



Venice Neighborhood Council

LAND USE AND PLANNING COMMITTEE
PO Box 550, Venice, CA 90294 www.VeniceNC.org
Email: Chair-LUPC@VeniceNC.org



LUPC STAFF REPORT

Report Date: 3/7/2022

Staff: Andrew Mika

LUPC Date: 3/3/2022

VNC Date: 3/15/2022

<u>OVERVIEW</u>	
Address:	1217 Ocean Front Walk
Applicant:	Venice Waldorf LLC
Representative:	Elizabeth Peterson, Elizabeth Peterson Group, LLC
Case No.:	ZA-2020-1541-CUB-CU-CDP & ZA-2021-7223-CUB-CU-CDP
Project Description:	A CDP TO RE-ESTABLISH EXISTING RESTAURANT AND EXISTING BASEMENT THEATER.
Staff Summary:	<p>Applicant requests approval of a Coastal Development Permit to re-establish an existing restaurant and basement theater. The Coastal Development Permit request is associated with a conditional use permit request to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption, in conjunction with an existing, a 1,276 SF restaurant having 43 interior seats located on the ground floor, an existing 748 SF basement theater with 49 seats, an existing 200 sq. ft. penthouse patio with 13 outdoor seats, and a new 645 sq. ft. bar with 17 seats located on the ground floor along with in-room mini-bars in 36 existing rooms in an existing 26,241 sq. ft. apartment hotel.</p> <p>Importantly, <u>no change of use is requested as part of the application</u>. The hotel included a restaurant and theater use in its 1969 Certificate of Occupancy.</p>
Requested Entitlement(s):	Conditional Use Permit for sale and consumption of alcohol (full line)
Venice Sub-Area:	North Venice
Zoning:	C1-1
Existing SF:	Existing building no change to the envelope

Case No.: ZA-2020-1541-CUB-CU-CDP & ZA-2021-7223-CUB-CU-CDP
 Address: 1217 Ocean Front Walk
 Report Date: 2/28/2022
 LUPC Staff: Andrew Mika

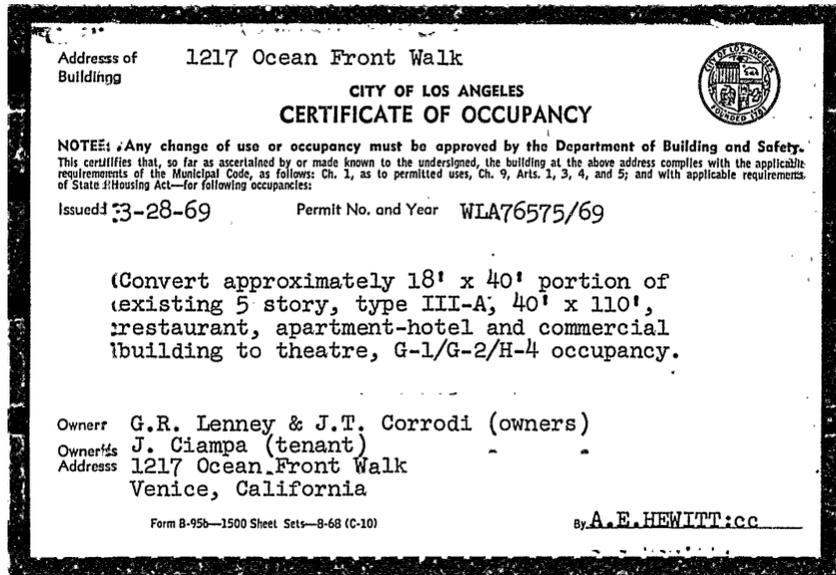
Proposed SF:	n/a
Proposed Parking:	0 (see below for explanation)
Number of Units:	0 (see below for explanation)
Mello Act Compliance:	No changes of use relating to hotel/residential uses and therefor no Mello Act analysis required. Building is complaint existing C of O (see drawings sheet SK-10).

COMPLIANCE WITH SPECIFIC PLAN

Setbacks: Existing building no change to the building envelope

Height: Existing building no change to the building envelope

Parking: No parking required due to non-conforming (“grandfathered”) use from 1969 certificate of occupancy (copy below). Notwithstanding, parking is available on the adjacent lot on a first come first serve basis. No covenant is required as part of entitlements requested due to non-conforming rights from 1969.



ZAA/Waiver: None.

Mass, Character, and Scale Project does not involve alteration of building’s footprint from original 1913 construction.

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COMMUNITY OUTREACH

Date: 8/13/2020, conducted via Zoom

Notification Radius: 500 feet

Summary of Feedback: The applicant did one noticed community meeting and several follow-up walk throughs and meetings on the property based on requests from the community. According to applicant, 15-20 neighbors attended, mostly supporting the projects. Some attendees oppose project, alleging that hotel was illegally converted from residential to hotel. There is significant support for the project because it will activate this area of Ocean Front Walk. Based on community feedback, the applicant withdrew its request to place mini-bars in the hotel rooms (which had been part of the original request).

LUPC HEARING SUMMARY

Public Comment: There was no public comment.

Board Comment:

Recommended Motion: Approve as presented.

Maker / Second Andrew Mika / Corinne Baginsky

Vote: Yea: 6 / Nay: 0 / Abstain: 0 / Recuse: 1 (Barry) / Ineligible: 0

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Addendum by Committee Chair

This Project proposes to restore a longtime restaurant/bar/theater (since at least the 1950s/60s) in one of Venice’s original iconic apartment hotels. From the 1960s until 1985, the ground floor of the Project was Lafayette Cofee Shop, a breakfast and lunch eatery.

A 1985 LA Times article was written when Lafayette was closed. (Available at <https://www.latimes.com/archives/la-xpm-1985-06-24-vw-938-story.html>.)

There are several cafes in the immediate surrounding area, and newly created parklet on Westminster. Despite this, very few restaurants on Ocean Front Walk currently have liquor licenses. Given its location, restoring a restaurant use at this will be a visitor serving accommodation.

Due to the era of the building’s construction (1913), it was built on the entirety of the parcel (property line to property line) without parking. No parking has ever been required for the building and the existing café/theater, and the restoration of prior uses does not increase the parking requirement.



According to LADBS records, 10 complaints were filed (seven of which were filed within the last 10 years). Complaints allege construction without permits and building conversion to another use. All code enforcement actions have been closed. Complaints referred to HCID do not appear to have resulted in violations either. In any event, claims about the change of use are irrelevant to the Project’s current application,¹ which is solely relating to the restaurant, theater, and conditional use permit for alcohol.

¹ Conversion of rental units to hotel rooms is not within the scope of this Project. Notwithstanding, the Court of Appeal for the Second Appellate District issued a published appellate decision concluding that an “Apartment House” was permitted to rent to transient occupants within the R3 zone. *See People v. Venice Suites, LLC* (Super. Ct. No. BC624350) Nov. 15, 2021, decision is available at: <https://www.courts.ca.gov/opinions/documents/B300960.PDF>. While the Project at bar is an existing “Apartment Hotel” situated in a C1 zone, to the extent these two hybrid apartment/hotel buildings are similar, there is no reason to believe the legal conclusion reached in *Venice Suites* would be any different should the City contest transient use of the Venice Waldorf.

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Code Enforcement Information: 10		
Date Received	Problem Description	Status
1/19/2005	OUTDOOR ADVERTISEMENTS (SIGNS) OF GOODS OR SERVICES AVAILABLE ON SITE	CLOSED
8/22/2005	POOL EQUIPMENT OR AIR CONDITIONER NOISE INSPECTION	CLOSED
10/19/2006	OUTDOOR ADVERTISEMENTS (SIGNS) OF GOODS OR SERVICES AVAILABLE ON SITE	CLOSED
1/22/2013	CONSTRUCTION IN PROGRESS WITHOUT PERMITS OR INSPECTIONS	CLOSED
7/21/2016	CONSTRUCTION IN PROGRESS WITHOUT PERMITS OR INSPECTIONS	CLOSED
3/13/2017	CONSTRUCTION IN PROGRESS WITHOUT PERMITS OR INSPECTIONS	CLOSED
3/28/2019	MISCELLANEOUS COMPLAINTS	CLOSED
8/23/2020	ANY CHANGES DONE TO A PROPERTY IN AN HISTORICAL AREA	CLOSED
12/17/2020	BUILDING OR PROPERTY CONVERTED TO ANOTHER USE	CLOSED
12/7/2021	BUILDING OR PROPERTY CONVERTED TO ANOTHER USE	CLOSED