



Venice Neighborhood Council

P. O. Box 550, Venice, CA 90294

www.VeniceNC.org



LUPC STAFF REPORT

February 1, 2024

Case No:	APCW-2024-275-SPE-SPP-CDP-WDI
CEQA Case No:	ENV-2024-276-CE
Address of Project:	1648 Abbot Kinney Blvd.
Property Owner:	Massoud Rabbanian, Forever Properties LLC
Owner's Representative:	Brian Silveira, Brian Silveira & Associates
Standard of Review:	Venice Coastal Zone Specific Plan (VCZSP), Coastal Act, with certified Land Use Plan as guidance
Coastal Zone:	Single Permit Jurisdiction
City Hearing:	Not yet scheduled
LUPC Staff:	Gabriel Smith & Robin Rudisill

Application materials from City Planning website:

Application:

<https://planning.lacity.gov/pdiscaseinfo/document/MTE2NA0/32d019b8-1d0c-4d58-9258-fba315e88f6f/esubmit>

Plans:

<https://planning.lacity.gov/pdiscaseinfo/document/MTE2Mw0/32d019b8-1d0c-4d58-9258-fba315e88f6f/esubmit>

Applicant findings:

Attached

Project Description:

Construction of a new 1-story with mezzanine, 22 foot high (flat roof), 2,651 square foot ground floor retail use commercial building on a 30 x 90 vacant lot (currently contains a temporary non-fixed structure) totaling 2,700.2 square feet, with no auto parking spaces, providing 2 short-term and two long-term bicycle parking spaces.

Entitlements:

1. Specific Plan Exception (SPE)



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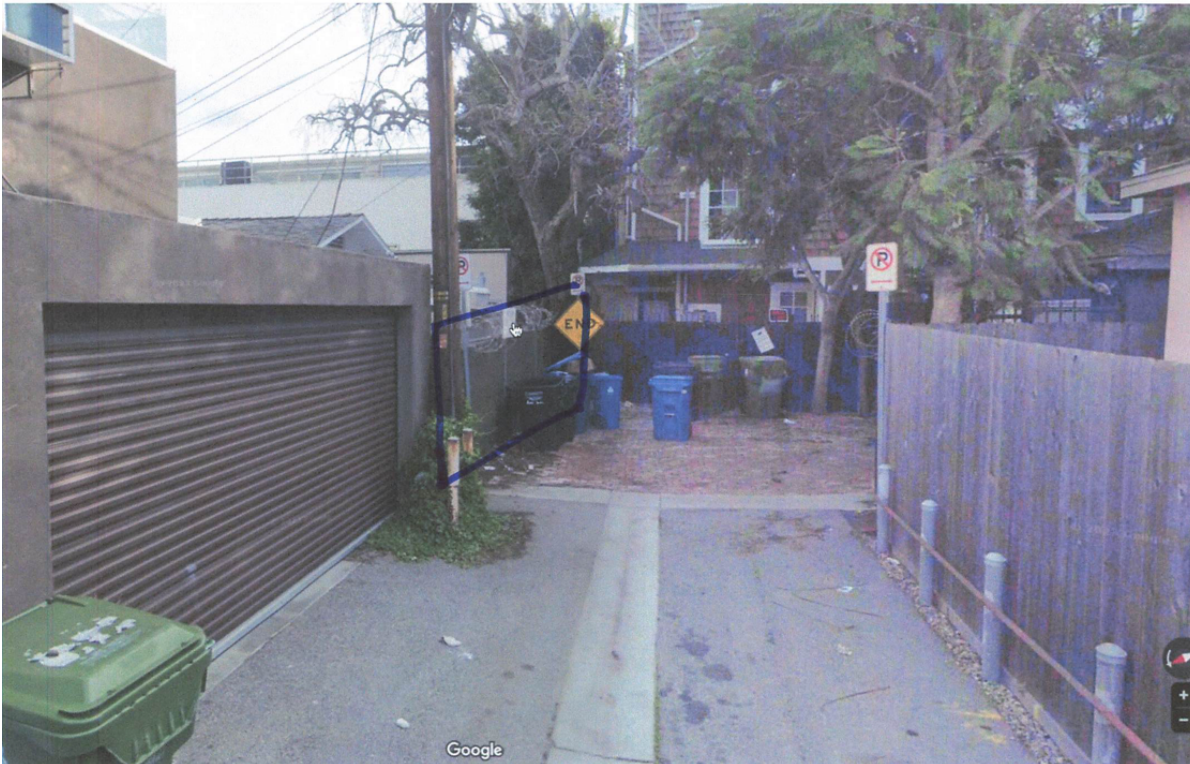
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Recommend approval. The project appears to meet all of the required SPE findings and exception criteria, as documented in the applicant's proposed findings, which indicate that an exception from the Specific Plan is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property within the Specific Plan area in the same zone and vicinity but which, because of special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question. The subject property has a narrow lot width of 30 feet and a substandard lot size of 2,700 square feet. There is no rear alley access (see photo below). To provide parking on the lot would take up a significant amount of the lot area as a driveway onto the property from Abbot Kinney Blvd. would require space for turning cars around as it would not be safe and therefore not allowed by DOT to back out of the driveway onto Abbot Kinney Blvd. This would present practical difficulties and unnecessary hardships and therefore deny the property owner of a substantial property right or use generally possessed by other property within the same zone and vicinity.

No Alley access:



2. Specific Plan Compliance (SPP)

Recommend approval. The project appears to meet all Specific Plan requirements (except for parking, as noted above, for which an exception is requested).



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3. City Coastal Development Permit (CDP)

Recommend approval. The project is located along Abbot Kinney Blvd, which is classified as a secondary highway (Avenue III) containing bicycle lanes and a major bus route. The existing infrastructure in this area will be able to accommodate the project use. The project would be compatible with the surrounding area with respect to mass, scale and character and therefore is in conformance with LUP Policy I.E.1. and Coastal Act Sections 30251 and 30253(e). The approval of the project with no auto parking will not cause an adverse cumulative impact as it appears to be the only lot in the general area with the circumstances of a narrow lot width, substandard lot size, and no rear alley access. Denial of the project as proposed could be seen as a taking as it would result in a significantly smaller retail building and thus deny the property owner of a substantial property right or use generally possessed by other property within the same zone and vicinity.

4. Waiver of Dedication and/or Improvement (WDI)

Recommend approval. The project appears to meet all the exception criteria for this entitlement, as outlined in the applicant's findings. The waiver would be consistent with 50+ years of precedent of no dedications, including recent cases, and the waiver would result in maintenance of the street wall on Abbot Kinney.

Motion:

The Venice Neighborhood Council recommends approval of a City CDP and a Specific Plan Project Permit for the project at 1648 Abbot Kinney for the construction a new 1-story with mezzanine, 22 foot high (flat roof), 2,651 square foot ground floor retail use commercial building on a 30 x 90 vacant lot (currently contains a temporary non-fixed structure) totaling 2,700.2 square feet, with no auto parking spaces, providing 2 short-term and two long-term bicycle parking spaces, including a waiver of the one-foot dedication and a specific plan exception for no auto parking on site.

**VENICE COSATAL ZONE SPECIFIC PLAN EXCEPTION FINDINGS
(LAMC Section 11.5.7-F)**

The Area Planning Commission may permit an exception from a specific plan if it makes all the following findings:

- 1. That the strict application of the regulations of the specific plan to the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the specific plan.**

The applicant requests an exception from the Venice Coastal Zone Specific Plan to permit the provision of zero (0) automobile parking spaces in lieu of the 14 spaces otherwise required under Sections 13.D and 13.E of the Venice Coastal Zone Specific Plan due to lacking physical access to an alley to allow for vehicular ingress and egress from the rear of the property and the substandard size of the lot.

The subject property is situated with 30 feet of frontage along Abbot Kinney Boulevard and the rear of the property abuts directly to a lot zoned both C2-1-O-CA and R3-1-O, which results in having no physical access from an Alley. Section 11.B.5.a of the Venice Coastal Zone Specific Plan stipulates that, “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.”

The proposed project is a one-story commercial structure consisting of 1,917 square feet of general retail store space and 128 square feet of general office space. Pursuant to Section 13.D it would typically be required to provide one automobile parking space for each 225 square feet of retail floor area for a total of nine (9) retail automobile spaces and one automobile parking space for each 250 square feet of general office floor area for a total of one (1) office parking space. Additionally, under Section 13.E, one parking space for each 640 square feet of floor area of the ground floor is required for commercial development projects. This would result in 10 commercial parking spaces in addition to the four (4) additional Beach Impact Zone parking spaces for a total of 14 automobile parking spaces.

Because the general purpose and intent of design standards for development on Abbot Kinney Blvd is to encourage pedestrian-oriented commercial activity, the streetscape is engineered to minimize potential unsafe interactions between pedestrians and vehicles. This results in development projects located on Abbot Kinney Blvd typically being required to provide vehicle access from the Alley instead of from the front of the property. This is to prevent vehicles accessing on-site parking from crossing between the heavy foot traffic on the sidewalk and the street. In keeping with this standard, the nearby prevailing dedications and improvements along Abbot Kinney Blvd do not consist of curb cuts for driveway entrances or exits. This situation prevents using the front of property as an alternative for vehicle access to on-site parking.

The strict application of the Specific Plan total parking requirement of 14 automobile spaces for the proposed project would result in both practical difficulties and unnecessary hardships inconsistent with the general purpose and intent of the Specific Plan.

- 2. That there are exceptional circumstances or conditions applicable to the subject property involved or to the intended use or development of the subject property that do not apply generally to other property in the specific plan area.**

There are special circumstances and conditions that are unique to the subject property that warrant a Specific Plan Exception. The subject lot fronts Abbot Kinney to the east and has no alley access at the rear of the site as a result of abutting to another parcel. The subject site is unique in that it is the only parcel located on the west side of Abbot Kinney Blvd that only has one access point to the public right-of-way. The neighboring property to the south, 1656 Abbot Kinney Blvd, also lacks alley access at the rear of the property, however that property does also have access to Venice Boulevard on the westerly side of the parcel.

The subject property is situated with 30 feet of frontage along Abbot Kinney Boulevard and the rear of the property abuts directly to a lot zoned both C2-1-O-CA and R3-1-O, which results in having no physical vehicle access from the Alley. This lack of physical alley access creates exceptional circumstances and conditions applicable to the subject property and to the intended use of the subject property that do not apply generally to other property in the Venice Coastal Zone Specific Plan area. All the properties on the westward side of Abbot Kinney extending northward to Westminster Boulevard (1644 to 1100 South Abbot Kinney Blvd) abut directly to an alley, Alhambra Court, granting these sites different conditions that permit a driveway or vehicular access from the alley.

The neighboring property to the immediate south of the subject site extending to East Venice Boulevard, 1656 Abbot Kinney Blvd, is also zoned C2-1-O-CA and shares the unique circumstance of the rear of the property abutting directly to a lot zoned both C2-1-O-CA and R3-1-O, resulting in a lack of physical access to an alley. However, this neighboring property is currently a 4,606 square foot commercial office building, which is approximately twice the building square footage (2,436 square feet) and a different use from the commercial retail use (1,917 square feet) of the proposed project.

Additionally, the neighboring property also abuts Venice Boulevard with vehicular access from both Venice Blvd and Abbot Kinney Blvd. Given that 1656 Abbot Kinney Blvd is a different use and has a second street access on to Venice Blvd, it is far more feasible for on-site parking to be provided as compared to the smaller commercial retail use of the proposed project with only access to Abbot Kinney Blvd.

The only means by which on-site automobile parking could be provided under these constrained conditions would be via two (2) tandem spaces that would require vehicles to back out directly onto Abbot Kinney Boulevard. This situation would create a public safety hazard for both pedestrians and vehicles along one of the most pedestrian trafficked

portions of Abbot Kinney Blvd. This unique lack of physical alley access creates exceptional circumstances and conditions applicable to the subject property and to the intended use of the subject property that do not apply generally to other property in the Venice Coastal Zone Specific Plan area.

- 3. That an exception from the specific plan is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property within the specific plan area in the same zone and vicinity but which, because of special circumstances and practical difficulties or unnecessary hardships is denied to the property in question.**

The project site is located in an urbanized area that was developed in the 1910s and 1920s, where structures were built to the property line on small lots. The subject site is substandard and has a frontage on Abbot Kinney Boulevard of 30 feet and an even depth of 105 feet providing a total lot area of 2,700 square feet. Specifically, properties on Abbot Kinney Boulevard were developed on narrow lots, generally 30 feet in width. In order to provide the required automobile parking for the commercial floor area under the constraint of lacking Alley access at the rear of the property, the project would have to otherwise provide automobile access via the front along Abbot Kinney Blvd, which is prohibited under Venice Coastal Zone Specific Plan development standards due to concerns around pedestrian safety. In addition, the substandard lot size and limited lot width, substantially constrains the projects ability to provided on-site automobile access and parking.

An exception from the Specific Plan requirement of providing 14 automobile parking spaces on-site is necessary for the preservation and enjoyment of a commercial retail use generally possessed by other properties in the same zone and vicinity. Because the subject site has a special circumstance and practical difficulty of lacking physical access to an alley, providing on-site automobile is an unnecessary hardship for the preservation and enjoyment a commercial retail use of the subject site, which otherwise would be denied. Other properties zoned C2-1-O-CA with retail uses along Abbot Kinney Blvd between Venice Blvd to the south and Rialto Avenue to the north do not currently provide on-site automobile parking.

Throughout the Venice Specific Plan area many existing buildings occupy their entire site and the other nearby properties zoned C2-1-O-CA with retail uses along Abbot Kinney Blvd between Venice Blvd to the south and Rialto Avenue to the north do not currently provide on-site automobile parking. The project design complements the positive characteristics of the surrounding existing uses, while serving as a visual transition to the residential uses abutting the rear of the property. By permitting the provision of zero (0) on-site automobile parking spaces, the project design can accommodate more ground floor commercial space enhancing the pedestrian orientation of the project and providing an active streetscape for Abbot Kinney Boulevard. Given the proposed project's location along a stretch of the street that contains similar uses, the Specific Plan Exception would allow for the development of a pedestrian-oriented development in Venice.

- 4. That the granting of an exception will not be detrimental to the public welfare or injurious to the property or improvements adjacent to or in the vicinity of the subject property.**

Granting the exception would not be detrimental to the public welfare, injurious to property or improvement to property in the surrounding area. On the converse, the proposed project would result in a significant improvement and benefit to the neighborhood by re-developing the current vacant lot with a well-designed and contemporary commercial retail building.

By permitting the provision of zero (0) on-site automobile parking spaces, the project design can accommodate ground floor commercial space enhancing the pedestrian orientation of the project and providing an active streetscape for Abbot Kinney Boulevard. Given the proposed project's location along a stretch of the street that contains similar uses, the Specific Plan Exception would allow for the development of a pedestrian-oriented development in Venice on a substandard lot.

- 5. That the granting of an exception will be consistent with the principles, intent and goals of the specific plan and any applicable element of the general plan.**

Venice Coastal Land Use Plan (Certified LUP)

The granting of an exception to allow the provision of zero (0) on-site automobile parking spaces in lieu of the 14 spaces required under the Specific Plan is consistent with the principles, intent, and goals of the Specific Plan and the General Plan. The proposed development is designed as a one-level structure and is consistent with the mass and scale of the existing commercial character of the neighborhood, as provided in the Certified LUP Policy 1.E.2.

"Policy I. E. 2. Scale. "New development within the Venice Coastal Zone shall respect the scale and character of community development. Buildings which are of a scale compatible with the community (with respect to bulk, height, buffer and setback) shall be encouraged. All new development and renovations should respect the scale, massing, and landscape of existing residential neighborhoods."

Policy I. B. 3. Commercial Artcraft Land Use Designation. "The purpose of this land use designation is to create enclaves in which the artisan segments of the population may live, create, and market their work, to maintain the variety and distinctiveness of Venice's lifestyles... Land designated Commercial Artcraft in the Venice Coastal Zone shall include the following areas:

North Venice: As indicated on the Land Use Policy Maps (Exhibits 10a and 10b), properties located along Abbot Kinney Boulevard from North Venice Boulevard to Westminster Avenue, along Windward Avenue from Ocean Front Walk to Pacific Avenue, and along Ocean Front Walk in that vicinity, including a small site at North Venice Boulevard and Pacific Avenue.

Uses: Artcraft activities including mixed-use, combining residential and commercial uses which emphasize artist-in-residence uses, small businesses, light industrial and artisan activities are permitted in these areas. Drive-thru facilities and billboards shall be prohibited in the Commercial Artcraft land use designation.”

Venice Community Plan

The proposed development is consistent with Venice Community Plan policies for commercial development embodied in the “Design Policies For Individual Projects” section:

Commercial

Site Planning

Structures shall be oriented toward the main commercial street where a parcel is located and shall avoid pedestrian/vehicular conflicts by:

- Minimizing the number of driveways providing access from arterials;
- Maximizing retail and commercial service uses and pedestrian entrances at the street level of commercial developments fronting on main commercial streets;
- Screening of mechanical, electrical equipment, enclosure of trash receptacles from public view.

Pedestrian-Oriented Height and Building Design

In Community Centers, Neighborhood Districts, and along Mixed-Use Boulevards, the mass, proportion and scale of all new buildings and remodels shall be at a pedestrian scale. The design of all proposed projects shall be articulated to provide variation and visual interest and enhance the street scape by providing continuity and avoiding opportunities for graffiti.

Building materials employed should provide relief to untreated portions of building facades. The purpose of these provisions is to ensure that a project does not result in large sterile expanses of building walls, is designed in harmony with the surrounding neighborhood, and creates a stable environment with a pleasant and desirable character. Accordingly, the following policies are proposed:

- No structures should exceed three stories or 45 feet in height or less as further restricted by applicable specific plans.

1648 Abbot Kinney Blvd

- Use of articulations, recesses, surface perforations, or porticoes to break up long, flat building facades and free standing walls.
- Maximize the area devoted to doors, windows and transparent elements on front facades or those facing rear parking.
- Provide accenting, complementary building materials to building facades.

The project site is located in close proximity to valuable coastal, recreational, transportation, employment, and retail resources in the C2-1-O-CA Zone. By designing the project to be oriented toward the main commercial street and avoid pedestrian/vehicular conflicts is in conformity with the policies of the Specific Plan and Community Plan Element of the General Plan. The granting of an exception to allow the provision of zero (0) on-site automobile parking spaces in lieu of the 14 spaces required under the Specific Plan is consistent with the principles, intent, and goals of the Specific Plan and the General Plan.

**COASTAL DEVELOPMENT PERMIT PROJECT IMPACTS
LAMC 12.20.2**

The relationship of the development to the following items must be explained fully. Attach additional sheets if necessary.

- 1. Will the development extend onto or adjoin any beach, tidelands, submerged lands or public trust lands?**

No, the proposed project is located several thousand feet from the beach and the development will not extend onto or adjoin any beach, tidelands, submerged lands or public trust lands.

- 2. Will the development maintain, enhance, or conflict with public access to the shoreline and along the coast?**

The proposed project will enhance public access to the shoreline along the coast by providing high-demand retail opportunities. The proposed project will not alter any public access or public roadway.

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

Yes, alternatives to private vehicle use will be provided and facilitated by the project via two (2) long-term and two (2) short-term bicycle parking spaces. The Property is located approximately 100 feet from the intersection of Abbot Kinney Boulevard and Venice Boulevard. 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 effort to enhance its transportation networks. Currently, both Venice Boulevard roadways adjacent to Pacific Avenue contain a standard “striped” bike lane for exclusive use of bicycles.

Section 30253 of the Coastal Act states, in part:

New development shall...Minimize energy consumption and vehicle miles traveled...

Studies have shown that having functional and conveniently located long and short-term bicycle parking in a development encourages the use of bicycles as an alternative form of transportation to automobile. In particular, this is true in a community like Venice which is easily traversable by bicycle and is located in close proximity to the Venice Beach bicycle path as well as bike lanes along Main Street, Windward Avenue, and Venice Boulevard that give access to a wide array of community-facing commercial and employment resources.

- 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?

Yes, the proposed project is located along Abbot Kinney Boulevard within an existing developed area. The proposed project is located in the North Venice subarea of the Venice Coastal Zone Specific Plan in an area identified by the Venice LUP for commercial uses and project is immediately surrounded by commercial, multifamily, single family residential uses.

The project site, which is vacant, currently has no improvements. The site is made up of one rectangular lot fronting Abbot Kinney Blvd and abuts 583 Venice Boulevard, a duplex zoned both C2-1-O-CA and R3-1-O, at the rear of the property to the west. A commercial building with a retail use, 1642 Abbot Kinney Blvd, abuts the site to the north and the site is adjacent to another commercial building with an office use at 1656 Abbot Kinney Blvd to the south.

Height, Density, and Use

The surrounding area is made up of a range of low-mid density residential and commercial uses, including one-story retail buildings and two-story apartment houses, mixed-use, and office buildings. Many of the buildings along Abbot Kinney Boulevard contain ground floor commercial uses with one level of multifamily residential on top. Abbot Kinney Boulevard buildings range in height up to 30 feet. The 2,651 square foot proposed project's building height is 22 feet with a Floor Area Ratio of 0.98:1. The proposed project will be visually compatible with other commercial structures in the surrounding area, which are mostly up to 2 stories. The proximate neighborhood is characterized by commercial and mixed-use (commercial and residential) structures similar to the proposed development in density and scale.

Parking

Typically, commercial uses within the Venice Coastal Zone are required to provide on-site automobile parking at a rate of one space for each 225 square feet of retail floor area for a total of nine (9) retail automobile spaces and one automobile parking space for each 250 square feet of general office floor area for a total of one (1) office parking space. In addition, commercial uses in the Beach Impact Zone (BIZ) are required to provide one additional parking space for every 640 square feet of floor area of the ground floor, resulting in a total of four (4) BIZ parking spaces. Based on the proposed project's provision of 1,917 square feet of general retail store space and 128 square feet of general office space, the project is required to provide fourteen (14) parking spaces for its commercial uses. The project proposes zero (0) parking spaces to be used in conjunction with its one (1) commercial unit. The proposed project also provides two (2) long-term and two (2) short-term bicycle parking spaces. In order to achieve the highest public accessibility, the short-term bicycle parking will be located beside the building in the public right-of-way on Abbot Kinney Blvd.

This is consistent with Section 30252 of the **Coastal Act** because it is: providing commercial facilities within or adjoining residential development, minimizing the use of coastal access roads;

providing non automobile circulation within the development; providing adequate bicycle parking facilities which can be used as substitute means of serving the development and connect with public transportation; not a high intensity use that needs its own public transportation enhancements. Furthermore, the planned commercial establishment types are not of the nature that would prompt visitation with the sole purpose of patronizing the retail business contained therein, as Venice and Abbot Kinney Boulevard are destination areas that draw coastal visitors. It is, therefore, not expected that visitors to the commercial units will require on-site parking at the proposed development.

5. **Describe how grading will be conducted so as to minimize alterations to land forms. If on a bluff or in an area of high geologic risk, how will the project design assure stability and minimize erosion?**

No re-grading of coastal lands will occur.

6. **Does the development involve diking, filling or dredging of open coastal waters, wetlands, estuaries or lakes? What alternatives are available? How will the adverse environmental effects of this be minimized?**

No, the project does not involve diking, filling or dredging of open coastal waters, wetlands, estuaries, or lakes

7. **Is the proposed development coastal-dependent? Will it displace any coastal- dependent facilities?**

No, the project is not coastal-dependent and will not affect coastal-dependent facilities.

8. **How will the development affect biological productivity of coastal waters?**

The project will not affect biological productivity of coastal waters.

9. **Is the development proposed near sensitive habitat areas, parks or recreation areas? How will the project design prevent adverse environmental impacts on these areas?**

Yes, the project is within 500 feet of Venice of America Centennial Park but is not near a sensitive habitat area. The project proposes reduced parking, and short- and long-term bicycle parking encouraging the use of alternative modes for park visitors. Furthermore, the development proposes community-facing retail opportunities, further discouraging private vehicle use, which causes adverse environmental impacts and detracts from the unique assets offered by natural world nearby.

10. **Is the development proposed within or adjoining land suitable for agriculture? Will it convert agricultural land to another use? How is the project consistent with continued local**

agricultural viability?

The project is being built in an urban environment that is not suitable for agriculture.

11. What water conservation features are included in the project?

Project will employ LID (low impact development) systems as a way to mitigate storm water runoff and maximize water efficiency and retention for landscaping purposes.

12. What energy conservation features are included in the project?

The Project will observe all Title 24. required green building and energy codes applicable to residential buildings.

13. Describe current location of service lines for necessary utility connections and any extensions or relocations of service lines.

The proposed project is 8 feet to the nearest mainline sewer, which will require an extension of service lines.

14. Will the development protect existing lower cost visitor and recreational facilities? Will it provide public recreational opportunities?

The proposed development project includes a ground-floor retail unit that is planned to contain visitor-facing retail and restaurant opportunities at costs appropriate for the existing market, enhancing the current visitor and recreational facilities.

15. Will the development protect or provide low- and moderate-income housing opportunities? Will it displace low- or moderate-income housing?

The site is currently a vacant lot with no prior housing use, consequently the proposed development will not displace existing affordable opportunities as a commercial use.

16. Is the development proposed within or near a known archeological, paleontological or historic site? How will impacts on such sites be minimized?

No, the proposed development is not within or near a known archeological, paleontological or historic site.

17. List all permits, permissions or approvals required from public agencies for this development and indicate those already applied for or granted.

(1) Coastal Development Permit

- (2) Project Permit Compliance for the Venice Coastal Zone Specific Plan
- (3) Specific Plan Exception
- (4) Waiver of Dedication and/or Improvement

18. **Is the project located:**

- a. **Between the sea and the first public road paralleling the sea?** NO
- b. **Within 300 feet of the inland extent of any beach?** NO
- c. **Within 300 feet of the top of the seaward face of any coastal bluff?** NO

**COASTAL DEVELOPMENT PERMIT FINDINGS
LAMC 12.20.2**

- a. **The development is in conformity with Chapter 3 of the California Coastal Act of 1976 (commencing with Section 30200 of the California Public Resources Code.)**

Shoreline Access

The proposed project does not obscure public access to the coastline in any way. The proposed project also does not interfere with waterfront oriented recreational activities or waterfront land suitable for recreational activities. The subject property is located on a privately-owned parcel several thousand feet from the shoreline. Furthermore, the proposed project is located along Abbot Kinney Blvd, which is classified as a secondary highway (Avenue III) containing bicycle lanes and a major bus route. Therefore, the existing infrastructure will be able to accommodate the project use and the project will not have significant adverse effects, either individually or cumulatively, on coastal resources. As such, the proposed development will not interfere with or obstruct any access to coastal resources or ocean use.

Recreation and Visitor Facilities

The proposed development will provide visitor-facing retail opportunities that will enhance the surrounding existing commercial establishments and provide opportunities for retail and restaurant commerce for visitors to recreational facilities.

Water and Marine Resources

The proposed project will not impact any marine resources. The project is above the high tide line and will not have any effect on the Pacific Ocean, or on the sandy inter-tidal zone.

Environmentally Sensitive Habitat Area

The project is within a fully developed commercial and residential neighborhood with no such

areas nearby.

b. The permitted development will not prejudice the City of Los Angeles to prepare a local coastal program that is in conformity with Chapter 3 of the California Coastal Act of 1976.

The proposed project will conform to the existing Venice Local Coastal Program Land Use Plan and will not prejudice the City of Los Angeles to prepare a Local Coastal Program (LCP) that is in conformity with Chapter 3 of the California Coastal Act of 1976

The commercial unit will provide visitor-facing retail to enhance the economic strength of the recreational facilities.

c. The Interpretive Guidelines for Coastal Planning and Permits as established by the California Coastal Commission dated February 11, 1977 and any subsequent amendments thereto have been reviewed, analyzed, and considered in light of the individual project in making its determination.

The proposed project does not conflict with any of the guideline provisions for the subject area.

d. The decision of the permit-granting agency has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30625 (c) of the Public Resources Code.

The California Coastal Commission Public Resources Code is concerned with improving recreational opportunities for the public and the impacts to marine resources or sensitive habitat.

Approval of the proposed project through the granting of a Coastal Development Permit would not establish a precedent that deteriorates Local governments or port governing bodies in their future decisions to protect the beach or coastal waters and therefore should not conflict with any action or decision made by the California Coastal Commission pursuant to Section 30626(c) of the Public Resources Code.

e. If the development is located between the nearest public road and the sea of shoreline of any body of water located within the coastal zone, the development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976.

The proposed project is NOT located between the nearest public road and the sea or shoreline of any body of water. As such, the proposed development does not interfere with, the public's right of access to the sea.

**VENICE COASTAL ZONE SPECIFIC PLAN PROJECT PERMIT COMPLIANCE FINDINGS
(LAMC Section 11.5.7-C)**

The Director shall grant a Project Permit Compliance upon written findings that the project satisfies each of the following requirements:

- 1. That the project substantially complies with the applicable regulations, findings, standards and provisions of the specific plan.**

The project site is currently vacant and properties proximate to the site are developed with one and two story structures in an urbanized area. The proposed new structure would face Abbot Kinney Boulevard and encompasses 2,651 square feet of floor area for commercial development with ground-floor retail space. The development is comprised of one story with a flat-roof height of 22 feet per the Venice Coastal Zone Specific Plan maximum height limit of 30 feet for flat roof structures. The total automobile parking will be zero (0) spaces in lieu of the 14 required under the Venice Coastal Zone Specific Plan.

The proposed project complies with the applicable General Land Use and Development Regulations set forth in Section 9, Land Use and Development regulations for the North Venice Subarea set forth in Section 10.F, the Commercial Development Standard outlined in Section 11, of the Specific Plan as evidenced below:

Section 9 General Land Use and Development Regulations.

Consistent with subsection B., height is measured from the midpoint of the centerline of the street lowest in elevation. The project complies with the applicable provisions of Section 9 of the Specific Plan.

Section 10.F North Venice Subarea Development Regulations.

The proposed development is subject to the height and setback requirements for the North Venice Subarea. The project proposes a maximum height of 22 feet with a flat roof, consistent with the height limitation of 30 feet (10.F. 3.a). Vehicular access is addressed via 10.F.5.a, which states, "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." Because the subject site has no Alley access, vehicular access from the rear of the property is not possible. The project complies with the applicable provisions of Section 10.F of the Specific Plan.

Section 11 Commercial Design Standards.

The proposed project includes commercial uses on the ground floor, providing more than 50 percent of the Street Wall is designed with windows, pedestrian entrances, and storefronts; no blank walls are provided. Pedestrian entrances are provided on the store frontage. The project proposes a maximum Floor Area Ratio of 0.98:1 for projects comprised of retail and office uses.

All unpaved areas are landscaped, lighting is directed onsite, and trash/recycling areas are provided within the proposed structure. As proposed, the project complies with the applicable provisions of Section 11.B of the Specific Plan.

2. That the project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.

The project will undergo an Environmental Assessment to determine the correct level of environmental review. However, it is anticipated that a Class 3 Categorical Exemption would apply in this case as CEQA Guidelines, Section 15303 includes new construction of small structures:

“Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel or to be associated with a project within a two-year period. Examples of this exemption include but are not limited to:

... C. A store, motel, office, restaurant or similar commercial or institutional structure not involving the use of significant amounts of hazardous substances, and not exceeding 2500 square feet in floor area. In urbanized areas, the exemption also applies to up to four such commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use, if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.”

The US Census designates Los Angeles in general and the Venice area specifically as “urbanized areas” and the subject project proposes the construction, use, and maintenance of a one-story 2,651 square foot retail building (not exceeding 10,000 square feet in floor area) on an existing vacant lot. Consequently, a Class 3 Categorical Exemption is consistent with the provisions of the California Environmental Quality Act and the City CEQA Guidelines.

**WAIVER OF DEDICATION AND/OR IMPROVEMENT FINDINGS
LAMC Section 12.37.1.2(b)**

FINDINGS FOR APPROVAL: In order to approve an application, the decision maker must decide if the facts presented in the record are such to support the findings (i.e. criteria for approval).

REQUEST(S):

The applicant is pursuing relief from the requested 1-foot dedication along the property street frontage to complete the 36-ft half width right-of-way, as required by Bureau of Engineering. Continuity of the 0-foot front yard setback, unrestricted, as allowed by-right in the C2-1-O-CA zone conforming with the 0-foot setback of the proposed building, to allow for an uninterrupted expansion along the property line is requested.

1. The dedication or improvement requirement does not bear a reasonable relationship to any project impact.

Strict adherence to the Bureau of Engineering requirement for a 1-foot dedication along the property street frontage to complete the 36-ft half width right-of-way is impractical at the subject site because the proposed building fronting Abbot Kinney Boulevard is to be built to the property line, and is observing the by-right setback of 0-feet at the front yard.

To construct the proposed one-story, 2,651 square foot retail building on Abbot Kinney Blvd along the property line abutting the neighboring property & building, without maintaining the existing, by-right, 0-foot setback, would adversely affect the fronting elevation along South Abbot Kinney Boulevard. Strict adherence to the BOE dedication requirement would not allow realization of the proposed architectural design, which is appropriate for the site, by-right, and consistent with the prevailing dedications that are being maintained with other neighboring properties and structures in the vicinity along South Abbot Kinney Blvd.

As a relatively small retail space among many such other developments located along a thoroughfare world renowned as a tourist destination like Abbot Kinney Blvd, the proposed project will not have a significant undue impact on circulation patterns in the Venice Community Plan area. Therefore, the 1-foot dedication requirement does not bear a reasonable relationship to the project impact.

2. The dedication or improvement is not necessary to meet the City's mobility needs for the next 20 years based on guidelines the Street Standards Committee has established.

Abbot Kinney Boulevard, adjoining the subject site to the east is designated an Avenue III, requiring a dedicated width of 72 feet public right-of-way consisting of a 46 feet roadway width and 13 feet sidewalk/parkway width. The actual right-of-way width is approximately 70 feet in

width with a roadway width of approximately 51 feet and a sidewalk/parkway width of approximately 10 feet.

Abbot Kinney Boulevard is improved with an asphalt roadway, gutter, curb, and sidewalk. The Mobility Plan 2035, identifies Abbot Kinney Boulevard as part of the Neighborhood Enhanced Network and located in a Pedestrian Enhanced District. Further the segment of Abbot Kinney Boulevard between Main Street and Palms Boulevard is designated an Avenue III Modified where the Street Standards recommends a public right of way of 70 feet with 10 feet sidewalks. This modification to the Street Standards is to support the designation of Abbot Kinney Boulevard as a Pedestrian Priority District.

Most of Abbott Kinney Blvd consists of lots that are substandard in terms of lot width and overall size. As these lots have been redeveloped over the course of the last 30 years, that narrow lot width and substandard lot size has prevented the City from requiring any sort of dedication to accommodate a full pedestrian right-of-way or sidewalk.

Several of these lots on the east side of Abbot Kinney Boulevard, including directly across the street, 1639-1641 S. Abbot Kinney Blvd (case # APCW-2018-7013-ZC-ZV-ZAA-CDP-SPE-SPP-MEL-WDI), were developed as recently as 2018 with relief from the same 1-foot dedication requirement.

In summary, adherence to the Street Standard for an Avenue III for a dedication requirement for 30 feet in length by 1 foot in depth of land along the property frontage to complete the 36-ft half Abbot Kinney Blvd right-of-way is not necessary to meet the City's mobility needs and would serve no practical impact to increasing the width of the path of travel for pedestrians.

3. The dedication or improvement requirement is physically impractical.

The subject site consists of an interior rectangular 2,700 square-foot lot with a frontage of 30 feet. The site is currently undeveloped as a vacant lot and the proposed project is a one-story 2,651 square feet retail building that is to be built to the front property line and extend more than half the width of the current site.

The required 1-foot dedication for the 30-foot frontage of the project site would not be practical, as the sidewalk could not be widened for such a small portion of the street. The proposed building at the subject site fronting Abbot Kinney Boulevard is to be built to the property line, as allowed by the Municipal Code.

In summary, adherence to the Street Standard for an Avenue III for a dedication requirement for 30 feet in length by 1-foot in depth of land along the property frontage to allow for the completion of the 36-ft half Abbot Kinney Blvd right-of-way is impractical and would serve no practical impact to increasing the width of the path of travel for pedestrians.