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| **Report Date:** | 3/14/2021 |
| **Staff:** | Michael Jensen |
| **LUPC Date:** | 3/18/2021 |
| **VNC Date:** | 4/\_\_/2021 |

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| **OVERVIEW** | |
| **Address:** | 901 Abbot Kinney |
| **Applicant:** | AKA Partners, LLC |
| **Representative:** | Larry Mondragon, Craig Fry & Associates LLC |
| **Case No.:** | ZA-2020-4198-MCUP-CU-CDP-SPP |
| **Supporting Documents:** | [Supporting Documents](https://drive.google.com/drive/folders/1UQQv9A_ucM40Uxolu19Tl7PqzQlzsMA2?usp=sharing) |
| **Project Description:** | CHANGE OF USE FROM OFFICE/RETAIL TO RESTAURANT/RETAIL/ OFFICE, CONSTRUCTION OF PARKING LIFT AND MCUP FOR FULL LINE |
| **Requested Entitlement(s):** | (1) Coastal Development Permit (CDP) authorizing a development project within the single permit jurisdiction of the California Coastal Zone consisting of: (a) a change of use that will increase the intensity of use two existing buildings in the C2-1 Zone having a combined area of 14,179 SF from office and retail to restaurant, retail and office, (b) the construction and maintenance of a mechanical parking lift that will expand the site’s on-site parking resources by providing short-term storage for up to 32 vehicles.  (2) Project Permit Compliance under the Venice Specific Plan for the change of use from office/retail to restaurant/retail/office,  (3) Conditional Use for a Commercial Corner and Mini-Shopping Center that would: (i) allow the site’s tenants to operate between the hours of 7:00am to 12:00am Sunday through Thursday and from 7:00am to 2:00am on Friday and Saturday, and (ii) allow tandem parking for both customary on-grade parking and in conjunction with the proposed mechanical parking lift, and (iii) a Master Conditional Use that would allow the site’s restaurant tenants to serve their customers a full line of alcoholic beverages. |
| **Venice Sub-Area:** | North Venice |
| **Zoning:** | C-2 |
| **Existing SF:** | Suite A-1: 2,081 SF Office  Suite A-2: 1,517 SF Office Suite A-3: 1,517 SF Office Suite A-4: 1,460 SF Office Suite A-5: 1,608 SF Office Suite A-6: 2,090 SF Office  **Building A Total: 10,273 SF**  Suite B-1: 1,953 SF Office Suite B-2: 1,953 SF Office  **Building B Total: 3,906 SF** |
| **Proposed SF:** | Suite A-1: 2,081 SF Restaurant (1,025 Service Floor Area) Suite A-2: 1,517 SF Restaurant (675 SF Service Floor Area) Suite A-3: 1,517 SF Restaurant (675 SF Service Floor Area) Suite A-4: 1,460 SF Retail  Suite A-5: 1,608 SF Retail  Suite A-6: 2,090 SF Retail  **Building A Total: 5,158 SF Retail | 5,115 SF Restaurant (2,375 SF Service Floor Area)**  Suite B-1: 1,953 SF Restaurant (920 SF Service Floor Area) Suite B-2: 1,953 SF Office (no modification)  **Building B Total: 1,953 SF Restaurant (920 SF Service Floor Area) | 1,953 SF Office** |
| **Proposed Parking:** | Total of 45 spaces (per revised plans dated 2/25/21), 24 of which will be provided using quad stacking car lifts. Applicant is proposing 20% reduction in parking (11 spaces) to be offset by 44 bike parking spaces (4:1 ratio). |

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| **COMMUNITY OUTREACH** | |
| **Date:** |  |
| **Notification Radius:** |  |
| **Summary of Feedback:** | Staff recommended Applicant conduct a community outreach meeting via Zoom prior to LUPC meeting; however, Applicant elected not to conduct any outreach. |

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| **COMPLIANCE WITH SPECIFIC PLAN** | |
| **Setbacks:** | Not applicable to this Project, as no new construction is involved. |
| **Height:** | Not applicable to this Project, as no new construction is involved. |
| **Parking:** | The Project involves a change of use of 10,273 SF into three restaurants and three retail stores in Building A and conversion of one 1,953 SF suite into a restaurant in Building B. This is an intensification of use that requires creation of additional parking. Per current LAMC, the existing office requires a total of 58 spaces. Under the proposed use, Applicant calculates 93 spaces would be required, prior to accounting for non-conforming parking credits and bicycle parking offsets. The Applicant’s parking calculation is outlined on the Site Plan.  Applicant is requesting entitlements for a “mini-shopping center.” Per the Venice Specific Plan (“*Specific Plan*”), Shopping Centers require “[o]ne space for each 200 square feet of floor area within the center, or as otherwise required for each individual use within the center, whichever is greater.” (See Parking Requirement Table in Section 13.D.) In staff’s opinion, the parking calculation has a floor of one space per 200 SF, whereas Applicant appears to use 225 SF as the floor for retail uses. Applicant’s position is that the parking requirements for shopping centers do not apply to this Project.  Building A (9,895 SF) Three of the four restaurants are proposed in Building A. LADBS records evidence a Certificate of Occupancy issued March 20, 2014, with 20 parking spaces required for the 9,895 SF building designated for office use. Applicant calculates that the conversation of 10,273 SF to retail and restaurant requires 68 spaces, based on 46 required for the restaurants (one space per 50 SF of service floor area) and 22 spaces for the retail (one space per 225 SF). However, this does not comport with the Parking Requirement Table for Shopping Centers, which would require 47.5 spaces for the restaurants (2,375/50) and 25.79 spaces for the retail (5,158/200). Rounded down, staff calculates that 72 spaces are potentially required to park Building A for the proposed uses, before taking into account any credits or offsets.  Building B (3,500 SF)  One restaurant is proposed on the first floor of the building. No Certificate of Occupancy was located for the 3,500 SF building; however, Applicant has indicated on the plans submitted with the Project that zero parking is required for the existing use. The Site Plan indicates the proposed restaurant use requires 18 spaces (920/50), with 7 spaces required for the existing office (1,727/225). However, the existing office unit appears to be 1,953 SF,[[1]](#footnote-1) which would require 8.68 spaces (1,953/225), even assuming the mini shopping mall standard did not apply to the unchanged use. In staff’s opinion, 26 spaces are potentially required to park Building B for the proposed uses, before taking into account any credits or offsets.  Credits for Non-Conforming Use Applicant claims credits for existing non-conforming parking of 38 spaces (58 required minus 20 existing). However, this assumes the current Certificate of Occupancy for Building B does, in fact, require zero parking. Applicant’s parking calculation appears to list it both as retail and office in different places, making determination of the credit unclear.  Beach Impact Zone Parking Per Section 14.E. of the Specific Plan, all Venice Coastal Development Projects located within the Beach Impact Zone (“*BIZ*”) must provide one parking space for each 640 square feet of floor area of the ground floor for commercial. The Local Coastal Program Land Use Plan for Venice (“*LUP*”) would appear to exempt existing projects merely converting to a different use.[[2]](#footnote-2)  Bicycle Parking Credits Applicant is proposing a 20% reduction in parking by providing 44 bicycle parking spaces, resulting in a credit 11 spaces (4:1 ratio). The bicycle parking is identified on the Project’s site plan, but it does not look large enough to accommodate 44 bicycles. Moreover, the LAMC requires designation of long-term and short-term spaces, to which the site plan and parking table is silent. (See Table 12.21.A.16(a)(2) in [Ordinance No. 185480](http://clkrep.lacity.org/onlinedocs/2012/12-1297-S1_ORD_185480_05-09-2018.pdf).)  Staff Recommendation The scale and complexity of this Project make parking calculations difficult to perfect. Staff recommends that Applicant devote a portion of its presentation before LUPC to explain how the Project is compliant with parking requirements for the proposed use under the LAMC and Specific Plan. |
| **ZAA/Waiver:** | None requested. |
| **Mass, Character, and Scale** | Not relevant because the Project involves existing buildings that are not being expanded or modified. |

**MASTER CUP LICENSE**

The Project is located on a commercial corridor of Abbot Kinney at the corner of Brooks Avenue. The lot directly across the street is currently zoned residential, but is in the process of being re-zoned, a request for which LUPC and the VNC has already voted to recommend approval. While there is a residential zone along Electric Avenue, future development of the adjacent and surrounding lots will result in mixed-use with restaurants, retail, and a hotel. As a result, this Project does request similar entitlements to those granted for adjacent and nearby parcels.[[3]](#footnote-3) Numerous “sensitive uses” are within 1,000 ft. of the Project, including:

* Westminster Avenue Elementary School, 1010 Abbot Kinney Boulevard
* Westminster Off-Leash Dog Park and Recreation Center, 1234 Pacific Avenue
* Westminster Ave Children's Center, 1010 Main Street
* New Bethel Baptist Church, 503 Brooks Avenue
* Second Community Baptist Church, 1041 Abbot Kinney Boulevard
* Christian Science Church, 132 Brooks Avenue
* Ecole Claire Fontaine, Trilingual School, 352 Westminster Avenue

The Project seeks a master CUP for a full line of alcohol (Type 47). Type 47 licenses require at least 51% of gross sales to be derived from food. Putative operators of the four licenses are not yet known.

Staff Recommendation

Given the requested hours of operations 7am to midnight during the week, and 7am to 2am during the weekends, LUPC should consider whether operating hours of the kitchen should be incorporated into the conditions of approval, as has been consistent with similar projects in the past. Additionally, Applicant is requesting entitlements for a full line and maximum hours of operation under state law, despite presenting no information regarding the future operators. In the past, LUPC has either limited the alcohol license to beer and wine or requested that the future operator appear before LUPC within one (1) year of opening to review the conditions of approval to determine whether the operator is in compliance. Finally, LUPC should consider whether any conditions are required to address potential conflicts with nearby schools, one of which is directly across the street.

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| **LUPC HEARING SUMMARY** | |
| **Public Comment:** |  |
| **Board Comment:** |  |
| **Recommended Motion:** |  |

1. The Site Plan is not clear as to the square footage of unit B-2 subject to this calculation. [↑](#footnote-ref-1)
2. The Specific Plan is not clear whether a change of use constitutes a “Venice Coastal Development Project” subject to BIZ parking requirements. However, according to the LUP, Policy II. A. 4. (Parking Requirements in the Beach Impact Zone), “[a]ny new and/or any addition to commercial, industrial, and multiple-family residential development projects within the Beach Impact Zone shall provide additional (in addition to parking required by Policy II.A.3) parking spaces for public use or pay in-lieu fees into the Venice Coastal Parking Impact Trust Fund.” However, if applicable, BIZ parking would require 19 BIZ parking spaces (12,226/640), of which 50% are eligible to be reduced for an in-lieu fee. [↑](#footnote-ref-2)
3. Nearby developments include: (1) 808 Main St., APCW-2013-1970-SPE-CDP-CUB-ZAD-SPP (change of use from gym to office and general commercial); (2) 910 S. Abbot Kinney, ZA-2014-3288-CDP-SPP (change of use from mixed use office and retail to retail and restaurant); and (3) 825 Hampton Ave., DIR-2017-3765-CDP-SPP-MEL (demolition of commercial buildings and construction of mixed use residential and commercial with restaurants). [↑](#footnote-ref-3)