

ATTACHMENT MLU-1

SECTION 1 – PROJECT DESCRIPTION

The subject property consists of a flat, irregularly-shaped, approximately 23,307 square foot parcel of land zoned C2-1-CA located at 901 S. Abbot Kinney Blvd. in the **North Venice Subarea** of the **Venice Coastal Zone Specific Plan Area** at the northeast corner of Abbot Kinney and Hampton Drive on the County Assessor's Maps). The site is currently improved with three structures: a 1-story, approximately 10,170 sq. ft., approximately 25.5 foot high block building being used as offices and light industrial; a 2-story, approximately 1948.74 sq. ft., 22 feet high block building being used as offices; and a 1-story, approximately 654.33 sq. ft., 12 ft. high stucco building being used as storage. Two existing structures are proposed to be demolished and a portion of the northerly building known as the "Eames Warehouse", the westerly remainder of which is to be incorporated into the new hotel project as shown on the submitted plans.

Surrounding properties are zoned C2-1-CA with the exception of the approximately 2,506 square foot property located across Abbot Kinney at 920 S. S. Abbot Kinney Blvd. which is partially zoned R1-1 accommodating an historic residential structure currently being used as professional offices; and a public elementary school (Westminster Elementary School) located at 1010 S. Abbot Kinney Blvd. which is zoned [Q]PF-1XL.

The proposed approximately 48,065 square foot¹ project consists of a five-story mixed use 57-room spa hotel above two levels of subterranean parking containing 88 parking spaces with approximately 1,165 square feet of ground floor retail; a single restaurant consisting of approximately 3,950 square feet and approximately 60 seats an approximately 350 sq. ft., approximately 30-seat patio dining area associated with the restaurant facing Abbot Kinney Blvd.; an approximately 2750 sq. ft. health spa; three standard floors of hotel guest rooms and two penthouse units constituting the fifth story; roof-top sun deck, lap pool, therapeutic/Jacuzzi tubs and brunch area.

As well as being planned as a quality visitor amenity, the spa hotel proposes to provide memberships to accommodate local residents who may wish special rates for their out-of-town guests as well as for frequent travelers.

Eventually a Grading and Haul Route Permits will need to be approved by the Department of Building and Safety and Building Commission for the excavation and export of approximately 25,350 cubic yards of soil. The Haul Route will

¹ Floor Area as defined in L.A.M.C. Sec. 12.03 as "...that area in square feet confined within the exterior walls of a building, but not including the area of the following: exterior walls, stairways, shafts, rooms housing building-operating equipment or machinery, parking areas with associated driveways and ramps, space for the landing and storage of helicopters, and basement storage areas."

require environmental clearance and is thus being mentioned herein and in the EAF and initial expanded environmental study for consideration as part of an MND for the overall project.

NOTE: Hampton Drive is the street that faces along the westerly and front property line of the proposed project. Some maps also show the name of this short street segment to be Brooks Avenue. There apparently has been some confusion due to the unusual alignment and intersection of Brooks, Hampton and Electric Avenue, but Los Angeles City Bureau of Engineering maps show the street name as Hampton Drive.

Requests are herein made for a **Specific Plan Project Permit Compliance Review** per L.A.M.C. Sec. 11.5.7.C with **Specific Plan Exceptions** as follows:

1. **EXCEPTION FROM ORDINANCE No. 175,963, SEC.10.F.3.A - SPECIFIC PLAN HEIGHT LIMIT – 30 FT. AND SEC.9.C.2 – BUILDING ESSENTIALS HEIGHT LIMIT:** To allow a maximum roof height of approximately 55 feet for architectural projections not to exceed a total of 15% of the buildable lot area; approximately 50 feet for about 19% of the lot area, and approximately 40 feet 5 inches for approximately 25% of the lot area in lieu of the allowed 30 feet for flat roofs. It is further requested that pursuant to any grant(s) of this exception, new Flat Roof height limits be established as described above, and that the height limits for roof access structures and building essentials be accordingly adjusted based upon the newly established Flat Roof height limits. Roof access structures will not exceed 10 feet above new Flat Roof height limits and building essentials will not exceed 5 feet above such new limits if granted.
2. **EXCEPTION FROM ORDINANCE No. 175,963, SEC.9.B:** To allow clear roof railings to be 42 inches in lieu of the allowable 36 inches for accessible roof areas as required by the Los Angeles Building Code.
3. **EXCEPTION FROM ORDINANCE No. 175,963, SEC.9.C.D – ROOF ACCESS STRUCTURES – 100 SQ. FT. MAXIMUM:** To allow four roof access structures to exceed the allowable 100 square feet in the following manner:
 - a. The stair shaft enclosure at the northwest corner of the roof is proposed to be approximately 160 sq. ft.
 - b. The stair shaft enclosure at the northeast corner of the roof is proposed to be approximately 160 sq. ft.
 - c. The stair shaft enclosure near the south edge of the roof is proposed to be approximately 187 sq. ft.
 - d. The elevator and mechanical shaft enclosure is proposed to be approximately 242 sq. ft. which is included and wholly contained within the northeasterly penthouse unit structures that comprises a portion of the 50-foot high roof line as previously defined as being approximately 19% of the lot area.

4. **EXCEPTION FROM ORDINANCE No. 175,963, SEC.11.B.1.A – STREET WALL SETBACK - 15 FEET MAXIMUM:** The project is located at the northeast corner of Abbot Kinney and Hampton Drive and proposes to maintain an open landscaped irregularly-shaped exterior courtyard to a maximum depth of approximately 77 feet from Abbot Kinney and a maximum depth of approximately 55 feet from Hampton Drive as depicted on the plan exhibits in lieu of the maximum allowable depth of 15 feet, thus maintaining status as Street Wall to be included in the minimum 65% as required by this section.

5. **EXCEPTION FROM ORDINANCE No. 175,963, SEC.11.B.3 - .SPECIFIC PLAN FAR LIMIT - 1.5 TO 1:** The proposed breach of the 1.5 to 1 (1.5:1) FAR limit to approximately 2.06 to 1 (2.06:1) is largely due to the cumulative effects of including a portion of the Eames Warehouse in an historically sensitive manner as well as designing a sensitive “green” building to meet the goals and objectives of the Specific Plan and Land Use Plan as adopted by the Coastal Commission while providing for the safe operation and use of a mixed use project. Notable contributing factors were the size, location and height of the Eames Warehouse structure which observes a zero lot line and is almost two stories in height. This created very specific challenges such as location of supporting columns which affect the superstructure above. Care had to be taken not only to design a building that pulled its massing away from the streets, but also observes the strict rated occupancy separation and exiting requirements through differing occupancy categories. This careful balance of concurrent issues resulted in an approximately 13,105 sq. ft. overage divided among the four floors and the two roof-top penthouse units of the structure.

The applicant is also requesting a **Site Plan Review (SPR)** for a project containing 50 or more (57) guest rooms (*there is opinion that a SPR would not be required in that discretionary review is caused by other elements, however an application for SPR is being submitted to err on the side of caution*); a **Conditional Use** for a hotel located within 500 feet of a residential zone; a **Conditional Use** for on-site consumption of a full line of alcoholic beverages in association with the hotel and restaurant operations in the following areas and as indicated on the floor plans (also see attached **Special Instructions for Conditional Use – Alcohol [CUB]**):

- Ground Floor restaurant and outdoor dining patio; a/v viewing lounge; lobby bar and lounge areas; and meeting rooms.

- Guestroom Floors (2-4): All hotel rooms will have self-service “mini-bars” as well as alcoholic beverages available through room service.

- Roof pool deck and patio lounge area will be serviced by a fixed bar.

The project must also obtain a **Coastal Development Permit** (application included herein).

An alley vacation of an approximately 10' x 80' alley ("paper alley") is already in process by previous application of the current property owner under Public Works **Work Order E1400997** and titled "**VAC-E1400997 - alley easterly of Hampton Drive/Brooks Avenue from Abbot Kinney to its northerly terminus**", and is hereby being identified and included as part of this project description for approval and submitted as part of this proposed project's environmental review. This alley is an unimproved alley that is completely internal to the subject site. As the access to the project subterranean parking is to be located at the current driveway apron to the alley easement, there should be little or no impact in terms of the access preferences of the Specific Plan as the access is technically at the same location as the alley. The alley does not serve the public as it is wholly internal to the site and exists only as a remnant easement predating annexation of the City of Venice to the City of Los Angeles. Additionally; a second driveway apron located slightly to the west on Abbot Kinney is to be converted to standard curb, gutter and sidewalk.

The **Los Angeles Department of Building and Safety** will require Grading and Haul Route Permits for excavation to a depth of approximately 25 feet, and the export of approximately 25,350 cubic yards of earth.

SECTION 2

a, CODE SECTIONS FROM WHICH RELIEF IS REQUESTED:

1. **Ordinance No. 175,963, Sec.10.F.3.a** - Specific Plan Height Limit – 30 ft.
2. **ORDINANCE No. 175,963, SEC.9.B** – Roof deck railings of clear design not to exceed 36 inches.
3. **Ordinance No. 175,963, Sec.9.C.d** – Roof Access Structures – 100 sq. ft. maximum.
4. **Ordinance No. 175,963, Sec.11.B.3** - .Specific Plan FAR Limit - 1.5:1.
5. **Section 16.05.C.1(b)** - Site Plan Review – 50 or more guest rooms.
6. **Section 12.24.W.24(a)** - Conditional Use – Hotel within 500 feet of Residential Zone
7. **Section 12.24.W.1** - Conditional Use – Alcoholic Beverages
8. **Section 12.20.2.1** - Coastal Development Permit

b. CODE SECTIONS WHICH AUTHORIZE RELIEF (corresponding to above):

1. L.A.M.C. Section 11.5.7.C
2. L.A.M.C. Section 11.5.7.C
3. L.A.M.C. Section 11.5.7.C
4. L.A.M.C. Section 11.5.7.C
5. Section 16.05.E
6. Section 12.24

7. Section 12.24
8. Section 12.20.2.1

JUSTIFICATIONS:

- **EXCEPTION FROM ORDINANCE NO. 175,963, SEC.10.F.3.A - SPECIFIC PLAN HEIGHT LIMIT – 30 FT.:** One of the primary elements that precipitated the request to build above the 30 foot limit of the Specific Plan is the fact that to incorporate the tall Eames Warehouse in an historically sensitive manner, the second story of the hotel had to be pushed up above the warehouse. Also in doing so, two guestrooms were lost from the second floor and thus were relocated on the roof as penthouse guestrooms. Additionally, three of the four residential yards must be observed for the residential hotel portion of the building: a 5' front yard on Hampton as required by the Venice Coastal Zone Specific Plan; a 7' side yard to the north; and a 16' rear yard to the east. The proposed building has been designed to incorporate those requirements that would not be required of a strictly commercial use. A fully commercial use would have an advantage in that it could utilize the entire lot area observing no yards, and thus provide the same floor area in a lower structure which would actually have a more significant visual impact by massing at the street frontages. After careful review and sensitivity to design issues as outlined above, and after listening to community concerns and those of the Grass Roots Neighborhood Council (GRNC) relative to their concerns about massing at the street faces, the applicant decided to pull the volume of the building significantly away from the street faces to create large open and green areas above the first floor, minimizing the visual impact of the structure at the street faces. This was specifically met with the unanimous approval of the GRNC. The highest areas on top of the main roof line have been oriented and/or located at the center and near the northerly edge of the building so as to minimize any visual impact and be virtually removed from view at the street frontages. The actual height above the roof area upon which each roof access structure is located will not exceed 10 feet above that portion of the roof, and the height of building essentials will not exceed 5 feet above their respective roof locations. Nowhere will 55 feet be exceeded anywhere on the property. The average height of the project taking into account open space and all heights in their respective percentages as related to the total buildable site area is actually less than 30 feet (approximately 27.5 feet).

In terms of the scale and character of the project in relation to existing development in the area; there are several notable and consistent projects:

235-255 S. Main Street (“The Clown Building”), at the northwest corner of Main and Rose; approximately 1,950 feet from the proposed project, has an architectural feature to a height of approximately 63 feet with the

remainder of the residential portion of the building reportedly to a variable roofline maximum height of 55 feet. Much of the building massing is at the street wall.

340 Main Street ("The Binocular Building) located approximately 1,483 feet westerly of the proposed project appears to be approximately 45 to 50 feet high from the street wall, however a large portion of the building frontage actually leans toward and even over the sidewalk so the visual impact is even more intense as the view to the sky is more obscured than even a lower building might cause.

Also of note in the City of Santa Monica at 3101 Main Street is the historic BPOE building at Pier Street which is a 5-story building build to the street wall and to an approximate height of 60 feet.

- **EXCEPTION FROM ORDINANCE No. 175,963, SEC.9.B – METHODS TO MEASURE HEIGHT EXCLUDES RAILINGS NOT EXCEEDING 36 INCHES:** 42-inch high hand rails are required by the Building Code at the roof edges of accessible/occupy-able areas of the roof. They will be of clear design (glazed).
- **EXCEPTION FROM ORDINANCE No. 175,963, SEC.9.C.D – ROOF ACCESS STRUCTURES – 100 SQ. FT. MAXIMUM:** All roof access structures have been oriented and/or positioned so as to minimally affect any visual impact. The elevator and mechanical shaft enclosures are located wholly within one of the penthouse enclosures and are close to the midpoint on the north roof area virtually hidden from view. The stair shaft enclosures, required by the building code for safe evacuation of the roof area, are oriented with their long sides away from the street faces, two of which are at the northern most edges of the structure so as to be as far away from Abbot Kinney as possible. In order to provide access to the two penthouse guest rooms as well as roof spa facilities including lap pool and spa tub, the elevator had to be carried to the roof. Even though the elevators and mechanical shafts are wholly contained within the easterly penthouse, they comprise approximately 242 square feet combined, they are technically included in this request. Additionally, the building code dictates the number, size and relative location of rated enclosed stair shafts to provide safe emergency exit from the roof and all floors below. Elevator access is not only provided for the convenience of hotel guests, but also to satisfy ADA disabled access requirements.
- **EXCEPTION FROM ORDINANCE No. 175,963, SEC.11.B.1.A – STREET WALL SETBACK - 15 FEET MAXIMUM:** The proposed project was designed with the input from and ultimately the approval of the Grass Roots Neighborhood Council (GRNC). Two very specific issues for the GRNC were the sensitive inclusion of the former "Eames Warehouse" into the project to include an historic context and community fabric even though the Eames

building is not on any historic lists nor identified as even eligible; and that the building's massing be pulled away from the street faces as much as possible with open spaces incorporated to minimize visual impacts of structure at the street wall. These two desires actually work very well together in that the large open space proposed to be left at the corner of Abbot Kinney and Hampton Drive will allow the view of the portion of the Eames Warehouse being incorporated into the project to be seen from both streets. This project is to be a signature project at the northern gateway to Abbot Kinney as well as the southern gateway to the Venice Main Street walking district. Further, this space will be used for public art and activities that will bring activity to the street wall.

- **EXCEPTION FROM ORDINANCE NO. 175,963, SEC.11.B.3 - .SPECIFIC PLAN FAR LIMIT - 1.5 TO 1:** The proposed approximately 2.06:1 floor area ratio (FAR) in lieu of the allowed 1.5:1 is largely due to the cumulative effects of including a portion of the Eames Warehouse in an historically sensitive manner as well as designing a sensitive "green" building to meet the goals and objectives of the Specific Plan and Land Use Plan as adopted by the Coastal Commission while providing for the safe operation and use of a mixed use project. Notable contributing factors were the size, location and height of the Eames Warehouse structure which observes a zero lot line and is almost two stories in height. This created very specific challenges such as location of supporting columns which affect the superstructure above. Care had to be taken not only to design a building that pulled its massing away from the streets, but also observes the strict rated occupancy separation and exiting requirements through differing occupancy categories. This careful balance of concurrent issues resulted in an approximately 13,105 sq. ft. overage divided among the four standard floors above grade and the two roof-top penthouse units of the structure at the 5th story.
- **SECTION 16.05.C.1(B) - SITE PLAN REVIEW – 50 OR MORE GUEST ROOMS:** There is opinion that Site Plan Review (SPR) may not be required in this case as discretionary review and public hearing is otherwise mandated by at least one other element of the proposed project. The applicant has decided to include a request for SPR to err on the safe side. The justifications/findings regarding Site Plan Review are contained in the supplemental attachment titled **Attachment SPR-1**.
- **SECTION 12.24.W.24(A) - CONDITIONAL USE – HOTEL WITHIN 500 FEET OF RESIDENTIAL ZONE:** The justifications/findings relative to this request are contained in the attached **CUP FORM 7772**.
- **SECTION 12.24.W.1 - CONDITIONAL USE – ALCOHOLIC BEVERAGES:** The justifications/findings relative to this request are contained in the attachment titled **Special Instructions – Conditional Use Permit – Alcohol (CUB)**.

- **SECTION 12.20.2.1 - COASTAL DEVELOPMENT PERMIT:** The justifications/findings relative to this request are contained in the attached **Application for Coastal Development Permit** and supports the fact that there is no conflict with the LUP, but rather the proposed project actually accomplishes at least one of the major goals and objectives of the LUP by bringing greatly-needed visitor-supporting uses that will facilitate access to the Venice area and coast.