



Land Use & Planning Committee Staff Report DRAFT

Submitted to LUPC January 14, 2014
 Submitted to VNC Board of Officers XXX

Case Numbers: [CPC-2013-2377-DB-CDP-SPP-MEL](#)
[ENV-2013-2378-EAF](#)

Address of Project: 1414 S Main Street
Property Owners: MSBV, LLC
Owner's Representatives: Brian Silveira

LUPC CASE MANAGER:	Mia Herron
MOTION:	DRAFT The Venice Neighborhood Council recommends denial of the project as presented based on excess of off-menu affordable housing density bonus incentives (five vs three that are specified by SB 1818); inconsistency with the character, mass, and scale of the surrounding neighborhood; and the applicant's failure to show that the off-menu incentives are necessary to make the housing units economically feasible (especially in lieu of cost to develop 89 excess parking spaces).
MADE BY:	
SECONDED:	
VOTE:	
DATE APPROVED BY LUPC:	

PROJECT SUMMARY:

Applicant is proposing construction of a mixed-use building with 26 unit residential condominium units (including 4 low-income units), 3 ground-level commercial units, 1 subterranean commercial unit, and 242 parking spaces.

Enacting SB 1818, the applicant is providing 4 low-income units, and thereby proposing to increase density by 35%, with a building height of 46 feet and total project size of 91,968 square feet.

In addition, the applicant is requesting the following 5 off-menu affordable housing density bonus incentives:

1. to allow a maximum building height of 46-feet, including flat and variable roof sections, in lieu of the maximum 30-foot flat-roof height limit and 35-foot variable-roof height limit required by the Venice Coastal Zone Specific Plan.
2. to allow for a maximum 2.4:1 area ratio in lieu of the 1.5:1 floor area ratio allowed for "retail and/or office and residential" per the Venice Coastal Zone Specific Plan.

3. to allow a 7-foot rear yard at all residential levels in lieu of the 15-foot rear yard required for all residential levels in the C2 zone.

4. to allow a uniform building front with no set-back in lieu of a 5-foot front building set-back at the first residential level, and 17-foot set-back for all portions of the building above 30-foot height required by the Venice Coastal Zone Specific Plan.

5. to allow 153 required parking spaces to be provided as tandem and triple-tandem in an automated garage, where passengers exit vehicles at street level and vehicles are parked below ground using robotic lifts.

Pursuant to SB 1818, Section 1, (d), (2), (C):

(C) Three incentives or concessions for projects that include at least 30 percent of the total units for lower income households, at least 15 percent for very low income households, or at least 30 percent for persons and families of moderate income in a condominium or planned development.

The applicant is also seeking:

1. A Coastal Development Permit for new development in an area of the City covered by a local certified coastal program.

2. A Tentative Tract Map to permit the subdivision of the subject property into 26 residential condominiums and 3 saleable commercial spaces.

3. A Project Permit Compliance to determine whether or not the project is in conformance with the regulations of the Venice Coastal Zone Specific Plan.

DENSITY BONUS CALCULATIONS:

Excerpt from applicant's presentation given at LUPC meeting on December 18, 2013

Density Calculation

- **Outside Venice Specific Plan Area:**
 - 15,614/400 = 39 base units
 - 39 base units + density bonus = 53 units

- **In Venice Specific Plan Area:**
 - 15,614/800 = 19 base units
 - 19 base units + density bonus = **26 units**

Excerpt from Project Permit Compliance Findings, provided by the applicant:

The proposed project qualifies for 19 base units according to the density allowed in the R-3 zone. Four (4) of those 19 base units are being provided at low-income levels, therefore our affordable set-aside is 21% and the project qualifies for a 35% density bonus.

USE:

Per the VCZSP, Section 9A:

GENERAL LAND USE AND DEVELOPMENT REGULATIONS. In addition to the regulations contained in Chapter 1 of the LAMC and as shown on Exhibits 6-15, the following regulations shall apply:

A. LOT CONSOLIDATION. Lot Consolidation of contiguous lots may be permitted, provided the consolidation complies with conditions specified in Subsection 1 and 2 below. Subterranean development that is entirely below street elevation is exempt from this subsection.

e. Commercially- and Industrially-Zoned Lots:

(2) Other Commercial Venice Coastal Development Projects:

Two lots may be consolidated, provided the Venice Coastal Development Project conforms with development standards in Section 9 A 2 below; or three lots may be consolidated, provided the Venice Coastal Development Project conforms with development standards in Section 9 A 2 below and parking is subterranean with the roof at natural grade.

(4) Mixed-Use and Multi-Family Residential Venice Coastal Development Projects:

*Lot consolidation of more than two lots shall be permitted for mixed-use and multi-family residential Venice Coastal Development Projects, **provided the project conforms to the existing scale and characteristic of the surrounding community**, the required parking is on-site and the project conforms with development standards in Section 9 A 2 below.*

DENSITY:

Per the Venice Coastal Zone Specific Plan, Section 10.F.2:

a. Residential Zone. A maximum of two dwelling units per lot shall be permitted for all Venice Coastal Development Projects on multiple-family residentially-zoned lots. However, the lot area per dwelling unit shall not be less than 1,500 square feet on RD1.5 zoned lots and 1,200 square feet on R3 zoned lots; except that Venice Coastal Development Projects on lots greater than 4,000 square feet are permitted one unit for each 1,500 square feet on RD1.5 zoned lots or one unit for each 1,200 square feet on R3 zoned lots, provided that all units beyond the first two are Replacement Affordable Units.

b. Commercial Zones. No residential Venice Coastal Development Project on a commercially-zoned lot shall exceed the density permitted in the R3 Zone.

HEIGHT:

Per the Venice Coastal Zone Specific Plan, Section 10.F.3:

a. 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.

Here is the height exhibit provided by the applicant:



SETBACK:

Per the Venice Coastal Zone Specific Plan, Section 10.F.4:

a. 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.

SCALE, CHARACTER, AND MASS:

Per the Venice Coastal Zone Specific Plan, Section 8.C:

In granting a Project Permit Compliance Review in the Venice Coastal Zone, the Approving Authority shall make each of the findings in Section 11.5.7 and the following findings:

1. 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;

Given that the project site is adjacent to single, two-story, and three-story buildings, the proposed four-story project would be incompatible with the scale and character of the existing neighborhood.

The adjacent zoning to the east is RD 1.5; to the south is C2; to the north is C1; and to the west is C4.

PARKING:

Applicant is proposing to build two subterranean levels of parking, utilizing a fully automated garage where passengers exit vehicles at the street level and vehicles are parked below ground using robotic lifts. Parking entrance would be located off of Toledo Court (the alleyway between Horizon and Main Street, and parallel to Main Street on the east side).

The applicant is proposing to widen the alley from 15 feet to 22.5 feet.

Parking calculations for the project uses are as follows:

	Parking
Residential	44
Beach Impact Parking	9
Retail Parking	6
Restaurant Parking	76
Event Space	18
SUB-TOTAL	153
Add'l Parking Spaces	89
TOTAL	242

TRAFFIC ANALYSIS:

Traffic Memo, provided by applicant and completed by Fehr Peers (dated December 11, 2013), includes the following summary:

The 1414 Main Project plans to provide a mixed-use residential, restaurant, and retail development at the southeast corner of Horizon Avenue and Main Street. The project is estimated to generate a net total of 9 AM and 40 PM peak hour trips. The two closest signalized intersections operate at an acceptable LOS A during both peak hours and are forecasted to continue to operate at LOS A with the addition of project traffic under both Existing and Future Year (2015) conditions. Additionally, observations were held during the peak hour to determine whether Toledo Court would be a potential cut-through route. As observed, it is not anticipated that users would access the site via Toledo Court. As such, there are no significant impacts associated with the project.

LANDSCAPING:

Applicant has yet to provide a landscaping plan.

There are currently 9 trees (avocado and palm) that exceed 6 inches in diameter on the site, which the applicant is planning to remove.

SHADING:

Applicant has yet to do any shading studies to determine what affect the building's height will have on adjacent neighbors.

TRASH:

Unclear based on drawings provided where trash enclosures are intended to be located.

COMMUNITY OUTREACH MEETINGS:

Applicant held a series of community outreach meetings, both formal where certified mailings were distributed and informal one-on-one with neighbors.

Here is a abridged summary of those concerns:

- + Incompatible character, mass, and scale of surrounding neighborhood
- + FAR / density too high
- + Parking entrance adversely affects neighbors, who all enter garages through Toledo Ct
- + Construction will result in extreme hardship for neighbors, especially with regard to the alley entrance
- + Delivery and trash trucks servicing commercial restaurants
- + Evening noise as a result of the restaurants
- + Traffic impacts on Toledo Court and surrounding neighborhood streets, resulting in safety concerns
- + Ensuring employees park on-site
- + Obstructing light, views, and breeze with near 50' wall
- + Design is not in the character of Venice
- + Desire for historic preservation
- + Negative impact on street residential parking along Horizon Ave and Market Street
- + Project excavation potentially resulting in seismic and structural impact on nearby homes, particularly those built in early 1900s
- + Disbelief in the economic need of building fourth story to make project economically feasible
- + Feeling that the developers are not genuinely taking the community's feedback into account or attempting to make substantive changes to create a project that lives in symbiosis with surrounding neighborhood

Size of Parcel:	15,814 SF
Size of Project:	91,968 SF
Number of Stories:	4 stories
Lot Dimensions:	145' x 104'
Last Owner Change:	12/14/12
Venice Sub-Area:	North Venice
Zone:	C2-1
Date of Planning Report:	TBA
Date of End of Appeal Period:	TBA
City Planning Report	
Prepared by:	TBA
LUPC Staff Report Done By:	Mia Herron
Owner/Applicant:	MSBV, LLC
Owner's Representative:	Brian Silveira
Contact Information:	silveira.brian@gmail.com

LUPC Report compiled by: Mia Herron
Estimated number of hours of staff time: 21 hrs

To view project information visit:

ADDENDUM / RELEVANT EXCERPTS FROM SB 1818:

Section 1, (e):

... Nothing in this subdivision shall be interpreted to require a local government to waive or reduce development standards if the waiver or reduction would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon health, safety, or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. ...

Section 1, (f):

(f) The applicant shall show that the waiver or modification is necessary to make the housing units economically feasible.

Section 1, (g):

...The granting of a density bonus shall not be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, or other discretionary approval. ...

Section 1, (m):

Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act (Division 20 (commencing with Section 30000) of the Public Resources Code).