



Venice Neighborhood Council

LAND USE AND PLANNING COMMITTEE

PO Box 550, Venice, CA 90294 www.VeniceNC.org

Email: Chair-[LUPC@VeniceNC.org](mailto:Chair-LUPC@VeniceNC.org)



STAFF REPORT

Original Report Date: 9/16/2021
Staff: Michael Jensen
Old LUPC Date: 5/20/2021
Old VNC Date: 9/21/2021
Updated: 3/4/2024

OVERVIEW

Address: 522 Venice Blvd.

Applicant: 522 Venice, LLC

Representative: Brian Silveira, Silveira & Associates

Case No.: CPC-2020-5839-DB-CU-CDP-MEL-SPP-HCA

Supporting Documents: [Supporting Documents](#)

Project Description: DENSITY BONUS CONDITIONAL USE PERMIT, CDP WITH MELLO, AND MAJOR PROJECT PERMIT VENICE COASTAL SPP COMPLIANCE FOR A NEW 26 UNIT APARTMENT (7 5 VLI UNITS).¹

Requested Entitlement(s):

- (1) CUP for Density Bonus,
- (2) CDP with Mello Compliance, and
- (3) Major Project Permit Venice Coastal SPP Compliance for a new 26 unit apartment building (7 5 Very Low Income Units)
- (4) DB with on and off-menu waivers and incentives

Staff Summary of Project: Demolition of residential triplex currently used as “podshare” co-living to be replaced by 26-unit apartment building with 7 5 very low income units.

The Project seeks a Conditional Use Permit (CUP) pursuant to LAMC 12.24(U)(26) to permit a density bonus greater than 35% with the following incentives and waivers pursuant to LAMC 12.22 A 25 and CA Government Code Section 65915:

Incentives (12.22 A 25): On-Menu

- Permit a 6’-11” increase in varied roofline height to allow up to 36’-11” in lieu of the maximum 30 feet allowed in the RD1.5-1 zone pursuant to the Venice Coastal Zone Specific Plan
- Permit a 40% reduction in required front yard setback along Mildred Avenue frontage to allow a 9’ front yard setback in lieu of the required 15’ front yard setback pursuant to LAMC 12.09.1.B.1

¹ Note that AdCom Agenda item does not accurately reflect this [case description on Department of Planning website](#).

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- Permit a 37% reduction of total required common open space to allow the provision of 784 square feet of total common open space in lieu of the 1,250 square feet required for total common open space pursuant to LAMC 12.21.G.2.a.1.iv
- Permit a 21% reduction in required westerly side yard setback along Ocean Avenue frontage to allow a 4'-9" side yard setback in lieu of the required 6' side yard setback pursuant to LAMC 12.09.1.B.1
- Permit the removal of the step-back provisions for the portions of the structure greater than 25 feet as otherwise required by Section 10G.3.a of the Venice Coastal Zone Specific Plan.
- Permit the provision of 5 automobile parking spaces in lieu of the 57 automobiles required pursuant to the Venice Coastal Zone Specific Plan Section 13.D and LAMC 12.21.A.4
- Permit the provision of 3 standard parking stalls and 2 compact parking stalls in lieu of the 1 standard parking space per dwelling unit minimum required pursuant to LAMC 12.21.A.5.(1)c.

January 2024 Changes:

- 20 market rate units + 5 VLI units
- 2 units converted to gym and shared workspace.
- Project becomes "car-fee" - lease restriction on owning an automobile.
- Remove subterranean parking and instead provide:
 - 4 dedicated electric cars - parking at grade
 - 1 ADA/guest parking stall
- Micromobility: dedicated e-scooters and e-bikes provided to project tenants
- Max building height increases from 30-feet to 36-feet, 11-inches as a result of building finished floor being at 9-foot base flood elevation - no change in height of structure.
- Retain existing Chinese Elm tree (no sub garage) and plant new trees in-ground.
- Project driveway moves to Mildred – remove plans to reconfigure Venice Blvd x Washington Way intersection.

Venice Sub-Area: Oakwood-Milwood-Southeast Venice

Zoning: RD 1.5

Existing SF: 16,096.46 SF lot

Proposed SF: 13,905 SF, FAR of 1.26:1

Proposed Parking: ~~26 tenant spaces, 2 guest spaces; parking is "bundled"; 46 bike stalls~~
4 dedicated electric cars - parking at grade, 1 ADA/guest parking stall

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Number of Units: 26 units total; ~~19~~²¹ market-rate units, ~~7~~⁵ affordable units (very low income)

COMPLIANCE WITH SPECIFIC PLAN

- Setbacks:** The Project’s proposed setbacks ask for a 40% reduction (from 15 feet to 9 feet) in front yard setback along Mildred, to accommodate the city’s required dedication, and reduction to side yard setbacks (an “off-menu” incentive).
The project also proposes a 21% reduction (6-feet to 4-feet 9-inches) in side yard setback adjacent to the landscaped “ball park” at the corner of Ocean Avenue and Venice Blvd.
The proposed setback along Mildred is consistent with and exceeds the prevailing setback for the block. Homes along Mildred have front yard setbacks as little as 5-feet from the public right-of-way.
The proposed side yard setback is adjacent to a landscaped public space which has a very large tree. The building will therefore be set-back roughly 50-feet from the public sidewalk at the corner of Ocean and Venice, and the proposed building will be mostly obscured by the existing tree.
The project site itself is considered irregular because it has two very long street frontages which are considered front yard. A “typical” lot has only one narrow front yard.
- Height:** The project has a maximum height of ~~30 feet~~ 36’11” and is requesting an on-menu height increase of 6’11” per Government Code Section 65915 to accommodate finished-floor minimums in the AE flood zone.
- Parking:** ~~The Project proposes 28 spaces to be provided. Without density incentives under the Specific Plan, the parking requirement would otherwise be two spaces for each dwelling unit (52) plus one guest space for each four or fewer units (9), a total of 61 spaces. (Specific Plan, § 13.D.; see LAMC § 12.21 A.4). However, LAMC § 12.22 A.25(d) provides for reduced parking requirements as part of the density incentives sought (1 space per 0-1 bedroom market rate unit, and 0.5 spaces per affordable unit), resulting in 26 spaces required. Importantly, the Project provides three more spaces than are required by the LAMC.~~
Remove subterranean parking and instead provide: 4 dedicated electric cars - parking at grade and 1 ADA/guest parking stall
- Affordable Units:** The current site contains three units, which were found to be affordable by default via an SB8 determination, i.e. in the absence of tenant income information.
- ZAA/Waiver:** The project does not seek a ZAA or waiver, but instead CUP for density bonuses, as outlined herein.
- Mass, Character, and Scale** The Project’s 6’11” of additional height is justified, both in terms of community character and in terms of affordable housing provision. The context study provided with the application materials shows that the proposed building is comparable in height to the Venice Centennial Library, an apartment building located directly across Ocean Avenue, and single-family homes along Mildred

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Avenue, none of which provide affordable housing or are entitled to height incentives under State law.

The project proposes an FAR of 1.48:1 (compared to 3:1 allowed by LAMC) which is consistent with buildings in the vicinity of the subject property. Notably, the Project does not seek an incentive for additional FAR that would be permitted under the LAMC.

From the Applicant's "Project Impact" findings:

3. Will alternatives to private vehicle use be provided or facilitated? How will the development affect traffic on coastal access roads?

The proposed project is a multifamily infill development with 25 1-bedroom units, including 5 very-low-income units.

Potential impacts to public access, via on-street parking will be mitigated by a number of project features, including:

- Lease restrictions on private automobile ownership: all tenants of the proposed project will be forbidden from owning a private vehicle.
- Availability of all-electric car-share vehicles: all tenants will have access to a fleet of four (4) dedicated car-share vehicles via an app that will allow the tenants to use the vehicles on an hourly basis.
- Availability of e-scooters and e-cargo bikes: all tenants will have access to a fleet of dedicated electric scooters and cargo bikes via an app.
- Active marketing for units as "car-less" in combination with the amenities listed above will target a group of prospective tenants who want to live and work in Venice or for whom car-ownership can easily be supplemented with the dedicated on-site mobility options.

The project features listed above will allow for new infill development of workforce and affordable housing with minimal impact to Coastal access. These features will not just facilitate access to the shoreline, but the project itself will allow for a broader range of socioeconomic classes to live near the shoreline.

Five (5) on-site parking spaces, four (4) will be reserved for the automobile ride share service, Envoy, which will allow residents and guests convenient access to an automobile - only when needed - rather than owning a private vehicle. This project feature allows for a reduced overall cost of living by eliminating the cost of private automobile ownership and insurance.

The car-share feature, combined with dedicated mobility options, will also result in fewer greenhouse gas emissions, which will help us to reach our climate goals, including reduction of Community Greenhouse Gas Emissions (GHG's), as well as those goals stated in Los Angeles' Green New Deal Plan for Zero Emissions Vehicles, Mobility & Public Transit, and Housing & Development.

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These mobility features also help to meet Coastal Act goals. Section 30252 of the Coastal Act states, in part, “New development shall...Minimize energy consumption and vehicle miles traveled...”

The project will provide 26 long-term bicycle parking spaces as well as 6 short-term bicycle parking spaces, which far exceeds the LADBS’s standard for bicycle parking. The proposed project is located along Venice Blvd, which is a divided highway with dedicated bicycle lane. The project is also located along several major bus routes and within walking and cycling distance to recreational amenities such as Venice Beach, Ballona Creek Bike Path, and the Abbot Kinney shopping district. Mobility 2035 identifies this section of Venice Boulevard as a “Comprehensive Transit Enhanced Street”, which will receive a Tier 1 protected bicycle lane as part of the City’s ongoing efforts to enhance its transportation networks.

4. Is the development proposed within or in close proximity to an existing developed area? Will it be visually compatible with the character of surrounding areas? If in a special Community or neighborhood, how will it protect the unique local character?

The proposed project is located in the Southeast Venice Subarea at the confluence of Venice Boulevard South, Ocean Avenue, and Mildred Avenue.

This location is characterized by a number of different uses and building scales, which are best viewed in the *Context Study* included with these findings.

Northwest: Venice Community Library building.

South and southwest (Venice Blvd): Mostly multifamily uses with some single family > 300’ distance from the subject property. The multifamily building directly across the street from the subject property has a maximum height of approximately 40-feet and very little massing. Most adjacent buildings along Venice Blvd have a maximum height of 30-feet, with some just above 30-feet.

Northeast (Washington Way): 2-story multifamily structures transitioning to one and two-story single-family homes.

East (Mildred Avenue): Single-story garages for through-lots on Washington Way and mostly 3-story single family homes at or exceeding 30-feet in height.

The proposed project has a floor-area-ratio of 1.48:1, which is significantly lower than the majority of buildings observed in the *Context Study*.

The applicant is seeking a density bonus incentive pursuant to Government Code Section 65915 to allow a 6’-11” increase in allowed height to provide a 36’-11” maximum height roofline.

The original iteration of this project was designed to strictly comply with the Coastal LUP and Venice Coastal Zone Specific Plan height limits. However,

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before the project could be approved, the Federal Emergency Management Agency of the US Government (FEMA) designated a portion of the subject property as belonging to the 'AE' Flood Zone. As a result of this designation, the project was redesigned to have its first finished floor at 9' base flood elevation (BFE), which caused the entire buildings to go up in elevation by 6'-11". There has been no change in the height of the building itself from the original project iteration - only the finished grade/finished floor of the building has increased in elevation. Since the height of buildings in Venice is measured from a fixed point at the centerline of the frontage street, the increase in finished grade resulted in an increase in overall height as measured from the centerline of Venice Boulevard.

Section 30604 of the Coastal Act states, in part:

(g) The Legislature finds and declares that it is important for the commission to encourage the protection of existing and the provision of new affordable housing opportunities for persons of low and moderate income in the coastal zone.

(h) When acting on a coastal development permit, the issuing agency, or the commission on appeal, may consider environmental justice, or the equitable distribution of environmental benefits throughout the state.

Policy I.A.13 (Density Bonus Applications) of the Venice LUP states, in part:

... In order to encourage the provision of affordable housing units in the areas designated as "Multiple Family Residential" ... the City may grant incentives such as reduced parking, additional height or increased density consistent with Government Code Section 65915 ...

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COMMUNITY OUTREACH

Date(s): February 2021; April 26, 2021; September 2, 2021 [and December 2023; February 2024.](#)

Notification Radius: 250 ft.

Summary of [2nd Project Iteration](#)

Feedback: [Per Applicant representative, Applicant hosted multiple zoom meetings with project neighbors and interested parties between December 2023 and February 2024 to describe the latest project program changes. Applicant reported the following initial concerns on behalf of the neighbors:](#)

- [Building design is too generic – consider making changes to facade](#)
- [Parking clause in lease may not deter tenants](#)
- [Make better use of open space](#)

[In response to community input, Applicant has made the following changes:](#)

- [Tenant lease clause updated to forbid ownership of a vehicle for all project tenants.](#)
- [Additional dedicated micro-mobility, including e-scooters, e-cargo-bikes](#)
- [New smart lockers to facilitate package delivery, including food delivery](#)
- [Changes to building façade, including “green” walls, and alternating color palettes to break up massing](#)
- [New outdoor tables and chairs added to open space courtyard](#)

1st Project Iteration

Applicant’s representative held two outreach meetings to present the projects to neighbors and has corresponded at length with neighbors over the past several months. At the first outreach meeting, neighbors raised concerns regarding the parking exit. As a result, Applicant relocated the exit to Venice Blvd from Washington Way. Several stakeholders from the Silver Triangle attended the second outreach meeting. Several Silver Triangle residents raised concerns about:

- Parking for 26 units being only 31 spaces
- Density of 26 units—too many
- Lack of visitor parking
- Location of Uber pick up/drop off
- “Greed of owner”
- Whether the low-income unit prices will be inclusive of parking

Additionally, as part of the redesigned plans, the intersection at Venice Blvd. and Washington Way is proposed to be altered to make crossing Washington Way safer. Some neighbors commented on the “tightness” of intersection, pedestrian crossing in front of driveway entrance/exit on Venice.

In response to community input, Applicant has offered changes to the parking:

- Parking will still be unbundled except that affordable units will include 1 free parking space upon request.

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- The parking entrance was always at Venice Blvd. After the first outreach meeting they relocated the parking exit from Washington Way to Venice Blvd and created the new intersection design.

Following the Project's approval at LUPC on May 20, 2021, Applicant engaged further with stakeholders to accommodate their concerns. The following changes were made:

- Subterranean parking garage reconfigured to accommodate cedar roots. Cedar tree preserved - 3 parking spaces lost. Total parking reduced from 31 to 28 spaces.
- Building setback next to ballpark increased from 4' 10" to 10' 3"-15'; to create a buffer between elm tree/ballpark and our proposed building.
- Removed pedestrian entrance on Mildred.
- Parking changed from "unbundled" to standard assignment of 1 parking space per unit.
- All 7 affordable units will be master-leased by Podshare, who will convert some of their existing residents to long-term affordable tenants in the new building.
- Plans include new trees in the between our property line and the current Venice Blvd sidewalk (R-permit).

Revised plans incorporating these changes are dated 9/16/21 and available [here](#). Despite approval of the Project as presented by LUPC on 5/20/21, Applicant continued to work with stakeholders over the past several months to accommodate their concerns.

[5/20/2021 LUPC HEARING SUMMARY](#)

Public Comment: Many of the same individuals reiterated concerns from stakeholders during outreach, which are summarized above.

An architect/arborist Sarah Wauters proposed incorporating trees instead of parking spaces and/or units.

Board Comment: LUPC committee overwhelmingly likes the project because it achieves creation of affordable using and workforce housing, all while maintaining compliance with the Specific Plan and density bonuses under the LAMC. LUPC invited applicant and representative to continue dialogue with neighbors throughout entitlement phase to see if any accommodations could be made to address neighbors' concerns.

Recommended Motion: Motion to Approve as presented by Michael, seconded by Alix, unanimously approved (7-0-0)

[3/7/2024 LUPC HEARING SUMMARY](#)

Public Comment:

Board Comment:

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Recommended [Motion to approve as presented](#)
Motion: