional sheets, if necessary

PARKING MATRIX FORM

PROJECT NO:

SITE ADDRESS:

PERMIT NO:

APN:

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NAME OF BUSINESS	ADDRESS, UNIT OR SUITE NO.	USE (Retail, office, restaurant, residential, etc.)	GROSS SQ. FT. OF UNIT	OCCUPANT LOAD ¹ (If applicable)	PARKING RATIO	SPACES REQUIRED ²	SPACES PROVIDED
Havaianas	A-18	Retail	1200		1 p/250sf	4.8	4.8
Fresh Brothers	A-19	Restaurant	1200	30	1 p/3 occupants	10	10
Mendocino Farms	A-20	Restaurant	2206	75	1 p/3 occupants	25	25
Everything But Water	A-21	Retail	1200		1 p/250sf	4.8	4.8
Starbucks	A-22	Retail	2029		1 p/250sf	8.116	8.116
White House Black Market	B-1	Retail	2823		1 p/250sf	11.292	11.292
Loft	B-2, B-3, B-4	Retail	5420		1 p/250sf	21.68	21.68
See's Candies	B-5	Retail	1345		1 p/250sf	5.38	5.38
Brighton Collectibles	B-6	Retail	2362		1 p/250sf	9.448	9.448
West Marine	B-7A	Retail	8574		1 p/250sf	34.296	34.296
Vacant	B-7B	Retail	8376		1 p/250sf	N/A	N/A
Vacant	C-1	Retail	5912		1 p/250sf	N/A	N/A
Rainbow Acres	C-2	Retail	2800		1 p/250sf	11.2	11.2
Bella Cleaners	C-3	Retail	2000		1 p/250sf	8	8
Shade Store	C-4	Retail	1371		1 p/250sf	5.484	5.484
1 Attach completed Building & Safety Occupancy Load Determination Form A. 2 Please refer to Chapter 22.112 of the Zoning Code. 3 If the total number of required spaces is a fraction, round to the nearest whole number.						TOTAL SPACES REQUIRED³	208
						TOTAL SPACES PROVIDED	
						<i>Difference*</i>	

By my signature below, I certify that this analysis data is true to the best of my knowledge.

*A negative difference may require an authorized Parking Permit or Minor Parking Deviation

PROPERTY OWNER OR APPLICANT SIGNATURE

DATE OF SIGNATURE

PRINT NAME

JACKIE LUY

9/18/23

Attach additional sheets, if necessary

**PROJECT NUMBER**

R2013-02379-(2)

HEARING DATE

October 1, 2024

REQUESTED ENTITLEMENT(S)

Conditional Use Permit (CUP) No. RPPL2023005551

PROJECT SUMMARY

OWNER / APPLICANT

County of Los Angeles / Chipotle Mexican Grill

MAP/EXHIBIT DATE

August 12, 2013 (floor plan) May 18, 2017 (site plan)

PROJECT OVERVIEW

Request for a CUP to authorize the sale of a full line of alcoholic beverages for on-site consumption (Type 47 California Department of Alcoholic Beverage Control License – Beer, Wine, and Distilled Spirits) in association with an existing Chipotle Mexican Grill restaurant (“Project”) at 4718 Admiralty Way in the unincorporated Marina del Rey community. The restaurant already sells beer and wine for on-site consumption. The Project is located within the Marina del Rey Specific Plan and the Marina del Rey Land Use Plan, which together make up the Marina del Rey Local Coastal Program.

LOCATION

4718 Admiralty Way, Marina del Rey, CA 90292

ACCESS

Admiralty Way

ASSESSORS PARCEL NUMBER

4224-009-906

SITE AREA

10.7 Acres

GENERAL PLAN / LOCAL PLAN

Marina del Rey Specific Plan

ZONED DISTRICT

Playa del Rey

PLANNING AREA

Westside

LAND USE DESIGNATION

VS / CC (Visitor-Serving / Convenience Commercial)

ZONE

SP (Specific Plan)

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

N/A

ENVIRONMENTAL DETERMINATION (CEQA)

Class 1 Categorical Exemption – Existing Facilities

KEY ISSUES

- Consistency with the Marina del Rey Land Use Plan
- Satisfaction of the following portions of Title 22 of the Los Angeles County Code:
 - Section 22.46.1390 (Visitor-Serving / Convenience Commercial – Permitted Uses)
 - Section 22.46.1410 (Visitor-Serving / Convenience Commercial – Development Standards)
 - Section 22.140.030 (Alcoholic Beverage Sales)
 - Section 22.158.050 (Conditional Use Permit Findings and Decision Requirements)

CASE PLANNER:

Shawn Skeries

PHONE NUMBER:

(213) 893-7042

E-MAIL ADDRESS:

sskeries@planning.lacounty.gov

**LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING
FINDINGS OF THE HEARING OFFICER
AND ORDER
PROJECT NO. R2013-02379-(2)
CONDITIONAL USE PERMIT NO. RPPL2023005551**

RECITALS

1. **HEARING DATE(S).** The Los Angeles County (“County”) Hearing Officer conducted a duly noticed public hearing on October 1, 2024, in the matter of Conditional Use Permit No. **RPPL2023005551** (“CUP”).
2. **HEARNIG PROCEEDINGS.** *Reserved*
3. **ENTITLEMENT REQUESTED.** The Permittee, Chipotle Mexican Grill, requests the CUP to authorize the sale of a full line of alcoholic beverages (Type 47 California Department of Alcoholic Beverage Control (“ABC”) License – Beer, Wine, and Distilled Spirits) for on-site consumption in association with the Chipotle Mexican Grill restaurant (“Project”) on a property located at 4718 Admiralty Way within the Waterside at Marina del Rey shopping center in the unincorporated community of Marina del Rey, also known as Lease Parcel 50 ("Project Site"), in the Specific Plan (SP) Zone pursuant to Los Angeles County Code ("County Code") Section 22.140.030. The restaurant already sells beer and wine for on-site consumption.
4. **PREVIOUS ENTITLEMENTS.** Plot Plan No. 15509, approved on February 12, 1981, authorized the construction of the Waterside at Marina del Rey Shopping Center.
5. **PREVIOUS ENTITLEMENTS.** Variance No. 200900012, approved on January 5, 2011, authorized vinyl window signs and freestanding signs.
6. **PREVIOUS ENTITLEMENTS.** CUP No. 00-258, approved on April 11, 2001, authorized the sale of a full line of alcoholic beverages for on-site consumption.
7. **PREVIOUS ENTITLEMENTS.** CUP No. 201300120, approved on April 15, 2014, authorized the sale of a full line of alcoholic beverages for on-site consumption.
8. **LAND USE DESIGNATION.** The Project Site is located within the VS/CC (Visitor-Serving/Convenience Commercial) land use designation of the Marina del Rey Land Use Plan.
9. **ZONING.** The Project Site is located in the Playa del Rey Zoned District and is currently zoned SP. Pursuant to County Code Section 22.140.030 (Alcoholic Beverage Sales), a CUP is required for the sale of alcoholic beverages for on-site consumption.

10. SURROUNDING LAND USES AND ZONING

LOCATION	MARINA DEL REY LAND USE POLICY	ZONING	EXISTING USES
NORTH	O (Office) P (Parking) City of Los Angeles	SP	Park with Bike/Pedestrian Trail, Public Parking, Residential Uses
EAST	VS/CC O (Office) P (Parking) City of Los Angeles	SP	Mixed Commercial Uses, Public Parking, Boat Storage, Boat Slips, County Library
SOUTH	PF (Public Facilities) OS (Open Space) OS-C (Conservation)	SP A-1-1 (Light Agricultural One Acre Minimum Lot Size)	Boat Slips Public Parking, Recreational
WEST	MC (Marine Commercial) B (Boat Storage) VS P OS W (Water) PF	SP	Restaurants, Boat Slips, Boat Parking, Mixed Commercial Uses

11. PROJECT AND SITE PLAN DESCRIPTION.

A. Existing Site Conditions

The Project Site is 10.7 gross acres in size and consists of one leased parcel (“Parcel 50”). The Project Site is rectangular in shape with flat topography and is developed with an existing shopping center and a paved surface parking lot.

B. Site Access

The Project Site is accessible via Admiralty Way to the south, Mindanao Way to the west, Lincoln Boulevard to the north, and Fiji Way to the east. Primary access to the Project Site is via an entrance/exit on Admiralty Way. Secondary access to the Project Site is via entrances/exits on Mindanao Way and Fiji Way.

C. Site Plan

The Site Plan depicts the Project Site with the shopping center, parking, and landscaping. Chipotle Mexican Grill includes 2,445 square feet of building area plus an additional 275-square-foot outdoor seating patio area. Parking is provided in the center of the shopping center with 24 total spaces for the restaurant.

12. CEQA DETERMINATION. Prior to the Hearing Officer’s public hearing regarding the Project, County Department of Regional Planning (“LA County Planning”) Staff (“Staff”) determined that the Project qualified for a Class 1, Existing Facilities, categorical exemption from the California Environmental Quality Act (Public

Resources Code section 21000, et seq.) (“CEQA”), and the County Environmental Document Reporting Procedures and Guidelines, because the Project involves the sale of a full line of alcoholic beverages for on-site consumption in association with an existing Chipotle Mexican Grill restaurant in an existing shopping center with no expansion of the previously permitted use and structures.

13. **COMMUNITY OUTREACH.** No community outreach was conducted for this existing land use and the request for the continued sale of a full line alcoholic beverages for on-site consumption.

14. **PUBLIC COMMENTS.** Prior to the publication of the Report to the Hearing Officer dated September 19, 2024, Staff did not receive any public correspondence regarding the Project.

15. **AGENCY RECOMMENDATIONS.**

County Sheriff’s Department: In a letter dated September 12, 2024, the County Sheriff’s Department stated that all calls for service at the location have been route in nature, that this establishment has not been a problem, and recommended approval of the CUP.

16. **LEGAL NOTIFICATION.** Pursuant to County Code Section 22.222.120 (Public Hearing Procedure), the community was properly notified of the public hearing by mail, newspaper (*The Argonaut*), and property posting. Additionally, the Project was noticed, and case materials were available on LA County Planning's website. On August 22, 2024, a total of 83 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 34 notices to those on the courtesy mailing list for the Playa del Rey Zoned District and to any additional interested parties.

GENERAL PLAN CONSISTENCY FINDINGS

17. **LAND USE POLICY.** The Hearing Officer finds that the Project is consistent with the goals and policies of the Marina del Rey Land Use Plan because the VS/CC land use designation is intended for commercial uses, such as restaurants and the associated sale of alcoholic beverages for on-site consumption. The Hearing Officer further finds that the Project promotes public access to, and the enjoyment of, the Marina del Rey waterfront and the associated coastal resources.

18. **GOALS AND POLICIES.** The Hearing Officer finds that the following goals and policies of the General Plan and the Marina del Rey Land Use Plan are applicable to the Project:

General Plan:

A. Goal LU 5: Vibrant, livable, and healthy communities with a mix of land uses, services, and amenities. Authorizing the existing restaurant to sell a full line of alcoholic beverages for on-site consumption encourages a diversity of commercial

services to meet local needs. Although there are many restaurants that serve alcoholic beverages in Marina del Rey, many of those restaurants are not located within walking distance of the residences in the Project Site's vicinity. Chipotle Mexican Grill contributes to a valuable concentration of convenient commercial land uses to serve the needs of residents, visitors, and the greater Marina del Rey community.

- B. Goal LU 7: Compatible land uses that complement neighborhood character and the natural environment.** The existing restaurant with the associated alcoholic beverage sales for on-site consumption is in an existing structure. The location of this visitor serving restaurant supports the neighborhood and contributes to its medium-density, multi-use character. The existing restaurant and the associated alcoholic beverages sales for on-site consumption is a significant contributor to the urban character and relatively intense development of the Marina del Rey area and supports Marina del Rey's reputation as a destination for visitors and residents.

Marina del Rey Land Use Plan:

- C. Marina Del Rey Land Use Plan – Element A.2, Policy 1: Visitor-serving uses may be provided in the LCP Area in accordance with the Existing & Proposed Visitor-Serving Facilities, as depicted on Map 5. Typical visitor-serving uses may include public or private recreation, parks, cultural and educational facilities, gift and specialty shops, service concessions, (i.e., boat, bicycle, or skate rentals), bicycle lockers, food, and drink establishments, overnight lodging, and related parking areas.** The request by the existing restaurant to serve a full line of alcoholic beverages for on-site consumption is consistent with the existing and proposed visitor-serving facilities in the vicinity. Authorizing an existing restaurant to sell a full line of alcoholic beverages for on-site consumption encourages more visitors and increases leisure activities in Marina del Rey's unique waterfront environment.
- D. Marina Del Rey Land Use Plan – Element A.1, 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 comprised, such as boatyards, dry stack storage facilities, launch ramps and public and private hoists or small craft stage areas, as well as sheriff, fire, and lifeguard facilities.** By authorizing the sale of a full line of alcoholic beverages for on-site consumption in conjunction with the Chipotle Mexican Grill restaurant at an existing location, the Project enhances public access to the coastal region by providing a high-quality urban experience and encourages access to, and the use of, the existing waterfront promenade.
- E. Marina Del Rey Land Use Plan – Element A.1, Policy 14: Public opportunities for viewing the Marina's scenic elements, particularly the small craft harbor water areas, shall be enhanced and preserved.** By authorizing the sale of a full

line of alcoholic beverages for on-site consumption in conjunction with the Chipotle Mexican Grill restaurant at an existing location, the Project enhances opportunities for public access and viewing of Marina del Rey's existing waterfront promenade.

ZONING CODE CONSISTENCY FINDINGS

19. **PERMITTED USE IN ZONE.** The Hearing Officer finds that the Project is consistent with the VS/CC land use designation because the sale of a full line of alcoholic beverages for on-site consumption in conjunction with a restaurant is permitted with a CUP pursuant to County Code Section 22.140.030. Plot Plan No. 15509, approved on February 12, 1981, authorized the Waterside at Marina del Rey Shopping Center where the Chipotle Mexican Grill is located.
20. **REQUIRED YARDS.** The Hearing Officer finds that the Project is consistent with the provisions of County Code Section 22.46.1410, as verified by Plot Plan No. 15509.
21. **HEIGHT.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.46.1410, as verified by Plot Plan No. 15509.
22. **PARKING.** The Hearing Officer also finds that the Project is consistent with the standards identified in County Code Chapter 22.112, as verified by Plot Plan No. 15509. The County Department of Public Works' Building and Safety Division has determined that the restaurant has an occupancy load of 73 persons, requiring 24 parking spaces, one of which must be accessible to persons with disabilities in compliance with the Americans with Disabilities Act. These spaces are available in the established parking lot.
23. **SIGNS.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Chapter 22.114, as verified by Variance No. 200900012.

CONDITIONAL USE PERMIT FINDINGS

24. **The Hearing Officer finds that 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.** The continued operation of a restaurant and the associated sale of alcoholic beverages for on-site consumption presents minimal risk of adversely affecting the health, peace, comfort, or welfare of persons residing or working in the area because it will not create negative impacts to the circulation, aesthetic, or environmental conditions in the Marina del Rey community. The sale of alcoholic beverages for on-site consumption in association with the Chipotle Mexican Grill restaurant will contribute to an active and vibrant urban milieu enjoyed by residents and visitors of Marina del Rey and does not constitute a menace to public health, safety, and welfare, provided that the sales are conducted in compliance with the conditions of Project approval.

A condition of Project approval allows the sale of a full line of alcoholic beverages for on-site consumption from 10 a.m. to 11 p.m. every day. Staff typically recommends limiting the hours of alcoholic beverage sales for off-site consumption at retail stores, such as convenience stores and supermarkets, from 10 a.m. to 10 p.m. However, this Project allows alcoholic beverage sales for on-site consumption at a restaurant, and it is appropriate to allow sales until 11 p.m. every day due to the nature of the business, the Project Site, and the surrounding area.

The Chipotle Mexican Grill restaurant is open until 11 p.m. every day and the sale of alcoholic beverages for on-site consumption is a supplemental activity that compliments the primary activity of dining, so it is appropriate to allow alcoholic beverage sales for on-site consumption during all hours that the restaurant is open. The restaurant and the associated sale of a full line of alcoholic beverages for on-site consumption contribute to Marina del Rey's lively public environment, which is well-known and appreciated by residents and visitors. Additionally, the existing restaurant will continue to contribute to the critical mass of entertainment and restaurant uses in Marina del Rey. Marina del Rey is a dense and active urban center, so the continued operation of the Chipotle Mexican Grill and the associated sale of a full line of alcoholic beverages for on-site consumption will positively impact the neighborhood by providing dining and entertainment options in the area. Marina del Rey is a community widely considered to be an entertainment and night-life district in which visitors and residents enjoy the concentration of restaurants and the associated sale of alcoholic beverages for on-site consumption.

25. **The Hearing Officer finds 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 Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.** The Project will be located on Lease Parcel 50, which represents only a small part of a larger parcel occupied by other retail, restaurant, and office uses. The Project does not propose any additions to the previously approved shopping center or the previously approved restaurant land use.
26. **The Hearing Officer finds that the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.** Admiralty Way is an arterial roadway with multiple lanes in each direction. The Project does not propose any changes to the existing entrances to Lease Parcel 50. The continued operation of the Chipotle Mexican restaurant with the associated sale of a full line of alcoholic beverages for on-site consumption will not generate any additional need for public or private services.
27. **GRANT TERM.** The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the CUP to 10 years.

SUPPLEMENTAL FINDINGS

28. **The Hearing Officer finds 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 any similar use within a 600-foot radius.** The Project is located within 600 feet of the USC Information Institute and the UCLA Sciences Institute, which is located across Mindanao Way from Lease Parcel 50. The Project Site is surrounded by existing developments consisting of commercial, parking, office, and retail land uses. Therefore, the Project Site is sufficiently separated from any sensitive land uses to ensure that the activity associated with the Project will not impact sensitive land uses.
29. **The Hearing Officer finds that the requested use 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.** The Project Site consists of one tenant space within a shopping center on Lease Parcel 50, which is within a larger County-owned parcel and is surrounded by office, retail, boating, and parking land uses. The Project Site is not adjacent to any residential land uses and is sufficiently buffered from nearby residential land uses by highly trafficked arterial roadways.
30. **The Hearing Officer finds that the requested use at the proposed location will not adversely affect the economic welfare of the nearby community.** The Chipotle Mexican Grill restaurant and the associated sale of a full line of alcoholic beverages for on-site consumption will be located within a shopping center on Lease Parcel 50 within a larger County-owned parcel. The Project includes an existing restaurant as the primary land use and the sale of alcoholic beverages for on-site consumption is a supplemental activity that compliments the primary activity of dining. It is not anticipated that the sale of alcoholic beverages for on-site consumption will create any identifiable negative economic impacts of the nearby community.
31. **The Hearing Officer finds that the exterior appearance of the structure will not be inconsistent with the exterior appearance of 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 the neighborhood.** This Project proposes no changes to the existing building where the existing restaurant is located.
32. **The Hearing Officer finds that even though the proposed sale of alcohol would occur at a site within a high crime reporting district or in an area of undue concentration, pursuant to the California Alcoholic Beverage Control Act and the regulations adopted under that Act, or that the use selling alcoholic beverages for off-site consumption is proposed within a 500-foot radius of another use selling alcoholic beverages for off-site consumption, the sale of alcohol at the subject property contributes to the public convenience or necessity.** The Project is located in an existing structure. The Project is located in a community that ABC categorizes as a high crime reporting district and an area of undue concentration. Although the Project's Census Tract has a high concentration of ABC licenses authorizing the sale of alcoholic beverages for on-site consumption (31 existing where

12 are allowed), the Project is located in Marina del Rey, a community widely considered to be an entertainment and night-life district in which visitors and residents enjoy the concentration of restaurants and the associated sale of alcoholic beverages for on-site consumption. The County Sheriff's Department, in a letter dated September 12, 2024, stated that all calls for service at the location have been routine in nature, that this establishment has not been a problem, and recommended approval of the CUP. There have been no issues with the restaurant and the sale of alcoholic beverages for on-site consumption at this location according to records maintained by the County Sheriff's Department and LA County Planning's Land Use Regulation Division, which handles zoning enforcement activities.

The sale of alcoholic beverages for on-site consumption is related and essential to the associated restaurant, which cannot operate in a viable manner without the inclusion of alcoholic beverage sales. The requested land use enhances the economic viability of Marina del Rey by adding to its critical mass of dining and entertainment establishments. The request enhances recreational and entertainment opportunities in the area by supporting an existing established restaurant and by contributing to the vibrant urban environment enjoyed in Marina del Rey.

The request supports the public convenience of purchasing a full line of alcoholic beverages to complement the dining and food service activities at the associated restaurant. The request will contribute to the dynamic and urban environment in Marina del Rey and will enhance the aesthetic character and ambiance of the location of an already established structure.

ENVIRONMENTAL FINDINGS

33. The Hearing Officer finds that the Project is exempt from CEQA pursuant to State CEQA Guidelines section 15301 (Class 1, Existing Facilities Categorical Exemption). The Project is located in previously approved structure built in 1981.

ADMINISTRATIVE FINDINGS

34. **LOCATION OF DOCUMENTS.** The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at LA County 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 Coastal Development Services Section, LA County Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. 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.

- C. 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 Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. 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.
- E. The proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity, so as not to adversely affect said area.
- F. The proposed location will not adversely affect the economic welfare of the nearby community.
- G. The exterior appearance of the structure will not be inconsistent with the exterior appearance of 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 the neighborhood.
- H. The proposed Project would allow the sale of a full line of alcoholic beverages for on-site consumption within an existing restaurant located within the Marina del Rey community and would contribute to the public's convenience and necessity. Further, the Project has been conditioned to ensure adequate consideration of the Project's location within an area of highly concentrated ABC licenses.

THEREFORE, THE HEARING OFFICER:

1. Finds that the Project is exempt from CEQA pursuant to State CEQA Guidelines section 15301 (Class 1, Existing Facilities Categorical Exemption); and
2. Approves **CONDITIONAL USE PERMIT NO. RPPL2023005551**, subject to the attached conditions.

ACTION DATE: October 1, 2024

MG:RG:SS

9/19/2024

c: Hearing Officer, Zoning Enforcement, Building and Safety

**LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING**

**CONDITIONS OF APPROVAL
PROJECT NO. R2013-02379-(2)
CONDITIONAL USE PERMIT NO. RPPL2023005551**

PROJECT DESCRIPTION

The project is a the sale of a full line of alcoholic beverages for on-site consumption (California Department of Alcoholic Beverage Control (“ABC”) Type 47 License – Beer, Wine, and Distilled Spirits) at the Chipotle Mexican Grill restaurant located on a property located at 4718 Admiralty Way within the Waterside at Marina del Rey shopping center in the unincorporated community of Marina del Rey, also known as Lease Parcel 50, 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 (“LA County Planning”) their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and until all required monies have been paid pursuant to Condition No. 9. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 3, 4, and 8, shall be effective pursuant to County Code Section 22.222.230.
3. 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.
4. 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 LA County 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 LA County 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.

5. 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.
6. Upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
7. **This grant shall terminate on October 1, 2034.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with LA County Planning or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least twelve months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
8. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
9. 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. No provision of any easement of any other encumbrance on the property shall exempt the permittee and/or property owner from compliance with these conditions and applicable regulations. 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 **\$4410.00**, which shall be placed in a performance fund and be used exclusively to reimburse LA County Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of this grant. The fund provides for **ten (10)** inspections.

Inspections may be unannounced. Inspections may be conducted utilizing any available technologies, including, but not limited to, unmanned aircraft systems (UAS). Use of an UAS requires the approval of the permittee pursuant to LA County Planning's UAS Policy, which may be updated from time to time, and which shall be provided to the permittee upon request.

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 LA County Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be **\$441.00** per inspection, or the current recovery cost established by LA County Planning at the time any additional inspections are required, whichever is greater.

10. 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 County Code Chapter 22.238.
11. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.
12. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
13. 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 LA County Planning ("Director").
14. 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.
15. 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 LA County 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 48 hours of such

notification, 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.

16. 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, **one (1) digital copy in PDF file format** of a modified Exhibit "A" shall be submitted to LA County Planning by **December 2, 2024**.
17. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **one (1) digital copy in PDF file format** 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.
18. The conditions of this grant shall always be retained on the premises and shall be immediately produced upon request by any County Sheriff, County Zoning Enforcement inspector, or State of California ABC agent. The manager and all employees of the facility shall be knowledgeable of the conditions herein. Violation of the conditions herein may subject the use to the provisions of County Code Chapter 22.238 (Modifications and Revocations).

PERMIT-SPECIFIC CONDITIONS - CONDITIONAL USE PERMIT

19. Loitering, including loitering by employees of the subject property, shall be prohibited on or within the immediate vicinity of the subject property, including adjacent public and private parking lots, public sidewalks, alleys, and other public rights-of-way. Signage in compliance with County Code Chapter 22.114 (Signs) shall be placed on the exterior of the premises indicating said prohibition. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary. If loitering occurs on a continuous basis, as determined by the County Sheriff, a security guard shall be required during business hours at the discretion of the Director.
20. All employees who directly serve or are in the practice of selling alcoholic beverages, including managers and security personnel, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by the State of California Department of Alcoholic Beverage Control, or a similar program, such as STAR (Standardized Training for Alcohol Retailers) or another comparable State of California-certified program. All newly 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 facility's training program by employees, the licensee, and all managers shall be provided to Zoning Enforcement within 90 days of the effective date of this Conditional Use Permit, and subsequently within 90 days of the hire date of all new employees and/or managers.

21. The permittee and all managers and employees shall not allow the sale of alcoholic beverages to any intoxicated person, any person appearing to be intoxicated, or any person exhibiting behaviors associated with being intoxicated.
22. 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, or within any portion of the interior of any structure that is visible from the outside.
23. No publicly accessible telephones shall be maintained or permitted on the exterior of the premises. Any existing publicly accessible telephones shall be removed within 90 days of the effective date of this Conditional Use Permit.
24. Alcoholic beverages shall only be sold or served to patrons aged 21 or older.
25. The permittee shall post the telephone numbers of local law enforcement agencies and shall post the telephone numbers of taxicab companies or a sign promoting ridesharing options, at or near the cashier or within a similar public service area. Such telephone numbers shall be visible by, and available to, the public.
26. The permittee shall provide adequate exterior lighting above all entrances and exits to the premises and in all public and private parking lots and walkways under the control of the permittee or required as a condition of this grant. All exterior lighting required by this grant shall be of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons within lighted areas during operating hours and shall be designed to direct light and glare only onto the premises.
27. A numbering address sign, in compliance with County Code Chapter 22.114 (Signs), shall be located at the front of the building in a location clearly visible from the property grounds and the nearest public street to the satisfaction of the Director.
28. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
29. The premises, including exterior facades, adjacent public and private parking lots, fences, and adjacent sidewalks, alleys, and other public rights-of-way, shall be maintained in a neat and orderly condition and be free of garbage, trash, debris, or junk and salvage, except in designated trash collection containers and enclosures. All garbage, trash, debris, or junk and salvage shall be collected, and disposed of, daily.
30. The permittee shall maintain active and functional surveillance recording equipment which captures video recordings of adjacent public and private parking lots, public sidewalks, alleys, and other public rights-of-way on a continuous loop. Recordings shall be retained for a minimum of 30 days and shall be immediately produced upon request of any County Sheriff or Zoning Enforcement Inspector.
31. This grant authorizes the sale of alcoholic beverages from 10:00 a.m. to 11:00 p.m. seven days a week.

32. There shall be no consumption of alcoholic beverages outside the designated areas of the subject facility, as depicted on the site and floor plans labeled Exhibit "A." The permittee shall instruct all designated employees, who directly serve or are in the practice of selling alcoholic beverages, regarding this restriction. Employees shall be instructed to enforce such restrictions and to call local law enforcement as necessary.
33. The permittee shall develop and implement a Designated Driver program (e.g., free soft drinks or coffee to a designated driver of a group). A printed two-side card explaining this program shall be placed on all tables in the facility or an explanation regarding this program shall be printed on the menu.
34. Music or other audible noise at the premises shall comply with Title 12 to the satisfaction of the Department of Public Health.
35. No live entertainment, dancing, or dance floor is authorized in or outside the premises.
36. Employees age 18 or older, may serve alcoholic beverages in an area primarily designed and used for the sale and service of food for consumption on the premises as an incidental part of their overall duties.
37. Alcoholic beverages shall be sold to customers only when food is ordered and consumed within the subject restaurant only.
38. The business shall employ not less than one full-time cook that is engaged in the preparation of meals for patrons during the permissible hours of operation.
39. The permittee may hold "happy hour" drink specials, specials, or similar promotions from 4:00 pm to 6:00 pm, Monday through Friday and only in conjunction with the service of food.
40. Food service shall be continuously provided during operating hours.

PROJECT SITE-SPECIFIC CONDITIONS

41. This grant shall authorize the sale of a full line of alcoholic beverages (ABC Type 47 License – Beer, Wine, and Distilled Spirits) for on-site consumption at the Chipotle Mexican Grill restaurant located on a property located at 4718 Admiralty Way within the Waterside at Marina del Rey shopping center in the unincorporated community of Marina del Rey, also known as Lease Parcel 50.

ACTION DATE: October 1, 2024

MG:RG:SS

9/19/2024

c: Hearing Officer, Zoning Enforcement, Building and Safety

CONDITIONAL USE PERMIT STATEMENT OF FINDINGS

Pursuant to County Code Section [22.158.050](#) (Findings and Decision), the applicant shall substantiate the following:

(Please see [Guidelines for Writing Your Conditional Use Permit Findings Statement](#). Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

<p>B.1 The proposed use will be consistent with the adopted General Plan for the area.</p>
<p>B.2 The requested use at the location proposed will not:</p> <ul style="list-style-type: none"> a. Adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; b. Be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and c. Jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.
<p>B.3 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.</p>

<p>B.4 The proposed site is adequately served:</p> <ul style="list-style-type: none">a. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate; andb. By other public or private service facilities as are required.

ATTACHMENT "A"
GENERAL CONDITIONAL USE PERMIT FINDINGS
REQUEST FOR DISCRETIONARY APPROVAL
Chipotle Mexican Grill Store #158
4718 Admiralty Way
Marina del Rey, CA

B. 1. The proposed use will be consistent with the adopted General Plan for the area.

The request is for a Conditional Use Permit ("CUP") to allow the applicant, Chipotle Mexican Grill ("Applicant" or "Chipotle"), to sell a full line of alcoholic beverages for on-site consumption at its existing 70 seat, 2740 sq. ft. restaurant, with 2,445 sq. ft. and 50 seats inside and 295 sq. ft. and 20 seats on the patio. The restaurant is located in the Marina Waterside Shopping Center ("Center"), a 10.7-acre shopping center which is anchored by Ralph's Supermarket and contains a variety of restaurants, boutiques, neighborhood services, and other commercial uses. This request is a renewal of the existing CUP, CUP 201300120 ("Existing CUP"), which was approved on April 15, 2014. That approval was itself a renewal of a prior case that established the restaurant with the sale of alcoholic beverages at this location pursuant to CUP # 00-258 ("Original Approval"), which was approved on or about April 11, 2001.

As far as the consistency of the requested CUP with the General Plan, the Hearing Officer for the Existing CUP found that the sale of alcoholic beverages at this location was consistent with the Marina Del Rey Land Use Plan ("LUP"). As the sale of these items would be incidental to the operation of the restaurant, the requested use was found to be consistent with the underlying land use category of Visitor-Serving/Convenience Commercial. In addition, the Hearing Office found that the project was consistent with the zoning requirements in the Marina Del Rey Specific Plan.

There have been no relevant changes to the LUP, the Specific Plan or the restaurant in the interim. Thus, since neither the use nor the applicable plans have changed in the interim, the request for a new CUP to allow the continued sale of a full line of alcohol at Chipotle's existing restaurant will be consistent with the pertinent General Plan.

B. 2. The requested use will not a) adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area; b) be detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the Site; and c) jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

a. The requested use will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.

The Proposed Project, the renewal of a CUP to permit the continued sale of a full line of alcoholic beverages for on-site consumption at an existing restaurant, will not adversely affect the health, peace, comfort or welfare of persons. The requested CUP is for a responsibly managed restaurant which has established itself as a good operator over the more than 20 years that it has been operating at this location. Chipotle maintains its restaurants in a clean and healthy manner and provides a high-quality, affordable restaurant option to people residing in, working in, or visiting the area.

The Applicant commenced alcohol service at this location consistent with the Original Approval on or about December 17, 2001. In the more than 20 years since then, Chipotle has managed its alcohol service appropriately. The Department of Alcoholic Beverage Control ("ABC") had not noted any issues

with this location in regard to Chipotle's type 47 ABC license or otherwise. In fact, Chipotle serves alcoholic beverage products at hundreds of locations throughout the state of California. It has an outstanding record of compliance with the ABC throughout California, as well as with parallel agencies in other jurisdictions where it offers these products. Therefore, the requested CUP to allow continued service of a full line of alcoholic beverages at this location will not adversely affect the health, peace, comfort or welfare of persons residing or working in the vicinity.

b. The requested use will not be detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the Site.

The requested CUP to enable the continued service of a full line of alcoholic beverages for on-site consumption at a restaurant will not be detrimental to the enjoyment or valuation of property. On the contrary, the restaurant has an excellent track record of operating in a responsible and problem-free manner, both at this location and elsewhere. The Applicant would like approval of a new CUP to allow the continued service of a full line of alcoholic beverages at this location, as many of its customers appreciate being able to enjoy these products with their high-quality Mexican-style entrees. The restaurant has modest operating hours--from 10:45 a.m. to 11 p.m. daily--and would like to potentially expand its hours of operation to 9 am – 11 pm daily, hours which are still modest and consistent with its surroundings. Chipotle is located in the middle of a 10.7 acre shopping center, "Waterside," which contains a variety of compatible uses such as retail, neighborhood services, and other restaurants. Finally, the Applicant's restaurant has proven itself to be well-managed and well-maintained throughout the course of its more than 20 years at this location.

For all of these reasons, it is clear that the restaurant with continued service of alcoholic beverages will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site.

c. The requested use will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare.

The request, a new CUP to allow continued service of alcoholic beverages as an ancillary use to the existing restaurant, will not constitute a menace to the public health, safety or general welfare of persons residing or working in the vicinity. The Applicant believes that its restaurants have a positive impact on the neighborhoods in which they are located because of the company's progressive corporate philosophy, the attractive physical design of its restaurants, its sophisticated customer base, and the tasty, health conscious food it serves. The Applicant's ability to offer its customers beer and margaritas with their Mexican-style cuisine is an important part of its business model. There is a demand for such products, and the ability to obtain them in a well-designed, responsibly managed environment at the price point at which Chipotle offers meal service is beneficial to the community.

As noted above, Chipotle has been open and operating as a restaurant with alcohol service at this location since 2001 and has proven itself to be a responsible operator which has caused no negative community impacts for more than 20 years. Therefore, the proposed renewal of the CUP on the same terms as the Existing CUP will not jeopardize, endanger, or otherwise constitute a menace to public health, safety or general welfare.

B. 3. 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.

The proposed use is simply a renewal of an existing CUP authorizing alcoholic beverage service at a restaurant which has operated in an appropriate and professional manner since it opened and commenced serving in 2001. No physical changes are proposed. The location of the restaurant was found to be adequate in size and shape to accommodate the required yards, walls, fences, and otherwise, pursuant to the Original Approval in 2001. This finding was again made in the affirmative with respect to the Existing CUP in 2014. The restaurant's compatibility with its surroundings and the adequacy of the Site has been borne out over the course of Chipotle's more than 20 years operating at this location. Finally, this operational request will not trigger any changes to the size of the restaurant or its occupancy load, and therefore there will be no change to the number of required parking spaces. In any case, the shopping center provides adequate parking by Code.

For all of these reasons, it is clear that the service of alcoholic beverages will be at a restaurant site that is adequate in size and shape to accommodate the required yards, walls, fences, parking, and loading facilities, landscaping, and other development features prescribed in Title 22, and is well integrated with the uses in the surrounding area.

B.4. The proposed site is adequately served a) By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate; and b) By other public or private service facilities as are required.

The proposed use is simply the renewal of a CUP to permit continued alcoholic beverage sales at an existing restaurant which has operated and served alcohol in an appropriate and compatible manner since it was first established in 2001. No physical changes are proposed. The location of the restaurant was found to be adequate in regard to access and facilities pursuant to the Original Approval, which finding was affirmed upon approval of the Existing CUP. There have been no issues in this regard over the course of Chipotle's more than 20 years operating at this location. This operational request will not trigger any changes to the size of the restaurant or its occupancy load, and therefore there will be no change to the access demands or facilities needed. The request for a slight expansion in operating hours to 9 am – 11 pm daily will have no impact on the adequacy of such infrastructure or services.

For all of these reasons, it is clear that the restaurant with alcohol service will be at a location which is adequately served by highways and streets, and by public and private service facilities.

ALCOHOLIC BEVERAGE SALES STATEMENT OF FINDINGS

In addition to the Conditional Use Permit Findings required pursuant to County Code Section [22.158.050](#) (Findings and Decision), pursuant to County Code Section [22.140.030](#) (Alcoholic Beverage Sales), the applicant shall substantiate the following:

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

47

ABC License Type Requested(s):

(e.g. Type 20, Type 41)

F.1.a. 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 any similar use within a 600-foot radius.

Please see Attachment B.

F.1.b. The requested use 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.

Please see Attachment B.

F.1.c. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community.

Please see Attachment B.

F.1.d. The exterior appearance of the structure will not be inconsistent with the exterior appearance of 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 the neighborhood.

Please see Attachment B.

Additional findings of public convenience or necessity.

Findings of public convenience or necessity, in accordance with County Code Section [22.140.030.F.2.a](#), shall be made when:

- i. The requested use is located in a high crime reporting district or in an area of undue concentration, pursuant to the California Alcoholic Beverage Control Act and the regulations adopted under that Act; or
- ii. A use selling alcoholic beverages for off-site consumption is proposed within a 500-foot radius of another use selling alcoholic beverages for off-site consumption.

Findings of public convenience or necessity shall be based upon review and consideration of relevant factors, which shall include, in accordance with [Section 22.140.030.F.2.b](#), but not be limited to, the following, as applicable:

- i. The extent to which the requested use would duplicate services and, therefore, contribute to an over-concentration of similar uses.
- ii. The extent to which alcoholic beverage sales are related to the function of the requested use, and the possibility of the use operating in a viable manner without alcohol sales.
- iii. The extent to which the requested use will enhance the economic viability of the area.
- iv. The extent to which the requested use will enhance recreational or entertainment opportunities in the area.
- v. The extent to which the requested use compliments the established or proposed businesses within a specific area.
- vi. The ability of the requested use to serve a portion of the market not served by other uses in the area.
- vii. The convenience of purchasing alcoholic beverages at the requested use in conjunction with other specialty food sales or services.
- viii. The aesthetic character and ambiance of the requested use.
- ix. The extent to which the requested use, location, and/or operator has a history of law enforcement problems.

Please see Attachment B.

Additional findings for a modification request to the shelf space limitations.

For a request to modify the shelf space limitation pursuant to County Code [Section 22.140.030.E.1](#), the applicant shall address at least one of the findings, in accordance with County Code Section [22.140.030.F.3.b](#), below:

- i. The requested use is not located in a high crime reporting district, as described in the California Alcoholic Beverage Control Act and the regulations adopted under that Act;
- ii. The requested use is a specialty retailer with a unique product mix that requires a greater allocation of shelf space to alcoholic beverages than would be the case for a general purpose retailer; or
- iii. The requested use involves the relocation of a use that was not previously subject to the alcoholic beverage shelf space limitation provided in Section 22.140.030.E.1, above, and the new location will allocate less shelf space to alcoholic beverages than was the case at the previous location.

n/a

Additional findings for a modification request to requirement to carry a minimum of three varieties of fresh produce.

For a request to modify the requirement to carry a minimum of three varieties of fresh produce pursuant to County Code Section [22.140.030.E.2](#), the applicant shall address the findings, in accordance with County Code Section [22.140.030.F.3.b](#), below:

i. The requested use is not a general purpose retailer and is located in an area with sufficient access to fresh produce and whole grains.

n/a

ATTACHMENT "B"
ALCOHOLIC BEVERAGE SALES PROPOSED FINDINGS

Chipotle Mexican Grill Store #158
4718 Admiralty Way
Marina del Rey, CA

F.1.a. 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 any similar use within a 600-foot radius.

The requested service of alcohol at this location will not adversely affect any sensitive uses within the vicinity, as there are no places used exclusively for religious worship, schools, parks, playgrounds, or any similar use within a 600-foot radius of the Site.

F.1.b. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to affect said area.

The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to affect said area. The closest residential area is a large apartment complex across Lincoln Boulevard. The existing shopping center is over 70' from the property line, across a major highway from the apartments. The entrance to the restaurant is approximately 175' from the Lincoln Boulevard property line. Therefore, the restaurant is very well buffered from residential uses in the vicinity, and the requested CUP to allow the continued service of a full line of alcoholic beverages at this location will not impact them.

F.1.c. The requested use at the proposed location will not adversely affect the economic welfare of the surrounding community.

The proposed use, a CUP to serve a full line of alcoholic beverages at Chipotle's Marina del Rey location, will not adversely affect the economic welfare of the surrounding community. Chipotle restaurants offer a unique dining experience that is not found in typical fast food restaurants. The company sets itself apart by providing high quality food and a unique dining atmosphere akin to that more frequently found in sit-down restaurants than in fast-food venues. The ability of customers to enjoy a full line of alcoholic beverages – as a practical matter, only beer and margaritas -- at Chipotle's Marina del Rey location is part of this dining experience. It is an important factor in the long-term success of Chipotle restaurants at many of its locations, over 3,000 worldwide. The Applicant believes that its uniquely progressive corporate philosophy, its commitment to high quality standards for its raw ingredients, and the attractive physical design of its restaurant will contribute positively to the community as a whole.

Furthermore, the responsible operation of the restaurant by Chipotle management and staff and the company's outstanding record of compliance with the California ABC and other parallel agencies in all its locations ensure that the ability to serve alcoholic beverages at this Site will not be a detriment to the surrounding community. The hours of operation are 10:45 a.m. – 11:00 p.m. daily. Chipotle requests slightly expanded hours – 9 am – 11 pm daily – and coterminous hours of alcohol sales. The Applicant believes that the requested hours are modest, and that they are consistent with surrounding uses and the character of the neighborhood. There are a number of restaurants in Marina del Rey and Chipotle's request is consistent with, or less intensive than, these other uses. In addition, alcohol sales typically constitute only a small fraction of gross sales, and thus the approval of the requested CUP to allow the

continued service of these items is unlikely to have any discernible impact on the surrounding area. Finally, Chipotle has established itself as a well-regarded and responsible company with an excellent track record at all of its locations, certainly including this one. For all these reasons, the Applicant believes that the approval of the requested CUP to allow continued operation as has taken place for years now will not have an adverse effect on the pertinent community.

F.1.d. The exterior appearance of the structure will not be inconsistent with the exterior appearance of 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 exterior appearance of the structure will not be inconsistent with the exterior appearance of 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 request is to renew the existing CUP to enable Chipotle to serve beer and margaritas pursuant to a type 47 ABC license at its existing restaurant, as it does currently pursuant to the Existing CUP. There will be no physical changes to the structure, including its exterior appearance. Moreover, the Department of Beaches and Harbors previously reviewed and approved the improvements on or around 2001. There have been no significant changes since that time. Finally, the Applicant takes pride in the appearance of its restaurants. This location is no exception.

The physical orientation of the building is also designed to have a minimal impact on nearby neighborhoods. The restaurant is located within a 10.7 acre shopping center and is oriented toward the parking lot and other commercial uses in the neighborhood.

For the reasons stated above, the Applicant believes that the exterior appearance of the structure will continue to be well-maintained, continue to be consistent with the surrounding areas, and continue to have an overall positive impact on its surroundings.

Additional Finding of Public Convenience and Necessity

The requested use is located in an area of undue concentration, pursuant to the California Alcoholic Beverage Control Act and the regulations adopted under that Act. Therefore, a finding of Public Convenience and Necessity must be made.

The following factors may be important in assessing the appropriateness of making a finding of Public Convenience and Necessity:

- i. The extent to which the requested use would duplicate services and, therefore, contribute to an over-concentration of similar uses.
- ii. The extent to which alcoholic beverage sales are related to the function of the requested use, and the possibility of the use operating in a viable manner without alcohol sales.
- iii. The extent to which the requested use will enhance the economic viability of the area.
- iv. The extent to which the requested use will enhance recreational or entertainment opportunities in the area.
- v. The extent to which the requested use compliments the established or proposed businesses within a specific area.
- vi. The ability of the requested use to serve a portion of the market not served by other uses in the area.
- vii. The convenience of purchasing alcoholic beverages at the requested use in conjunction with other specialty food sales or services.
- viii. The aesthetic character and ambiance of the requested use.
- ix. The extent to which the requested use, location, and/or operator has a history of law enforcement problems.

Chipotle is located in Census Tract 7029.00, which is categorized by the ABC as being an area of undue concentration. However, although the Census Tract in which the Project is located does have an excess over the allowance of ABC licenses authorizing the sale of alcohol for on-site consumption – 40 existing where 12 are allowed – the Project is located in an existing multi-tenant shopping center in Marina del Rey, a district widely considered an area for tourism and recreational uses. Below is a list of the existing licenses and license types:

Business Name	Premises Address	License Type
WHISKEY RED'S	13813 FIJI WAY	47 (ON-SALE GENERAL EATING PLACE)
DEL REY YACHT CLUB	13900 PALAWAN WAY	51 (CLUB ON-SALE GENERAL)
RALPHS 279	4700 ADMIRALTY WAY	86 (INSTRUCTIONAL TASTING
WAREHOUSE RESTAURANT THE	4499 ADMIRALTY WAY	58 (CATERING) 47 (ON-SALE GENERAL EATING PLACE)
SANTA MONICA YACHT CLUB	13589 MINDANAO WAY	58 (CATERING) 51 (CLUB ON-SALE GENERAL)
MARINA YACHT CLUB	4333 ADMIRALTY WAY SLIPSIDE ROOM	51 (CLUB ON-SALE GENERAL)
BEACHSIDE RESTAURANT	4175 ADMIRALTY WAY	47 (ON-SALE GENERAL EATING PLACE)
CALIFORNIA YACHT CLUB	4469 ADMIRALTY WY	57 (SPECIAL ON-SALE GENERAL) 58 (CATERING)
MARINA BEACH	4100 ADMIRALTY WY	47 (ON-SALE GENERAL EATING PLACE)

MARRIOTT		58 (CATERING) 66 (CONTROLLED ACCESS CABINETS) 68 (PORTABLE BAR)
COCOBACH BAR & GRILL	404 WASHINGTON BLVD	47 (ON-SALE GENERAL EATING PLACE)
BRIZO	4360 VIA MARINA	47 (ON-SALE GENERAL EATING PLACE)
SAMPA'S PIZZA CAFE	534 W WASHINGTON BLVD	41 (ON-SALE BEER/WINE EATING PLACE)
CHEESECAKE FACTORY	4142 VIA MARINA	47 (ON-SALE GENERAL EATING PLACE)
RITZ CARLTON	4375 ADMIRALTY WY	47 (ON-SALE GENERAL EATING PLACE) 58 (CATERING) 66 (CONTROLLED ACCESS CABINETS) 68 (PORTABLE BAR)
KAZU NORI	4635 ADMIRALTY WAY, STE 107	41 (ON-SALE BEER/WINE EATING PLACE)
UOVO	4635 ADMIRALTY WAY, STE 105	41 (ON-SALE BEER/WINE EATING PLACE)
HIHO CHEESEBURGER	4625 ADMIRALTY WAY, STE 109	41 (ON-SALE BEER/WINE EATING PLACE)
CHIPOTLE MEXICAN GRILL	4718 ADMIRALTY WAY	47 (ON-SALE GENERAL EATING PLACE)
SAPORI RISTORANTE	13723 FIJI WAY 5	41 (ON-SALE BEER/WINE EATING PLACE)
CALIFORNIA PIZZA KITCHEN	13345 FIJI WAY	47 (ON-SALE GENERAL EATING PLACE)
MARINA CITY CLUB RESTAURANT INC	4333 ADMIRALTY WAY	57 (SPECIAL ON-SALE GENERAL)
MARINA DEL REY HOTEL	13534 BALI WY	47 (ON-SALE GENERAL EATING PLACE) 66 (CONTROLLED ACCESS CABINETS) 77 (EVENT PERMIT)
LA PRESS	13900 MARQUESAS WAY	41 (ON-SALE BEER/WINE EATING PLACE)
DEAR JANE'S	13950 PANAY WAY	47 (ON-SALE GENERAL EATING PLACE)
MENDOCINO FARMS SANDWICH MARKET	4724 ADMIRALTY WY	41 (ON-SALE BEER/WINE EATING PLACE)
PLANTA	4625 ADMIRALTY WAY, STE 104, PIER 44	47 (ON-SALE GENERAL EATING PLACE)
TONY P'S DOCKSIDE GRILL & TAVERN	4445 ADMIRALTY WY	58 (CATERING) 77 (EVENT PERMIT) 47 (ON-SALE GENERAL EATING PLACE)

Despite the overconcentration of licenses, the Applicant believes the finding of public convenience and necessity can be made in the affirmative here. Waterside, the shopping center in which Chipotle is located, is sited and designed to address the desires of both visitors and residents to select from multiple restaurants and other establishments offering these products for on-site consumption, along with a variety of other complimentary uses in the shopping center itself. It is therefore appropriate that there be a concentration of restaurants and hospitality businesses in the vicinity, as those types of businesses respond to the desires of area residents and visitors. Given its location, the subject request will not adversely affect the economic welfare of the community but will continue to strengthen the area's economic viability.

Moreover, these 40 licenses are held by 27 different entities, meaning that several entities own multiple licenses. A number of the licensees are hotels or private clubs. Finally, the requested approval of a Conditional Use Permit will lead to no change in the number of licenses because Chipotle already has an active ABC license at this location.

In fact, the Applicant has been offering beer and margaritas pursuant to its existing ABC license for more than 20 years without incident. Chipotle believes that the ability to offer these items to its patrons is an important factor in the long-term success of its restaurants. It has found that its patrons appreciate the ability to enjoy these items along with their tasty, freshly prepared Mexican-style entrees. That is particularly the case at this location, as there is significant competition even amongst the restaurants in the shopping center, and Chipotle would be at a competitive disadvantage if it were not able to continue to offer these items. On the other hand, the ongoing success of the restaurant at this location has a positive synergistic effect on the success of the various uses within the Waterside shopping center.

Finally, Chipotle is an experienced operator. It has established policies and procedures in place company-wide to ensure that the sale of these items does not lead to the negative consequences sometimes associated with irresponsible alcohol consumption. As a result, Chipotle has an outstanding record of compliance with the California ABC and parallel agencies wherever its restaurants are located, certainly including this Marinda del Rey location.

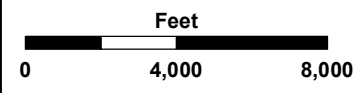
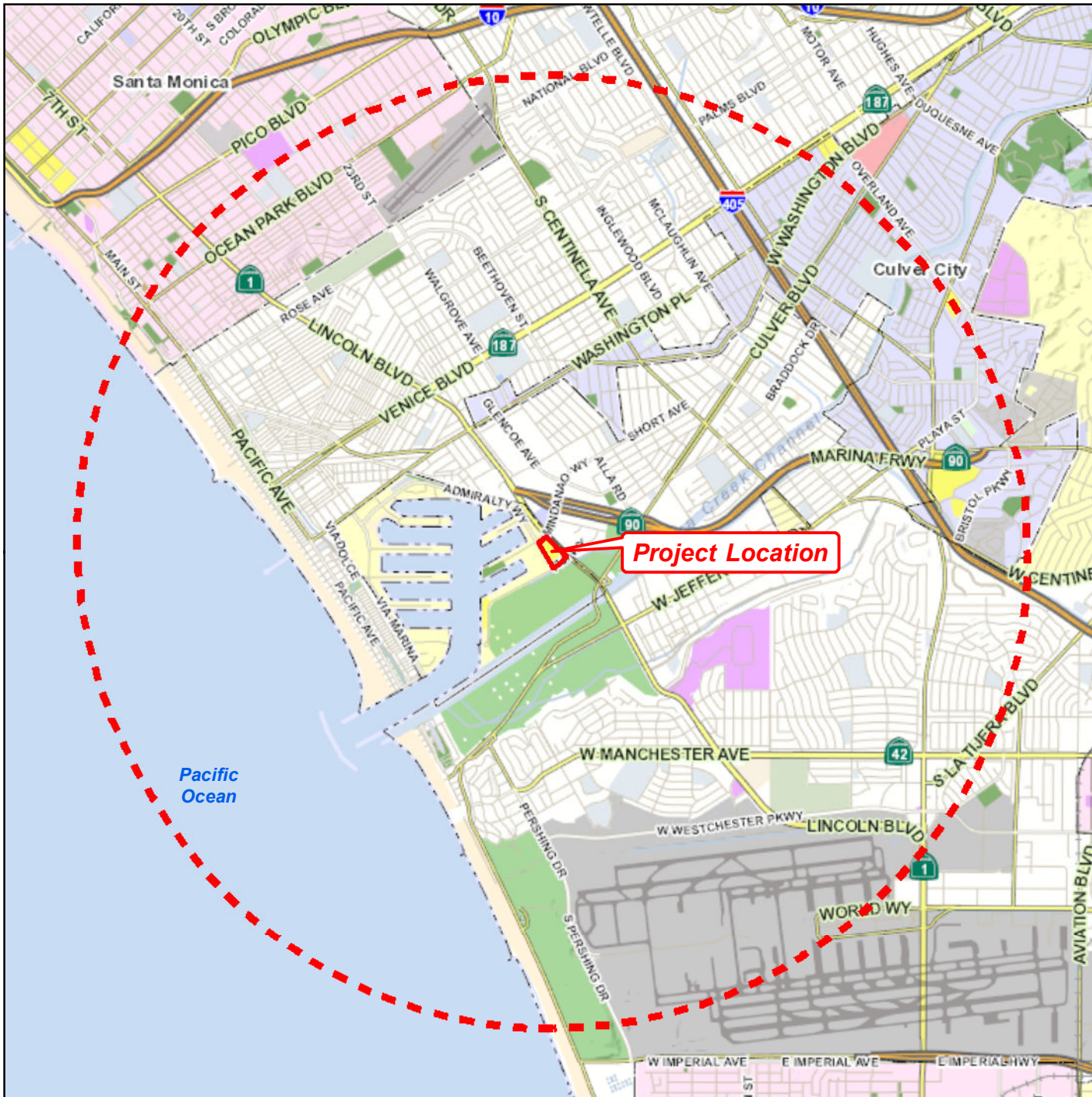
For the reasons stated above, the Applicant believes that many of the factors noted above – in particular factors ii, iii, iv, v, and ix – are met here, and that the granting of the requested Conditional Use Permit will not result in an undue concentration of alcohol-serving establishments. The Applicant therefore respectfully requests that a finding of public convenience and necessity be made in the affirmative.

PROPOSED ENVIRONMENTAL DETERMINATION

DETERMINATION DATE: September 19, 2024
PROJECT NUMBER: R2013-02379-(2)
PERMIT NUMBER(S): Conditional Use Permit RPPL2023005551
SUPERVISORIAL DISTRICT: 2
PROJECT LOCATION: 4718 Admiralty Way, Marina del Rey, CA 90292
OWNER: County of Los Angeles
APPLICANT: Chipotle Mexican Grill
CASE PLANNER: Shawn Skeries, Principal Planner
sseries@planning.lacounty.gov

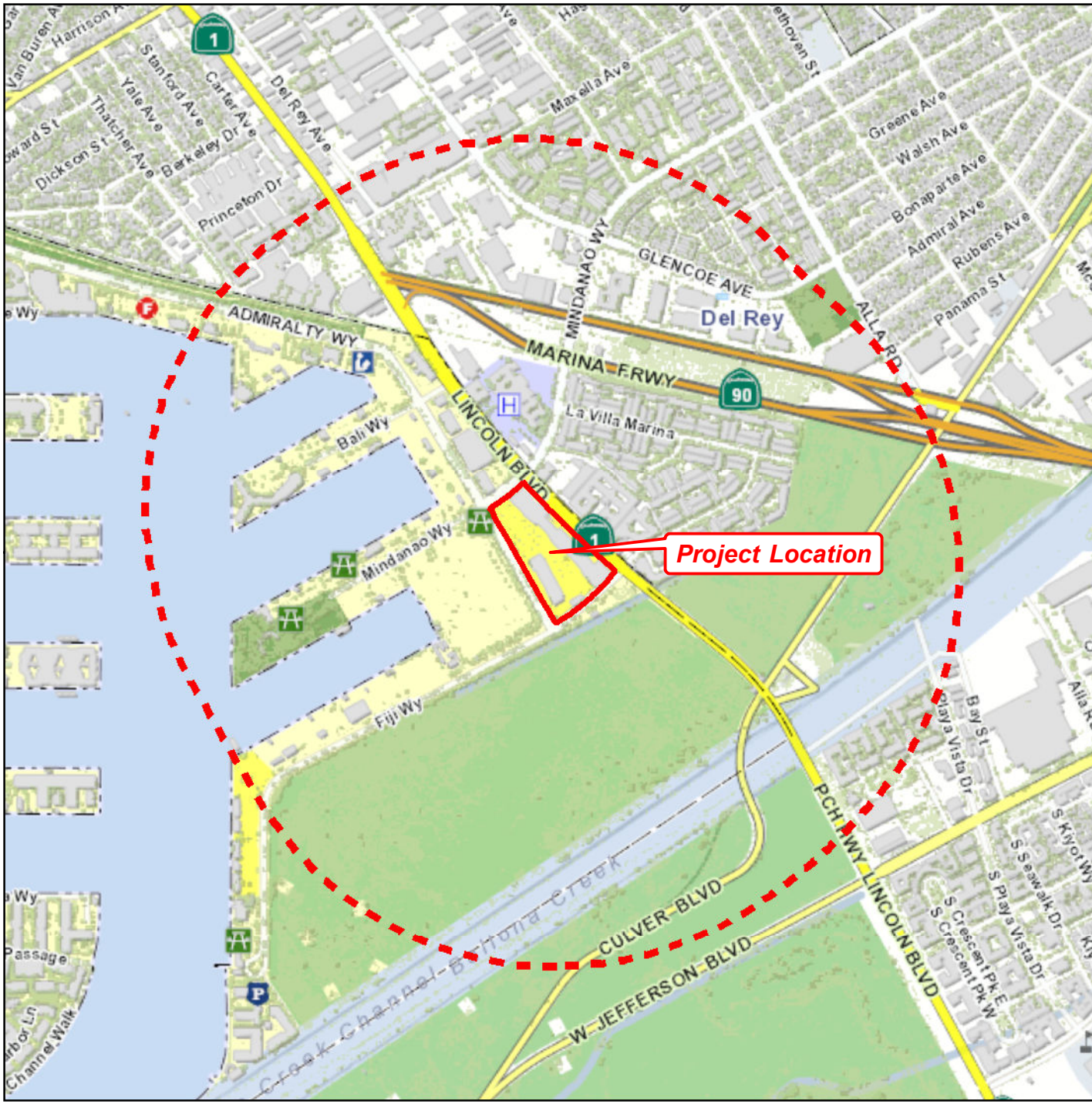
Los Angeles County (“County”) completed an initial review for the above-mentioned Project. Based on examination of the Project proposal and the supporting information included in the application, the County proposes that an Exemption is the appropriate environmental documentation under the California Environmental Quality Act (CEQA). The Project qualifies for a Class 1 (Existing Facilities) Categorical Exemption under State CEQA Guidelines Section 15301 because the Project involves the sale of a full line of alcoholic beverages for on-site consumption (Type 47 California Department of Alcoholic Beverage Control License – Beer, Wine, and Distilled Spirits) in association with an existing Chipotle Mexican Grill restaurant within an existing shopping center with no expansion of the previously permitted land use and structures.

**3-MILE RADIUS
LOCATOR MAP**
PROJECT NO. R2013-02379
ALCOHOL CUP RPPL202300551



**LA COUNTY
PLANNING**

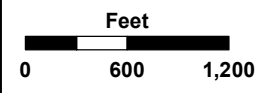
LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012



HALF-MILE RADIUS

LOCATOR MAP

PROJECT NO. R2013-02379
ALCOHOL CUP RPPL202300551



LA COUNTY
PLANNING

LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

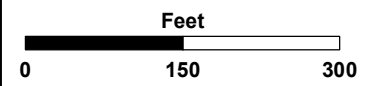


AERIAL IMAGERY

SITE-SPECIFIC MAP

PROJECT NO. R2013-02379
ALCOHOL CUP RPPL2023005551

Digital Ortho Aerial Imagery:
Los Angeles Region Imagery
Acquisition Consortium (LARIAC)
2023



LA COUNTY
PLANNING

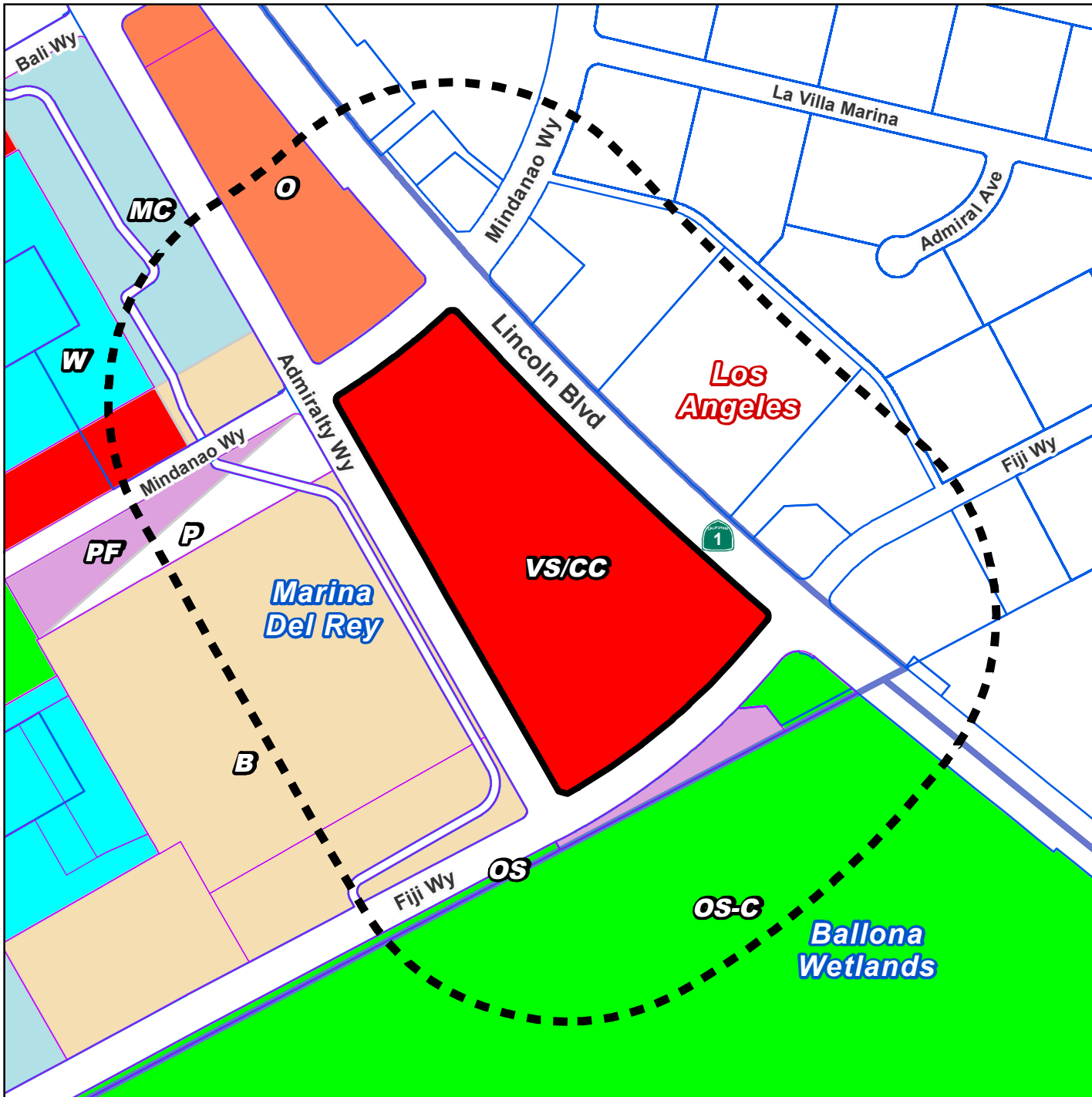
LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012






LAND USE POLICY

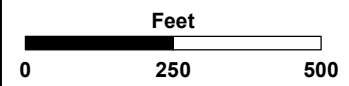
500-FOOT RADIUS MAP

PROJECT NO. R2013-02379

ALCOHOL CUP RPPL2023005551



-  OS-C - Conservation
-  VS/CC - Visitor-Serving / Convenience Commercial
-  O - Office
-  MC - Marine Commercial
-  B - Boat Storage
-  P - Parking
-  PF - Public Facilities
-  OS - Open Space
-  W - Water





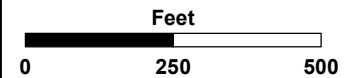
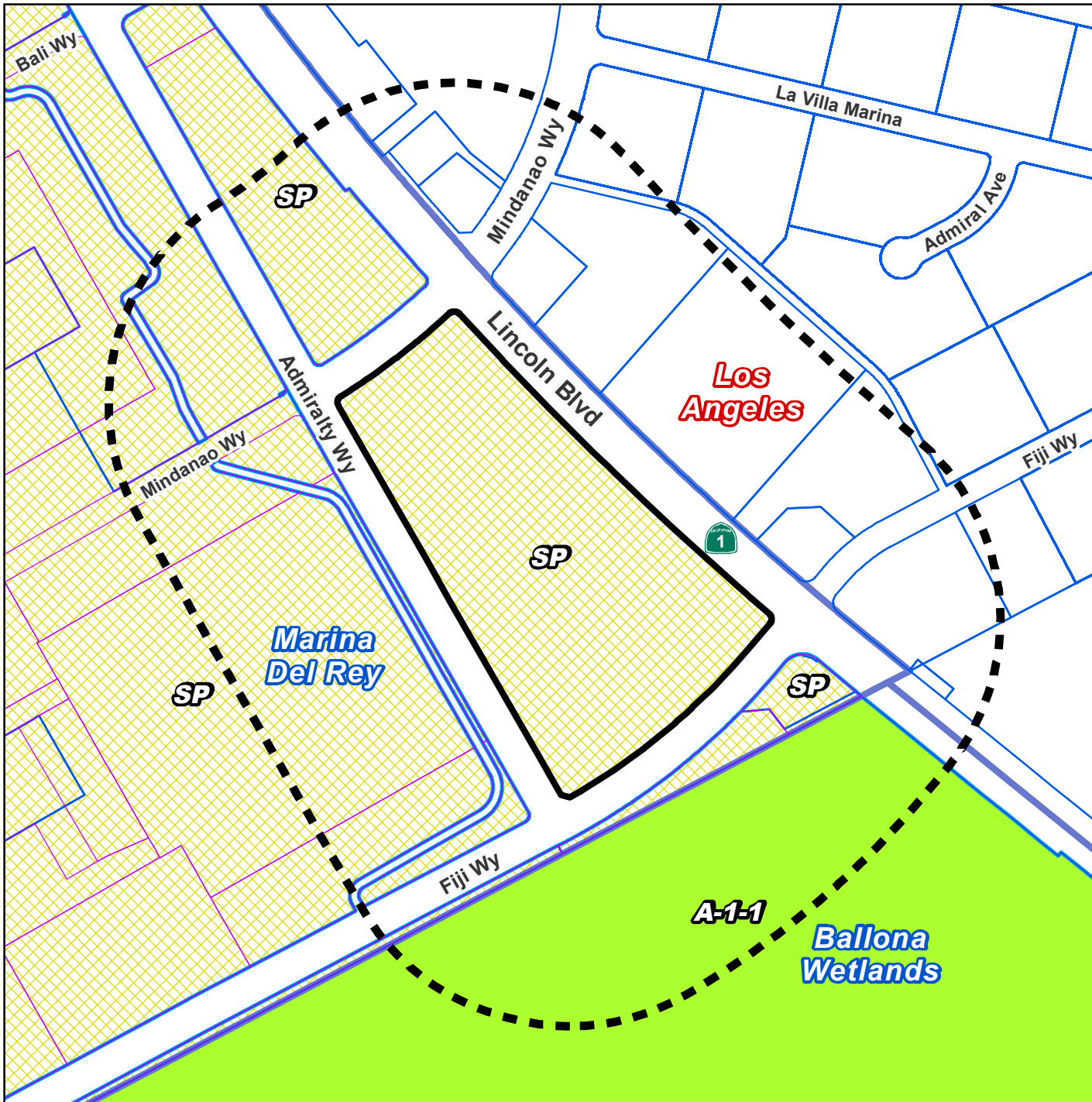
LA COUNTY
PLANNING

LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

ZONING

500-FOOT RADIUS MAP
PROJECT NO. R2013-02379
ALCOHOL CUP RPPL2023005551

-  A-1 - Light Agricultural
-  SP - Specific Plan



LA COUNTY
PLANNING

LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012



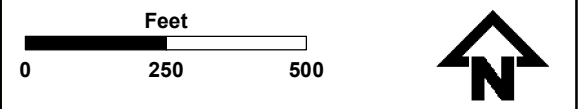
EXISTING LAND USE
600-FOOT RADIUS MAP
 PROJECT NO. R2013-02379
 ALCOHOL CUP RPPL2023005551

- △ Offsite Alcohol
- ▲ Onsite Alcohol
- ⊖ 600-ft ABC Radius
- ⊖ 500-ft Standard Radius

Existing Land Use (Assessor Use Codes)

- Commercial
- Institutional
- Miscellaneous
- Public Utility
- Recreational
- Residential - Multi-Unit*
- Water

* Circles are generally applied to residential parcels. Empty circles indicate a single dwelling unit (DU), unless the parcel is symbolized as Vacant. Elsewhere, multi-unit residential parcels (where shown) are labeled with the number of DUs they contain.



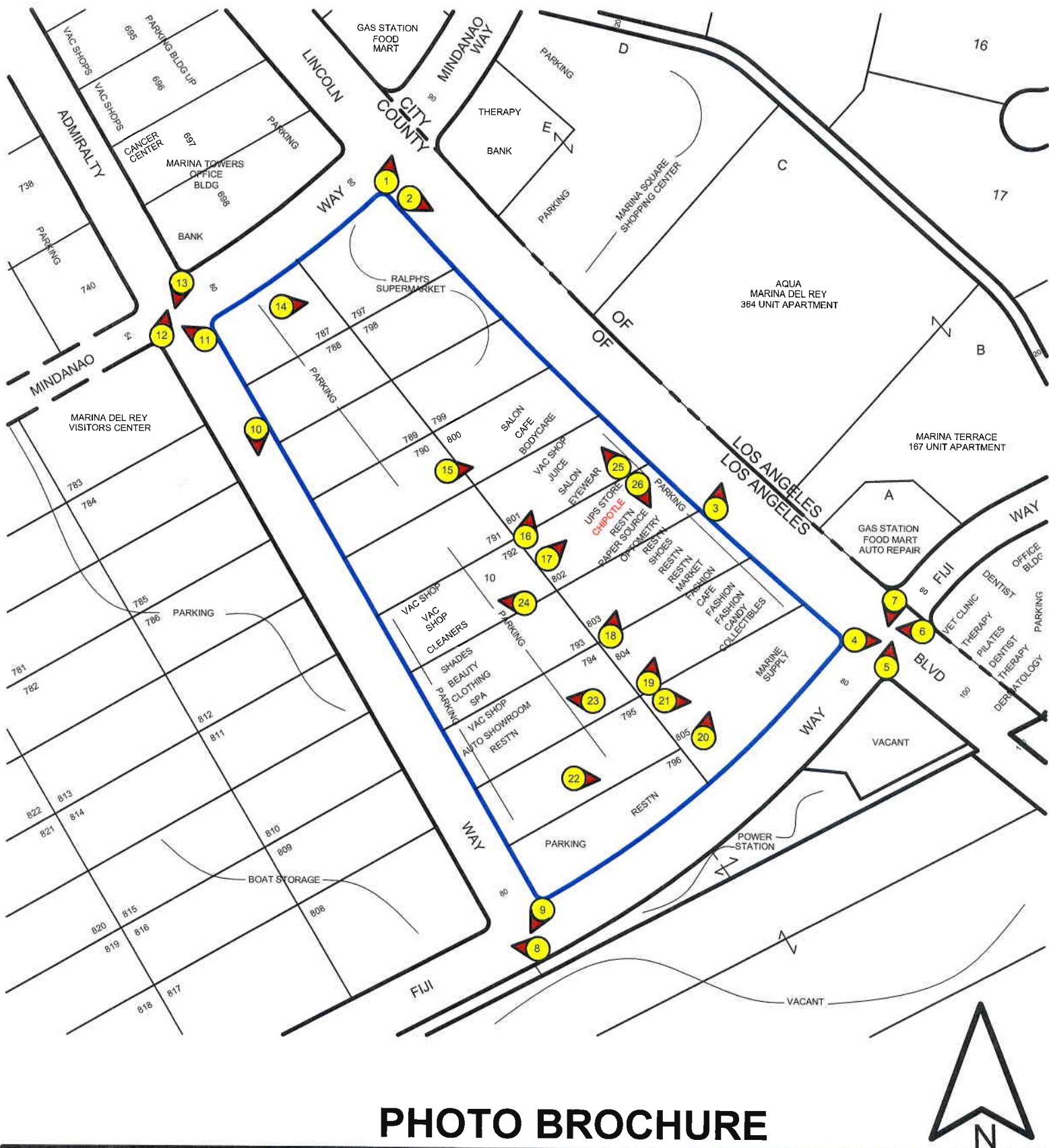


PHOTO BROCHURE

RADIUS MAPS ETC

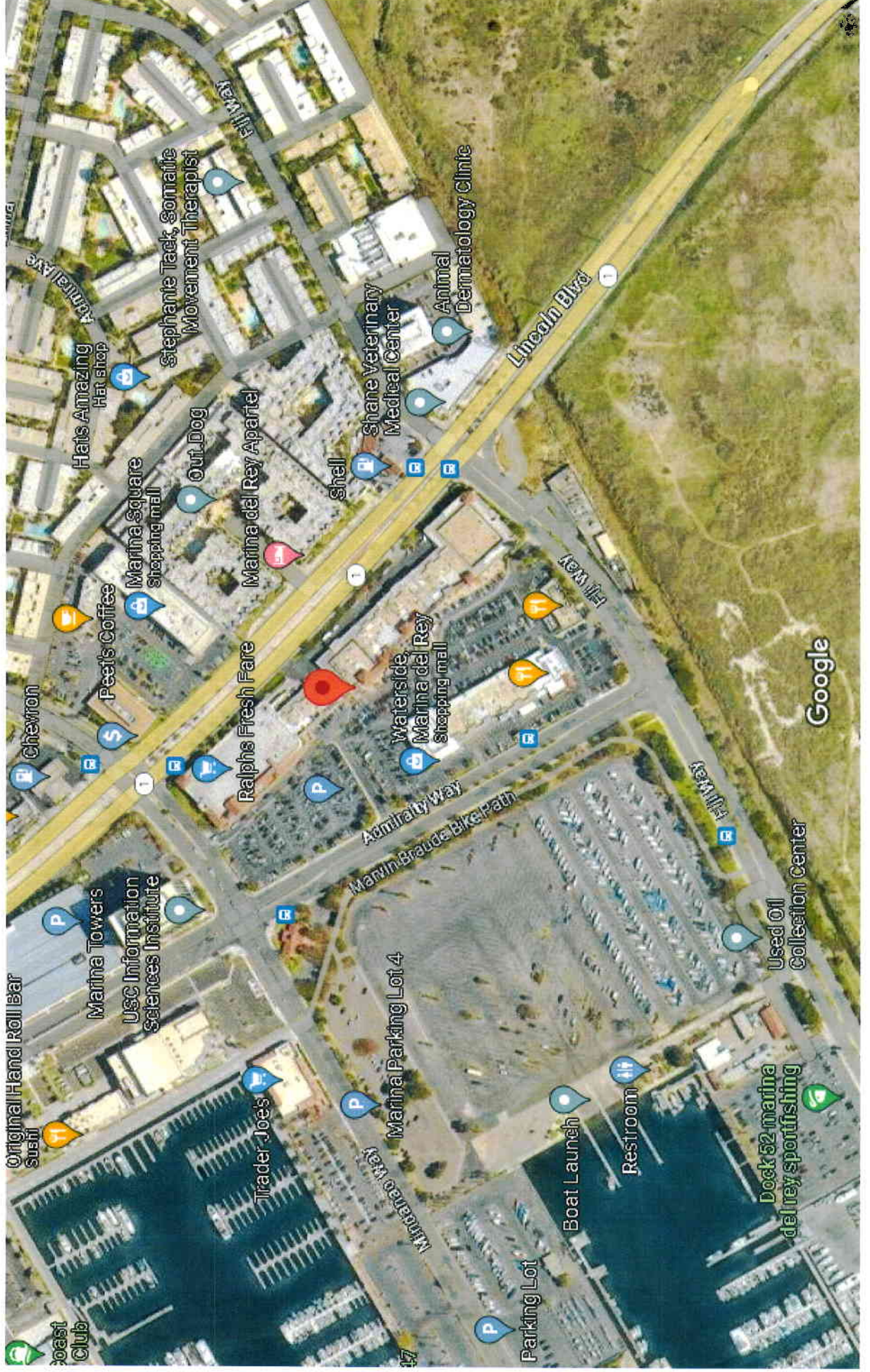
3544 PORTOLA AVENUE
 LOS ANGELES CA 90032
 OFF/FAX (323) 221-4555
 RADIUSMAPSETC@YAHOO.COM

SITE LOCATION:

CHIPOTLE MEXICAN GRILL #158
 4718 ADMIRALTY WAY
 MARINA DEL REY, CA 90292

CASE NO.:

DATE: 08 - 11 - 2023
 T.B. PAGE: 672 GRID: B-7
 A.P.N.: 4224-009-901



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OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ROBERT G. LUNA, SHERIFF



September 12, 2024

Subject: Conditional Use Permit (CUP) Consultation for Sale of Alcohol
Project No.: R2013-02379
Permit No.: RPPL2023005551
Establishment: Chipotle Mexican Grill, Store #158
Location: 4718 Admiralty Way, Marina del Rey, CA 90292
Description: Existing restaurant requesting Type 47 (beer and margaritas) ABC license to sell a full line of alcohol for on-site consumption.

(1) Summary of service calls and crime history for the project site over the last five years:

The Sheriff's Department has responded to three calls for service at 4718 Admiralty Way, Marina del Rey in the past five years; one alarm call, one unlocked business door call, and one pedestrian law enforcement contact for a burglary investigation. Attached is the CFS report of the calls for your review.

(2) Comments/recommended conditions:

All calls for service have been routine in nature. This establishment has not been a problem.

(3) Overall recommendation:

- Sheriff recommends approval of this CUP.
 Sheriff does **NOT** recommend approval of this CUP.

Sincerely,

ROBERT G. LUNA, SHERIFF

Keith C. Harrison, Captain
Marina Del Rey Station

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

A Tradition of Service
— Since 1850 —

S	R	P	Location	Tag	Dispatch Text	Clearance Text
Incident Date: 02/17/20						
C	D	R	4718 ADMIRALTY WAY, MDR GREEN"	22	C/LEFT FRONT DR, BACK MOTION, N/M, N/V, (310 340 6880) ** ADD'L FRONT MOTION**	LOC SECURE NO EV OF 459
C	D	R	4718 ADMIRALTY WAY, MDR GREEN"	22	C/LEFT FRONT DR, BACK MOTION, N/M, N/V, (310 340 6880) ** ADD'L FRONT MOTION**	
Incident Date: 09/12/21						
C	D	R	4718 ADMIRALTY WAY, MDR "STARBUCKS"	10	INF STS STS THE BUSINESS DOOR IS UNLOCKED, WOULD LIKE DEPUTIES TO CHECK THE BUSINESS	LOC, WALK ON INSIDE CHECKS CLEAR, NO EV OF CRIME
Incident Date: 03/15/22						
O	D	R	4718 ADMIRALTY WAY, MDR WATERSIDE MALL	76		CONCENTUAL ENCOUNTER/PED DETENTION RE 925/459INV. BSD RE UNCOOP W/A

INFORMATION AND INSTRUCTIONS -

SECTION 23958.4 B&P

- Instructions
- This form is to be used for all applications for original issuance or premises to premises transfer of licenses.
 - Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
 - Part 2 is to be completed by the applicant, and returned to ABC.
 - Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME

2. PREMISES ADDRESS (Street number and name, city, zip code)

4718 Admiralty Way, Marina Del Rey, 90292

3. LICENSE TYPE

4. TYPE OF BUSINESS

- | | | | |
|---|--|--|--|
| <input checked="" type="checkbox"/> Full Service Restaurant | <input type="checkbox"/> Hofbrau/Cafeteria | <input type="checkbox"/> Cocktail Lounge | <input type="checkbox"/> Private Club |
| <input type="checkbox"/> Deli or Specialty Restaurant | <input type="checkbox"/> Comedy Club | <input type="checkbox"/> Night Club | <input type="checkbox"/> Veterans Club |
| <input type="checkbox"/> Cafe/Coffee Shop | <input type="checkbox"/> Brew Pub | <input type="checkbox"/> Tavern: Beer | <input type="checkbox"/> Fraternal Club |
| <input type="checkbox"/> Bed & Breakfast: | <input type="checkbox"/> Theater | <input type="checkbox"/> Tavern: Beer & Wine | <input type="checkbox"/> Wine Tasting Room |
| <input type="checkbox"/> Wine only | <input type="checkbox"/> All | | |
| <input type="checkbox"/> Supermarket | <input type="checkbox"/> Membership Store | <input type="checkbox"/> Service Station | <input type="checkbox"/> Swap Meet/Flea Market |
| <input type="checkbox"/> Liquor Store | <input type="checkbox"/> Department Store | <input type="checkbox"/> Convenience Market | <input type="checkbox"/> Drive-in Dairy |
| <input type="checkbox"/> Drug/Variety Store | <input type="checkbox"/> Florist/Gift Shop | <input type="checkbox"/> Convenience Market w/Gasoline | |
| <input type="checkbox"/> Other - describe: | | | |

5. COUNTY POPULATION

10,044.458

6. TOTAL NUMBER OF LICENSES IN COUNTY

On-Sale Off-Sale 944 On-Sale Off-Sale

7. RATIO OF LICENSES TO POPULATION IN COUNTY

8. CENSUS TRACT NUMBER

7029

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

12

On-Sale Off-Sale 31 On-Sale Off-Sale

10. NO. OF LICENSES EXISTING IN CENSUS TRACT

11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)

- Yes, the number of existing licenses exceeds the number allowed
- No, the number of existing licenses is lower than the number allowed

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

- Yes (Go to Item #13) No (Go to Item #20)

13. CRIME REPORTING DISTRICT NUMBER

2760

14. TOTAL NUMBER OF REPORTING DISTRICTS

543

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

37,371

16. AVERAGE NO. OF OFFENSES PER DISTRICT

69.5

17. 120% OF AVERAGE NUMBER OF OFFENSES

83.4

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

561

19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)

- Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17
- No, the total number of offenses in the reporting district is lower than the total number in item #17

20. CHECK THE BOX THAT APPLIES (check only one box)

- a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.
- b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.
- c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, an on-sale general (public premises) license, or an on-sale general music venue license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.

Governing Body/Designated Subordinate Name:

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

[Signature] 2/14/24