

Authorizing Code Section: 11.5.7.C. (Sec. 13B.4.2.E. of Chapter 1A)

Action Requested: A Specific Plan Project Permit (1) the redesignation of two existing dwelling units as “artist-in-residence” with no change to the number of existing dwelling units or guest rooms, (2) the construction of an arcade in the public right-of-way to be modeled after the original historic Market Street Arcade and, (3) a 282-square foot commercial addition to the ground floor and 200-square foot residential addition to second floor of the existing building in the Single-Permit Jurisdiction of the Venice Coastal Zone.

1. Substantially complies with the applicable regulations, findings, standards, and provisions of the specific plan:

- a. That the Venice Coastal Development Project is compatible in scale and character with the existing neighborhood, and that the Venice Coastal Development Project would not be materially detrimental to adjoining lots or the immediate neighborhood**

The proposed project includes a 282-square foot commercial addition to the ground floor and 200-square foot residential addition to second floor of the existing building, the construction of an arcade in the public right-of-way to be modeled after the original historic Market Street Arcade and, the redesignation of two existing dwelling units as “artist-in-residence” with no change to the number of existing dwelling units or guest rooms. The total groundfloor commercial portion (after the proposed addition) includes 554 square feet of Service Floor area which encompasses a 283-square foot al fresco dining area along the property’s frontage on Market Street and accommodates 42 seats. The square footage additions will bring the building forward such that it will have a 0-ft front setback once construction is complete.

Currently, the subject site is improved with a four-unit residential structure, including two guestrooms and two residential dwelling units. As shown in Table 1 below and the attached Exhibit A, all other lots with frontage on Market Street between Pacific Avenue and Ocean Front Walk contain commercial uses and enjoy a 0-foot front setback. The subject property is one of very few purely residential uses with frontage along Market Street between Pacific Avenue and Ocean Front Walk. The subject site also contains the only structure on the block that contains purely residential units and a front setback (currently 9 feet). (The adjacent property located at 60 E Market Street is the subject of an identical Specific Plan Exception application by the same applicant/owner. For the purposes of the City Planning entitlement and permitting processes, the two are considered different projects.) There is no height increase proposed as part of the project. Therefore, the proposed project is compatible in scale and character with the existing neighborhood, and that the Venice Coastal Development Project would not be materially detrimental to adjoining lots or the immediate neighborhood.

Address	Year Built	Use(s)	Front Setback
74-76 E Market St	1921	Commercial restaurant	0 feet
72 E Market St	1914	Commercial restaurant	0 feet
64 E Market St	1913	Commercial restaurant	0 feet
*60 E Market St	1965	Multifamily residential	9 feet
52 E Market St	1965	Multifamily residential	9 feet
44-46 E Market St	1922	Commercial office	0 feet
40-42 E Market St	1922	Commercial office	0 feet
83-85 E Market St	1922	Commercial retail	0 feet
79-81 E Market St	1922	Commercial office	0 feet
73-77 E Market St	1922	Commercial office	0 feet
69 E Market St	1921	Commercial office	0 feet
61-65 E Market St	1921	Commercial office	0 feet
57 E Market St	1921	Single-family residential	0 feet
51 E Market St	1981	Single-family residential	0 feet
45 E Market St	1923	Single-family residential	0 feet
41 E Market St	1972	Commercial office	0 feet
21-35 E Market St	1989	Commercial office	0 feet

Table 1: Historic Frontage and Usage Surrounding Subject Site

*The site located at 60 E Market Street is the subject of a similar land use entitlement application submitted by the same owner-applicant as the subject project.

- b. That the Venice Coastal Development Project is in conformity with the certified Venice Local Coastal Program**

The proposed project is consistent with the intent and purpose of the applicable provisions of the Land Use Plan (LUP) and Specific Plan, which are parts of the Venice Local Coastal Program (LCP). The proposed restaurant addition and redesignation of the existing residential units as “artist-in-residence,” comply with Section 30252. of the Venice LUP which states *“The location and amount of new development should maintain and enhance public access to the coast by providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads...”*

The existing restaurant is subject to the parking requirements of AB 2097 (Friedman, 2022) and, therefore, is not required to provide the parking outlined in Section 13 of the Specific Plan and Policy II.A.3 of the LUP. However, the project will maintain the existing three parking spaces dedicated to the residential uses and will provide two short-term and two long-term bicycle parking spaces in conjunction with the proposed commercial use, in order to offset the demand for bicycle parking in the area and in compliance with LAMC 12.21. A.16. The subject site is located in an area served by bicycle lanes on Windward Avenue and Pacific Avenue and is proximate to several public parking lots.

The project further conforms to the certified Venice Land Use Plan and adopted Specific Plan as outlined below.

Venice Coastal Zone Specific Plan

- *Section 3, Purpose B: “To protect, maintain, enhance and, where feasible, restore the overall quality of the Coastal Zone environment and its natural and man-made resources”*
- *Section 3, Purpose F: “To regulate all development, including use, height, density, setback, buffer zone and other factors in order that it be compatible in character with the existing community and to provide for the consideration of aesthetics and scenic preservation and enhancement, and to protect environmentally sensitive areas”*

By adding square footage to the groundfloor to create a visitor-serving commercial use, redesignating and enriching the existing residential units, reconstructing the historic Market Street arcade, and implementing a 0-foot front setback, the proposed project enhances and restores the quality of the Coastal Zone’s man-made resources as well as increasing the structure’s compatibility with the character, aesthetics, and scenic preservation of the existing community. As described in Table 1 above and Exhibit A, all other developments with frontage along Market Street between Pacific Avenue and Ocean Front Walk maintain 0-ft front setbacks and some amount of commercial usage. Furthermore, the building next door at 64-72 Market Street is named in the Venice Land

Use Plan as a “Historic and Cultural Resource.” Additionally, the property located at 74-76 E Market Street (approximately 90 linear feet from the subject site) is listed in *Historical Places Los Angeles* - the City’s historic resources survey - with the note that the site appears eligible for California Register as an individual property. Both the structure at 64-72 Market Street and the one at 74-76 Market Street are built with 0-foot front setbacks and arcades in the public right-of-way.

The proposed development would bring the subject site into compliance with the architectural character of the immediate vicinity, consistent with the intent of the Venice Coastal Zone Specific Plan.

Venice Land Use Plan

- *“Policy I. F. 4. Windward Historic Arcade - The Windward Historic Arcade District boundaries are the south side of Market Street between Pacific Avenue and Ocean Front Walk on the north, the east side of Ocean Front Walk between Horizon Avenue and the 17th Avenue on the West, both sides of Windward Avenue between Pacific Avenue and Ocean Front Walk on the south, and the east side of Pacific Avenue between Market Street and Windward Avenue on the east. New development shall maintain and preserve the historical arcade area of Venice and be required, where feasible, to restore or replicate the arcade if they fall within the historic arcade locations.”*

The proposed project includes the restoration of the historic Windward arcade as detailed in the above policy from the Venice Land Use Plan. The request to develop the property with a visitor-facing restaurant use and implement a 0-foot front setback, as well as developing the property into a mixed-use building that redesignates two of its residential units as “artist-in-residence” units furthers the policy’s intent of restoring the historic nature of the street.

- c. **That the applicant has guaranteed to keep the rent levels of any Replacement Affordable Unit at an affordable level for the life of the proposed Venice Coastal Development Project and to register the Replacement Affordable Units with the Los Angeles Department of Housing;**

The proposed project does not involve the conversion or demolition of existing dwelling units. Therefore, no Replacement Affordable Units are required or provided.

- d. **That the Venice Coastal Development Project is consistent with the special requirements for low and moderate income housing units in the Venice Coastal Zone as mandated by California Government Code Section 65590 (Mello Act).**

The proposed project is located in the Coastal Zone, as defined in California Public Resources Code, Division 20 (commencing with Section 30000), as depicted on the City of Los Angeles Coastal Maps. Projects consisting of the conversion, demolition, or construction of new residential units are subject to the special requirements for low and moderate income housing units in the Coastal Zone as mandated through the California Government Code Section 65590 (Mello Act), as implemented through the Interim Administrative Procedures for Complying with Mello Act in the Coastal Zone Portions of the City of Los Angeles, ("Interim Administrative Procedures") per the terms of the Settlement Agreement between the City of Los Angeles and the Venice Town Council, Inc., the Barton Hill Neighborhood Organization, and Carol Berman, effective January 2001. The subject project does not include the demolition or conversion of an Affordable Existing Residential Unit, nor does it involve the construction of 10 or more Residential Units.

In addition to the required findings above, the project complies with the applicable regulations of the Venice Coastal Zone Specific Plan as detailed below.

Section 10. F. of the Venice Coastal Zone Specific Plan pertains to the North Venice Subarea and contains the following provisions that apply to the proposed project:

“Venice Coastal Development Projects with a Flat Roof shall not exceed a maximum height of 30 feet; or 35 feet for Venice Coastal Development Projects with Varied Rooflines, provided that any portion of the roof that exceeds 30 feet is set back from the required front yard at least one foot in depth for every foot in height above 30 feet.”

The proposed project does not include any addition of height to the existing building. When measured from the centerline of Market Street adjacent to the front lot line measured from the projection of the midpoint of the lot frontage, the structure is 25 feet in height.

“The front yard setback for all residential Venice Coastal Development Projects shall be consistent with LAMC requirements, but shall not be less than five feet. Ground level patios, decks, landscaping and railings, wall and fences that do not exceed six feet in height may encroach into this setback, provided they observe a setback of one foot.”

The proposed project is requesting a 0-ft front setback, which is consistent with the intent of the provisions of the Specific Plan above and in the Specific Plan Exception findings accompanying this project application.

Section 11. of the Venice Coastal Zone Specific Plan pertains to the Commercial and Industrial Design Standards and contains the following provisions that apply to the proposed project:

Ground Floor Commercial Development.

“a. The Venice Coastal Development Project shall include a Street Wall, which shall extend for at least 65 percent of the length of the Building Frontage, and shall be located at the lot line or within five feet of the lot line, except that commercial buildings located on Ocean Front Walk shall have the Street Wall set zero feet from the building line. If the Street Wall is adjacent to a sidewalk cafe, public plaza, retail courtyard, arcade, or landscaped area, the Street Wall may be set back a maximum of 15 feet along the portion of the Venice Coastal Development Project that consists of the cafe, plaza, courtyard, landscaping or arcade. These areas shall not be considered in calculating the buildable area of a Venice Coastal Development Project, but with the exception of areas used only for landscaping, shall be considered in calculations for required parking. The required Street Wall at the Ground Floor shall have a minimum height of 13 feet.”

“b. At least 50 percent of the area of the Ground Floor Street Wall of a commercial Venice Coastal Development Project shall be devoted to pedestrian entrances, display windows or windows offering views into retail, office gallery or lobby space.”

The proposed project includes groundfloor commercial development comprised of a cafe/restaurant use as well as the construction of an arcade in the public right-of-way to be modeled after the original historic Market Street Arcade. The resulting structure will have a 25-foot tall Street Wall made mostly of transparent display windows, including the pedestrian entrance to the building, and will be set back zero feet from the portion of the Venice Coastal Development Project that consists of the arcade.

“c. Blank Walls shall be limited to segments of 15 feet in length, except that Blank Walls that contain a vehicle entry door shall be limited to the width of the door plus five feet.”

The proposed development does not contain any blank walls with segments more than 15 feet in length.

“d. All Venice Coastal Development Projects shall provide at least one pedestrian entrance into each business or use for each Store Frontage.”

The proposed development contains one business and provides a pedestrian entrance from the street.

“e. Ground Floor exterior building walls that face rear parking areas shall provide a pedestrian entrance into the building.”

The Ground Floor commercial development does not extend to the rear parking area; therefore, this provision does not apply.

2. Complies with CEQA

The proposed project qualifies for a Categorical Exemption consistent with the provisions of the California Environmental Quality Act and the City CEQA Guidelines. The project consists of (1) the redesignation of two existing dwelling units as “artist-in-residence” with no change to the number of existing dwelling units or guest rooms, (2) the construction of an arcade in the public right-of-way to be modeled after the original historic Market Street Arcade and, (3) a 282-square foot commercial addition to the ground floor and 200-square foot residential addition to second floor of the existing building in the Single-Permit Jurisdiction of the Venice Coastal Zone. The project includes a request for the on-site sale and consumption of a full line of alcoholic beverages, a front yard setback reduction from 5 feet 0 feet, and a waiver of dedication and improvement. The Categorical Exemption is appropriate for the proposed project pursuant to CEQA Guidelines Sections 15303 (Class 3).

The Class 3, categorical exemption allows for construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure provided that the addition will not result in more than 2,500 square feet and the area in which the project is located is not environmentally sensitive. In urbanized areas, the exemption also applies to up to four such commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

The project proposes small interior and exterior improvements that would increase the square footage of the groundfloor area to 1,968 square feet and increase the square footage of the second floor area to 1,886 square feet for a total resulting building square footage of 3,854 sq ft in an urbanized area where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

Furthermore, the Exceptions outlined in the State CEQA Guidelines Section 15300.2. do not apply to the project:

(a) Cumulative Impact. The project is consistent with the type of development permitted for the area zoned CM-1 and designated for limited manufacturing, commercial, and residential uses. The proposed addition will not exceed thresholds identified for impacts to the area (i.e. traffic, noise, etc.) and will not result in significant cumulative impacts.

(b) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The proposed project consists of work typical of a commercial neighborhood, no unusual circumstances are present or foreseeable.

(c) Scenic Highways. The project site is not located on or near a designated state scenic highway.

(d) Hazardous Waste Sites. The project site is not identified as a hazardous waste site or is on any list compiled pursuant to Section 65962.5 of the Government Code.

(e) Historical Resources. The project site is not located on a site identified in any local, state, or national register of historic resources. The project site was not identified on Historic Places LA, the Los Angeles Historic Resources Inventory, or in the City's Zone Information and Map Access System (ZIMAS) as a Los Angeles Historical Cultural Monument, Los Angeles Historic Preservation Overlay Zone, National Register of Historic Places, Potential Historic Multi-Family Resident, Existing or Potential Residential Historic District or National Historic Landmark (Los Angeles City Planning 2023a; Los Angeles City Planning 2023b; City of Los Angeles 2023). Based on Historic Places LA, the ZIMAS database and site plans, the project would not cause a substantial adverse change in the significance of a historical resource.

Therefore, the project is determined to be categorically exempt and does not require mitigation or monitoring measures; no alternatives of the project were evaluated.