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NOTE:

Staff analysis and this preliminary staff report is based on the applicants LUPC submittal drawing set provided on 12-13-2013 All text *italicized* is a reference from VCZSP, LUP or Prior Case Planning Action relating to Abbot Kinney Development Projects. The current Project is a redesign reducing the number of stories from 4 to 3.

This is a draft document and is subject to modification based on additional information being provided by the applicant or any stakeholder.

LUPC is a recommendation committee to the VNC. Staff reviews projects for compliance with the Venice Coastal Zone Specific Plan and then makes a LUPC motion to recommend approval of the project as presented, oppose the project as presented, or condition the project.

The VNC motion is the official motion forwarded to the Planning Department for consideration.

Venice Coastal Zone Specific Plan Review**1. Use. COMPLIES WITH THE VCZSP AND LUP**

Mixed -Use - Apartment Hotel and Commercial. The combination of 2 dwelling units, 85 guest hotel rooms and commercial uses proposed for this subject property complies with the provisions of the C2 Zone pursuant to Municipal Code Section 12.14, except where the conditions may be more restrictive in the VCZSP. Pursuant to Section 9.A.e(4) of the Venice Coastal Zone Specific Plan development over 8 contiguous lots is permitted. VCZSP section 9A (referenced below)

A. LOT CONSOLIDATION. Lot Consolidation of contiguous lots may be permitted, provided the consolidation complies with conditions specified in Subsection 1 and 2 below. Subterranean development that is entirely below street elevation is exempt from this subsection.

(4) Mixed-Use and Multi-Family Residential Venice Coastal Development Projects: Lot consolidation of more than two lots shall be permitted for mixed-use and multi-family residential Venice Coastal Development Projects, provided the project conforms to the existing scale and characteristic of the surrounding community, the required parking is on-site and the project conforms with development standards in Section 9 A 2 below.

2. Development Standards.

a. Access to subterranean parking shall be from an alley, where an alley exists, and all subterranean parking shall be fully below natural grade and shall not be visible from the street.

b. Buildings shall be designed with visual breaks or Architectural Features, including balconies or terraces, with a change of material or a break in the plane for every 20 feet in horizontal length and every 15 vertical feet. Residential buildings shall provide habitable space on the Ground Floor, a ground level entrance, and landscaping and windows fronting the street.

The Venice Local Coastal Program Land Use Plan identifies the land use designation for this block of Abbot Kinney as Community Commercial; see Community Commercial Land Use (Policy I. B. 6.)

Policy I. B. 6 Community Commercial Land Use. The areas designated as Community Commercial on the Land Use Policy Map (Exhibits 9 through 12) will accommodate the

development of community serving commercial uses and services, with a mix of residential dwelling units and visitor-serving uses. The Community Commercial designation is intended to provide focal points for local shopping, civic and social activities and for visitor-serving commercial uses. They differ from Neighborhood Commercial areas in their size and intensity of business and social activities. The existing community centers in Venice are most consistent with, and should be developed as, mixed-use centers that encourage the development of housing in concert with multi-use commercial uses. The integration and mixing of uses will increase opportunities for employees to live near jobs and residents to live near shopping. Overnight visitor-serving uses, such as hotels and youth hostels, are preferred uses in the Community Commercial land use category. The Community Commercial designation is intended to provide focal points for local shopping, civic and social activities and for visitor-serving commercial uses. Overnight visitor-serving preferred uses include "hotel" uses

Given the project sites proximity to the beach (4 ½ block) and Abbot Kinney location, hotel visitors would be in walking distance to shopping, restaurants, the beach, and with an onsite bike station, guest using bicycles would have access to the numerous bike paths identified in the LUP.

Policy I. A. 17. Youth Hostels and Hotels. Development of temporary housing opportunities, such as hotels and youth hostels, shall be permitted through the conditional use permit/coastal development permit process in the Medium Density Residential and Community Commercial categories. The capacity of the proposed youth hostel shall be a factor of consideration for residential zones. Overnight visitor-serving uses, such as hotels and youth hostels, are preferred uses in Community Commercial and General Commercial land use categories.

Venice Beach attracts millions of visitors annually is very surprising that upon review of city records only 3 motels and 1 hotel have been constructed within the VCZSP area since the Coastal Act of 1976 was adopted (see list below). A search on the internet for vacation rentals, cottages for rent or short term rentals available provided hundreds of listings in the VCZSP area confirming there is a definite need for visitor-serving uses.

Having a new hotel that contributes taxes to the community and City of Los Angeles is a definite benefit compared to the vacation rentals that pay no part of their collected daily rate to the City of LA and are benefiting from a shortage of hotel rooms in the area. Given the project location and lot area which enables the project to provide sufficient parking (165+ spaces) and the fact that a Hotel is a preferred use based on the LUP guidelines this Hotel use complies with the VCZSP and LUP.

Hotels/Motels located within the VCZSP area – constructed after the Coastal Act of 1976 was adopted:

- 1) Inn at Venice Beach 327 Washington 43rooms constructed 1978
- 2) Inn at Marina del Rey – in Venice 729-737 Washington 52 rooms in constructed 1993 and 16 Rooms constructed in 1998 total room count 68 rooms
- 3) Marina 7 Motel 2435 Lincoln Blvd, Venice, CA 90291 23 rooms constructed in 2003
- 4) Lincoln Inn 2447 Lincoln Blvd, Venice, CA 90291 30 rooms constructed in 1993

- Note the Erwin Hotel was constructed prior to 1976

2. Floor Area. COMPLIES WITH THE VCZSP AND LUP

The floor area of all buildings is limited to no more than 1.5 times the buildable area of the lot, the maximum allowable FAR is 1.5 x the lot area (46,877 SF) equals 70,316 SF

3. Density. **COMPLIES WITH THE VCZSP AND LUP**

The proposed density of 2 dwelling units, 85 guest hotel rooms is below the maximum allowable density for an Apartment hotel of 2 dwelling units and 113 guest rooms.

4. Height. **DOES NOT COMPLY WITH THE VCZSP – STAFF RECOMMENDATION COMPLIANCE WITH A 30 FLAT ROOF AND/OR 35' VARIED ROOF LINE.** (no height modification justification has been submitted prior to the preparation of this staff report 12-15-2013)

The proposed height of the building is 32'-11" with a flat roof which exceeds the allowable height of the VCZSP by 9.9%. The applicant is requesting a Specific Plan Project Adjustment for a height increase of less than 10%. The LUP does allow a Stepped Back Roofline, 30 feet and 35 feet flat roof combination, which this project may be in compliance with but there has been no precedent set for using this definition since the adoption of the Venice Coastal Zone Specific Plan in 2004. The mixed use project located at 1119 and 1123 Abbot Kinney on the corner of Abbot Kinney and San Juan utilized this height definition. The approved condition reads as follows

"That the Interpretive Guidelines for Coastal Planning and Permits as established by the Coastal Commission dated February 11, 1977 and any subsequent amendments thereto have been reviewed, analyzed and considered in the light of the individual project in making this determination. Height-the height of either residential or commercial buildings in the North Venice subarea should not exceed 30 feet above the centerline of the frontage road. The adopted Venice Specific Plan expressly permits the height of buildings to be 35 feet, provided they are 30 feet in height at the front yard and stepped back at least one foot for every foot in height above 30 feet (Sec.8-G,3,a). The project complies with these requirements. Further, appropriate conditions imposed on the tentative tract will bring the overall project into substantial compliance with the Commission Guidelines."

LUP definition:

Stepped Back Roofline: A roof on which the portion that exceeds the flat roof height limit is set back from the required front yard one foot for every foot in height above the flat roof height limit,

5. Scale, Character and Mass

The immediate area has 1, 2 and 3 story buildings varying in height from approximately 15 feet to 35 feet. The proposed design which includes 1, 2 and 3 stories is compatible in scale and character with the existing neighborhood, as defined by the Coastal Commission Regional Interpretive Guidelines and the Project would not be materially detrimental to adjoining lots or the immediate neighborhood based on the following findings:

The Specific Plan and the Local Coastal Program Land Use Plan seek to regulate development which is out of scale with existing community character. They also call for the preservation of community character, scale and architectural diversity. Many of the existing developments along Abbot Kinney Boulevard pre-exist the adoption of the Specific Plan.

The zoning along three sides of Abbot Kinney Boulevard is C2-I-O-CA, including the subject site. The zoning northerly along Electric Avenue, but only on the southerly half of the avenue, is also C2-1. The zoning northerly of Electric Avenue is RD 1.51. Both the C2 and RD1.5 zones have the same height limitation based on the VCZSP and LUP. These height limitations were set to insure compatibility with existing and future development. To the east of Electric Avenue adjacent to this property, the property has been developed with 3 story buildings in excess of 30

feet with a flat roof. The mixed use development on the next block corner of Abbot Kinney and San Juan is developed with a stepped back flat roof height of 30 and 35 feet as pervious referenced in this report. The property to the West on Abbot Kinney is developed with a 30 foot height limit.

Abutting the project are two infill sites fronting Abbot Kinney, a church and 2 story commercial building which is currently being remodeled. To the north the subject property fronting Electric is an existing one story multifamily apartment project. The property owner of this apartment project supports the proposed hotel development. To the south, across Abbot Kinney Boulevard, the subject property faces Westminster School and open space area. The remainder of Abbot Kinney Boulevard is characterized by mixed commercial development, much of it retail in character and including at least a half-dozen restaurants/cafes.

By designing a building which maintains existing structures along Abbot Kinney which by definition establish character, and stepping back the building combining 1, 2 and 3 stories the project blends into the fabric of the neighborhood. Additionally Abbot Kinney has been undergoing numerous renovations of older buildings which have been very sensitive to the character of the street. The proposed project will continue an aesthetically diverse frontage along Abbot Kinney Boulevard. The architectural style of the proposed hotel building and materials selected is both sensitive and respectful of the current architecture blending in rather than creating a modern architectural statement.

6. Parking. COMPLIES WITH THE VCZSP AND LUP PENDING ISSUE WITH EXISTING VALET AND EMPLOYEE PARKING ENFORCEMENT

Section 30252 of the Coastal Act requires that new development provide (among other things) adequate parking facilities. Section 30252 of the Coastal Act states:

“The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.”

In order to conform to the requirements of the Coastal Act, the proposed project is required to provide adequate parking facilities. The amount of parking that is “adequate” is determined by calculating the parking demand of a specific project using a parking standard. The parking standard is typically part of a certified local coastal program or zoning ordinance. The commission, on June 14, 2001 certified the Venice Land Use Plan (LUP), which contains specific policies to carry out the requirements of the Coastal Act. The certified Venice LUP requires that new development, including additions to existing structures, shall provide the necessary additional parking spaces as required by the LUP Parking Requirement Table.

Policy II.A.3 of the certified LUP states:

- *Policy II. A. 3. Parking Requirements. The parking requirements outlined in the following table shall apply to all new development, any addition and/or change of use. The public beach parking lots and the Venice Boulevard median parking lots shall not be used to satisfy the parking requirements of this policy. Extensive remodeling of an existing use or change of use which does*

not conform to the parking requirements listed in the table shall be required to provide missing numbers of parking spaces or provide an in-lieu fee payment into the Venice Coastal Parking Impact Trust Fund for the existing deficiency. The Venice Coastal Parking Impact Trust Fund will be utilized for improvement and development of public parking facilities that improve public access to the Venice Coastal Zone. New developments must provide an adequate parking supply in order to protect the existing public parking facilities that public access, these public parking facilities are primarily the on-street parking spaces for this area.

The applicant's parking calculations differ with respect to pending planning applications for Primitivo and Joes Restaurant based on each restaurants service floor area calculations. 2,108 SF of combined Service Floor Area for both restaurants VS the 1,798 SF of combined service floor area represented by the applicant – a difference of 6 parking spaces. Therefore this report will use the more conservative approach. In the past the total number of parking spaces has been changed or modified by the planning department after community input, for this reason the minimum number of automobile parking spaces presented to the community should be a condition rather than unknown count based on interpretation. Based on the applicants submitted drawings and the acknowledgment that no grandfather parking is proposed, the VCZSP parking requirements is 163 automobile parking spaces, this should be the minimum number of automobile spaces provided, The architectural drawings submitted clearly demonstrate this number of automobiles can easily be provided. Additionally, the 4 at grade parking spaces shown at the drop off area should NOT be included in the parking count because these spaces will be used for short term staging of automobiles for restaurant, retail and hotel guest cars. By providing 56 bicycle spaces (14 parking spaces per the new LA City Bicycle ordinance) and not counting these spaces towards the projects parking requirement the applicant contends that the project complies with the LUP parking requirement. The applicant has also agreed to provide free parking to all restaurant and hotel employees.

Providing free employee parking and not permitting restaurant employees to park on city streets as required by Primitivo and Joes Restaurant's existing CUB conditions has been a serious enforcement problem. Support for this project is contingent on strict enforcement requirements regarding employee parking.

VCZSP and LUP Parking Requirements base on Use:

*Hotel Two spaces; plus Two spaces for each dwelling unit; plus
One space for each guest room or each suite of rooms for the first 30; plus
One space for each two guest rooms or suites of rooms in excess of 30 but not exceeding 60;
plus
One space for each three guest rooms or suites or rooms in excess of 60; plus*

*One space for each 100 square feet of floor area used for consumption of food or beverages, or
public recreation areas;
plus*

*One space for each five fixed seats and for every 35 square feet of seating area where there are
no fixed seats in meeting rooms or other places of assembly.*

*Restaurant, Night Club, Bar and similar establishments and for the sale or consumption of food
and beverages on the Premises*

One space for each 50 square feet of Service Floor (including outdoor service areas).

General Retail Store - One space for each 225 square feet of floor area

E. BEACH IMPACT ZONE PARKING REQUIREMENTS.

In addition to the above requirements, all Venice Coastal Development Projects located within the Beach Impact Zone shall provide parking spaces in accordance with this Subsection.

1. One parking space for each 640 square feet of floor area of the Ground Floor for commercial and industrial Venice Coastal Development Projects.
2. One parking space for each 1,000 square feet of the floor area of the Ground Floor for multiple dwelling Venice Coastal Development Projects of three units or more.

7. Driveway Access.

VCZSP

Access

a. Driveways and vehicular access to Venice Coastal Development Projects shall be provided from alleys unless the Department of Transportation determines that it is not Feasible. New and existing curb cuts shall be minimized in order to protect and maximize public on-street parking opportunities.

Three curb cuts are proposed along Electric Avenue and based upon circulation requirements hotel drop off, restaurant/retail parking, employee parking, mandatory valet, these curb cuts spaces are absolutely necessary. The 8 valet – timed loading spaces along Abbott Kinney and 4 loading spaces along Broadway is excessive, Access to this project and street loading spaces should be analyzed as a new project. There should be one valet operator responsible for all uses on site, this would eliminate confusion and hold one company accountable for enforcement. With adequate valet personnel servicing the restaurant along Abbot Kinney there should be no more than 5 passenger loading spaces allocated to the valet. Along Broadway, the commercial yellow curb loading space should be limited to 60 feet.

There should be NO LOADING during 45 minutes prior to Westminster school commencing and 15 minutes after school commencement time and NO LOADING 1 hour after Westminster school ends.

Delivery Times should be limited based upon peak traffic hours and Westminster school hours.

8. Landscaping. **NO LANDSCAPE DRAWINGS SUBMITTED**

VCZSP

a. Any open portion of the lot on which the Venice Coastal Development Project is located, which is not used for buildings, parkways, driveways, or other access features, shall be landscaped. A list of applicable plant materials appears in the attached Appendix B.

b. A landscape development plan prepared by a State licensed landscape architect, State licensed architect or landscaped contractor shall be submitted to the Director of Planning for review and approval. This plan shall include the location of a permanent underground sprinkler system designed to insure complete coverage of all plant materials.

7. Light. **NO LIGHTING DRAWINGS SUBMITTED**

VCZSP

Lighting from commercial Venice Coastal Development Projects shall be directed away from residential Venice Coastal Development Projects and Environmentally Sensitive Habitat Areas.

8. Trash. COMPLIES WITH THE VCZSP AND LUP The proposed trash area complies with the Venice Coastal Development Projects requirement for trash enclosures for regular and recyclable trash.