

Venice Neighborhood
Council
Post Office Box 550
Venice, CALIFORNIA 90294



Land Use and Planning Committee

Staff Report to Board of Officers
April 17, 2007



Case Number: ZA 2006-5028 CUB
DIR 2006-6829
CEQA: ENV 2006-6830 CE

Address of Project: 1427 & 1429 Abbot Kinney Boulevard
And 505 Millwood Avenue (corner lot)

Size of Parcel: 1427 AKB is 2,621 sf
1429 AKB is 2,609 sf

Size of Project: Total project area is 5,230 sf

Venice Subarea: Oakwood-Millwood-Southeast
Zone: C2-1-O-CA Community Commercial Zone

Permit Application Date: June 6, 2006
Date of Planning Report: October 12, 2006
Date of End of Appeal Period: October 27, 2006
Planning Report Prepared by: Socorro Smith-Yumul, City Planning Assistant

Applicant: Fran Camaj
Address: 1429 Abbot Kinney Boulevard

Representative: Will Nieves
Contact Information: PO Box 3958, Redondo Beach
310.543.3090, nievesasoc@aol.com

Date(s) heard by LUPC: January 24, 2007,
March 28, 2007

Zoning Administration Date: March 29, 2007

**WLA Area Planning
Commission Dates:**

TBA

LUPC MOTION:

March 28, 2007 at a regular meeting LUPC Made and Seconded Motion to Recommend that the VNC Board of Officers:

Request that the Zoning Administrator and/or the WLA Area Planning Commission postpone a decision on this project pending further discovery.

Vote: 4-3-1 Motion Carried

STAFF REPORT

Project Description:

Applicant described the project on the LUPC Project Form as:

“Conditional Use Permit to allow the sale and dispensing of full line alcoholic beverage, for on-site consumption with food, and live entertainment consisting of up to three musicians/singers playing non-amplified jazz/pop and classical music as an accessory uses, in conjunction with a proposed French Restaurant accommodating 44 seats within the building and an additional 16 seats within the rear outdoor patio area for a total overall capacity of 60 seats with hours of operation from 6am until 1am everyday within the C2-1-0-CA Community Commercial Zone.”

Section of Venice Coastal Zone Specific Plan and/or the Los Angeles Municipal Code governing this particular site and application:

PARKING: Pages 24 & 26, Section 13, Parking,

- A. **PARKING REQUIREMENTS:** Except as otherwise provided below, the parking standards are those set forth in Subsection D. The Parking Requirement Table shall apply to all Venice Coastal Development Projects.

- B. **EXCEPTION:** Any additions or alterations to an existing single-family or multiple dwelling shall not be required to comply with the parking standards set forth in this Section. However, if the addition or alterations results in an additional dwelling unit, the Parking Requirement Table in Subsection D and the requirements in Subsection E shall apply for the addition of a dwelling unit or units.

Venice Coastal Development Projects where more than 50 percent of the existing exterior walls are removed or replaced are considered demolitions and new constructions and are not subject to this exception.

- C. **EXISTING DEVELOPMENTS:** A Change of Use that results in a Change intensity of Use shall be required to comply with the parking standards set forth in Subsections D and E as if it were a new project or provide an in-lieu fee payment into the Venice Coastal Parking Impact Trust Fund for any deficiency created due to the change of use. The public beach parking lots and the Venice Boulevard median parking lots shall not be used to satisfy the parking requirements of Subsections D and E.

- D. **PARKING REQUIREMENT TABLE:** Restaurant, Night Club, Bar and similar establishments and for the sale or consumption of food and beverages on the Premises (will) provide one space for each 50 square feet of Service Floor (including outdoor service areas).

- E. **BEACH IMPACT ZONE PARKING REQUIREMENTS:** In addition to the above requirements, all Venice Coastal Development Projects located within the Beach Impact Zone shall provide parking spaces in accordance with this Subsection.

1. One parking space for each 640 square feet of floor area of the Ground Floor for commercial and industrial Venice Coastal Development Projects. In lieu of physically providing the spaces, a fee of \$18,000.00 per space may be paid for up to 50 percent of the total number of parking spaces required in this subdivision. Provided, however, that no payment shall be allowed in lieu of any parking space required by LAMC Section 12.21 A4. All fees shall be paid into the Venice Coastal Parking Impact Trust Fund

Summary of Arguments Against this Project/Issue:

The issue in this permit is intensification of use. Applicant wishes to use commercial-zoned property to put in a restaurant. Currently, and for several decades, the use has been retail or business commercial.

Applicant claims that he is entitled to put a restaurant in a commercial zone. Our Venice Coastal Zone Specific Plan and the coastal act regulations require that changes or intensifications of use in this area require a Coastal Development Permit, and that intensifications of commercial use require additional parking to meet the more intense use.

Summary of Arguments For this Project/Issue:

Add another upscale restaurant to Abbot Kinney Boulevard thus increasing the tax base and business opportunities on this street. This would be a locally-owned business. The applicant stated that he had entered into an arrangement with a nearby building (across the street) for 16 parking spaces. He did not provide a lease, but showed a willingness to try to solicit additional parking spaces.

Summary of Public Comment:

Five members of the public were in favor of the project at the March 28, 2007 LUPC meeting. Between fifteen and twenty nearby residents of the project spoke in objection to the project at the Zoning Administration hearing March 29, 2007.

Consensus was that this project as presented would intensify the use at this location and that the project should include parking, not phantom parking which was the public's view of the "grandfathered" parking spaces. Many residents complained that they were already unable to park in front of their houses. The architect stated during the ZA hearing that the residents should clear the junk out of their garages and use them to park their cars. Several residents pointed out to the applicant and his architect that their houses did not possess garages.

Summary of Findings by LUPC:

This report concerns a seemingly simple request to convert a furniture store to a 60-seat restaurant with on-site full alcohol service – it really is about parking on Abbot Kinney, parking impact on nearby residents, intensification of use without the appropriate Coastal Development Permit and an attempt to circumvent our Venice Coastal Zone Specific Plan.

The LUPC motion was about getting more information about this project. How can parking be "grandfathered"? Why was there such a short appeal period regarding the parking? How can an intensification of use be affirmed for a Venice location without a Coastal Development Permit?

Authors of Report:

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Date: April 13, 2007