

## **533 Rose Ave - BIGA RESTAURANT**

**Project Address:** 533 Rose Avenue – cross street Dimmick Street

**Case Numbers:** : **ZA-2009-1115-CUB-CU-CDP-SPP-MEL** – (*Previous VOID case number: APCW-2009-1115-SPE-CUB-CU-CDP-SPP-MEL*)

**Applicant:** Jackie Harris - Paul Shoemaker

### **Nature of Application:**

- Change of Use from an existing 1,630 sq.ft. mixed use building - Retail, Office and Dwelling Unit to a 1,264 sq.ft. Restaurant.
- A new CUB to allow the on-site sale of beer and wine in conjunction with a proposed restaurant accommodating 32 patrons with only indoor seating.
- Demolition of 383 existing square footage and remodel of 1,264 square foot building for a restaurant with a interior Service Floor area of 374 square feet with seating for 32 patrons.
- The proposed hours of operation are from 9:00 A.M. to 1:00AM daily. The applicant is providing an on-site loading area, 3 required on-site parking spaces plus 4 parking credits – 7 parking spaces are required for the proposed use. In addition to the 3 required parking spaces, one non-required additional standard parking space and one non-required additional compact parking space are located on-site.
- The City considers a portion of the existing use as residential, and the applicant has obtained a Mello Act determination from LAHD that there are no affordable units on site.

### **Size of parcel:**

Corner Lot - 2,972 sq.ft. 25.62' x 116.94', with street frontage on Rose Avenue and Dimmick Street.

### **Size of project:**

The existing building was built in phases between 1952 – 1972. The current C of O for the existing uses are as follows: retail - 600 sq.ft., office - 210 sq.ft., residential - 820 sq.ft., for a total area of 1,630 sq.ft.

**Background Information:**

The existing vacant structure at 533 Rose was constructed in phases. The first structure to be constructed was the original 1952 retail store at the front of the property. A separate 635 s.f. owner’s dwelling unit was built ten feet from the store several years later and then in 1975 a 210 s.f. office addition was constructed which connected the store and owners units as one building. The building was occupied by an owner user from 1952 to 2006. The building has been vacant since the prior owner’s death in 2006 when the property was purchased.

In April of 2009 APCW-2009-1115-SPE-CUB-CU-CDP-SPP-MEL was filed for the remodel and conversion of the existing building at 533 Rose Avenue to a restaurant. Since a parking variance and specific plan exception were part of the request this case was prepared to go before the Planning Commission. The request was for a 1,435 s.f. restaurant accommodating 45 patrons (32 indoor/13 outdoor-patio) with the on-site sale of beer and wine and hours of operation from 9AM to 1AM daily. This proposed project had neighborhood opposition because the applicant was seeking a parking variance due to insufficient on-site parking. Rather than proceed with the project as designed the restaurant was scaled down to comply with the VCZSP parking requirements.

In April 2010 a revised design for a smaller restaurant was resubmitted to the City that addressed the neighborhood’s concerns (amended to ZA-2009-1115-CUB-CU-CDP-SPP-MEL – NO Specific Plan Exemption). The request was for a Change of Use from an existing 1,630 sq.ft. mixed use building - Retail, Office and Dwelling Unit - to a 1,264 sq.ft. restaurant. The building size will be reduced as 383 s.f. of the existing building will be demolished to allow for additional parking over the required parking for this change of use. The new CUB is to allow the on-site sale of beer and wine in conjunction with a proposed 1,264 s.f. restaurant with 373 s.f. of service area accommodating 32 patrons with only indoor seating. The proposed hours of operation are from 9:00AM to 1:00AM daily.

- Mello Act:** The City considers a portion of the existing use as residential. On May 20, 2010 a Mello Act determination was made by LAHD that there are no affordable units on site.
- Zoning:** C4-1
- General Plan Land Use:** Community Commercial
- Venice Subarea:** Oakwood
- Assessors Parcel No.** APN: 4240-005-007
- FAR** Proposed new FAR equals .43 less than the permitted .5 – 1.0 FAR for 100% Retail only, including restaurant projects VCZSP- Section 11 B 3or Restaurant projects.

**Loading Zone:** The required loading zone has been provided adjacent to the alley. Delivery hours for loading and unloading will be between the hours of 8:00 and 11:30 A.M.

**BMP:** The applicant has agreed to standard LUPC conditions

### **A. Parking**

The applicant proposed to remodel the existing building, there are 2 existing parking spaces on site, and there are 4 “grandfathered” parking spaces pursuant to LA Municipal code section 12.23B8(b).

The new parking required is based on the difference between the parking calculation of the building under the new use and the parking calculation of the building under the existing use, plus the retention of any existing on-site parking spaces. The new use requires 7 spaces therefore the difference between the “existing use” (6 spaces) and “new use” (7 spaces) results in one additional required parking space. The applicant is required to provide 3 on-site parking spaces (2 existing on-site spaces to remain plus 1 new additional space). The applicant is proposing to provide 2 additional non-required spaces on-site: one additional standard space located behind the HC parking space and one compact parking space provided adjacent to extra space no. 2

An on-site loading area has been provided. This loading area can be used for an additional non-required parking space during dinner hours when no deliveries are proposed.

### **B. Required Parking Spaces**

VCZSP Section 13. D., Entitled “Parking,” requires one parking space for each 50 square feet of Service Floor: Restaurant, Night Club, Bar and similar establishments and for the sale or consumption of food and beverages on the premises. One space for each 50 square feet of Service Floor with 374 sq.ft. of service floor area equals 7 required parking spaces.

### **Summary of Arguments In Favor of this Project**

After listening to neighbor concerns, the applicant amended the original application deleting the request for a specific plan exception and parking variance. The applicant proposes to demolish 18 feet from the rear of the existing building to accommodate more on-site parking and has designed the rear half of the property to accommodate the 3 required parking spaces, one additional standard parking space, one non-required additional compact parking space and a on-site loading area which can be used by the required parking attendant for an additional parking space parallel to the alley when not being used by delivery trucks. Whereas the code requires the applicant to provide 3 parking spaces, in reality they are providing double that amount for the proposed restaurant.

The proposed project is keeping in scale with adjacent neighbors. With the rear 18 feet of the existing building to be demolished, the proposed building volume will be perceived as actually reduced in scale.

The proposed restaurant has been coined a “community restaurant,” whose primary goal is to serve gourmet food catering to the local neighborhood. The applicant is not a popular chain restaurant and their goal is to provide an intimate and personal dining experience. They are hoping to generate pedestrian traffic and bicycle traffic to their restaurant. To encourage such they are implementing a relatively new idea called “bike valet.” Downtown LA is implementing this idea to “allow those who bike into downtown to easily drop off their bikes when they dine and shop in the area.” (LA Times, July 2, 2010) At 533 Rose, the applicant will be installing a vertical bike rack system that will be able to handle a greater load of bicycles in a much smaller space. It is a goal that this pro-bicycle attitude will help reduce the strain on what the neighbors might call a “parking problem.”

The neighborhood meeting, which took place on Monday, July 5<sup>th</sup>, was well attended (39-40 people stopped by throughout the evening) and the general attitude towards the project was incredibly positive. Several people had been quoted saying “this project is exactly what this neighborhood needs.” Most everyone commented that a restaurant such as this fits with the overall vibe of Venice: “personal,” “unique,” and “charming.”

### **Summary of Arguments Against this Project:**

#### **Parking:**

Two members from the NoRo Association stopped by the July 5<sup>th</sup> Neighborhood Meeting and brought up a couple concerns with parking on Rose and its connecting streets. The first concern was regarding the lack of parking on street sweeping days (Monday and Tuesday). Since only one side of the streets is open for parking between 8AM and 10AM, the amount of available parking in the neighborhood is essentially cut in half. The NoRo Association’s suggestion was to open the restaurant later on street sweeping days, if the applicant’s original intent was to be in operation before 10AM on these days. The second issue brought up by the members was the fact that two-hour public parking is only available along Rose Avenue, and these spaces are extremely limited. After expressing their concerns over general parking issues these neighbors seemed pleased with the on-site parking to be provided and, in general, supported the project.

#### **Noise:**

The issue of noise was brought up by 3 to 4 different people, specifically in reference to existing issues with Venice Beach Wines, just two properties to the west along Rose. They stated problems with people loitering on the sidewalk throughout the evening, hinting to issues of the wine bar being overcrowded and unable to handle the capacity of patrons which dine there on the busier weekend nights. They also had problems with the noise that comes from the wine bar having an outdoor patio. In addressing the

neighborhood's concerns from the original submittal, the applicant has chosen to remove the outdoor dining component of the proposed project. All diners will be required to eat within the building envelope. However, this is a commercially-zoned area, and residents should expect noise typically associated with retail and restaurant use during reasonable business hours. The applicant made it clear to most everyone in attendance that their hours of operation are relatively flexible, however as of now they are looking to have business hours of up to 1AM.

**Voiced Opposition at the July 5<sup>th</sup> neighborhood meeting:** There was really only one resident that had true opposition to this project, who briefly stopped alongside the meeting in his car to voice his concerns. He stated that there is currently an extreme shortage of street parking in the immediate vicinity of his residence, which is located on Dimmick Avenue just a short distance from the proposed project. He noted that he had 4 friends over on the night before the meeting (4<sup>th</sup> of July) and they all had difficulty finding parking. He made it clear he was opposed to the project due to parking concerns using the popularity of Venice Beach Wine bar as an example for lack of parking.