



DEPARTMENT OF CITY PLANNING RECOMMENDATION REPORT



West Los Angeles Area Planning Commission

Date: March 19, 2008
Time: After 4:30 p.m.
Place: Henry Medina West Los Angeles Parking
Enforcement Facility
11214 W. Exposition Boulevard
2nd Floor Roll Call Room
Los Angeles, CA. 90064

Public Hearing: December 10, 2007
Appeal Status: To City Council
Expiration Date: May 1, 2008
Multiple Approval: Specific Plan Exception is appealable by the applicant to City Council if disapproved in whole or in part.
Per LAMC Sec. 12.36 (Multiple Entitlements) Conditional Use and Site Plan Review are appealable to City Council.

Case No.: APCW-2007-3751-ZC-ZAA-SPE-SPP-CDP-MEL

CEQA No.: ENV-2006-9080-MND-REC1

Related Cases:

Council No.: 11
Plan Area: Venice
Specific Plan: Venice Coastal Zone and Los Angeles Coastal Transportation Corridor
Certified NC: Grass Roots Venice
GPLU: Limited Manufacturing
Zone: M1-1

Applicant: Erik and Bridgette Almetz
Representative: Dwayne Oyler, Architect

PROJECT LOCATION: 2304 Zeno Place

PROPOSED PROJECT: Demolition of an existing single-family dwelling and automobile repair facility to construct four residential units approximately 30-feet high providing nine parking spaces on a 5,000 square foot (sq. ft.) site.

REQUESTED ACTIONS:

1. Pursuant to Section 12.32 of the Municipal Code a **Zone Change** from M1-1 (Limited Industrial Zone) to (T)(Q) CM-1 (Commercial Manufacturing Zone).
2. Pursuant to Section 11.5.7 F of the Municipal Code, an **Exception** from the following Sections of the Venice Coastal Zone Specific Plan (Ordinance Nos. 175,693) as follows:
 - A. Section 10.G.3 to permit a building with a height of 30 feet in lieu of the maximum 25 feet which is otherwise permitted for projects with a flat roof by the Specific Plan.
 - B. Section 10.G.4 to permit vehicular access for four of the nine parking spaces via Victoria Avenue in lieu of from the adjacent alleyway as otherwise required by the Specific Plan.
3. Pursuant to Section 12.28 of the Municipal Code, an **Adjustment** to permit a zero (0) foot side yard in lieu of the minimum required five foot side yard.
4. Pursuant to Section 12.20.2 of the Municipal Code, a **Coastal Development Permit** to allow the demolition of an existing single-family dwelling and automobile repair facility to permit the construction of a four unit residential building.

5. Pursuant to Section 11.5.7 of the Municipal Code, a **Project Permit Compliance** determination with the Venice Coastal Zone specific Plan.
6. Pursuant to Government Code Section 65590 and 65590.1 a **Mello Act Compliance** review for projects in the Coastal Zone. (The Mello Act is a Statewide law which requires local governments to comply with certain requirements designed to preserve and increase the supply of affordable housing in the Coastal Zone).

RECOMMENDED ACTIONS:

1. **Disapprove** the requested **Zone Change** from M1-1 (Limited Industrial Zone) to (T)(Q) CM-1 (Commercial Manufacturing Zone).
2. **Disapprove** the requested **Specific Plan Exception** to permit a building with a height of 30 feet in lieu of the maximum 25 feet.
3. **Disapprove** the requested **Specific Plan Exception** to permit vehicular access for four of the nine parking spaces via Victoria Avenue in lieu of from the adjacent alleyway as otherwise required by the Specific Plan.
4. **Disapprove** the requested **Adjustment** to permit a zero (0) foot side yard in lieu of the minimum required six foot side yard.
5. **Disapprove** the requested **Coastal Development Permit** to allow the demolition of an existing single family dwelling and an Automobile repair facility to allow the construction of a four residential unit building.
6. **Disapprove** the requested **Project Permit Compliance** determination with the Venice Coastal Zone specific Plan.
7. **Disapprove** a Mello Act Compliance Review for projects in the Coastal Zone.
8. **Adopt** the attached Findings.

S. GAIL GOLDBERG, AICP
Director of Planning

Betsy Weisman, Principal City Planner

Kevin D. Jones, Hearing Officer
(213) 978-1172

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Exhibits:

- A – Maps
 - A1 – Vicinity Map (required)
 - A2 – Radius Map (required)
 - A3 – Plan Map (optional)

- B - Plans
 - Site Plan
 - Elevation Plan
 - Landscape Plan

- C –Others, photos and correspondence
- D - Environmental Clearance – EAF-2006-9080-MND-REC1

PROJECT ANALYSIS

Project Summary

The project site is a rectangular shaped parcel that consists of two lots that have an area of 5,000 square feet (sq. ft.). The parcel is located at the south east corner of Zeno Place and Victoria Avenue. An alley is on the east side of the site. The site is currently developed with a single family dwelling and an automobile repair facility that is used as a design studio. All existing structures will be demolished. The project is a four unit residential project with heights of 30 feet and a floor area totaling 7,450 sq. ft. (gross building area). The project will provide nine parking spaces on site. Other improvements will include site paving at driveways and parking areas, landscaping, fencing, and related site improvements.

The current Venice Community Plan was adopted September 29, 2000 and designates the subject site as Limited Manufacturing with corresponding zones of CM, M1, MR1 and P. The zoning for the subject site is M1-1.

The drive entry to five parking spaces will be from the alley on the east side of the site and four parking spaces will be accessible from Victoria Avenue using an existing driveway apron on the west side of the site. Eight of the parking spaces will be covered and have a tandem configuration. The ninth space is uncovered and accessible from the alley. The project will not reduce the amount of street parking because the driveway apron will be reused.

Zone Change

The applicant requests a Zone Change from M1-1 to (T)(Q)CM-1. The CM zone is a corresponding zone within the Limited Manufacturing Land Use designation. The CM zone permits residential uses at R3 standards permitting one dwelling unit for each 800 sq. ft. of lot area. The lot area of the site would permit the development of the proposed four dwelling units.

Specific Plan Exception

The applicant requests two exceptions from the Venice Specific Plan. The first is to permit a building with a height of 30 feet in lieu of the maximum 25 feet which is otherwise permitted for projects with a flat roof by the Specific Plan. The second exception is to permit vehicular access for four of the nine parking spaces via Victoria Avenue using an existing driveway apron in lieu of from the adjacent alleyway as otherwise required by the Specific Plan.

Yard Adjustment

The applicant request an adjustment to permit a zero (0) foot side yard in lieu of the minimum required six foot side yard along the southern property line that abuts industrial uses.

Background

Existing Uses

The site consists of a flat rectangular-shaped, two lot, corner site located on the southwest corner of Zeno Place and Victoria Avenue with a width of 50 feet and a depth of 100 feet. The site is within the Venice Community Plan Area, the Venice Coastal Specific Plan, and the Los Angeles Coastal Transportation Corridor. The subject site is improved with an automobile repair facility built in 1983, currently used as a design studio, and a single family dwelling constructed in 1926. Zeno Place and Victoria Avenue are designated as local streets.

Surrounding Zones and Uses

The surrounding area to the south is a mix of light industrial uses interspersed with some residential uses. Many structures are over 50 years old. The majority of the older structures are low rise one and two story structures. The area is relatively flat. Some newer development has introduced joint living and work quarters projects into the area. North of the project site the land use is residential.

North: R2-1 – North of the project site, north of Zeno Place, the area is developed with low rise single and multi family residential uses that are one and two stories in height. Most of these structures are over 50 years old.

East: M1-1 and R3-1 – East of the project site are a mix of light industrial and residential uses. The east side of Boccaccio Avenue is a Medium Residential land use designation with a corresponding zone of R3-1. The structures have varying ages with one and two stories.

South: M1-1 – South of the project site a are a mix of light industrial and residential uses. The industrial building adjacent to the subject site has a height of 30 feet. Other structures are one and two story in height with varying ages.

West: M1-1 - The west side of the project site are a mix of light industrial, residential uses and automobile related uses. The structures have varying ages with one and two stories.

Streets and Circulation

Zeno Place adjacent to the north side of the subject site is a designated Local Street.

Victoria Avenue adjacent to the west side of the subject site is a designated Local Street

Boccaccio Avenue 120 feet east of the subject site is a designated Local Street.

Abbott Kinney Boulevard 460 feet south of the subject site is a designated Secondary Highway.

Previous Case

The applicant filed APCW-2006-9079-SPE-ZV-ZAA-CDP-SPP-MEL for a similar project that provided four joint live/work units. The applicant withdrew the application prior to any action base on information that the requested Zone Variance to allow residential uses in the M1 zone was not appropriate. The applicant was advised that the more appropriate entitlement was a zone change request.

Issues

Use. The proposed project is the development of four residential units. The applicant requests a zone change from M1-1 (Limited Industrial Zone) to (T)(Q) CM-1 (Commercial Manufacturing Zone). The M1 zone prohibits residential uses while the CM zone permits residential use at R3 densities, one dwelling unit per 800 sq. ft. of lot area. The issue presented by this project is that it will add residential uses to this industrial area.

This area is an active industrial area with motorcycle repair, warehouse, and film production facilities on the same block. Approximately 20 sites have industrial uses on them and approximately 11 sites have residential uses. About half of these residential buildings were built prior to the establishment of the current M1 zone and have non conforming status. A

few of these sites have joint live/work developments. However, the predominant uses are industrial.

The Venice Community Plan is to provide adequate land use amounts and capacities to accommodate the projected population until 2010. The Venice Community Plan designates approximately 918 acres for residential uses and approximately 45 acres for industrial uses. These acreages are adequate to accommodate additional residential units and the projected population. The requested CM zone, while compatible with the Land Use Designation, would potentially reduce the amount of industrial land.

Given these factors, the Planning Department recommends the preservation of industrial areas to the extent possible to maintain a supply of industrial land to meet current and future needs. The Department cannot recommend the requested zone change to CM and the proposed project that will add residential uses.

Height. Heights of 30 feet are not found in the area north of Zeno Place that is developed with one and two story residential structures and does not follow the Specific Plan provisions. However, the proposed project is adjacent to a building that has a height of 30 feet. This building was built prior to the effective date of the Specific Plan. The proposed design would match the height of the adjacent building.

Access. Vehicular access from Victoria Avenue would require a driveway possibly reducing on street parking. The subject project's plans and a field inspection confirmed an existing driveway apron that will be used for parking access and will not reduce street parking from current levels.

CONCLUSION

The Department recommends the disapproval of the Zone Change, Specific Plan Exceptions, Zone Adjustments, Coastal Development Permit and other actions as discussed in this report. The Planning Department has considered the proposed project, the surrounding land uses and zones and concludes that the zone change for the subject site from M1 to CM would not be appropriate. The requested CM Zone permits residential uses at R3 densities. The area generally bounded by Zeno Place, Boccaccio Avenue, Abbot Kinney Boulevard and Venice Boulevard is designated as Limited Industrial and zoned M1-1. The majority of the uses in this area are industrial. Residential uses have been present since the area was developed but further incursion of these uses could jeopardize these industrial uses. The proposed project would reduce the amount of available industrial area and further erode its integrity by adding residential units to the subject site.

Given these factors, the applicant's request for a Zone Change, Zone Adjustment and Specific Plan Exceptions to allow the construction of four dwelling units in an industrial area is not appropriate and therefore the Planning Department recommends the disapproval of the requested entitlements.

FINDINGS

General Plan Findings

1. **General Plan Land Use Designation.** The subject property is located within the Venice Community Plan area, which was adopted by the City Council on September 29, 2000 (pursuant to Council File 2000-1505 and CPC-97-0047-CPU). The Plan Map designates the subject property for Limited Manufacturing land use with corresponding zones of CM, M1, MR1 and P. The zone Change request from M1-1 to CM-1 IS CONSISTENT with the Limited Manufacturing land use designation and IS in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted community plan.
2. **General Plan Text.** The following Venice Community Plan's land use objectives are consistent with the proposed development:
 - Policy 3-1.1*** Designate and preserve lands for the continuation of existing industrial uses including multi-media, entertainment, tourism and other coastal-related industrial uses such as boat building, servicing, and production of related marine supplies and goods, which provide employment opportunities.
 - Policy 3-1.2*** Ensure compatibility between industrial and other adjoining land uses through design treatments, and compliance with environmental protection standards and health and safety requirements.
3. The **Transportation Element** of the General Plan will be affected by the recommended action herein. However, any necessary dedication and/or improvements of Zeno Place and Virginia Avenue to Local street standards will assure compliance with this Element of the General Plan and with the City's street improvement standards pursuant to Municipal Code Section 17.05.
4. The **Sewerage Facilities Element** of the General Plan will be affected by the recommended action. However, requirements for construction of sewer facilities to serve the subject project and complete the City sewer system for the health and safety of City inhabitants will assure compliance with the goals of this General Plan Element.
5. **Street Lights.** Any City required installation or upgrading of street lights is necessary to complete the City street improvement system so as to increase night safety along the street which adjoin the subject property.
6. **Coastal Transportation Corridor Specific Plan.** The Coastal Transportation Corridor Specific Plan became effective September 22, 1993 (Ordinance No. 168,999). The specific Plan has established a mechanism and fee structure for new construction to fund the necessary transportation improvements in the area.
7. **Zone Change.**

Pursuant to Section 12.32.C.7 of the Municipal Code, and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

The proposed Zone Change from M1-1 to (T)(Q)CM-1 **is not consistent** with public necessity, convenience, general welfare and good zoning practices. Approximately four

percent of the total Venice Community land area is designated for industrial uses. While the requested zone change to CM is a corresponding zone in the Limited Manufacturing land use designation, the zone would permit construction of a four unit residential building in an area where there are active industrial uses. As such, the Zone Change to develop residential uses will reduce the amount of available industrial land in the Venice Community and place residents in close proximity to industrial uses that may have hours of operation or other impacts that could not be compatible with residents. The Planning Department acknowledges the need to preserve areas where industrial uses and the jobs they generate can exist with minimal conflict with other uses.

The general welfare of the public would not be completely served by adding new residential uses in an industrial area and could result in increased conflicts. A field survey of the area disclosed that there is industrial activity in this area and these uses should be encouraged to remain. Although other residential uses have existed in the area for some time, the addition of new ones would further erode the integrity of the surrounding industrial area. The reduction of available industrial zoned areas to permit residential uses is not consistent with the City's goal in preserving viable industrial zones.

8. Venice Coastal Specific Plan.

The Findings for the requested Specific Plan Exceptions cannot be made at this time because the Planning Department is recommending disapproval of the Zone Change from M1-1 to CM-1 to permit the development of the proposed residential uses which is required to entitle the proposed use on the subject site. Since the use cannot be established, the Planning Department recommends disapproval of the requested Specific Plan Exceptions.

9. Adjustment Findings. Pursuant to Section 12.28 of the Municipal Code

The Findings for the requested Zone Adjustments cannot be made at this time because the Planning Department is recommending disapproval of the Zone Change from M1-1 to CM-1 to permit the development of the proposed residential uses which is required to entitle the proposed use on the subject site. Since the use cannot be established, the Planning Department recommends disapproval of the requested Zone Adjustments.

10. Coastal Development Permit.

The Findings for the requested Coastal Development Permit cannot be made at this time because the Planning Department is recommending disapproval of the Zone Change from M1-1 to CM-1 to permit the development of the proposed residential uses which is required to entitle the proposed use on the subject site. Since the use cannot be established, the Planning Department recommends disapproval of the requested Coastal Development Permit.

11. Mello Act Compliance.

The Findings for the requested Mello Act Compliance cannot be made at this time because the Planning Department is recommending Disapproval of the Zone Change from M1-1 to CM-1 to permit the development of the proposed residential uses which is required to entitle the proposed use on the subject site. The Planning Department recommends disapproval of the requested Mello Act Compliance.

PUBLIC HEARING AND COMMUNICATIONS

Summary of Public Hearing Testimony and Communications Received

The Public Hearing on this matter was held at West Los Angeles Municipal Building, 1645 Corinth Avenue, 2nd Floor Hearing Room, Los Angeles, CA 90025 on Monday, December 10, 2007, at 10:00 AM.

1. Present: Approximately eight people attended the public hearing.
2. Speakers: Four speakers provided testimony. .

Public Hearing Testimony Notes

There was concern regarding the project as the yard variance would be “precedent” setting in the surrounding area.

One speaker was opposed to the project due to the heights and that street parking would be impacted by the additional residents and reduced curb area.

One speaker supported the project.

- The speaker wanted the City to encourage more joint live/work opportunities in this area.
- The project as originally proposed should be supported fully.
- The design is perfectly acceptable to the area and would be a benefit. The height of the new building would match the existing building next to the site.
- The surrounding industrial area has several joint live/work projects that are occupied
- This type of project could reduce the amount of traffic in the area.

Communications Received

Letters - Support: The applicant provided a copy of the minutes from the Grass Roots Venice Neighborhood Council meeting of July 26, 2006 showing support of the project and associated discretionary actions.

Letters - Opposition: Two letters were received opposing the granting of any exceptions to the Specific Plan. The reasons for the oppositions include:

- Heights of 30 feet are out of character with surrounding one and two story structures and do not follow the Specific Plan provisions.
- Vehicular access from Victoria Avenue would require a driveway reducing on street parking.
- M1 zoning and uses must be retained to provide areas of employment opportunities are areas for business growth.
- The granting of zero foot yards leads to mansionization and buildings out of scale with the surrounding area and does not lead to an appearance that supports pedestrian activity.
- The current design features large roll-up doors that face Zeno Place. These doors enclose proposed “Work” and/or portions of the garage areas for the four units. The proposed design would then direct noise from these open work areas towards the residential uses on the north side of Zeno Place. The project should be re-designed to address this noise concern.