

## FINDINGS FOR A SPECIFIC PLAN EXCEPTION

**SUBJECT PROPERTY ADDRESS: 10 19<sup>TH</sup> AVE. VENICE, CA. 90291**

**A. That the strict application of the policies, standards and regulations of the geographically specific plan to the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of such specific plan.**

The subject property is a 50' x 73' foot lot with a square footage of approximately 5,270 square feet. In 1971 a Certificate of Occupancy was issued for a 10 unit apartment building with 16 parking spaces. Current Allowable Density for this lot is 8 units with a minimum square footage of 800 square feet per unit in the R3-1 Zone. The Venice Specific Plan requires that each unit have a minimum square footage of 1,500 square feet per unit. The building is a legal non conforming use.

The Applicant is seeking to legalize the conversion of a 570 sq ft storage space into a livable 11<sup>th</sup> studio unit for a single occupant. The current building owner purchased the building in 1990 and it had the converted unit. The tenant was the on-site manager for the previous owner and has remained the on-site manager to this day. The manger is a Vietnam era veteran who has a service connected VA disability income and recently started collecting a pension from the Screen Actor's Guild which recently was drastically reduced from what was originally negotiated. The owner has signed an Affidavit stating he is willing to register the unit under LAHD's Affordable Housing Program. Hopefully the current tenant as described above qualifies and no one will need to be relocated.

Current parking requirements under the Venice Specific Plan for a multiple dwelling unit on a lot of 40 feet in width or more is two spaces plus a guest space for each four or fewer. This would require the 11<sup>th</sup> unit to have 2 or possibly 3 parking spaces. The building currently provides some additional parking for the existing 10 units in the way of tandem. All spaces are garaged and not visible from outside. The only visible space would be the proposed space being created for the 11<sup>th</sup> unit.

The current bedroom break down for the 10 approved units is as follows:

(2) single units with a single occupant. It is less than 3 habitable rooms and would require 1 space under the R3-1 Zone. Each occupy 1 parking space.

(4) one bedroom units exist with all but one unit having only one single occupant. The one unit has a recently married couple with no children. All the single occupants of the 1 bedroom units occupy 1 parking space and the married couple share two spaces but are tandem. These units would require 1.5 parking spaces under the R3-1 Zoning and can be tandem for each would be accessible to one unit. The building can accommodate the required tandem parking if needed.

(2) one bedroom units have upstairs lofts and they are occupied by a single tenant and the other is also a married couple who share tandem spaces. These also would require 2 parking spaces under the R3-1 Zone and the building does accommodate the parking.

(2) two bedroom units are occupied by married couples and each unit occupies a tandem space for both residents. These units under the R3-1 Zoning would also require two spaces that can be tandem.

The building was originally built in 1971 and the plans have the Certificate of Occupancy showing that 10 units were built with 16 required parking spaces and 16 provided parking spaces. This translates that R3-1 Zoning the parking requirements were met. Under today's standards the R3-1 Zone would require 1.5 spaces for the 11<sup>th</sup> unit. This would round down to one space which is being provided. This building is one of the few multi family dwellings in Venice that provide on-site guest parking for the single occupant units. The photos provided show many of the other multi-family dwellings in the immediate area having little to no covered on site parking for the tenants. Venice is known for over-crowded parking and having multiple vehicles parked in undesignated spaces on the respective properties. The subject property not only provides completely garaged covered parking for the existing units but can provide an additional space within an area that is covered on 3 sides leaving only the entry way into the parking space visible from Speedway. The fencing around the parking space will be created with the same wood materials and painted to match the existing fencing around the property.

Originally 19<sup>th</sup> Ave was an actual street and when it was converted into a walkway the City allowed property owners to extend the front yard towards the walkway centerline by an additional 13-15 feet depending on where the property line was located. When looking at the Site Plan it can be seen that the true property line is about 10 feet from the building but the fence line extends an additional 13'-6" into the walkway. This gives additional court yard where even if an additional parking space is created there is still plenty of open space left over for the tenants to enjoy.

The Applicant is able to create an additional parking space for the 11<sup>th</sup> unit. This would be done by removing some of the existing landscaping in the common courtyard area below a 2<sup>nd</sup> story balcony. The 17<sup>th</sup> parking space would be a legal standard sized space and can be created without significantly impacting the usable open space for the tenants. This property cannot create an additional 1 or 2 more spaces for this single studio unit. It would be impractical or create an unnecessary hardship to try and create an additional space in the common courtyard area. A second space or a 17<sup>th</sup> parking space would unnecessarily impact the use of the common courtyard area making it much less enjoyable if not completely unusable to the tenants. The building has more than enough parking for its tenants and guests and does not need to occupy a majority of the usable common open space for more parking. The intent of the specific plan is to ensure that new development, in this case the addition of a studio apartment, does not impact street parking. The Applicant has clearly made an attempt to act in good faith by creating a single parking space for the additional 11<sup>th</sup> unit.

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

Majority of the properties in the Specific Plan were built prior to the adoption of the Venice Coastal Specific Plan which places certain restrictions that do not allow for any further expansion or development of the property without filing for a variance. Many of the lots can accommodate additional units and in some cases such as the subject property one additional parking space. The subject property such as many others cannot build additional units and meet the 1,500 sq ft requirement due to the size of the lot and close proximity of the building to adjacent buildings. However, the subject property can do internal reconfiguration of the usable space to create an additional unit without changing the building footprint. Some of the larger lots in Venice have the ability to create additional units on the property, meet the 1,500 sq ft per unit requirement and the 2 space minimum parking requirement because the current structure is not developed to what the lot can accommodate. The fact remains that Venice is a desirable place to live and not too many available spaces for new tenants. The Applicant is willing to register the unit under LAHD's Affordable Housing Program and will create an affordable unit in an area where affordability is decreasing due to a higher cost of living through land values significantly increasing each year.

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

Illegal units have become a problem to the community of Venice Beach. One of the biggest problems is that illegal units do not provide on-site parking for the additional tenant thus forcing more vehicles to park on the street where parking is extremely impacted. Many properties as are shown in the attached photos have cars parked within front, side or rear yard setbacks and even some have tandem parking where only single occupant parking is permitted. The subject property has the ability to create on site parking for the one vehicle of the single occupant tenant of the 11<sup>th</sup> unit. As stated in the previous findings the substantial property right is the ability to maximize the property's potential use and for apartments this typically translates to units. The additional unit was created from an internal reconfiguration of a storage room on the ground floor which is the same level as the parking garages and does not change the existing building foot print, mass or scale. The original units are located above the garages. The storage room was an under utilized space and made for a suitable unit that allows plenty of natural light in from the bedroom, kitchen and bathroom. This unit in no way is considered a sub-standard condition for its single tenant. The creation of the parking space still leaves enough usable open space in the courtyard to be enjoyed by the tenants of the building.

For these reasons the Applicant should not be denied the right to utilize the maximum potential of the property.

**D. That the granting of the exception will not detrimental to the public welfare or injurious to the property or improvements adjacent to or in the same vicinity of the subject property.**

The granting of the extension will in no way be detrimental to the public welfare, injurious to the property or improvements adjacent to or in the same vicinity of the subject property, does not create any additional parking on the streets and does not change the footprint of building by adding any square footage. In 2005 under CPC 2005-8252-CA a Code Amendment allowed an ordinance to establish permanent regulations implementing the Mello Act in the Coastal Zone. The proposed unit qualifies for Mello Act in that it is not a public nuisance and not owner occupied. In fact as stated in the first finding the current tenant may qualify under the LAHD's Affordability guidelines and may not have to be relocated.

**E. That the granting of the exception will be consistent with the principles, intent and goals of the geographically specific plan and any applicable element of the General Plan.**

It is a known fact that the City of Los Angeles is faced with a housing shortage. It is estimated that by 2010 another 2-3 million people will be living in the Los Angeles basin. With upwards of 11,000 existing housing units being demolished per year to be replaced by considerably more expensive units this application meets the spirit of the Plan.

The City of Los Angeles has insufficient vacant properties to accommodate forecast population increases. The supply of land zoned for residential development is the most constrained in the context of population growth forecasts. Consequently, the City's growth will require the reuse and intensification of existing developed properties or conversion of certain uses where there is insufficient market demand, to an alternative use. The following goals are listed from the City's General Plan and from various community plans:

- Goal 2 of the General Plan's Housing Element states: "A City which actively takes steps to preserve, stabilize and enhance livability/sustainability in all neighborhoods throughout the City, and maintains the quality of life in all residential areas."
- Common goals and objectives of Community Plans #1 "To reduce vehicular trips and congestion by developing new housing in close proximity to regional and community commercial centers, subway stations and existing bus route stops."

- Common goals and objectives of Community Plans #2 “Encourage higher density residential uses near major public transportation centers.”
- Common goals and objectives of Community Plans #3 “Promote greater individual choice in type, quality, price and location of housing.”

The proposed request meets the common goals and objectives of the City’s General Plan and various Community Plans which support the General Plan. The request also maintains a balance to produce new housing units and a desire to conserve the liveability and character of existing neighborhoods. Finally, the proposed use will result in the overall improvement of the City’s Housing Stock in a manner consistent with the objectives of the Housing Element. As a result, permitting the proposed use is consistent with the purpose and intent of the General Plan.

The proposed project does not conflict with the goals and policies of the Coastal Act and does not jeopardize or compromise the protection, maintenance, enhancement and restoration of the overall quality of the Coastal Zone environment and its natural and man-made resources. The proposed project does not impede public access to the coast or any public recreation area and is completely compatible with the overall character with the existing community by having consideration for the aesthetics and scenic preservation of environmental sensitive areas. By registering the unit with LAHD’s Affordable Housing Program the Applicant is consistent with the City’s General Plan by providing affordable housing and adding units to the City’s housing stock.