

CALIFORNIA COASTAL COMMISSION

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49th Day: 2/24/2015
Staff: S. Vaughn – LB
Staff Report: 1/29/2015
Hearing Date: 2/12/2015

STAFF REPORT: APPEAL – SUBSTANTIAL ISSUE

Appeal Number: A-5-VEN-15-0003

Applicant: LionGate Global #1, LLC

Local Government: City of Los Angeles

Local Decision: Approval with Conditions

Appellants: 1) Coastal Commission Executive Director (Dr. Charles Lester);
2) James Murez; and 3) Robin Rudisill

Project Location: 1214 Abbot Kinney Boulevard, Venice, City of Los Angeles

Project Description: Appeal of City of Los Angeles Local Coastal Development Permit No. ZA 2014-1990 approved with conditions for a change of use of 4,230 square foot a single-family dwelling with two on-site parking spaces in a 504 square foot garage into 2,300 square feet of retail space on the ground and second floors and a 1,502 square foot Artist-in-Residence unit on the third floor with three on-site parking spaces and one bike rack, within an existing three-story building.

SUMMARY OF STAFF RECOMMENDATION

The staff recommends that the Commission, after public hearing, determine that a **substantial issue exists** with respect to the grounds on which the appeals have been filed for the following reason: the project, as approved by the City of Los Angeles, may adversely affect the public's ability to access the coast because the additional parking demands generated by this project (and others) are not adequately mitigated, thereby resulting in increased competition for the limited supply of public parking.

IMPORTANT NOTE: The Commission will not take public testimony during the “substantial issue” phase of the appeal hearing unless at least three (3) commissioners request it. If the Commission finds that the appeal raises a substantial issue, the de novo phase of the hearing will follow at a subsequent Commission meeting, during which it will take public testimony. Written comments may be submitted to the Commission during either phase of the hearing.

I. MOTION AND RESOLUTION

Motion: *I move that the Commission determine that Appeal No. A-5-VEN-15-0003 raises NO Substantial Issue with respect to the grounds on which the appeal has been filed under § 30603 of the Coastal Act.*

Staff recommends a **NO** vote. Failure of this motion will result in a de novo hearing on the application, and adoption of the following resolution and findings. Passage of this motion will result in a finding of No Substantial Issue and the local action will become final and effective. The motion passes only by an affirmative vote of the majority of the appointed Commissioners present.

Resolution:

*The Commission hereby finds that Appeal No. A-5-VEN-15-0003 presents A **SUBSTANTIAL ISSUE** with respect to the grounds on which the appeal has been filed under § 30603 of the Coastal Act regarding consistency with Chapter 3 policies of the Coastal Act.*

II. APPELLANTS' CONTENTIONS

Three appeals have been filed (**EXHIBIT #3**). The appellants contend that the City-approved development may adversely affect public access and could prejudice the City's ability to prepare a Local Coastal Program (LCP). The local coastal development permit (CDP) authorizes an increase in intensity of land use (2,300 square feet of new commercial floor area) which will significantly increase the demand for parking on the project site by approximately ten parking spaces more than provided and the local CDP does not require adequate mitigation for the increased parking demand. The local CDP would allow the applicant to pay an in-lieu fee into a city fund rather than provide additional parking spaces that would meet the parking demands of the approved development. The in-lieu fee is not adequate mitigation for the following two reasons: 1) the amount paid per parking space (\$18,000) is significantly less than the cost for providing one parking space, and 2) The City does not have a plan to use the collected fees to mitigate the parking impacts of the approved development (e.g., construction of additional parking). The result of the action is to increase the demand for parking in an area that currently does not have an adequate parking supply to meet the parking demand. The lack of adequate parking reduces the ability of the public to access the shoreline.

The City's approval of increased commercial intensity in the coastal zone without mitigating the parking demands (by providing more parking or other means to access the area) will result in cumulative adverse effects to public access. The competition for the limited amount of public parking in the vicinity of the project site has led to numerous requests for restricted "resident only" permit parking. The Commission has denied the City's applications for "resident only" permit parking [Appeal Nos. A-5-VEN-08-340, A-5-VEN-08-341, A-5-VEN-08-342, A-5-VEN-08-343 & A-5-VEN-08-344]. The Commission's denials of the applications for "resident only" parking were based on adverse impacts to public access.

Additionally, the appellants contend that the City did not require the provision of a loading zone for the commercial business. Without a proper loading zone for the proposed project, delivery vehicles

will disrupt and interfere with already strained traffic patterns and add to the traffic congestion in an already congested area. Furthermore, Ms. Rudisill (**EXHIBIT #3**) contends that the project should have been reviewed by the Venice Neighborhood Council (VNC) and because the VNC's request to delay action on the permit request was not upheld, the permit request should be further reviewed by the Coastal Commission to analyze the in-lieu fee for parking requirements.

III. LOCAL GOVERNMENT ACTION

On October 16, 2014, a public hearing for Local Coastal Development Permit No. ZA 2014-1990 (LionGate Global #1, LLC) was held before the Los Angeles City Zoning Administrator. The Chair of the VNC and a representative of the Office of the 11th City Council District (within which the proposed project falls) spoke at the public hearing in regards to the proposed project (see pages 8 & 9 of the City's staff report - **EXHIBIT #2**). Both speakers expressed concerns that the in-lieu parking fees are inadequate to realize the required parking. On November 14, 2014, the City Zoning Administrator approved Local Coastal Development Permit Case No. 2014-1990 for the change in use of a 4,230 square foot single-family residence with an attached 504 square foot two-car garage to a 2,300 square foot commercial retail space and a 1,502 square foot Artist-in-Residence with a 864 square foot garage/parking/loading area with three on-site parking spaces and one bicycle rack within the existing structure on a 2,696 square foot lot. The local CDP was not appealed to the City's West Los Angeles Area Planning Commission. The City determined that providing three on-site parking spaces, one bicycle rack and paying an in-lieu fee of \$18,000 per parking space for the remaining ten required parking spaces, would bring the proposed project into compliance with the parking requirements of the Venice Specific Plan (VSP), which is an uncertified City ordinance.

The City's Notice of Final Local Action for Local Coastal Development Case Permit No. ZA 2014-1990 (LionGate Global #1, LLC) was received in the Coastal Commission's Long Beach office on December 5, 2014, and the Commission's required twenty working-day appeal period was established. On January 6, 2015, the Executive Director, Ms. Robin Rudisill and Mr. James Murez, submitted appeals the City's approval of the local CDP to the Commission's Long Beach office (**EXHIBIT #3**). No other appeals were received prior to the end of the appeal period on January 6, 2015.

IV. APPEAL PROCEDURES

Section 30600(b) of the Coastal Act provides that prior to certification of its Local Coastal Program (LCP), a local jurisdiction may, with respect to development within its area of jurisdiction in the coastal zone and consistent with the provisions of Sections 30604, 30620 and 30620.5, establish procedures for the filing, processing, review, modification, approval or denial of a coastal development permit. Pursuant to this provision, the City of Los Angeles developed a permit program in 1978 to exercise its option to issue local coastal development permits. Sections 13301-13325 of Title 14 of the California Code of Regulations provide procedures for issuance and appeals of locally issued coastal development permits. Section 30602 of the Coastal Act allows *any* action by a local government on a coastal development permit application evaluated under Section 30600(b) to be appealed to the Commission. The standard of review for such an appeal is the Chapter 3 policies of the Coastal Act. [Cal. Pub. Res. Code §§ 30200 and 30604.]

After a final local action on a local coastal development permit application, the Coastal Commission must be noticed within five days of the decision. After receipt of such a notice which contains all the required information, a twenty working-day appeal period begins during which any person, including

the applicant, the Executive Director, or any two members of the Commission, may appeal the local decision to the Coastal Commission. [Cal. Pub. Res. Code § 30602.] As provided under section 13318 of Title 14 of the California Code of Regulations, the appellant must conform to the procedures for filing an appeal as required under section 13111 of Title 14 of the California Code of Regulations, including the specific grounds for appeal and a summary of the significant question raised by the appeal.

The action currently before the Commission is to find whether there is a “substantial issue” or “no substantial issue” raised by the appeal of the local approval of the proposed project. Sections 30621 and 30625(b)(1) of the Coastal Act require a *de novo* hearing of the appealed project unless the Commission determines that no substantial issue exists with respect to the grounds for appeal.

Commission staff recommends a finding of **substantial issue**. If the Commission decides that the appellants’ contentions raise no substantial issue as to conformity with Chapter 3 of the Coastal Act, the action of the local government becomes final. Alternatively, if the Commission finds that a substantial issue exists with respect to the conformity of the action of the local government with the Chapter 3 policies of the Coastal Act, the local coastal development permit is voided and the Commission typically continues the public hearing to a later date in order to review the coastal development permit as a *de novo* matter. [Cal. Pub. Res. Code §§ 30621 and 30625.] Section 13321 of the Coastal Commission regulations specifies that *de novo* actions will be heard according to the procedures outlined in Sections 13114 and 13057-13096 of the Commission’s regulations.

If there is no motion from the Commission to find no substantial issue, it will be presumed that the appeal raises a substantial issue and the Commission will schedule the *de novo* phase of the public hearing on the merits of the application at a subsequent Commission hearing. A *de novo* public hearing on the merits of the application uses the Chapter 3 policies of the Coastal Act. The certified Venice Land Use Plan (LUP) is used as guidance in the *de novo* phase of the appeal. Sections 13110-13120 of Title 14 of the California Code of Regulations further explain the appeal hearing process.

If the Commission decides to hear arguments and vote on the substantial issue question, those who are qualified to testify at the hearing, as provided by Section 13117 of Title 14 of the California Code of Regulation, will have three minutes per side to address whether the appeal raises a substantial issue. The only persons qualified to testify before the Commission at the substantial issue portion of the appeal process are the applicant, persons who opposed the application before the local government (or their representatives), and the local government. Testimony from other persons must be submitted in writing. The Commission will then vote on the substantial issue matter. It takes a majority of Commissioners present to find that the grounds for the appeal raise no substantial issue.

V. DUAL PERMIT JURISDICTION AREA

Within the areas specified in Section 30601, which is known in the City of Los Angeles permit program as the *Dual Permit Jurisdiction* area, the Coastal Act requires that any development which receives a local coastal development permit also obtain a second (or “dual”) coastal development permit from the Coastal Commission. The Commission’s standard of review for the proposed development in the *Dual Permit Jurisdiction* area is the Chapter 3 policies of the Coastal Act. For projects located inland of the areas identified in Section 30601 (i.e., projects in the *Single Permit Jurisdiction*), the City of Los Angeles local coastal development permit is the only coastal development permit required. The proposed project site is located within the *Single Permit Jurisdiction Area*.

VI. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION

The project site is located in a commercially zoned neighborhood of North Venice within the City's Single Permit Jurisdiction and fronts Abbot Kinney Boulevard, approximately one-half mile inland of the beach and boardwalk (**EXHIBIT #1**). The site is developed with an existing three-story, 4,230 square foot single-family residence and an attached 504 square foot two-car garage on a 2,696 square foot lot. The existing building was constructed in 2007 pursuant to Local Coastal Development Permit No. ZA 2003-7101 (CDP)(ZAA)(SPP)(MEL) approved by the City on February 17, 2004. The City's determination in that matter was not appealed.

The applicant proposes to remodel and change the use of the existing structure to a 1,502 square foot Artist-in-Residence dwelling unit and a 2,300 square foot retail space with three on-site parking spaces in an 864 square foot garage/parking area and one bicycle rack for four bicycles. The proposed development requires two residential parking spaces, two beach impact parking spaces and ten parking spaces for the retail use. The City determined that the bicycle rack can substitute one on-site parking space. The proposed project will provide three actual parking stalls on the site. The applicant intends to pay a parking fee to the City in lieu of providing the additional ten parking spaces required for the proposed change in use.

B. FACTORS TO BE CONSIDERED IN SUBSTANTIAL ISSUE ANALYSIS

Section 30625(b)(1) of the Coastal Act states that the Commission shall hear an appeal of a local government action carried out pursuant to Section 30600(b) unless it finds that no substantial issue exists as to conformity with Chapter 3 of the Coastal Act. The term "substantial issue" is not defined in the Coastal Act or its implementing regulations. Section 13115(b) of the Commission's regulation simply indicates that the Commission will hear an appeal unless it "finds that the appeal raises no significant question." In previous decisions on appeals, the Commission had been guided by the following factors:

1. The degree of factual and legal support for the local government's decision that the development is consistent or inconsistent with the relevant provisions of the Coastal Act;
2. The extent and scope of the development as approved or denied by the local government;
3. The significance of the coastal resources affected by the decision;
4. The precedential value of the local government's decision for future interpretations if its LCP; and,
5. Whether the appeal raises local issues, or those of regional or statewide significance.

Even when the Commission chooses not to hear an appeal, appellants nevertheless may obtain judicial review of the local government's coastal permit decision by filing petition for a writ of mandate pursuant to Code of Civil Procedure, Section 1094.5.

Staff is recommending that the Commission find that a substantial issue exists with respect to whether the local government action conforms to the provisions of Chapter 3 of the Coastal Act for the reasons set forth below.

C. SUBSTANTIAL ISSUE ANALYSIS

As stated in Section IV of this report, the grounds for an appeal of a Coastal Development Permit issued by the local government prior to certification of its LCP are the project's conformity with Chapter 3 policies of the Coastal Act. Any local government Coastal Development Permit issued or denied prior to certification of its LCP may be appealed to the Commission. The Commission shall hear an appeal unless it determines that no substantial issue exists as to conformity with Chapter 3 policies of the Coastal Act.

The grounds for this appeal relate to the proposed project's potential adverse impacts on public access to the coast due to the lack of parking provided in relation to the increase in parking demand that would result from the change of use from an Artist-in-Residence only to an Artist-in-Residence plus the new commercial retail space. The appellants contend that the City-approved change in use will aggravate the parking impacts of the area and that the in-lieu fees will not adequately mitigate for parking impacts. This contention raises the coastal access issue of whether the demands of the proposed change in use will adversely impact the public parking supply necessary to support access to Venice Beach.

The Commission's standard of review for determining whether to hear the appeal is only whether the appeal raises a substantial issue as to conformity with Chapter 3 of the Coastal Act. Cal. Pub. Res. Code § 30625(b)(1); 14 C.C.R. § 13321. The Commission's decision will be guided by the factors listed in the previous section of this report (B. Factors to be Considered in Substantial Issue Analysis).

This appeal raises a substantial issue as to conformity with Chapter 3 of the Coastal Act (Cal. Pub. Res. Code §§ 30200-30265.5).¹ The Notice of Decision for Local Coastal Development Permit No. 2014-1990 and accompanying Final Staff Report issued by the City of Los Angeles state that the City applied the policies of Chapter 3 of the Coastal Act and concluded, in part, that the development, as proposed and conditioned by the City, would be consistent with Chapter 3 of the Coastal Act and will not prejudice the ability of the City to prepare an LCP for the Venice Coastal Zone (**EXHIBIT #2**).

Chapter 3 of the Coastal Act sets forth the following Public Access Policies:

Section 30210 Access; recreational opportunities; posting

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211 Development not to interfere with access

¹ Unless otherwise indicated, all subsequent statutory references are to sections within the Coastal Act. Cal. Pub. Res. Code §§ 30000 *et seq.*

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30212 New development projects

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or, (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

(b) For purposes of this section, "new development" does not include:

(1) Replacement of any structure pursuant to the provisions of subdivision (g) of Section 30610.

(2) The demolition and reconstruction of a single-family residence; provided, that the reconstructed residence shall not exceed either the floor area, height or bulk of the former structure by more than 10 percent, and that the reconstructed residence shall be sited in the same location on the affected property as the former structure.

(3) Improvements to any structure which do not change the intensity of its use, which do not increase either the floor area, height, or bulk of the structure by more than 10 percent, which do not block or impede public access, and which do not result in a seaward encroachment by the structure.

(4) The reconstruction or repair of any seawall; provided, however, that the reconstructed or repaired seawall is not a seaward of the location of the former structure.

(5) Any repair or maintenance activity for which the commission has determined, pursuant to Section 30610, that a coastal development permit will be required unless the commission determines that the activity will have an adverse impact on lateral public access along the beach.

As used in this subdivision "bulk" means total interior cubic volume as measured from the exterior surface of the structure.

(c) Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.

Section 30212.5 Public facilities; distribution

Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

Section 30213 Lower cost visitor and recreational facilities; encouragement and provision; overnight room rentals

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

The commission shall not: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

Section 30250 Location; existing developed area

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

(b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.

(c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

Section 30252 Maintenance and enhancement of public access

*The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, **(4) providing adequate parking facilities or providing substitute means of serving the development with public transportation**, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.*

The issue of whether the proposed development can provide adequate parking for its patrons, for the life of the proposed use, without negatively impacting the public beach access parking supply, is an important and substantial issue. Section 30252 of the Coastal Act requires that new development provide adequate parking facilities to maintain and enhance public access to the coast. Section 30213 of the Coastal Act requires that lower cost visitor and recreational facilities shall be protected.

A substantial issue exists with respect to the proposed project's conformance with Chapter 3 of the Coastal Act, and with the approval of the Local Coastal Development Permit No. ZA 2014-1990, because the City-approved project does not include a plan that will mitigate the parking impacts of the development. The proposed project provides one new parking space and one new bicycle rack (for four bikes) for the proposed new 2,300 square foot commercial retail space and 1,502 square foot Artist-in-Residence. Using the parking standards in the certified LUP for general retail store and Artist-in-Residence (one parking space for each 225 square feet of floor area; two spaces for each dwelling unit for Artist-in-Residence and two City required Beach Impact Parking spaces) that are set forth in the certified Venice LUP, the 2,300 square foot retail space and 1,502 square foot Artist-in-Residence would need to provide fourteen parking spaces for the proposed change in use. No off-site parking plan or other mitigation was approved or required by the City. The applicant's proposal to the City does state that the applicant will pay the Venice Specific Plan approved in-lieu fee of \$18,000 per parking space for ten parking spaces that would be required for the proposed change in use of the subject site. The City's approval gives the applicant the option to pay a fee to the City in lieu of providing actual parking. However, there is no evidence that the payment of a fee to the City in lieu of providing actual parking will mitigate the parking impacts of the project or improve access to the coast.

While the certified LUP is not the basis for establishing the proper grounds for finding substantial issue, the policies nonetheless provide a baseline from which the Commission can evaluate the adequacy of a project's mitigation of public access impacts, including those associated with impacts on public parking supply for coastal access. In its adoption of the certified LUP, the Commission recognized that public parking supply is limited in the Venice Beach area and, as such, it is imperative that any proposed development provide adequate parking on-site (or off-site in non-public parking areas reserved for the development) to ensure that those who use the proposed development will not affect available public parking areas used for coastal access and recreation.

When the LUP was certified in 2001, the Commission considered the potential impacts that development could have on public parking supply and adopted policies to require an applicant to provide a certain number of off street spaces depending on the size and proposed use of a site. Thus, the parking standards adopted by the commission in the certified LUP can be used as a baseline requirement if using the baseline on a case-by-case basis is appropriate to assure that the project will be consistent with Chapter 3 policies of the Coastal Act. Given the site specific conditions of the proposed project and the parking shortages in Venice, it is appropriate to use the certified LUP policies as a baseline for determining whether or not the proposed project is consistent with Chapter 3 policies of the Coastal Act because the number of parking spaces generally accommodate the anticipated number of people who would use the proposed development.

Here, the provision of only three actual parking spaces and one bicycle rack for a new 2,300 square foot retail space and 1,502 square foot Artist-in-Residence raises a substantial issue in regards to the public access policies of the Coastal Act because three parking spaces and one bicycle rack is not enough parking to meet the parking demands of a 2,300 square foot retail space and 1,502 square foot Artist-in-Residence as provided in the LUP. The proposed project would increase parking demand and intensify competition for parking in an area already suffering from an insufficient parking supply. A parking plan for commercial use is necessary to mitigate the parking demands of the development so that public parking supplies that support coastal access are not adversely affected by the parking demands of the approved development. The City-approved project does not include a plan that will mitigate the parking impacts of the development. Therefore, a substantial issue exists with respect to the grounds on which the appeals have been filed.

Public access is an important issue and as such, the Commission has carefully reviewed projects like the proposed development that are located near popular coastal recreational areas. The City's approval of this project and other similar projects, have collectively exacerbated the parking problems for which Venice is famous. The ongoing competition for limited parking resources has resulted in the City's adoption of resident-only parking permits (overnight parking districts, subsequently denied by the Commission). The City has failed to require provisions of adequate parking, thus creating additional pressure on the existing parking supply, which adversely impacts the public's ability to access the coast.

Only with careful review of the proposed project can the Commission ensure that public access to the coast is protected. If it finds that a substantial issue exists, the Commission will have the opportunity to review and act on the proposed project at the subsequent de novo hearing. Therefore, the Commission finds that a substantial issue exists with respect the proposed project's conformance with Chapter 3 of the Coastal Act, and with the approval of Local Coastal Development Permit No. ZA 2014-1990.

Applying the five factors listed in the prior section clarifies that the appeal raises "a substantial issue" with respect to Chapter 3 of the Coastal Act, and therefore, does meet the substantiality standard of Section 30265(b)(1), because the nature of the proposed project and the local government action are not consistent with policies of Chapter 3 of the Coastal Act.

The first factor is the degree of factual and legal support for the local government's decision that the development is consistent or inconsistent with the relevant provisions of the Coastal Act. The City's findings state that "no objective data or analysis regarding the inadequacy of the in-lieu fee program [had] been submitted for consideration." The City has not shown that they have analyzed any data relating to the effectiveness of the Venice Coastal Parking Impact Trust Fund. However, a Venice In-Lieu Parking Fee Study released in July 2012 (**EXHIBIT#5**) offers evidence that suggests the \$18,000 per parking space in-lieu fee is considerably inadequate. The study shows that in 2012 a single parking space in similar areas throughout Southern California can cost a developer between \$25,000 - \$80,000 per space, depending on the location and type (above or below ground) of the parking structure. Additionally, because the City has not evaluated the Venice In-Lieu Parking Fee Study program, the City has failed to prove that the program is working. Furthermore, the City has not displayed that they have plans to actually build more parking spaces with the fees they have collected in impacted areas, such as near Abbot Kinney Boulevard in North Venice. Therefore, the Coastal Commission finds that the City provided an inadequate degree of factual and legal support for the local government's decision.

The second factor is the extent and scope of the development as approved or denied by the local government. The existing development is an Artist-in-Residence that provides the two required on-site parking spaces. The proposed development would require the applicant to provide twelve additional parking spaces to support the proposed change in use. The applicant is proposing three on-site parking spaces and one bicycle rack that would substitute for one parking space. The applicant does not provide a plan to supply the additional parking spaces that are required for the proposed change in use. The applicant fails to meet or adequately mitigate the parking requirement for the proposed project. Therefore, the proposed development is not consistent with the public access policies of Chapter 3 of the Coastal Act.

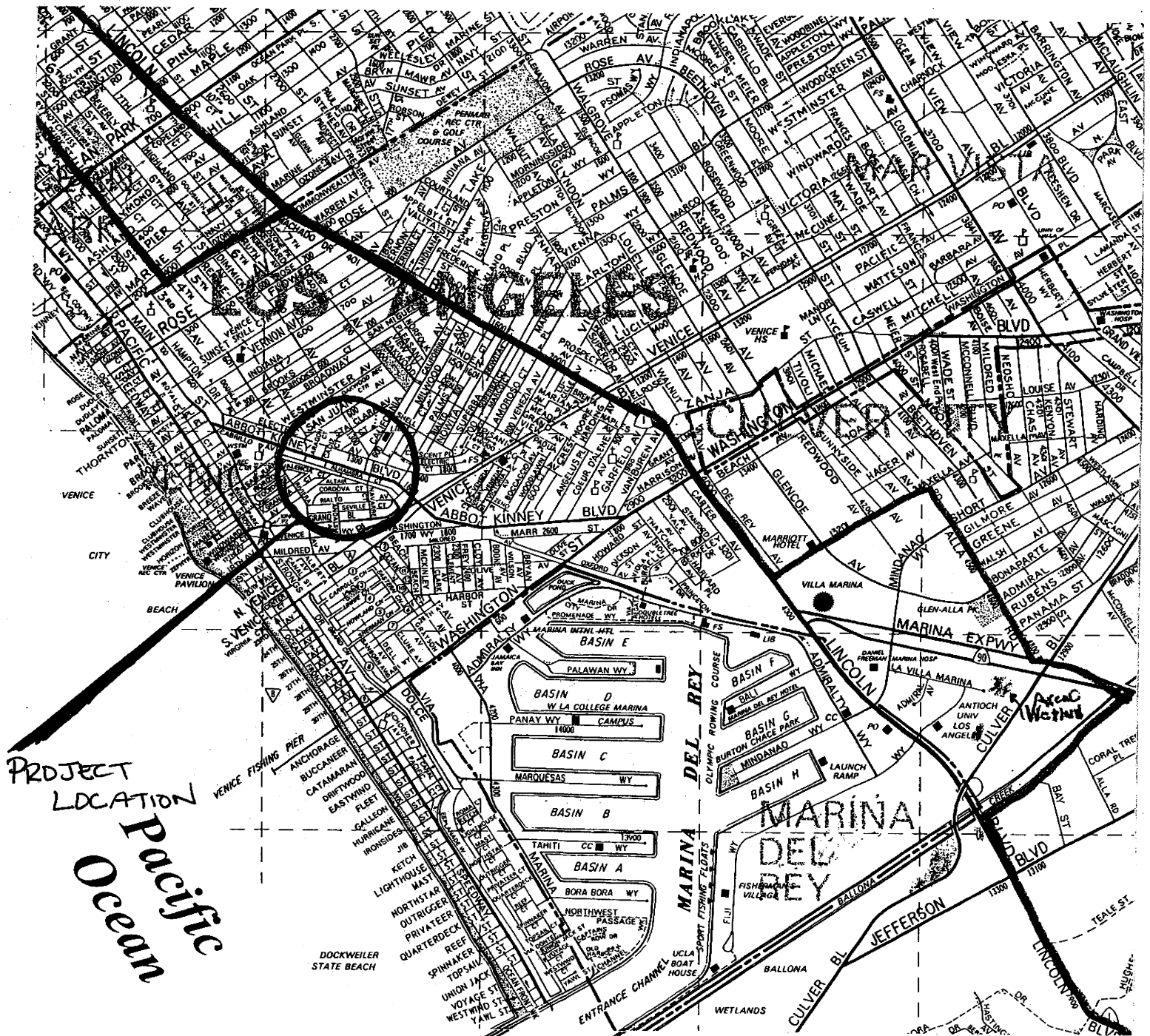
The third factor is the significance of the coastal resources affected by the decision. Public parking is explicitly called out in Section 30212.5 of Chapter 3 of the Coastal Act and in the Shoreline Access section of the certified Venice LUP. Many people who visit the coast, and especially Venice Beach, travel long distances and it is not practical for them to walk, ride bikes or take public transit. It is because of this reason that protecting the public parking supply to the coast is of significant importance. Although the project location is nearly a half-mile inland of the beach, it is also a highly visited area with a very limited parking supply. The proposed project, and others like it, has the potential to negatively and accumulatively impact public beach parking supplies by not providing the required needed to meet the demands of the proposed development. Therefore, the proposed development could significantly and adversely affect coastal resources.

The fourth factor is the precedential value of the local government's decision for future interpretations of its LCP. The City does not currently have a certified LCP. Although, the proposed development is consistent with the mass, height and scale of past Commission approvals for this area of Venice, it is not consistent with the parking requirement. The City currently has several similar pending projects that have applied for a permit to convert residential uses to commercial uses with the payment of an in-lieu fee rather than providing any actual parking spaces. The certified Venice LUP envisions an in-lieu fee program that will "be established in the Local Implementation Program (LIP) at a rate proportional to the cost of providing a physical parking space." The current in-lieu fee of \$18,000 per parking space is set forth in the VSP, not the certified LUP, and has not been reviewed by the Coastal Commission for adequacy of effectiveness. Thus, the project, as approved and conditioned, raises a substantial issue with regard to the project's conformity with the public access policies Chapter 3 of the Coastal Act and as such would have the potential to set a negative precedent for failing to adequately mitigate the project's impacts on public access.

The final factor is whether the appeal raises local issues, or those of regional or statewide significance. This appeal raises specific local issues, but without a proper action plan to mitigate against potential negative and cumulative public parking impacts to the coast with the in-lieu fees that the City is collecting, it may set a statewide precedence. Venice Beach is one of the most popular visitor destinations in the state making public access to Venice Beach a statewide issue. Therefore, the City's approval does raise issues of statewide significance.

In conclusion, the primary issue for the appeals is potential adverse impacts to public parking that supports coastal access. In this case, the City-approved CDP is not in conformity with the public access policies of Chapter 3 policies of the Coastal Act and therefore, the Commission finds that the appeal raises a substantial issue as to conformity with Chapter 3 policies.

VENICE, CA



COASTAL COMMISSION

A-S-VEN-15-0003

EXHIBIT # 1

PAGE 1 OF 2

LINN K. WYATT
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ASSOCIATE ZONING ADMINISTRATORS

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DEC 5 2014

CALIFORNIA
COASTAL COMMISSION

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NOTICE OF PERMIT ISSUANCE

DATE: December 3, 2014

CDP NUMBER - ZA 2014-1990(CDP)(SPP)

ADDRESS - 1214 South Abbot Kinney Boulevard

Please take notice that the above referenced Coastal Development Permit was issued on November 14 2014, pursuant to a public hearing on October 16, 2014 and an appeal was not filed with the City of Los Angeles, Office of Zoning Administration as advised in the permit, during the mandatory appeal period.

An appeal period of 20 working days must expire from the date this notice and attached Coastal Development Permit is received and accepted by the California Coastal Commission, Division V in Long Beach before this Coastal Development Permit will become effective.

- () The proposed development is in the dual permit jurisdiction area, and will require an additional permit from the California Coastal Commission upon the expiration of the above 20 working day appeal period.
- (X) The proposed development is in the single permit jurisdiction area, and if the application is not appealed within the 20 working day period the applicant may apply to the City of Los Angeles Department of Building and Safety for a building permit.

Linn K. Wyatt
Department of City Planning

By Linda M. Clarke

Linda M. Clarke
Senior Clerk Typist
Print Name and Title of Individual Signing

Attachments:

- (X) Permit
- (X) Application

cc: Applicant

CP-1622 (08/10/93)

COASTAL COMMISSION

A5-VEN-15-0003

EXHIBIT # 2

PAGE 1 OF 29

ASSOCIATE ZONING ADMINISTRATORS

R. NICOLAS BROWN
SUE CHANG
LOURDES GREEN
CHARLES J. RAUSCH, JR.
JIM TOKUNAGA
FERNANDO TOVAR
DAVID S. WEINTRAUB
MAYA E. ZAITZEVSKY

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

DEPARTMENT OF
CITY PLANNING

MICHAEL J. LOGRANDE
DIRECTOR

OFFICE OF
ZONING ADMINISTRATION

200 N. SPRING STREET, 7TH FLOOR
LOS ANGELES, CA 90012

(213) 978-1318
FAX: (213) 978-1334

www.planning.lacity.org

November 14, 2014

Dafne Moradi (A)(O)
LionGate Global #1, LLC
5757 Wilshire Boulevard, #937
Los Angeles, CA 90036

Shannon Nonn (R)
Expediting Techniques
8955 Geyser Avenue
Northridge, CA 91324

CASE NO. ZA 2014-1990(CDP)(SPP)
COASTAL DEVELOPMENT PERMIT AND
SPECIFIC PLAN PROJECT COMPLIANCE
1214 South Abbot Kinney Boulevard
Venice Planning Area
Zone : C2-1-O-CA
D. M. : 108B145
C. D. : 11
CEQA: ENV 2014-1991-CE
Legal Description: Lot 15, Block 15,
Venice of America Tract

Pursuant to Los Angeles Municipal Code Section 12.20.2, I hereby APPROVE:

a Coastal Development Permit to permit a change of use of a single-family dwelling into retail space on the ground and second floors and an Artist-in-Residence unit on the third floor within the single-jurisdiction area of the California Coastal Zone; and,

Pursuant to Los Angeles Municipal Code Section 11.5.7.C, I hereby APPROVE:

a Project Permit Compliance Review to permit a change of use of a single-family dwelling into retail space on the ground and second floors and an Artist-in-Residence unit on the third floor within the Venice Coastal Zone Specific Plan,

upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to

impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
6. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action or proceedings against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
7. The retail space shall be limited to the ground and second floor and shall cumulatively not exceed a maximum of 2,300 square feet. The Artist-in-Residence unit on the third floor shall not exceed 1,502 square feet.
8. Two Beach Impact Parking Spaces are required for the change of use. Pursuant to Section D of the Specific Plan, the 2,300 square feet of retail area shall provide 10 spaces (at one space for every 225 square feet of retail space) plus two Beach Impact Parking Spaces and two spaces for the dwelling unit, either on- or off-site parking (as provided by Section 12.26-E, 5 of the Municipal Code). Alternatively, the applicant can use any or all of the options below:
 - a. Pay an in-lieu fee of \$18,000 per parking space including; the 1 Beach Impact Space that may be bought, payable to the Department of Transportation, for the required parking space that cannot be provided. Proof of payment is required prior to clearance by the Department of City Planning.
 - b. Reduce the required additional parking spaces by utilizing the new bicycle parking ordinance standards for a change of use.
 - c. Reduce the amount of square footage that is proposed to be converted to retail.
 - d. Change the second floor to storage/office instead of retail.
9. Height shall comply with the provisions of the Venice Coastal Zone Specific Plan North Venice Subarea, where projects with flat roof shall not exceed 30 feet and projects

with a Varied Roofline shall not exceed a height of 35 feet, 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. No change to the existing height of 29 feet 9/12 inches is proposed.

10. No deviations from the provisions of the Venice Coastal Zone Specific Plan or other provisions of the Municipal Code have been requested or approved herein
11. Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

"A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this authorization is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or not complied with, then this authorization shall be subject to revocation as provided in Section 12.27 of the Municipal Code. The Zoning Administrator's determination in this matter will become effective after DECEMBER 1, 2014, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://cityplanning.lacity.org>.** Public offices are located at:

Figueroa Plaza
201 North Figueroa Street,
4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Room 251
Van Nuys, CA 91401
(818) 374-5050

Furthermore, this coastal development permit shall be subject to revocation as provided in Section 12.20.2-J of the Los Angeles Municipal Code, as authorized by Section 30333 of the California Public Resources Code and Section 13105 of the California Administrative Code.

Provided no appeal has been filed by the above-noted date, a copy of the permit will be sent to the California Coastal Commission. Unless an appeal is filed with the California Coastal Commission before 20 working days have expired from the date the City's determination is deemed received by such Commission, the City's action shall be deemed final.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

NOTICE

The applicant is further advised that all subsequent contact with this Office regarding this determination must be with the Zoning Administrator who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the statements made at the public hearing on October 16, 2014, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements and prerequisites for granting a coastal development permit as enumerated in Section 12.20.2 of the Municipal Code have been established by the following facts:

BACKGROUND

The subject property is a level, through, rectangular, 2,696 square-foot parcel consisting of a 30-foot wide frontage along Abbot Kinney Boulevard, and a lot depth of approximately 90 feet. The property is developed with a new three-story glass and steel structure. The site is located on the southwesterly side of Abbot Kinney Boulevard, a diagonal thoroughfare that connects Marina Del Rey to the City of Santa Monica, within the community of Venice.

Properties to the north, east, and west are zoned C2-1 and are developed with one- to three-story commercial buildings, artists' lofts, and some single-family residential uses.

Properties to the south are zoned RD1.5-1, and are developed with single-family, duplexes, and apartments.

Abbot Kinney Boulevard, adjoining the property on the east, is a Modified Secondary Highway, dedicated to a width of approximately 70 feet (variable) and improved with asphalt roadway and gutter, and concrete curb.

Alhambra Court, adjoining the property on the west, is a Local Street, dedicated to a substandard width of 15 feet and improved with asphalt roadway.

Previous zoning related actions on the site/in the area include:

Subject Property

Case No. ZA 2003-7101(ZAA)(SPP) – On February 17, 2004, the Zoning Administrator determined that the subject single-family dwelling is in permit compliance with the applicable regulations of the Venice Coastal Specific Plan and approved a zero side yard in lieu of a 4-foot side yard in conjunction with the construction of a three-story, single-family dwelling.

Surrounding Properties

Case No. ZA 2013-3013(CDP) – On October 2, 2014, the Zoning Administrator conducted a hearing for a request for a Coastal Development Permit to allow for a change of use from single-family to a retail/office. The project proposes the partial demolition of an existing single-family dwelling and a change of use of the remaining area addition of ground-floor retail and second floor office, located at 1136 Abbot Kinney Boulevard. The issuance of a determination is pending.

Case No. ZA 2014-0277(CDP) – On October 2, 2014, the Zoning Administrator approved a Coastal Development Permit to allow a change of use from artist-in-residence to artist-in-residence and retail, located at 1511 Abbot Kinney Boulevard. The determination was appealed to the West Los Angeles Area Planning Commission and a hearing is pending.

Case No. ZA 2012-1396(CDP) – On April 22, 2013, the Zoning Administrator approved a Coastal Development Permit to allow the conversion of single-family dwelling to a retail commercial use at 1524 Abbot Kinney Boulevard.

Case No. ZA 2005-1330(CDP)(ZAA)(SPP) – On July 28, 2005, the Zoning Administrator approved a request for a Coastal Development Permit for the construction, use, and maintenance of a three-story artist-in-residence unit, at 1309-11 Abbot Kinney Boulevard.

Case No. DIR 2013-4118(SPP) – On July 15, 2014, the Director of Planning approved a Specific Plan Project Permit Compliance review to permit the conversion/change of use of the first and second floor of an existing three-story, 4,281 square-foot Artist-in-Residence (AIR) building, located at 1511 Abbot Kinney Boulevard. The determination was subsequently appealed.

Case No. DIR 2013-4118(SPP)-1A – On October 1, 2014, the West Los Angeles Area Planning Commission denied the appeal, and sustained the determination of the Director of Planning in approving a Specific Plan Project Permit Compliance review to permit the conversion/change of use of the first and second floor of an existing three-story, 4,281 square-foot Artist-in-Residence (AIR) building at 1511 Abbot Kinney Boulevard.

COASTAL DEVELOPMENT PERMIT FINDINGS

In order for a coastal development permit to be granted all of the requisite findings maintained in Section 12.20.2 of the Los Angeles Municipal Code must be made in the affirmative. Following is a delineation of the findings and the application of the facts of this case to same.

1. **The development is in conformity with Chapter 3 of the California Coastal Act of 1976.**

Chapter 3 of the Coastal Act contains the various policy provisions of such legislation. Pertinent to the instant request are the policies with respect to Development.

The Coastal Act provides that:

New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public

services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. ...

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving development with public transportation

The proposed project does not consist of new construction, except for tenant improvements. However, since it involves an intensification of a use, namely, a change of use from a single-family dwelling to a retail use which also includes a residential unit, it triggers a coastal development permit requirement. The project's location within an already developed area does not change. A new parking requirement is triggered which must conform to the Venice Coastal Specific Plan (Ordinance No. 175,693). Under said action, the required parking will be provided both on-site and through a payment of in-lieu fees for additional parking spaces not physically provided on- or off-site.

The change of use involves a three-story structure which is currently a single-family dwelling and was constructed in 2007. Two parking spaces will remain on-site for the residential unit. Also proposed on-site is a handicapped space and a bicycle rack for four bikes which is permitted by the Municipal Code in lieu of one required vehicle parking space. The applicant proposes to buy the remaining required ten parking spaces through in-lieu fees as permitted by the Venice Coastal Specific Plan. The project seeks no deviations from the Specific Plan or from any other provisions of the Municipal Code.

The Abbot Kinney corridor represents a major destination point that is representative of historic Venice intertwined with a rejuvenated Venice. Development along this area consists of many older buildings as well a mixture of residential and commercial uses, many which represent recent new construction.

The project has no adverse effects on public access, recreation, public views or the marine environment. The proposed use will neither interfere nor reduce access to the shoreline. There will be no dredging, filling or diking of coastal waters or wetlands associated with the request, nor are there any sensitive habitat areas, archaeological or paleontological resources identified on the site. The proposed use will not block any designated public access views.

2. **The development will not prejudice the ability of the City of Los Angeles to prepare a local coastal program that is in conformity with Chapter 3 of the California Coastal Act of 1976.**

Currently, there is no adopted Local Coastal Program (LCP) for this portion of the Coastal Zone. Therefore, the adopted Venice Community Plan and the Venice Specific Plan serve as the functional equivalent plan. The Community Plan

designates the subject property for Community Commercial with a corresponding zone of C2, CR C4, RAS3 and RAS4 and Height District No. 1. The basic use is permitted by the Plan designation and the corresponding zone. On an individual basis, the project is not anticipated to prejudice the ability of the City to prepare a Local Coastal Plan.

3. **The Interpretive Guidelines for Coastal Planning and Permits as established by the California Coastal Commission dated February 11, 1977 and any subsequent amendments thereto have been reviewed, analyzed and considered in light of the individual project in making this determination.**

Such Guidelines are designed to provide direction to decision-makers in rendering discretionary determinations on requests for coastal development permits pending adoption of an LCP. The standards of the Venice Community Plan have been considered under the Coastal Development Permit. The project does not involve the construction of any new dwellings or commercial structures but rather represents a change of use from single-family dwelling to a combination of an Artist-in-Residence unit and ground and second floor retail which remains compatible with other development along the Abbot Kinney corridor.

4. **The decision of the permit granting authority has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30625(c) of the Public Resources Code, which provides that prior decisions of the Coastal Commission, where applicable, shall guide local governments in their actions in carrying out their responsibility and authority under the Coastal Act of 1976.**

No outstanding issues have emerged which would indicate a conflict between this requested change of use and any other decision of the Coastal Commission. However, there has been some concern expressed in prior proposals with the use of in-lieu fees to meet parking requirements. The Venice Coastal Specific Plan pursuant to Section 13E, 14 B specifically allows the use of a specific in-lieu fee as a means to meet the required parking and allows for a parking impact trust fund to be established for expenditures related only to parking mitigation measures under the administration of the City's Department of Transportation. The concern has focused on the amount of the fee which some have considered should be increased and on the use of the monies accrued from the fees which many also consider has not been utilized to create parking or mitigate parking impacts. Under the subject case, the request to meet parking through the use of the in-lieu fees is compliant with the Specific Plan and the applicant has followed the process that is required. Projects in the past have utilized the in-lieu fees as permitted which has been consistent with all provisions of the Specific Plan.

At the public hearing on the matter, the chair of the Venice Neighborhood Council Land Use and Planning Committee testified. She noted that the project had been scheduled on its agenda and not heard timely due to changes in the committee's membership in May and June as well as a result of other timing problems. She noted that the in-lieu fees was the main issue due to the concerns that the trust fund had not resulted in improvements. She added that this issue was not reflective of

any bad intention on the part of the applicant. The chair also noted that the bicycle parking was acceptable and that such provision defaulted to the jurisdiction of the Municipal Code and not the Specific Plan.

A representative of the Office of the Eleventh Council district also testified at the public hearing. She noted that the Office agrees with the overall concerns over the amount of the in-lieu fees but emphasized that changes to the fees require a legislative act and are not part of the jurisdiction of the subject review. She indicated that the City will likely explore the in-lieu fee issue. She added that there is no basis to deny the project. The matter was taken under advisement to allow for any additional input from the neighborhood council. No further communication was received within the established advisement period. The request remains consistent with prior actions and decisions of the Coastal Commission in the Venice area.

5. **The development is not located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone.**

The project site is not so located.

6. **An appropriate environmental clearance under the California Environmental Quality Act has been granted.**

The change of use in a portion of the existing building from single-family dwelling to artist-in-residence and retail is not anticipated to result in any unmitigated adverse environmental impacts, and was determined to be categorically exempt from the provisions of the California Environmental Quality Act ("CEQA"). The environmental clearance prepared for the proposed development is appropriate pursuant to CEQA. On July 25, 2014, a Categorical Exemption (ENV 2014-1991-CE) was prepared for the proposed project.

SPECIFIC PLAN PROJECT PERMIT COMPLIANCE REVIEW FINDINGS

7. **The project substantially complies with the applicable regulations, findings, standards and provisions of the specific plan.**

The proposed project entails the change of use for an existing single-family home to an artist-in-residence and ground and second floor retail. Retail with artist-in-residence is in compliance with the area and the Venice Specific Plan. The project meets the land use regulations for the North Venice Subarea of the Specific Plan. The property is surrounded by a mix of single-family and multi-family residential uses as well as commercial uses. The nature and character of the neighborhood are compatible with this project and the project complies and upholds the integrity of the area and the Specific Plan.

The subject site is located within the North Venice Subarea of the Venice Coastal Zone Specific Plan. The proposed development is in compliance with the development standards for both the Subarea and the Specific Plan as well as with other provisions of the Specific Plan. No adjustments or any deviations directly related to the provisions of the Specific Plan have been requested.

8. **The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.**

The Planning Department determined that the subject request is categorically exempt under the California Environmental Quality Act (CEQA) pursuant to the City's CEQA guidelines and thus no potentially significant adverse impacts are identified in the project's environmental clearance. As such, the project is not perceived to have a potential adverse impact or further degrade the surrounding neighborhood, or the public health, welfare and safety.

9. **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 subject property is a substandard lot, having a width of 30 feet and a depth of 90 feet for a total lot area of approximately 2,700 square feet. The subject property and the surrounding areas are zoned C2-1-O-CA. The project is located in the North Venice Subarea. The subject site currently features a single-family dwelling. The proposal consists of a change of use from single-family to artist-in-residence and retail. No changes to the existing scale or any expansion of the footprint are proposed. Owing to the nature and characteristics of the immediate development, the proposed project is compatible in scale and character with the existing neighborhood and that which is allowed in the Venice Coastal Zone Specific Plan for the North Venice Subarea.

10. **The Venice Coastal Development Project is in conformity with the certified Venice Local Coastal Program.**

The subject property is designated Community Commercial in the certified Venice Local Coastal Program Land Use Plan and is zoned C2-1-O-CA. The proposed project is consistent with the intent and purposes of the Land Use Plan and the Specific Plan, which are parts of the Venice Coastal Program. Their policies and provisions support this type of scale of mixed-use development in the North Venice Subarea and comply with all applicable development requirements of the Venice Coastal Zone Specific Plan, Section 10F.

- a. Height - Pursuant to the Venice Coastal Zone Specific Plan North Venice Subarea section 10F, projects with a Varied Roofline are allowed with a maximum height of 35 feet, 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. Projects with a flat roof are allowed to a maximum height of 30 feet. The proposed structure is 29 feet 9-1/2 inches in height (excluding the stair tower which extend the height to 38 feet), which remains consistent with the height regulation for this Subarea.

- b. Access - Pursuant to the Venice Coastal Zone Specific Plan North Venice Subarea, section 10F, vehicular access to properties shall be provided from alleys, unless the Department of Transportation determines that it is not feasible. The garage is located at the rear alley, which will provide vehicular access, which is consistent with the access requirement for this Subarea.
- c. Parking – Two Beach Impact Parking Spaces are required for the change of use. Pursuant to Section 13D and E of the Specific Plan, the 2,300 square feet of retail area shall provide 10 spaces (at one space for every 225 square feet of retail space) plus two Beach Impact Parking Spaces and two spaces for the dwelling unit. Alternatively, the applicant can use any or all of the options below:
 - a. Pay an in-lieu fee of \$18,000 per parking space including; the 1 Beach Impact Space that may be bought, payable to the Department of Transportation, for the required parking space that cannot be provided.
 - b. Reduce the required 4 additional parking spaces by utilizing the new bicycle parking ordinance standards for a change of use.
 - c. Reduce the amount of square footage that is proposed to be converted to retail.
 - d. Change the second floor to storage/office instead of retail.

The proposed project includes three parking spaces and a bike rack for four bicycles which is allowed in lieu of one-required vehicle parking space. The applicant has opted to buy the remaining ten spaces in accordance with the in-lieu fee provisions. As such, the project will comply with the required parking.

- d. Density - Pursuant to the Venice Coastal Zone Specific Plan North Venice Subarea section 10F, no residential Venice Coastal Development Project on a commercially-zoned lot shall exceed the density permitted in the R3 Zone. The subject site is zoned C2-1, and features a single-family dwelling unit that will undergo a change of use to artist-in-residence and retail. A maximum of two dwelling units per lot is permitted for all Venice Coastal development projects on multi-family residential lots. One dwelling unit is proposed, which is consistent with the density regulations for this Subarea.
- e. Construction on Contiguous Lots – The subject building occupies one lot which complies with the requirement of Venice Coastal Zone Specific Plan North Venice Subarea Section 9A1(e)(2) which otherwise limits construction to two or three lots, subject to specific development standards.

11. 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.

No demolition or conversion of affordable units is proposed. The project is exempt from the Mello Act, and will not affect any rentals, as it is an existing single-family dwelling with a request for a conversion that will retain on site an artist-in-residence unit.

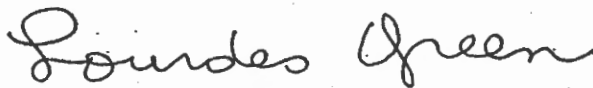
12. **The Venice Coastal Development Project is consistent with the special requirements for low to moderate income housing units in the Venice Coastal Zone as mandated by California Government Code Section 65590 (Mello Act).**

An artist-in-residence unit will remain. No loss of any residential units will occur. Therefore the project is not subject to the Mello Act.

ADDITIONAL MANDATORY FINDINGS

13. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone V, the 100-Year flood zone.
14. On July 25, 2014, the subject project was issued a Notice of Exemption (Subsection c, Section 2, Article II, City CEQA Guidelines), log reference ENV 2014-1991-CE, for a Categorical Exemption, Class 32, Article III, Section 1, City CEQA Guidelines (Sections 15300-15333, State CEQA Guidelines). I hereby adopt that action.

Inquiries regarding this matter shall be directed to Antonio Isaia, Project Planner for the Office of Zoning Administration at (213) 978-1353.



LOURDES GREEN
Associate Zoning Administrator

LG:Al:Imc

cc: Councilmember Mike Bonin
Eleventh District
Adjoining Property Owners

MASTER LAND USE PERMIT APPLICATION
LOS ANGELES CITY PLANNING DEPARTMENT

Planning Staff Use Only

ENV No. <u>2014-1991-CE</u>	Existing Zone <u>C2-1-O-CA</u>	District Map <u>108 B 145</u>
APC <u>West Los Angeles</u>	Community Plan <u>Venice</u>	Council District <u>11</u>
Census Tract <u>2735.02</u>	APN <u>4238003040</u>	Date <u>6/4/14</u>
	Case Filed With [DSC Staff] <u>Rick Torres</u>	

CASE No. 1 ZA 20141990 - CDP-SPP

APPLICATION TYPE Coastal Development Permit/ Specific Project Permit (Venice)

(zone change, variance, conditional use, tract/parcel map, specific plan exception, etc.)

1. PROJECT LOCATION AND SIZE

Street Address of Project 1214 Abbot Kinney Zip Code 90291
 Legal Description: Lot 15 Block 15 Tract Venice of America
 Lot Dimensions 30'x90' Lot Area (sq. ft.) 2,700 Total Project Size (sq. ft.) 4,666

2. PROJECT DESCRIPTION

Describe what is to be done: Request a Change of Use from an existing 3 story single family dwelling to a 3 story Artist In Residence 3rd floor with Retail on the 1st and 2nd floors/ Total sf 3,802 + garage 864 sf Total = 4,666.

Present Use: 3 story single family dwelling Proposed Use: Artist in Residence and Retail
 Plan Check No. (if available) _____ Date Filed: _____
 Check all that apply: ☐ New Construction ☒ Change of Use ☒ Alterations ☐ Demolition
☐ Commercial ☐ Industrial ☐ Residential ☐ Tier 1 LA Green Code
 Additions to the building: ☐ Rear ☐ Front ☐ Height ☐ Side Yard
 No. of residential units: Existing 1 To be demolished 0 Adding 0 Total 1

3. ACTION(S) REQUESTED

Describe the requested entitlement which either authorizes actions OR grants a variance:

Code Section from which relief is requested: CDP Code Section which authorizes relief: 12.20.2
Request a Coastal Development Permit to allow the Change of Use for a single family dwelling to become Artist in Residence 3rd floor (1,502sf) with Retail on the 1st and 2nd floors (2,300sf) = 3,803sf/garage 864 Total = 4,666.

Code Section from which relief is requested: SPP Code Section which authorizes relief: 11.5.7
Request a Specific Project Permit to allow an existing 3 story family dwelling become an Artist In Residence 3rd floor (1,502sf)with Retail on the 1st and 2nd floors (2,300sf) = 3,802sf /garage 864sf Total = 4,666 .

Code Section from which relief is requested: _____ Code Section which authorizes relief: _____

ZA 2014 19

List related or pending case numbers relating to this site:

previous cases approved while this Request - 1524 Abbot Kinney
2A 2012-1396 (CDP) / 1511 Abbot Kinney ZA 2002-7008

4. OWNER/APPLICANT INFORMATION

Applicant's name Dafne Moradi Company LionGate Global #1, LLC a California
 Address: 5757 Wilshire Blvd. #937 Telephone: () Fax: ()
Los Angeles, CA. Zip: 90036 E-mail: _____

Property owner's name (if different from applicant) Same as above
 Address: _____ Telephone: () Fax: ()
 Zip: _____ E-mail: _____

Contact person for project information Shannon Nonn Company Expediting Techniques
 Address: 8955 Geyser Avenue Telephone: (818) 635-9814 Fax (818) 341-3711
Northridge, CA. Zip: 91324 E-mail: shannonnonn@yahoo.com

5. APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- The undersigned is the owner or lessee if entire site is leased, or authorized agent of the owner with power of attorney or officers of a corporation (submit proof). (NOTE: for zone changes lessee may not sign).
- The information presented is true and correct to the best of my knowledge.
- In exchange for the City's processing of this Application, the undersigned Applicant agrees to defend, indemnify and hold harmless the City, its agents, officers or employees, against any legal claim, action, or proceeding against the City or its agents, officers, or employees, to attack, set aside, void or annul any approval given as a result of this Application.

Signature: Dafne Moradi

Print: DAFNE MORADI

ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Los Angeles

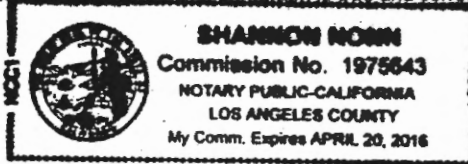
On May 21, 2014 before me, Shannon Nonn, Notary Public

(Insert Name of Notary Public and Title)
 personally appeared DAFNE MORADI, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf on which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

**6. ADDITIONAL INFORMATION/FINDINGS**

In order for the City to render a determination on your application, additional information may be required. Consult the appropriate Special Instructions handout. Provide on attached sheet(s) this additional information using the handout as a guide.

NOTE: All applicants are eligible to request a one time, one-year only freeze on fees charged by various City departments in connection with your project. It is advisable only when this application is deemed complete or upon payment of Building and Safety plan check fees. Please ask staff for details or an application.

Planning Staff Use Only

Base Fee <u>6456</u>	Reviewed and Accepted by [Project Planner]	Date
Receipt No. <u>17318</u>	Deemed Complete by [Project Planner]	Date

CP-7771 (09/09/2011)

EXHIBIT # 2
 PAGE 15 OF 29



Community Planning Referral Form

This form, completed and signed by appropriate Community Planning staff, must accompany any Master Land Use Application submitted at the Department of City Planning Public Counters regarding proposed projects located in Specific Plan areas, Historic Preservation Overlay Zones (HPOZs), Design Review Board (DRB) areas, Community Design Overlay (CDO) districts, Pedestrian Oriented Districts (PODs), Neighborhood Oriented Districts (NODs), or Sign Districts (SN).

1. Name of Specific Plan, HPOZ, DRB, CDO, POD, NOD, or SN

If this is a Density Bonus case, please write "Density Bonus" and the name of the Community Plan area

Venice Area

1a. Sub-Area (if applicable)

North Venice

2. Address of Proposed Project:

1214 Arroyo Kinney

3. Description of Proposed Project:

CDP & SPP to Allow an existing SFD to become Retail 1st & 2nd Floor & Artist in Residence 3rd Floor. Bldg is an existing 3 story SFD -

Project Type: ☐ New construction ☐ Addition ☐ Renovation ☐ Sign ☒ Change of use ☐ Grading

If change of use, what is existing use? SFD Proposed use? AR & Retail

4. Note to Applicant: Other Approvals

Applicant is advised to obtain a pre-plan check consultation with the Department of Building & Safety to determine any other necessary approvals from other City departments, including City Planning. Potential City Planning approvals in addition to Director's Determination are listed below. This list includes the most common approvals and is not exhaustive.

Zoning Administration

Adjustment or Variance

Conditional Use Permit (e.g. sale of alcohol)

Coastal Development Permit

Determination

CPC/APC/Director

Site Plan Review

Zone Change/General Plan Amendment

Conditional Use Permit
(e.g. educational institutions)

Density Bonus

Advisory Agency

Tract Map/Parcel Map

Small Lot Subdivision

ZA

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City of Los Angeles Department of City Planning WEBSITE: www.cityplanning.lacity.org

DOWNTOWN OFFICE

City Hall - 200 N Spring St.
Rooms 621 & 667

VALLEY OFFICE

Marvin Braude Construction Center - 6262 Van Nuys Bl.
Rooms 351 & 430

5. Approved Filing (check all that apply):

Specific Plan/SN

- ☒ Project Permit
- ☒ **Minor** (3 signs or less OR change of use)
- ☐ **Standard** (Remodel or renovation in which additions are no greater than 200sf, more than 3 signs, and/or wireless equipment)
- ☐ **Major** (All other projects, e.g. new buildings, remodels that include an addition of more than 200sf.)
- ☐ Modification

- ☐ Adjustment
- ☐ Exception
- ☐ Amendment
- ☐ Interpretation
- ☐ Other
- ☐ Not a project per Specific Plan or SN

DRB

- ☐ Final Review
- ☐ Preliminary Review

CDO/POD/NOD

- ☐ Discretionary Action
- ☐ **Minor** (3 signs or less OR change of use)
- ☐ **Standard** (Remodel or renovation in which additions are no greater than 200sf, more than 3 signs, and/or wireless equipment)
- ☐ **Major** (All other projects, e.g. new buildings, remodels that include an addition of more than 200sf.)
- ☐ Sign-off only
- ☐ Not a project

HPOZ

- ☐ COA
- ☐ CCMP
- ☐ Amendment
- ☐ Demolition
- ☐ Other

Is the project located in a Federal District/ National Register Historic District or a California Register Historic District? ☐ Yes¹ ☐ No

Does the project involve demolition of a Contributing building or structure? ☐ Yes¹ ☐ No

¹ Certificate of Appropriateness (COA) on properties located in Federal Districts/ Nation Register Historic Districts or in California Register Historic Districts do not qualify for Categorical Exemptions. Projects involving the demolition of Contributing buildings or Structures do not qualify for Categorical Exemptions. Check "Environmental Assessment Form," below and direct applicant to apply for an EAF.

Density Bonus

- ☐ Density Bonus and/or parking reduction only
- ☐ Density Bonus Referral Form attached
- ☐ On-menu incentives requested
- ☐ Off-menu incentives requested

GPA and/or ZC

- ☐ Consultation completed

EXHIBIT # 2

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6. Environmental Clearance (check one):

- ☒ Categorical Exemption *Existing use*
(Not for Specific Plan Exception cases, unless the project is a sign)
- ☐ Environmental Assessment Form (EAF)
- ☐ Reconsideration of: _____

- ☐ Existing ENV Case Number: _____
- ☐ Public Counter to determine environmental clearance
- ☐ Other entitlements needed

Community Planning Staff Signature: <i>[Signature]</i>	Phone Number: 213-978-1243
Print Name: Gregory S. Shop	Date: 5/1/14
Base Fee (List each entitlement base fee separately): CDP + SPP	

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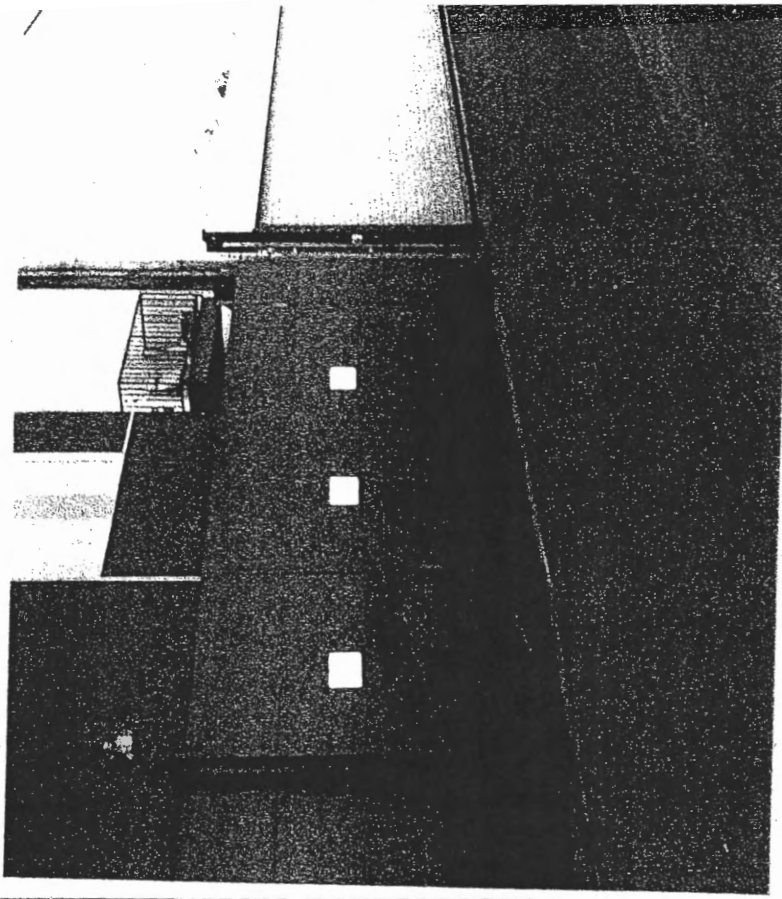
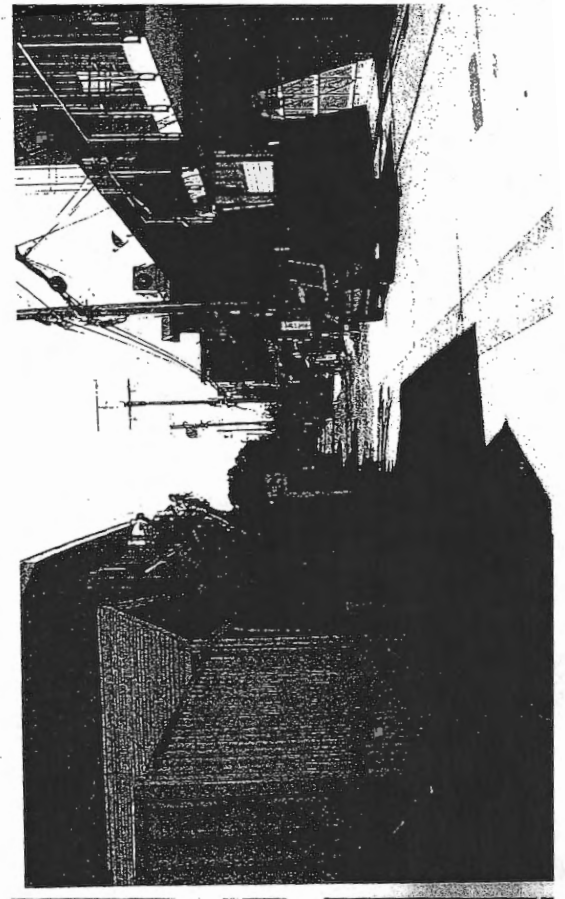
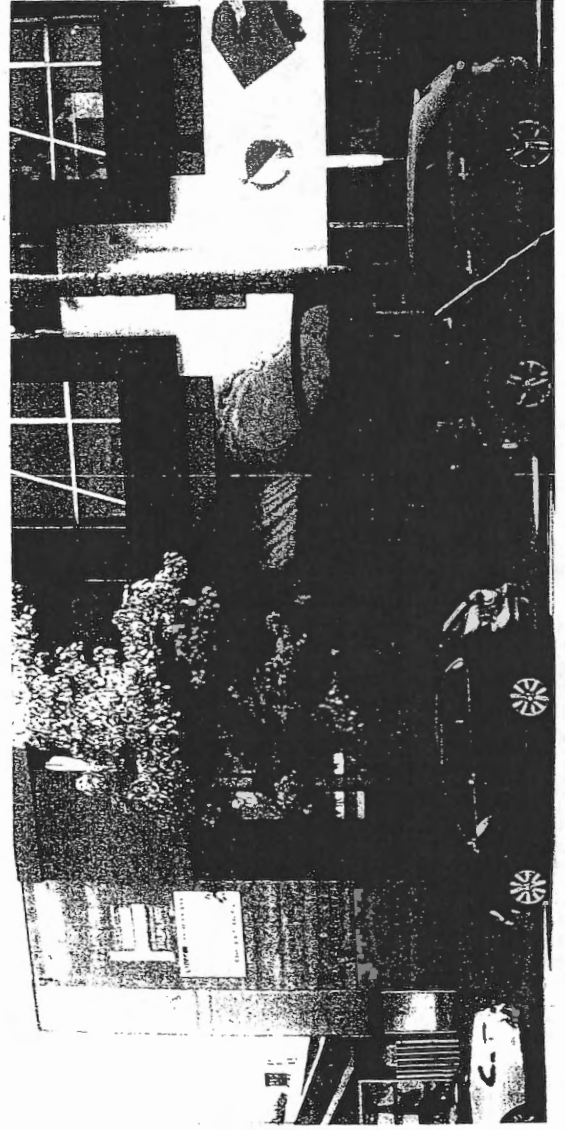
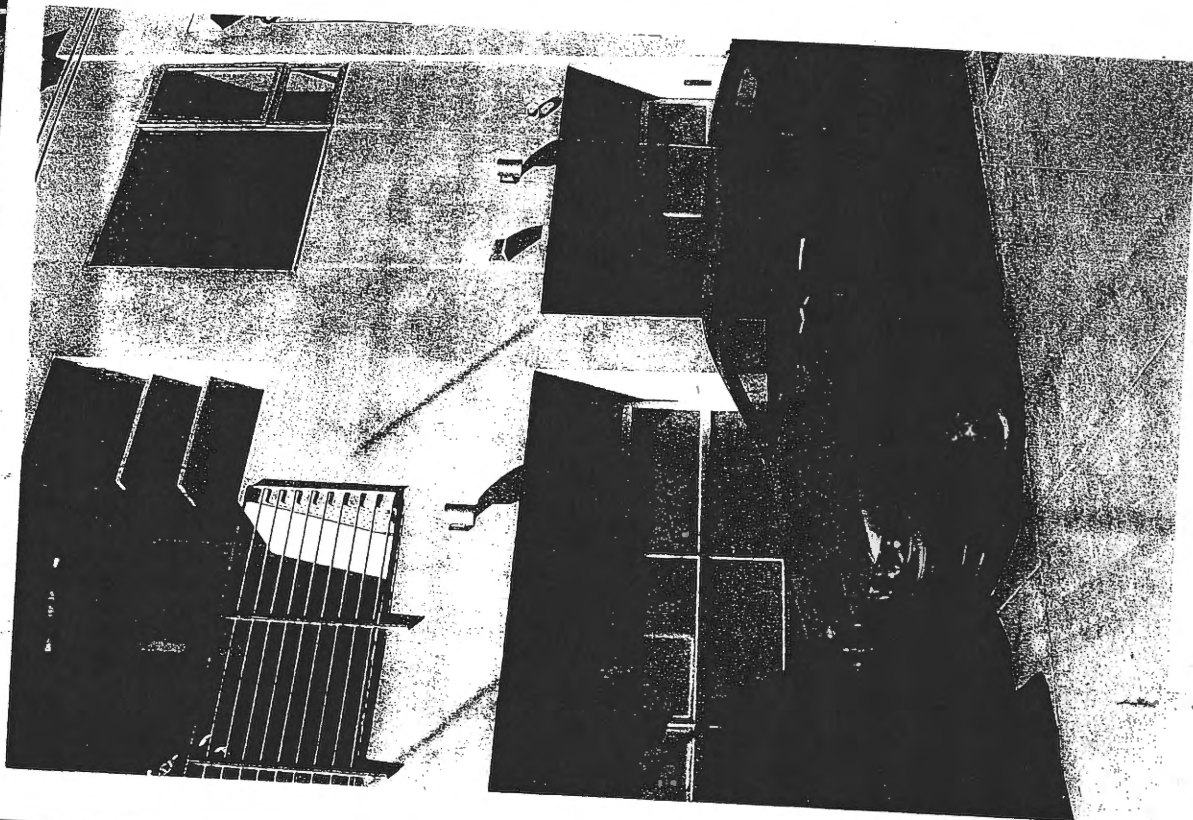
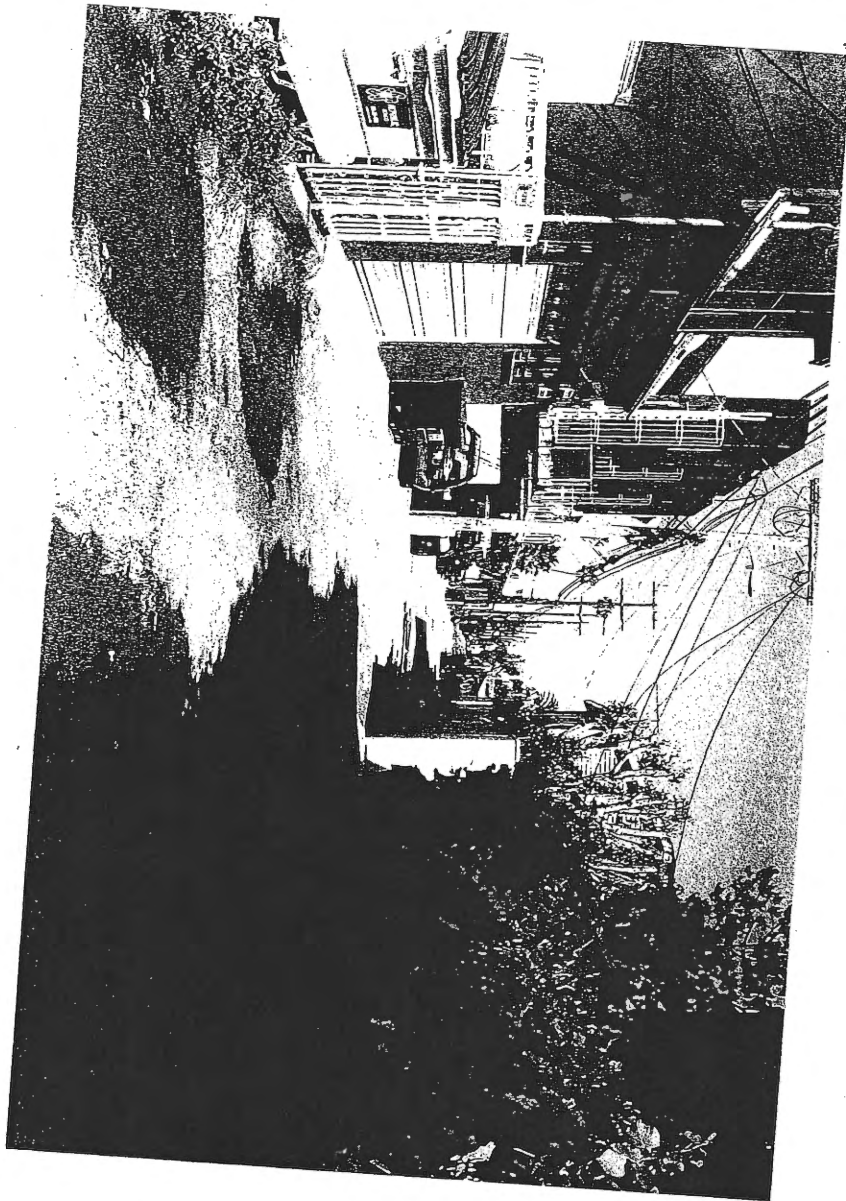


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COASTAL DEVELOPMENT FINDINGS

1214 Abbot Kinney

1. The development is in conformity with Chapter 3 of the California Coastal Act of 1976.

The proposed development/request is in conformity with Chapter 3 of the California Coastal Act of 1976. The building is an existing, 3 story, 4,734 square-foot single family dwelling, requesting Retail for the first and second floors with Artist and Residence on the third floor. New request will be 3,802 square foot, 3 story building, Retail to be on the first and second floors with third floor to be Artist In Residence, and a 864 square foot garage, total 4,666 square feet. Requesting retail on both the first and second floor, with Artist and Residence to be on the third floor is in conformance with the area and will not have any significant adverse effects, either individually or cumulatively, on the Coastal resources. It is in compliance with the neighborhood and per the Zone, this request is allowed by right.

The proposed project does not consist of new construction of a bldg., the bldg. footprint exist with only remodeling to occur. Retail, first and second floors, Artist In Residence third floor, as well as new parking area. Since this request involves a change of use from Single Family Dwelling to Artist and Residence with Retail, it triggers a Coast Development Permit and a Project Permit Compliance Review for this request. Parking required under the Venice Coastal Specific Plan will be both on- site and through a payment in-lieu of fees per additional parking spaces not physically provided on- or off-site. Abbot Kinney has both residential and mixed use, and commercial uses up and down the street. This project request will have

ZA 2014 1990

no adverse effects on public access, recreation, public views, or the marine environment.

Coastal Findings/1214 Abbot Kinney, Page Two

2. The permitted development will not prejudice the ability of the City of Los Angeles to prepare a local coastal program that is in conformity with Chapter 3 of the California Coastal Act of 1976.

Currently there is no adopted Local Coastal Program for this portion of the Coastal Zone. Therefore, the adopted Venice Community Plan and the Venice Specific Plan serve as the functional equivalent plan. The Community Plan designates the subject property for Community Commercial with the corresponding zone of C2, CR, C4, RAS3 and RAS4 as well as Height District No. 1. The basic use is permitted by the plan designation and this Zone. The proposed development is in compliance with the current regulations, policies of the California Coastal Act and adopted Venice Plans and will not prejudice the ability of the City to prepare a Local Coastal Program in conformity with Chapter 3 of the California Coastal Act. The plan actively encourages mixed use development, 1st and 2nd floors to be commercial, retail use, with 3rd floor to be Artist In Residence.

3. The Interpretive Guidelines for Coastal Planning and Permits are established by the California Coastal Commission and any subsequent amendments thereto have been reviewed, analyzed and considered in making this determination.

The above mentioned Guidelines are designed to provide direction in assisting decisions with regard to discretionary determinations on request for the Coastal Development Permits. The Venice Specific Plan as it associates to this project has been considered and deemed to be in substantial conformance with the applicable Guidelines, as conditioned.

Coastal Findings 1214 Abbot Kinney, Page Three

4. The decision of the permit-granting authority has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30625 © of the Public Resources Code.

The California Public Resources Code states that prior decisions of the Coastal Commission, where applicable, shall guide local governments in their actions and responsibility as well as authority, under the Coastal Act of 1976. There are no outstanding issues that have emerged which would indicate a conflict between this request and any other decision of the Coastal Commission.

5. If the development is located between the nearest public road and the sea of the shoreline of any body of water located within the coastal zone, the development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976.

This project is not located between the nearest public road and the shoreline.

COASTAL DEVELOPMENT PERMIT

ZONE CODE SECTIONS 12.20.2 prior to LCP certification.

The MASTER LAND USE APPLICATION INSTRUCTION SHEET-500' RADIUS should also be followed, except that a 100-foot radius map is required, and 6 copies of the site plan are required. The 100-foot radius starts across the street from the subject property.

• dual permit area

• single permit area

1. **CERTIFICATE OF POSTING.** When the Coastal application is accepted for filing, the applicant must post within 24 hours a **NOTICE OF INTENT** sign (sample attached) at a conspicuous place, easily read by the public, and as close as possible to the site of the proposed development. The notice shall indicate that an application for a permit for the proposed development has been submitted to the City Planning Department. The form to be used for the posting, as well as a statement of Certificate of Posting to be submitted after notice of intent is posted is attached. If the applicant fails to post the completed notice of intent form and sign the Certificate of Posting, the Department will withdraw the application and all processing will stop.

2. **GEOLOGY REPORT.** If the property is in a Hillside area, submit a certified Geology Report.

3. PREVIOUS ACTIONS

Has this property ever had an application submitted to the State Coastal Commission or the City of Los Angeles for Coastal approvals? Yes _____ No _____

If yes, state the previous application number(s) _____

Describe on a separate page the facts (dates and determinations) of each of these applications.

4. EXISTING CONDITIONS

- a. Existing use of land 3 story single family dwelling
- b. Number, type and approximate age of structures to be removed/demolished as a result of the project 1 - 3 story bldg. to remain
- c. If residential units are being removed or demolished, indicate the number of units and monthly rent _____
- d. Is there any similar housing at this price range available in the area?
Where? Abbot Kinney consist of mixed use as well as restaurants up and down the street in the area.

5. **TREES:** Number of existing trees more than 6 inches in diameter (show on plot plan) 0

6. **TREES:** Number, size and type of trees being removed (show on plot plan) 0

7. **SLOPE:** State percent of property:

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- ☒ Less than 10% slope
☐ 10-15% slope
☐ Over 15% slope

If slopes over 10% exist, a topographic map will be required. If over 50 acres - 1"=200' scale.

8. Are there any natural or man-made **DRAINAGE CHANNELS** through or adjacent to the property? Yes _____ (show on plot plan) No ☒ _____

9. **GRADING**

☒ 0-500 cu. yd. _____ 500-5000 cu. yd. _____ 5,000-20,000 cu. yd. _____
 over 20,000 cu. yd., indicate number of cu. yd. _____

Import/export: Indicate the amount of dirt being imported or exported _____
 cu. yd. Projects involving import/export of 1000 cubic yards or more are required to complete Haul Route Form.

amount of cut _____ cu yd.
 amount of fill _____ cu yd.
 maximum height of fill slope _____ ft.
 maximum height of cut slope _____ ft.
 amount of import or export _____ cu yd.
 location of borrow or disposal site _____

Grading and drainage plans must be included with this application. In certain areas an engineering geology report must also be included.

10. **ADOPTED COMMUNITY PLAN:** Venice
 Plan designation: VENICE TRACT OF AMERICA Venice TRACT OF AMERICA

11. **PRIVATE OR PUBLIC PROJECT:** private

12. **DETAILED DESCRIPTION OF PROJECT**

a. Residential:

Number of dwelling units: 1

Type of ownership proposed:

- ☐ rental
☐ condominiums
☐ stock cooperative
☒ single family

Number of bedrooms per unit:

one _____ two _____
 three _____ four or more _____

b. Commercial, Industrial or Other

type of use _____
 number of units if hotel/motel _____
 number of employees; total _____
 per shift _____
 number of students/patients/patrons _____
 hours of operation _____ days of operation _____
 number of square feet of each building _____

Type of ownership proposed:

_____ rental
 _____ condominiums
 _____ stock cooperative
☒ other ARTIST in Residence w/ Retail 1st + 2nd Floor

c. For all projects:

Parking: 14 Required - Buyout 10 spaces 4 provided -
 number of spaces existing 2
 number of new spaces proposed 4 = 2 + 1 Handicapped Bike Rack =
 total 4

number of covered spaces 3 number of uncovered spaces Bike Rack
 number of standard spaces 2 size _____
 number of compact spaces 1 size per code

Does tandem parking exist? yes _____ no _____
 Is tandem parking proposed? yes _____ no _____
 If yes, how many tandem sets? _____ size _____

d. Number of floors including subterranean floors, lofts and mezzanines 3
 project height: from average finished grade _____ ft. Existing 3 story Bld
 from centerline of frontage road _____ ft.

e. Night lighting of the project none

f. If fixed seats or beds are involved, how many? _____

g. Percent of total project proposed for:

building _____ paving existing -

h. Percent of total project proposed for:

building _____ paving existing -

landscaping 0 other 0

i. Estimated cost of the development: \$ 0

13. PROJECT IMPACTS

The relationship of the development to the following items must be explained fully. Attach additional sheets if necessary.

- a. Will the development extend onto or adjoin any beach, tidelands, submerged lands or public trust lands? No
- b. Will the development maintain, enhance or conflict with public access to the shoreline and along the coast? No
- c. Will alternatives to private vehicle use be provided or facilitated? How will the development affect traffic on coastal access roads? None
- d. Is the development proposed within or in close proximity to an existing developed area? Will it be visually compatible with the character of surrounding areas? If in a special community or neighborhood, how will it protect the unique local character? IN CONFORMANCE WITH AREA-MIXED USE-
- e. Describe how grading will be conducted so as to minimize alterations to land forms. If on a bluff or in an area of high geologic risk, how will the project design assure stability and minimize erosion? No Grading
- f. Does the development involve diking, filling or dredging of open coastal waters, wetlands, estuaries or lakes? What alternatives are available? How will the adverse environmental effects of this be minimized? No
- g. Is the proposed development coastal-dependent? Will it displace any coastal-dependent facilities? No
- h. How will the development affect biological productivity of coastal waters? No impact
- i. Is the development proposed near sensitive habitat areas, parks or recreation areas? How will the project design prevent adverse environmental impacts on these areas? No impact
- j. Is the development proposed within or adjoining land suitable for agriculture? Will it convert agricultural land to another use? How is the project consistent with continued local agricultural viability?
- k. What water conservation features are included in the project? None Required
- l. What energy conservation features are included in the project? none Required Other than Required Green Dept AT Time of Bldg Permit

- m. Describe current location of service lines for necessary utility connections and any extensions or relocations of service lines. None
- n. Will the development protect existing lower cost visitor and recreational facilities? Will it provide public recreational opportunities? No Recreation opportunities but will protect lower visitor cost - ARTIST IN RESIDENCE
- o. Will the development protect or provide low- and moderate-income housing opportunities? Will it displace low- or moderate-income housing? NO DISPLACEMENT OF LOW INCOME - NO IMPACT
- p. Is the development proposed within or near a known archeological, paleontological or historic site? How will impacts on such sites be minimized? Building Permit & Change of Use
- q. List all permits, permissions or approvals required from public agencies for this development and indicate those already applied for or granted.
- r. Is the project located:
- 1) Between the sea and the first public road paralleling the sea? NO
 - 2) Within 300 feet of the inland extent of any beach? NO
 - 3) Within 300 feet of the top of the seaward face of any coastal bluff? NO

14. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Fill in the applicable items and attach copy to application:

- a. Categorically Exempt: Class _____ Paragraph _____
- b. Negative Declaration _____
- c. Environmental Impact Report _____
- d. Conditions, mitigation measures or project alternatives required to minimize significant adverse impact.
- e. Date granted _____

15. **JUSTIFICATION**

Justify the proposed project by addressing the following criteria:

- a. The development is in conformity with Chapter 3 of the California Coastal Act of 1976 (commencing with Section 30200 of the California Public Resources Code.)
- b. The permitted development will not prejudice the City of Los Angeles to prepare a local coastal program that is in conformity with Chapter 3 of the California Coastal Act of 1976.
- c. The Interpretive Guidelines for Coastal Planning and Permits as established by the California Coastal Commission dated February 11, 1977 and any subsequent amendments thereto have been reviewed, analyzed, and considered in light of the individual project in making its determination.
- d. The decision of the permit-granting agency has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30625 (c) of the Public Resources Code.
- e. If the development is located between the nearest public road and the sea of shoreline or any body of water located within the coastal zone, the development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976.

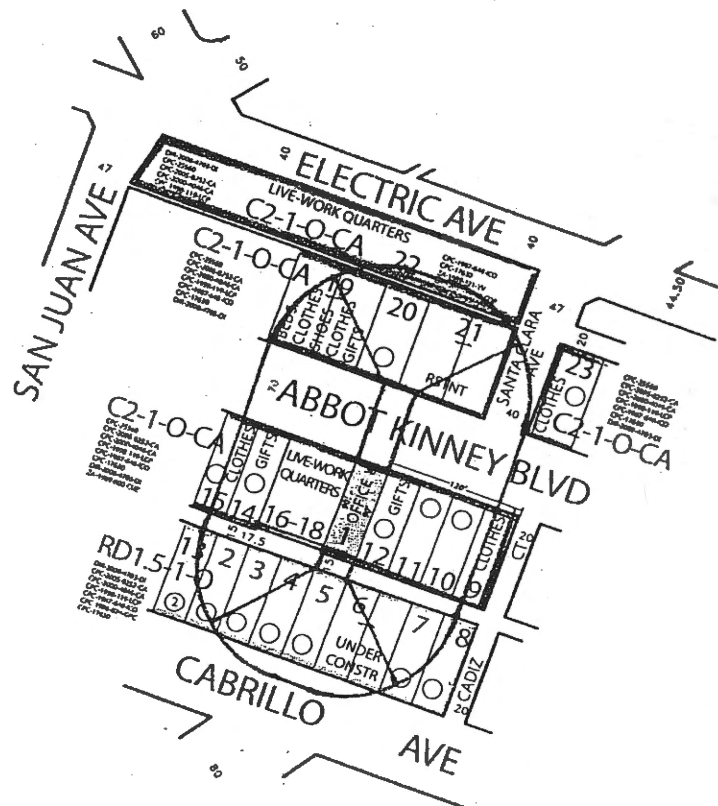


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SPECIFIC PROJECT PERMIT - COASTAL DEVELOPMENT PERMIT



Quality Mapping Service

14549 Archwood St Suite 301
Van Nuys, California 91405
Phone (818) 997-7949 - Fax (818) 997-0351
qmapping@qmsqms.com

DRAWN BY:

THOMAS BROTHERS
Page: 671 Grid: H-5, H-6

LEGAL
LOT: 15 BLK: 15
TRACT: VENICE OF AMERICA
MB 6-126-127

CONTACT: SHANNON NONN

ASSESSOR PARCEL NUMBER:
4238-003-040

SITE ADDRESS: 1214 ABBOT KINNEY BLVD

CD: 11
CT: 2735.02
PA: 329 - VENICE
USES: FIELD
D.M.: 108B145

PHONE: 818-341-3711

DATE: 05-13-14
Update:

NET AC: 0.06 --

QMS: 14-162

NORTH

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE

200 OCEANGATE, 10TH FLOOR

LONG BEACH, CA 90802-4416

VOICE (562) 500-5071 FAX (562) 591-5084

JAN 6 2015

CALIFORNIA
COASTAL COMMISSION

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: Robin Rudisill

Mailing Address: 3003 Ocean Front Walk

City: Venice

Zip Code: CA

Phone: 310-721-2343

SECTION II. Decision Being Appealed

1. Name of local/port government:

Venice/L.A.

2. Brief description of development being appealed:

CHG OF USE FR SFD TO ARTIST RES IN 3RD FLR & RETAIL ON 1ST & 2ND FLRS

3. Development's location (street address, assessor's parcel no., cross street, etc.):

1214 Abbot Kinney Blvd. (cross streets = San Juan Ave & Santa Clara Ave), Venice, CA 90291, APN: 423-800-3040

4. Description of decision being appealed (check one.):

- ☐ Approval; no special conditions
- ☐ Approval with special conditions:
- ☒ Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:APPEAL NO: A-5-Ven-15-0003DATE FILED: 1-6-15DISTRICT: South Coast

COASTAL COMMISSION

A-5-VEN-15-0003

EXHIBIT # 3PAGE 1 OF 20

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

SECTION IV. Reasons Supporting This Appeal

PLEASE NOTE:

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

Please note that I am filing this appeal as an individual, not on behalf of the LUPC or the VNC.

I am very reluctantly filing this Appeal and believe that I must do so for 2 reasons:

1. The project was not reviewed by the Venice Neighborhood Council and the ZA did not honor the VNC's request to hold the case open due to the issue on In Lieu Parking Fees that was still under Appeal for a related case; and
2. The Councilperson for the district announced that he would be amending the Venice Coastal Zone Specific Plan to increase this fee to a more representative amount reflecting the fair value of the parking, and will include an index for COLA type increases, which should have been done years ago, but as he knows this will take a very long time to do this and he is not putting a hold on use of the In Lieu fee in the meantime, which is often what is done in such a situation. Thus, he is allowing for developers to try to take full advantage of Venice by using the current, lower, in lieu fee to pay for parking for their projects, creating a one-time, gigantic windfall for these owners/developers, with a corresponding detrimental adverse, gigantic impact to Venice and our visitors.

The concerns are:

1. Use of the in lieu fee and not providing actual parking is clearly resulting in a cumulative adverse impact on parking and traffic in this area, which is a beach tourist area and coastal access area, as no parking is provided and funds that are woefully inadequate in representing the value of the parking have been going into a City fund that has not been used to create any parking. CEQA may not require a review for individual projects of this size, but it clearly DOES require a review when the cumulative impact of successive projects of the same type in the same place may be significant (City of L.A. Environmental Quality Act Guidelines, page 26), which clearly is the case here.
2. No Loading Zone is being required for this commercial business, which MUST not be allowed for any commercial business, especially ones where parking and traffic are already a serious and very significant problem for tourists, residents and business owners alike.

If there is inadequate parking available for the commercial businesses, perhaps projects should be delayed or contingent on the parking becoming constructed or otherwise available via shuttle buses, etc. Other options for parking MUST be considered, as use of the In Lieu Fee is creating a cumulative adverse impact that cannot and should not be tolerated. The City has proven that they will not address this, thus we request that the Coastal Commission does so. Also, perhaps the Abbot Kinney area should be looked at for use by the Artcraft population, as is a preferred use as per the Venice Land Use Plan.

COASTAL COMMISSION

A-5-VEN-15-0003

EXHIBIT # 3

PAGE 2 OF 20

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
200 OCEANGATE, 10TH FLOOR
LONG BEACH, CA 90802-4416
VOICE (562) 590-5071 FAX (562) 591-5084

JAN 6 2015

CALIFORNIA
COASTAL COMMISSION

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: James Murez

Mailing Address: 804 Main St

City: Venice

Zip Code: 90291-3218

Phone: 310-399-1490

SECTION II. Decision Being Appealed

1. Name of local/port government:

Los Angeles

2. Brief description of development being appealed:

Change of Use from Single Family Dwelling to Commercial Retail with Residentail, proposed parking to be purchased in-lieu.

3. Development's location (street address, assessor's parcel no., cross street, etc.):

1214 AbbotKinney Blvd., Venice, CA 90291, APN: 4238003040, @ Santa Clara Ave.

4. Description of decision being appealed (check one.):

- ☐ Approval; no special conditions
☐ Approval with special conditions:
☒ Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:APPEAL NO: A-5-Ven-15-0003DATE FILED: 1-6-15DISTRICT: South Coast

COASTAL COMMISSION

A-5-VEN-15-0003

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In this appeal, I'm asking the California Coastal Commission (CCC) to consider several policy issues the City of Los Angeles is imposing which, I believe relate to visitor and stakeholder parking in Venice California. These considerations need to realize a fundamental disconnect between the CCC Certified Land Use Plan (LUP) and the Venice Coastal Zone Specific Plan (VSP), an LA City Municipal Code document which binds them to their own law. These laws include an In-Lieu parking buyout program that has been in place since 1988 and in the twenty-eight years since over \$1m has been collected and yet not a single new parking space has been created with these funds.

I have exhausted the local permitting process. I started with the Venice Neighborhood Council, who unanimously agreed with my opinion and asked the City to deny this application. That request fell on deaf ears. After exhausting the City appeal process, I'm wondering if coastal access includes being able to park automobiles in the Venice region or if this is an ideal I grew up believing in that is as outdated as wiring telephones together with copper.

My primary argument is the lack of looking at the region as a whole and the net effects individual projects have on accumulated impacts. Does an In-Lieu parking buy out policy work when revenues collected reflect huge dollar discounts of the real costs to replace the said required parking? This concept suggests a reality of wanting to fight a battle you know you will lose: collect \$1 for every \$10 you commit to spend.

Other issues also exist, such as if bicycle parking really replaces required automobile parking in a coastal community like Venice. The proposed project is allowed under a recent Citywide approved Ordinance to offset twenty percent of their required parking with bike spaces at a four to one ratio. Bicycle access to local businesses makes a lot of sense, but visitors need to have someplace to park near the bike rental shops before required visitor parking can be deferred to bikes. Furthermore, the City has installed two bike corrals on Abbot Kinney and they almost always have spaces available. Bikes are not currently a reality for visitors who come from out of the area.

This project request implies additional impacts by not providing a commercial loading space. This condition is required in the Los Angeles Municipal Code (LAMC), but was not referenced in the ZA Findings or Determination. The lack of providing such a loading space suggests public on-street parking will be removed to provide a restricted yellow loading zone curb. This condition will further make it difficult for coastal visitors. (See LAMC Sec. 12.21 C.6.) The City might argue Abbot Kinney now is striped with a center lane where loading and unloading commercial trucks occurs all the time. This is a true statement but stops short of considering this is a painted consideration that a year ago did not exist and can be removed at any time LA DOT chooses to try another option. It further does not consider the traffic impacts which are created when a busy street is littered with people and trucks working in the center lane. These traffic impacts have not been studied because LAMC provides a requirement of a Loading Space on ALL commercial projects. Why is it omitted here? On a side note, parking in the median is prohibited unless LA DOT posts signs allowing such actions and, guess what? No such signs exist today!

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With Case No. ZA 2014-1990(CDP)(SPP) dated Nov. 14, 2014, LA City erred by issuing this permit. They did not consider the accumulated impact of allowing a Change-Of-Use to occur which intensifies the site beyond that which would have been allowed at the time the project was originally constructed six years ago.

Before the City should be allowed to sell In-Lieu parking spaces for new developments, they need to demonstrate that existing commitments have been satisfied. These unsatisfied needs exist because the City has a policy to allow existing non-conforming properties to receive parking credits ("grandfathered rights") which in turn create phantom (nonexistent) spaces.

The intent of In-Lieu parking credits being a purchasable commodity goes hand-in-hand with the idea of adapting the historic structures of Venice to a current use that fits into the community needs. This policy only exists for existing project and does NOT apply to new construction, such as this project six years ago. In the case of this project, the applicant owns a recently constructed building that lacks adequate parking for their original proposed use. But the building is not historic and meets the current vision for the designated site, Artist-In-Residence (AIR). For that matter, Abbot Kinney Blvd incorporates a special "CA" zone overlay which further grants the AIR use additional rights. These conditions were all adopted into the LUP and the VSP many years prior to this project applying for new building construction permits. This project is a new building for all intents and purposes and does not qualify for anything that might today be considered historic and needing to adapt to a changed community.

This project was granted an option to purchase parking spaces under the In-Lieu policy of the VSP without consideration to the State requirements of the LUP. The VSP offers these spaces at a fixed rate which was established in 1988 of \$18,000. This dollar amount is very out of date and is in direct conflict with the State approved LUP which states the amount should reflect current cost of providing such a space. In an effort to more fully understand the implications of the In-Lieu policy of these documents, in 2012 the City incorporated into the West Los Angeles Transportation Mobility Study a sub study to evaluate the concept of such parking plans. In their own words, at a dollar rate of \$50,000 the surrounding cities that have tried to implement such programs are struggling to make them break even. The study also noted the land value to create replacement parking was NOT factored into the \$50k cost. In-Lieu Parking study attached for reference.

Side note, without knowing what a parking structure might look like that could house the current commitments, I can offer that commercial land value for a 2700 SF lot is estimated around \$2.5m. Factor in the height restrictions and cost of building a fully automated parking structure to maximize the number of cars that could fit on such a lot, the cost of land would add another \$80,000 per stall.

The City knows they erred by discounting In-Lieu fees on this project. The Councilman has filed a request with the City Council to have this code section revised, but this could take several years. In the meantime, the VSP allows the \$18k rate and since it is an adopted City ordinance, the fee is locked in law. So rather than deny the project and risk a lawsuit, they approved it and assume they will fix the shortcoming someday. This is fundamentally wrong and deteriorating the quality of life out of our community.

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The City is allowing this project an option to incorporate Bike Parking in place of providing required automobile spaces. This policy is not approved in the State LUP and really has no basis or foundation to show such an allowance will not negatively impact visitor access to this coastal region. When we think about Venice beach as a coastal resource and that it should be available to visitor access, I ask myself, are we talking about visitors who might live in Santa Monica or Mar Vista where the current bike paths extend to or are we bound by a higher standard and need to consider the visitor who wants to see the Pacific Ocean and has traveled from the state of Ohio or across the ocean? If we need to allow access to these more distant visitors, then we must provide accommodations for them to park within bicycle distance. Because the City has not constructed any visitor parking structures within several miles of the beach, I do not believe this need is being addressed. Should the City create alternate services (parking structures or a shuttle system) that address visitor needs, then bike parking makes a lot more sense in my mind. This just seems like the cart is leading the horse!

The accumulated impacts of In-Lieu parking must be considered. In two separate appeals filed with the City they refused to consider these impacts. The City Zoning Administrator cited individual projects of this size do not justify a CEQA review and the only mechanism they have to consider regional impacts is such a study - basically their hands are tied. Again, I think the City erred by not considering the coastal access impacts of over development which they are creating by not mandating adequate parking for the property uses.

In a one day effort, I surveyed the current property uses and, to a great extent, discovered what parking was available on Abbot Kinney. In summary, there are approximately 225 buildings (sites) on Abbot Kinney between Main St and Venice Blvd. Of these sites, 51 include parking (about 373 spaces) and 136 sites have zero parking. These numbers further break down by property Use, as follows: Offices: 31, Retail: 105, Artist-In-Residence: 28, Restaurant: 17, Takeout Food: 8. But what I was unable to determine was how many are operating without valid permits (hmm... the house that is now a retail store or the office that removed their parking to operate an exercise gym).

I believe the City MUST determine what is and is not allowed in their permit records and then publish a real number which documents the extent of "Grandfathered Credits". Only after such credits are known can visitors and the local community realize and appreciate newly created public parking. I believe the deficit is growing as the City issues remodel and change-of-use permits. And In-Lieu credits are only worsening the visitor access by further increasing the intensity of development without providing mitigating solutions.

On a last point to the ZA's approval writings talk about several "Surrounding Properties" are sited which seem to add credibility to the issuance of this permit. However, this could not be farther from the truth. For example, 1511 AK (ZA 2014-0277-CDP) was appealed by me to the City and denied. It is being appealed to CCC with a due date three days after this appeal. 1524 AK (ZA2012-1396-CDP) was a remodel of a craftsman house that had been use for offices as far back as City records could reflect. In the case the applicant did not increase the original foot print of the building and maintained the original roofline. The prior parking space that was on site was required to be converted to handicap and therefore, to legalize the change of use and comply with ADA, in-lieu parking was purchased. This

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project was NOT new construction. 1311 AK (ZA 2005-1330-CDP) was originally approved as an Artist-In-Residence and conforms to all on-site parking without any in-lieu spaces being purchased. This property has not been converted (yet) and continues to be use as by an owner/artist.

Lastly the ZA sites 1136 AK, an identical project to 1132 AK the former Jack Spade retail store that has been an illegal use of a single family house for many years. This project like 1132 AK rubs mud in the face of the approval process. The project at 1132 was proposed to the Neighborhood Council as a remodel. When plans were requested the owner/developer (same as 1136) postponed presenting anything claiming he was in redesigning. As a result this project never came before the local communities before the permits were issued and construction started. The project was approved as a remodel with 9 in-lieu parking spaces. When construction started everyone was in shock, how could the City approve leaving a small portion of a single wall (that was moved to pour foundations during the construction) and classify it as a remodel. The community filed permit violation complaints but the City tuned their heads claiming it was approved. After the few studs that made up the so called original wall were relocated, they became an interior closet face frame. Photographs are attached of 1132 AK project so you can judge for yourself, was this really a remodel which should grant them the rights to prior entitlements including being allowed to buy In-Lieu parking (an option that only allowed for existing projects). Shame on the community for being gullible, shame on the City for approving this project and then having the nerve to reference an identical farce at 1136 AK as an approvable example in these case findings.

Please deny this and all other In-Lieu parking requests until the City increases the fees to address replacement costs and demonstrates the ability to provide parking or a multimodal transportation solution that mitigates the impacts herein.

####

Attachments:

LAMC Sec. 12.21 C.6. excerpt

West Los Angeles Transportation Mobility Study, In-Lieu Parking
1132 AK Photos

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LAMC Sec. 12.21 C.6. (excerpt)

http://www.amlegal.com/nxt/gateway.dll?f=templates&fn=default.htm&vid=amlegal:lapz_ca

SEC. 12.21 GENERAL PROVISIONS.

12.21C6 Loading Space.

(a) A loading space shall be provided and maintained on the same lot with every hospital, hotel, or institution building. A loading space shall be provided and maintained on the same lot with every building in the C or M Zones where the lot on which said building is located abuts an alley, provided that when the lot is occupied by a use, such as a service station or a drive-in business, in which the building covers less than the total buildable area, a suitable loading space must be provided, but it need not comply with all the provisions of this section if its location, size and means of access are approved by the Department of Building and Safety. **(Amended by Ord. No. 174,769, Eff. 9/26/02.)**

EXCEPTION: No loading space shall be required on a lot that abuts an alley in the C Zone when all the buildings are erected, structurally altered, enlarged or maintained and used solely as dwellings or apartment houses. **(Amended by Ord. No. 174,769, Eff. 9/26/02.)**

(b) Every required loading space shall be so located and arranged that delivery vehicles may be driven upon or into said space from the alley. Such loading space shall have a minimum height of 14 feet and shall be directly accessible through a usable door not less than three feet in width and not less than six feet six inches in height opening from the building it is to serve. **(Amended by Ord. No. 138,685, Eff. 7/10/69.)**

(c) Every required loading space shall have a minimum area of 400 square feet, a minimum width of 20 feet measured along the alley line, and a minimum depth of ten feet measured perpendicularly to the alley line except as hereafter provided in this Subsection. Such loading space may be furnished within a building where said building is designed and arranged to include accessible loading space equivalent to that required by this subdivision.

(d) The required loading space shall have a minimum area of 600 square feet where the gross floor area of all buildings on the lot exceeds 50,000 square feet, but not more than 100,000 square feet, a minimum area of 800 square feet where the gross floor area of all buildings is between 100,000 and 200,000 square feet, and shall be increased by an additional 200 square feet for each additional 200,000 square feet or fraction thereof of gross floor area in the building.

(e) The required loading space, on lots less 40 feet in width, shall extend across the full width of the lot at the alley line, but need not exceed 10 feet in depth.

(f) No loading space shall be required on a lot on which a building, other than a residential building, is to be erected, structurally altered, or enlarged, and on which there is an existing separate building being lawfully maintained adjacent to the alley in such manner as to prevent the establishment of the loading space required by the provisions of this subdivision. **(Amended by Ord. No. 130,952, Eff. 11/8/65.)**

(g) No loading space shall be required on unusually shaped lots, oddly located lots, or on hillside lots, when waived by the Department of Building and Safety as provided for in Sec. 12.26-B.

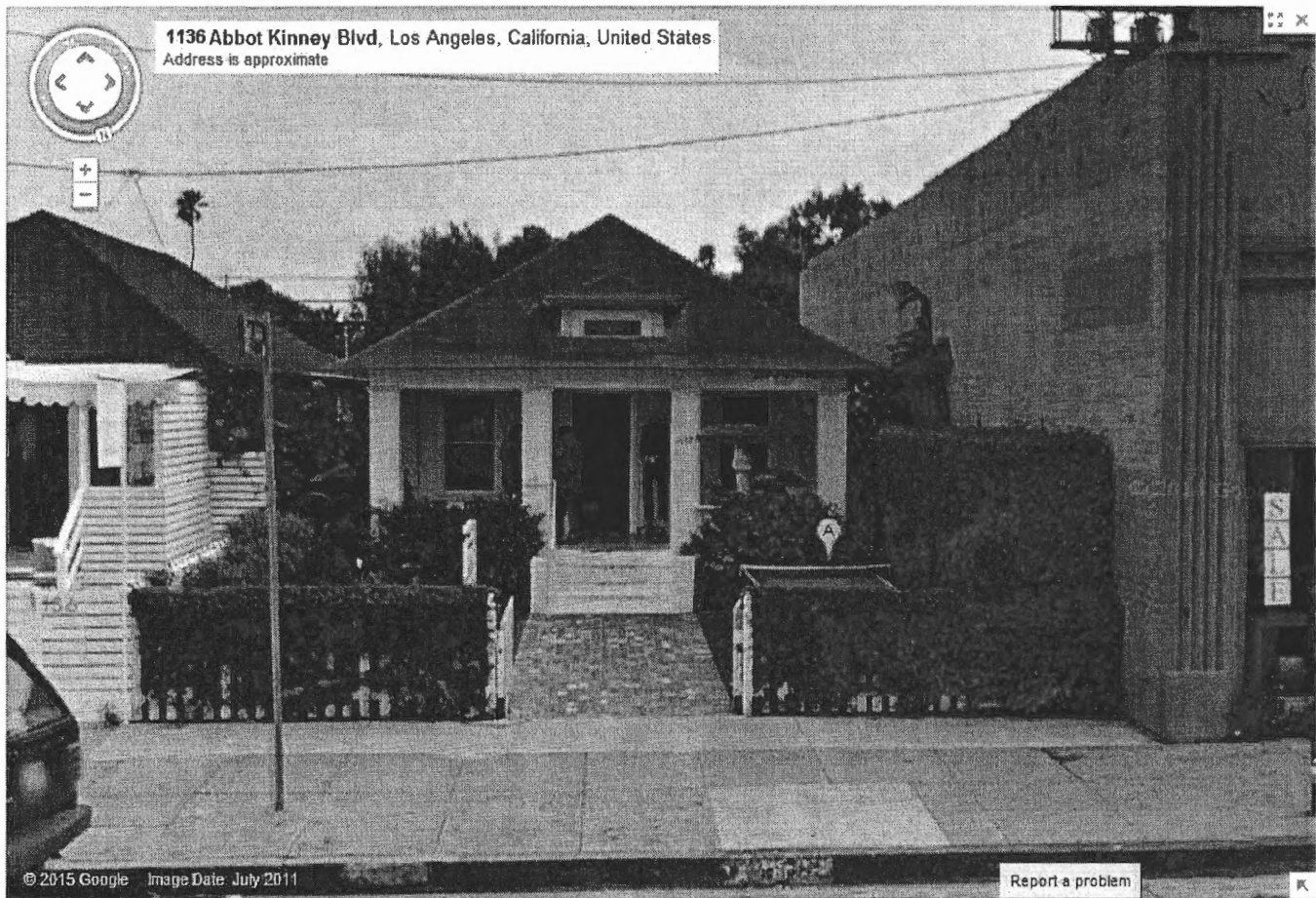
(h) Any loading space being maintained in connection with an existing main building shall be maintained so long as the building remains, provided, however, that this regulation shall not require the maintenance of more loading space than is herein required for a new building, nor the maintenance of such space in any other zone or for any other buildings than those specified herein.

####

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1132 Abbot Kinney Photos
Before – During – After

This first picture was taken from Google maps. It shows the before retail store occupying the old house.



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This second photograph of 1136 AK was taken shortly after construction began. Notice the a small portion of a stud framed wall. These walls had to be removed to make way for new building foundation was poured along the property lines. I understand portions of the right most wall were restored near their original location and used for an interior closet wall.



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The third and final photo shows the nearly complete new building. There are no side or front setbacks and no sign of anything that was remodeled.



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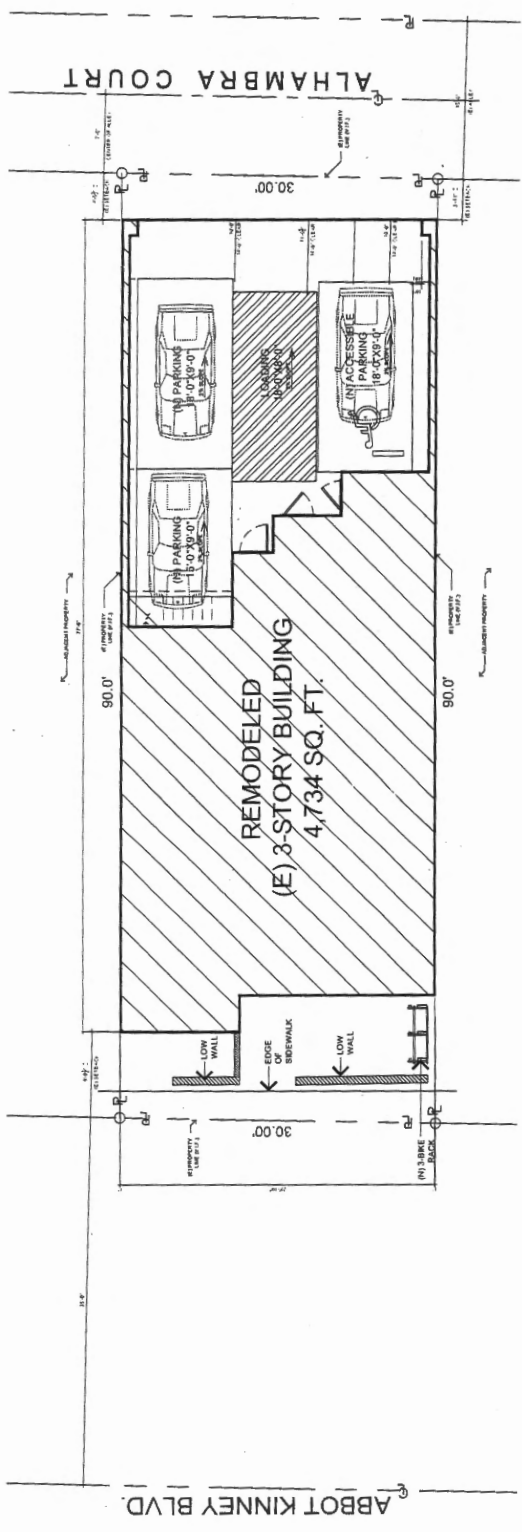
A-5 VEN-15-0003

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PROPOSED TENANT IMPROVEMENT FOR:
1214 S ABBOT KINNEY
 VENICE CA 90291

ROCHA NUNEZ
 ARCHITECTS
 1111 14TH AVENUE
 SUITE 200
 SAN FRANCISCO, CA 94142
 TEL: 415.398.1411
 FAX: 415.398.1412
 WWW.ROCHANUNEZARCHITECTS.COM



SITE PLAN
 SCALE 1/8" = 1'-0"

13 AK 08

NO.	DATE	DESCRIPTION
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APRIL 17, 2014
 SITE PLAN
 A0.1

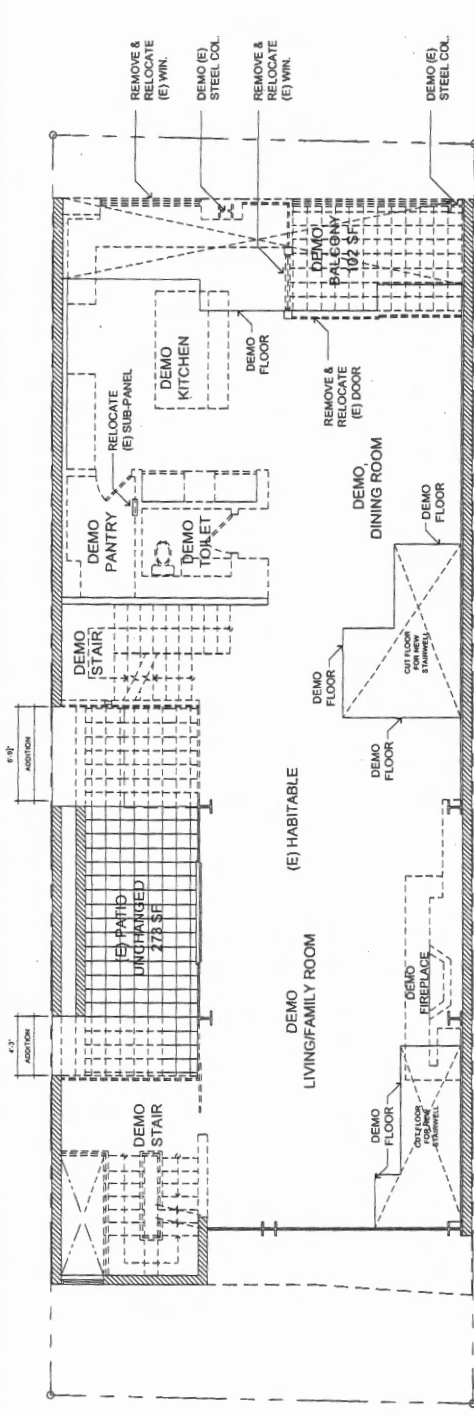
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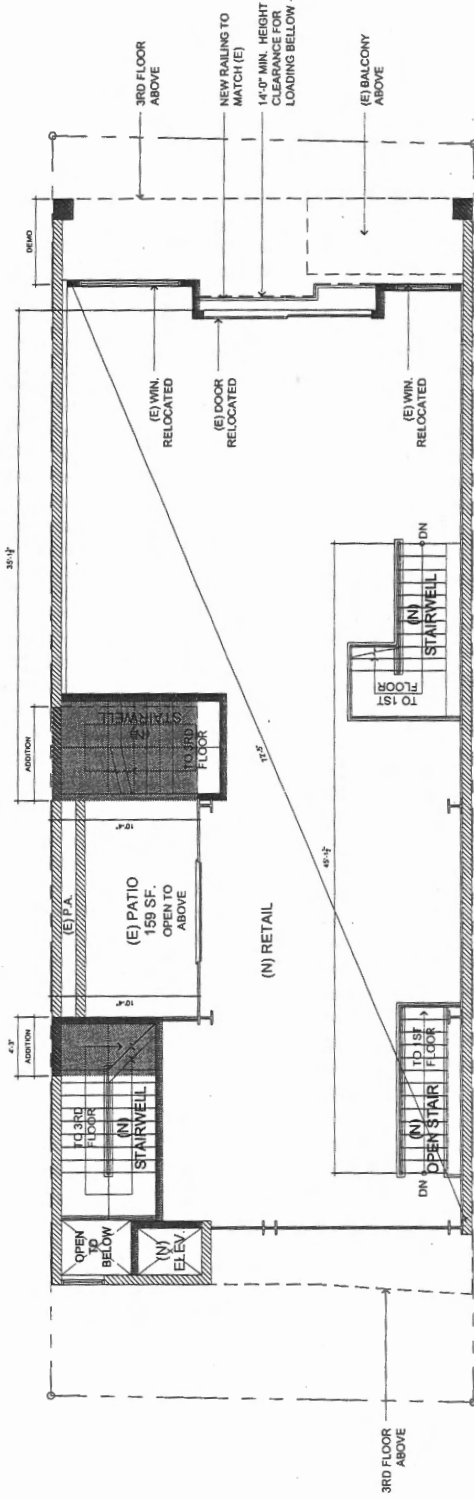
PROPOSED TENANT IMPROVEMENT FOR:
1214 S ABBOT KINNEY

PROPOSED TENANT IMPROVEMENT FOR:
1214 S ABBOT KINNEY

13 AK 08
MAY 05, 2014
SECOND FLOOR
PLANS
A2.1



EXISTING / DEMO 2ND FLOOR PLAN 1
SCALE: 1/4" = 1'-0"

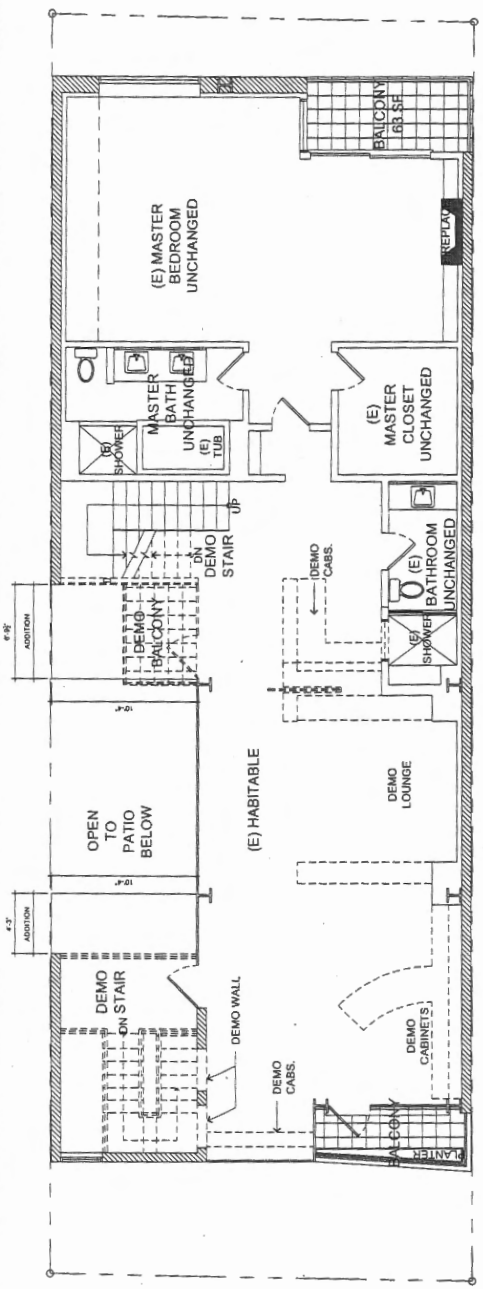


PROPOSED 2ND FLOOR PLAN 2
SCALE: 1/4" = 1'-0"

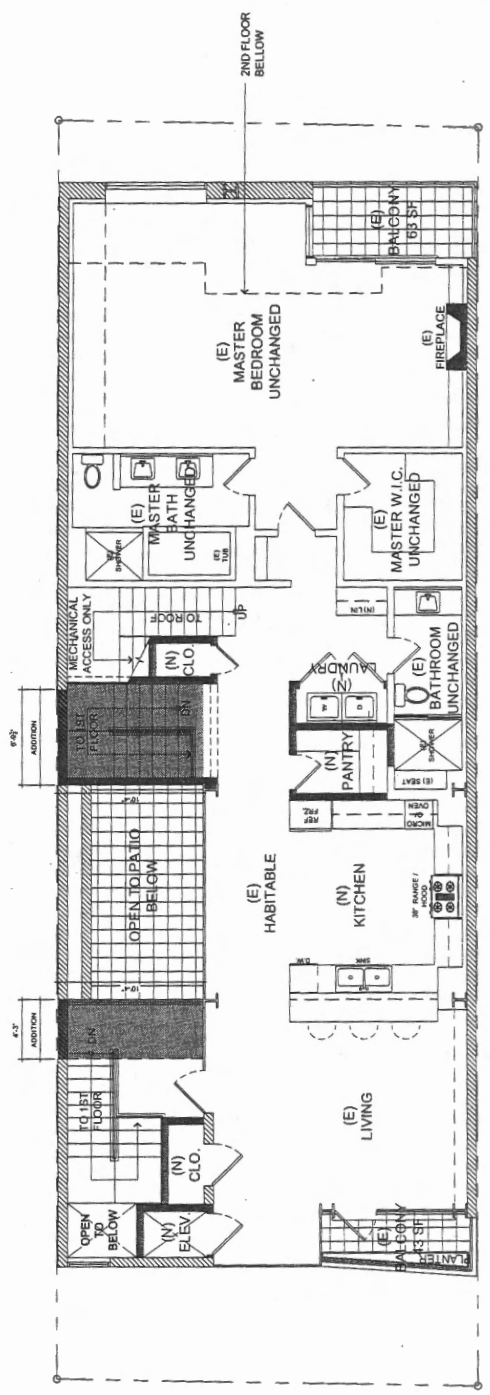
- LEGEND**
- EXISTING WALL
 - NEW WALL
 - CEILING FINISH CAPABLE OF 90 COMPLETE AIR CHANGES PER HOUR HEATED DIRECTLY TO OUTSIDE

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EXISTING / DEMO 3RD FLOOR PLAN
 SCALE: 1/4" = 1'-0"



PROPOSED 3RD FLOOR PLAN
 SCALE: 1/4" = 1'-0"

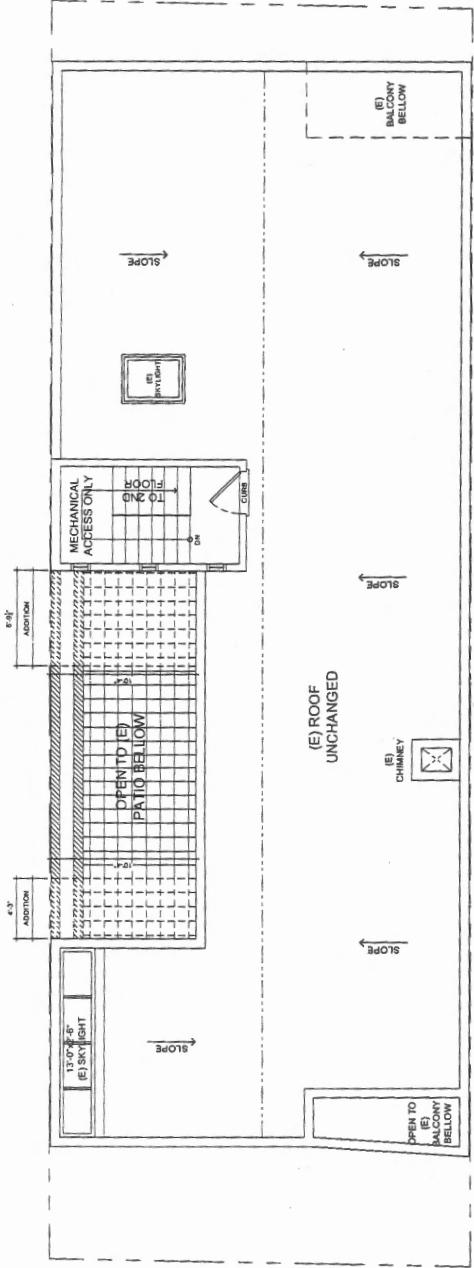


LEGEND

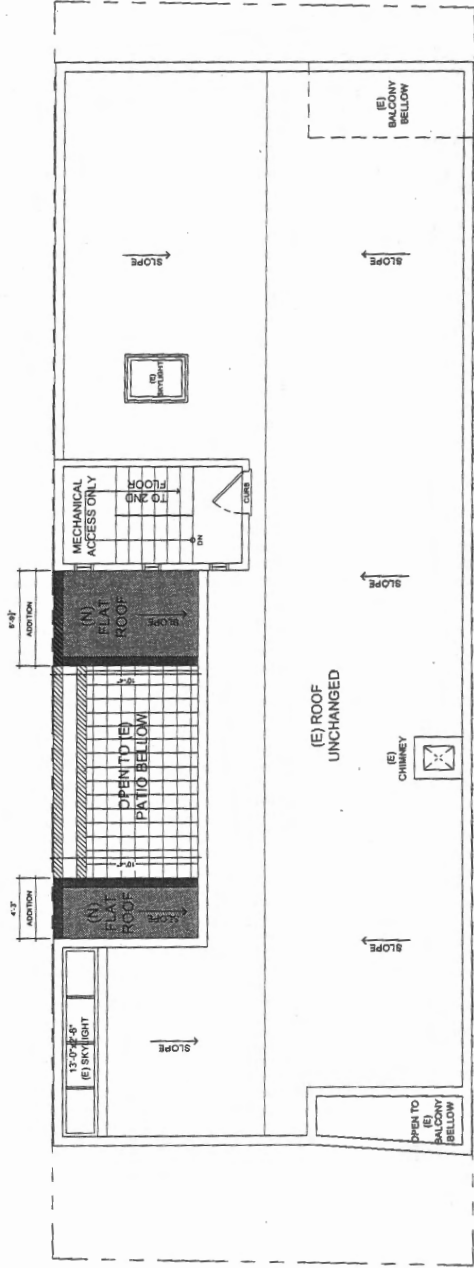
- EXISTING WALL
- NEW WALL
- CEILING FAN CAPABLE OF 80 COMPLETE AIR CHANGES PER HOUR VENTED DIRECTLY TO OUTSIDE

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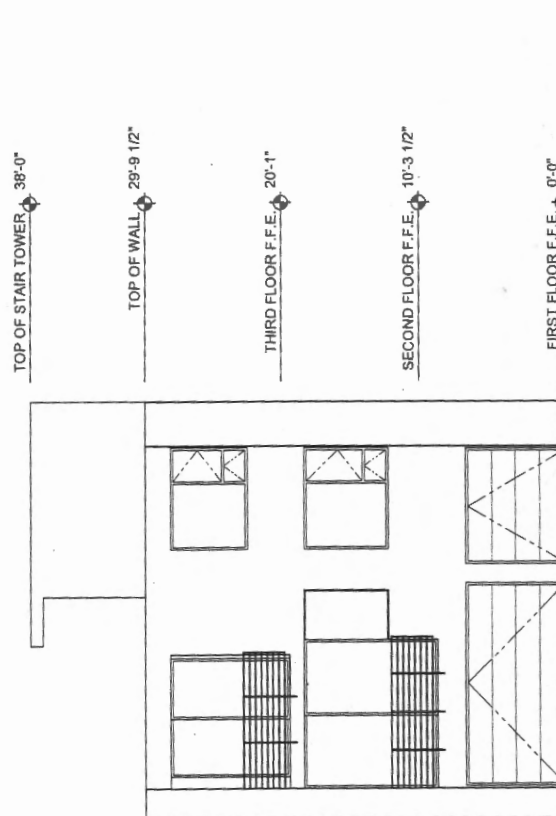
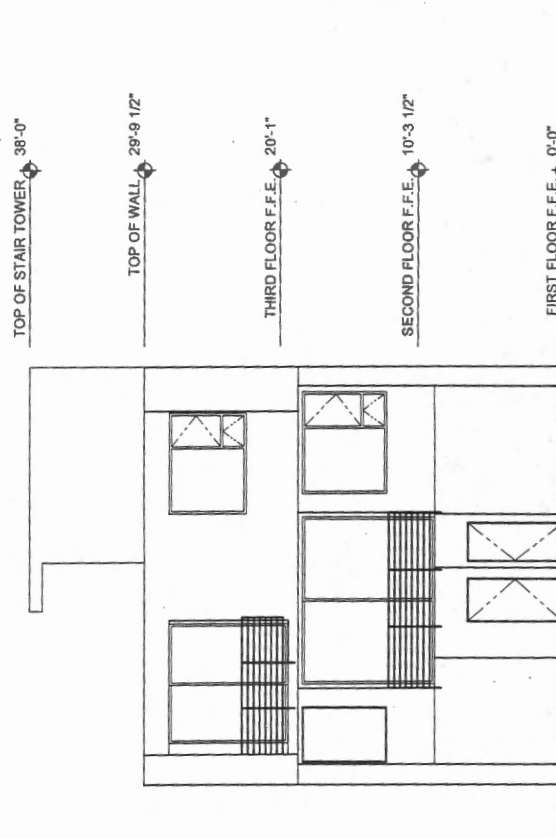


EXISTING / DEMO ROOF PLAN (1)
SCALE: 1/8" = 1'-0"

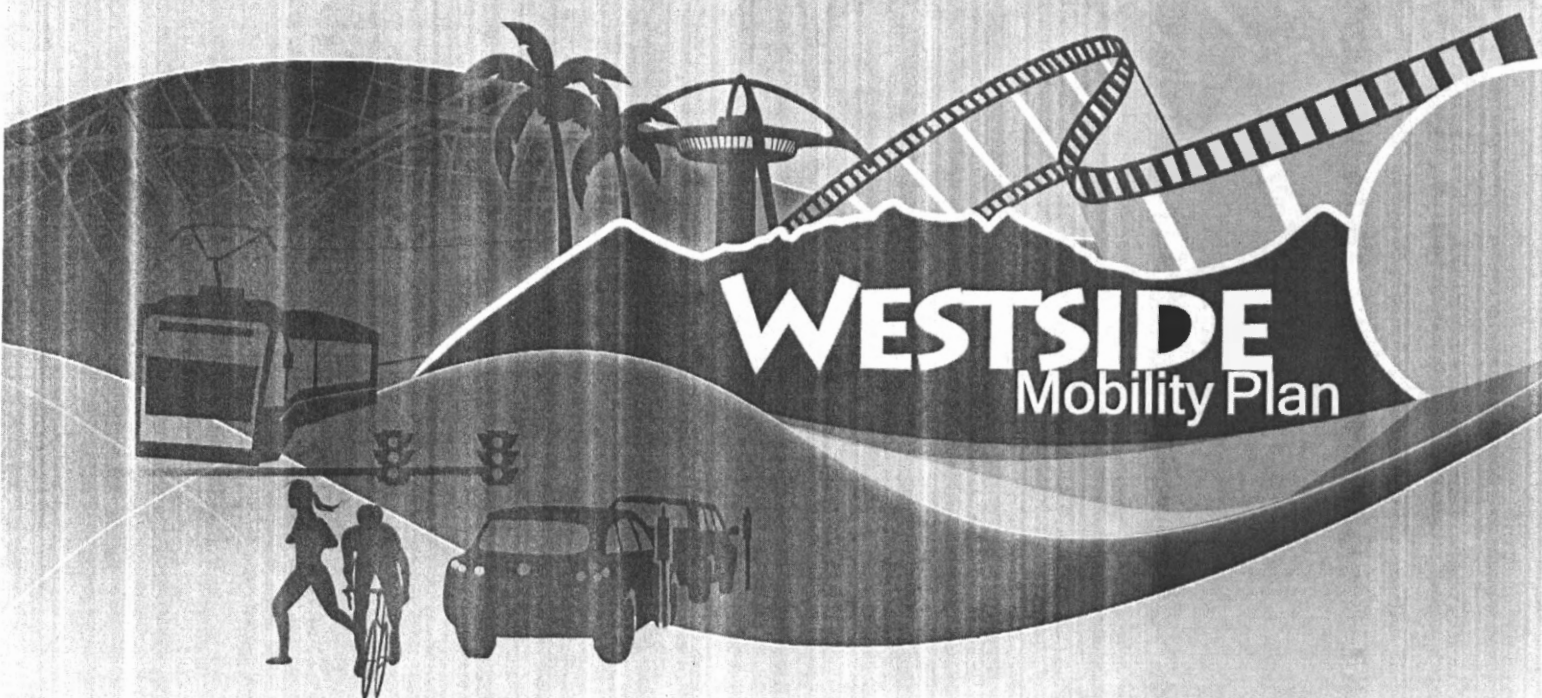


PROPOSED ROOF PLAN (2)
SCALE: 1/8" = 1'-0"

PROPOSED REAR ELEVATION (B)
SCALE: 1/4" = 1'-0"



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Venice In-Lieu Parking Fee Study

FINAL REPORT

July 2012

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Executive Summary

Introduction

The Venice Coastal Zone is one of the most heavily utilized beach recreation areas in Southern California. The shoreline access issues in the Venice Coastal Zone include inadequate on-street and off-street parking near or on the beach frontage for visitors and residents, conflicts between residential and beach visitor parking, signage of available parking on weekends, and intrusion of non-resident vehicles on residential and business streets.

This report comprises:

- A policy review of the Venice Coastal Program Land Use Plan, the Venice Coastal Zone Specific Plan and the parking Trust Fund for parking-related policies to ensure that recommendations are consistent with and support the policy goals of increasing beach access;
- A financial evaluation of in-lieu fee programs, alternative access applications and revenue collection methods; and
- Local case studies and recommendations for Venice.

Summary of Section 1- Policy Review

The Venice Coastal Land Use Plan sets the boundaries of the Venice Coastal Zone and the goal of maintaining and enhancing access to the coast with adequate parking facilities and public transportation. There are 11 policy topics regarding parking and the study summarizes six of the topics which have particular relevance to the in-lieu fee program and the projects the funds may be used for (e.g., intercept lots, shuttle service, valet service, shared parking).

The Venice Coastal Zone Specific Plan Section 13E – Beach Impact Zone Parking Requirements provides the policy language for the in-lieu fee, set to \$18,000 per space for commercial, industrial, and multi-family residential units. Section 14 – Venice Coastal Parking Impact Trust Fund dictates that funds are collected by LADOT and can be used for parking improvements and shuttle buses.

Summary of Section 2- Financial Evaluation

Deciding whether to collect in-lieu fees in a lump sum or by annual payments is dependent on several factors. These include expected future development patterns, land use mix, policy goals, expenditures allowed, and whether the fee is charged to tenants or property owners.

This section also evaluates the types of parking improvements and programs that the in-lieu fee could fund. The general costs of constructing parking structures (above and below grade), mechanical stackers, automated parking, valet parking, and shuttle service to satellite parking are outlined based on existing facilities/programs in other cities.

A sample of current parking rates in Venice and Abbot Kinney are provided as a baseline for what amount the additional spaces could charge, should on- or off-street parking supply be expanded.

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Summary of Section 3- Findings and Recommendations

This section provides a series of case studies summarizing in-lieu fee programs in nearby cities including Beverly Hills, Santa Monica, West Hollywood, Ventura, and Pasadena.

Beverly Hills, West Hollywood, and Ventura set in-lieu fee rates on a per space basis and collected as a lump sum while Santa Monica set their rates based on square footage and collected annually. West Hollywood devised payment plans for those who could not afford to pay upfront. Beverly Hills has a special line item in their fee schedule for restaurant expansion that requires a lower fee. Restaurants are also allowed to pay in installments.

Beverly Hills and Ventura adjust their rates annually based on the Consumer Price Index (CPI), while Santa Monica and West Hollywood make no adjustments. In the case of Santa Monica and Pasadena, rates for their fees (whether in-lieu or parking credit) could not be increased until their bonds matured. Beverly Hills had the highest in-lieu fee rate of about \$47,000 per space, while West Hollywood and Venice had the lowest fees. **Table E-1** compares the rates as parking impact fees per 1,000 square feet.

Pasadena and West Hollywood both have parking credit programs. Pasadena's parking credit program was established to encourage economic growth by providing a way around parking requirements in an area with limited opportunity for expansion. West Hollywood's parking credit program was established to allow the city to effectively manage and utilize existing parking spaces more efficiently, enabling businesses to utilize existing parking resources to satisfy parking requirements. The program is for a commercial area and based on parking supply and utilization rates. In all cases, fees collected were not sufficient to cover the full cost of parking and thus were supplemented with other funding sources.

Table E-1 Comparison of Fees

Cities	a. In-Lieu Fee (Credit)	b. Parking Requirement for retail (spaces/ 1,000 s.f.)	Parking Impact Fee (fee/ 1,000 s.f.)
Beverly Hills	\$47,000/space ¹	2.9	\$136,000
Santa Monica	\$1.50/square foot annually	N/A ²	\$1,500 annually
Ventura	\$25,000/space	3.3	\$83,000
Venice	\$18,000/space	4.4	\$80,000
West Hollywood	\$20,000/space ³	3.5	\$70,000
West Hollywood	(\$375/space)	3.5 ⁴	N/A
Pasadena	(\$155/space)	3 ⁵	N/A

Notes:

1. \$47,007.40 for inner CBD core, \$37,605.80 for mid-CBD, and \$28,284.60 for outer-CBD.
2. Santa Monica calculates their fee based on square footage and not by parking space; therefore the parking requirement was not required to calculate the impact fee by 1000 square feet
3. As of March 19, 2012, the in-lieu parking fee had been eliminated and replaced by parking credit program by City Council.
4. No parking required for expansions in parking credit district.
5. No parking required for expansion in Old Pasadena.

Parallels can be drawn between Venice's current parking and development situation and that of Pasadena and West Hollywood in that there is limited opportunity for expansion. A parking credit program would allow the city to collect fees, assign credits and apply those fees to programs that improve access in and around the district.

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A parking credits program can be supplemented with a valet parking program to improve service for public access to areas of high demand. To maximize efficiency of existing parking spaces, the implementation of intercept/satellite lots serviced by a shuttle system that could bring people to the beach or other areas with high parking demand is recommended.

Mechanical stackers and automated garages were considered for their ability to increase existing parking capacity. Mechanical stackers are typically two levels and used primarily for residential developments, thus not appropriate for public parking. Automated garages are more appropriate for public garages with a regular flow of customers. Further, they require only half the volume of conventional garages since they do not require ramps, aisles, elevators, and stairs. A recent example in West Hollywood has an estimated capital cost reported by the builders to be 90 percent of that of a conventional garage (\$53,000/space) on the same site. This option may be considered if a new facility is warranted.

The city may opt to retain the current in-lieu fee program for larger developments and uses that tend to have less tenant turnover (such as new office and residential and large mixed-use with limited retail) while developing a parking credits program for infill and smaller businesses that tend to have shorter-term leases and greater turnover (e.g., restaurant, retail and personal services). Finally, before an appropriate fee level can be estimated more data will be needed on the existing occupancies of potential satellite lots and the development and desired extent of a shuttle bus program to serve the study area.

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Section 1

Policy Review

The following section is a summary of the pertinent goals and policies and implications from the Venice Coastal Program Land Use Plan, the Venice Coastal Zone Specific Plan, and the Venice Coastal Parking Impact Trust Fund.

1.1 Venice Local Coastal Program (LCP) Land Use Plan (LUP)

The Venice Local Coastal Program (LCP) Land Use Plan (LUP) establishes the goals and defining policies (kinds, location and intensity of uses) of the LCP.¹ This includes policies for locating and planning new development, shoreline access, recreation, water, marine and sensitive habitats and public works in the Venice Coastal Zone. In some cases, implementation strategies are provided.

The LCP LUP addresses Section 30252 of the California Coastal Act, which states: "The location and amount of new development should maintain and enhance public access to the coast by... providing adequate parking facilities or providing substitute means of serving the development with public transportation."²

With respect to parking and alternative transit and traffic management, Policy II covers the LUP relevant policies in detail with 15 specific sub-areas. Of the 15 areas³, eight topics that directly pertain to this study are extracted and summarized (see bolded policies below). Each of the relevant sections is excerpted for reference in Appendix A.

Policy II. A. 1. General

Policy II. A. 2. Expansion of Public Beach Parking Supply

Policy II. A. 3. Parking Requirements

Policy II. A. 4. Parking Requirements in the Beach Impact Zone

Policy II. A. 5. Intercept Parking Lots

Policy II. A. 6. Preferential Parking

Policy II. A. 7. Metered Parking on Abbot Kinney Boulevard

Policy II. A. 8. Signage and Management of Public Beach Parking

Policy II. A. 9. Protection of Public Parking

Policy II. A. 10. Valet Parking

Policy II. A. 11. Shared Parking

Policy II. B. 1. Public Transportation

Policy II. B. 2. Beach Bus Service

Policy II. B. 3. Shuttle System

Policy II. B. 4. Traffic Management

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¹ The LCP LUP indicates the kinds, location and intensity of uses as well as necessary resource protection and development policies.

² Venice LCP LUP, pp II-3.

³ Venice LCP LUP, pp III-5-19.

⁴ In no event shall the number of required spaces be less than two parking spaces for commercial and industrial projects.

⁵ Venice LCP LUP, pp II-3.

³ In no event shall the number of required spaces be less than one parking space for residential projects (unless project has less than 3 dwelling units).

The policies pertaining to this study, along with potential implications that each particular policy could impose on the proposed in-lieu fee program, is summarized and reviewed in the paragraphs below.

Policy II. A. 1. General

The general policy establishes the goal of providing increased access, with sufficient parking and supporting alternative strategies, to Venice Beach for both visitors and residents. The in-lieu fee program can be designed to support increased access by better managing parking supply to be used more efficiently.

Policy II. A. 2. Expansion of Public Beach Parking Supply

The expansion policy establishes the goal of providing more parking by either maximizing the supply in existing parking lots or building new facilities. Funds from the in-lieu fee program can go towards converting existing lots to public parking or sharing parking spaces with existing underutilized lots.

Policy II. A. 5. Intercept Parking Lots

The intercept lots policy establishes the goal of providing more parking by remote lots that are well-signed and serviced by shuttles. Funds from the in-lieu fee program can go towards the operational costs of running a shuttle, converting existing lots or constructing new lots, and developing a signage program. Potential remote lots include: the Marina Business Center lot on Glencoe Avenue served by the existing Venice DASH shuttle service, future parking to be provided by the Channel Gateway project in accordance with its development agreement, and the Westminster School.

Policy II. A. 6. Preferential Parking

The preferential parking policy establishes the goal of maintaining the total supply of public parking spaces when establishing a residential parking permit district. Funds from the preferential parking program can cover the administrative costs of running the program and contribute to alternative access programs.

Policy II. A. 10. Valet Parking

The valet parking policy provides the enabling code to establish a universal valet program. The major goals are to ensure valet service for the general public and to make sure that valet storage vehicle lots will not conflict with the need for public parking. Funds from the valet program can cover the administrative costs of running the program and contribute to the in-lieu fund.

Policy II. A. 11. Shared Parking

The shared parking policy provides the enabling code to establish shared parking for commercial uses. The major goals are to ensure that the program will not decrease access for the general public. Funds from an in-lieu program can contribute to parking studies to explore shared parking opportunities.

Policy II. B. 2. Beach Bus Service and Policy II. B. 3. Shuttle System

These policies provide the enabling code to establish a shuttle program with the goal of increasing beach access. The implementation strategies provided offer potential routes and satellite parking lots at Mildred Avenue and potential inland standby parking facilities (e.g., schools). Funds from the in-lieu fees and development fees could be applied toward funding the program.

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1.2 Venice Coastal Zone Specific Plan Section 13E

The Venice Coastal Zone Specific Plan provides regulations in addition to those set forth in the Los Angeles Municipal Code (LAMC). The overall purpose of the plan is to implement the policies of the Coastal Act and LCP LUP. In particular, the plan assures that public access to the coast is provided.

With respect to parking, the plan specifically establishes parking requirements and in-lieu fees for all Venice Coastal Development Projects located within the Beach Impact Zone. The requirements are outlined as follows:

- One parking space for each 640 square feet of floor area of the Ground Floor for commercial and industrial uses.⁴ A fee of \$18,000/space may be paid in-lieu of up to 50 percent of the required parking.
- One parking space for each 1,000 square feet of the floor area of the Ground Floor for multi-family residential.⁵ A fee of \$18,000/space may be paid in-lieu of up to 100 percent of the required parking.

The Venice Coastal Zone Specific Plan establishes parking requirements, current in-lieu fee program and fees for residential, commercial and industrial uses. This is a development-based fee and it does not appear that there are alternative options for changes in use (adaptive reuse) or infill development.

1.3 Venice Coastal Parking Impact Trust Fund Section 14

The Venice Coastal Parking Impact Trust Fund establishes location and type of expenditures, and designates department of management for the Venice Coastal Parking Impact Trust Fund. The Trust Fund Policy allows funds to be used for parking mitigation measures in, adjacent to or serving the Beach Impact Zone. Potential improvements include but are not limited to development of parking facilities and improvements and operation of shuttle buses to remote/intercept parking lots. The Department of Transportation collects the funds that go into the Trust Fund, and the General Manager of the department authorizes expenditures.

The Trust Fund establishes the mechanism to collect and dispense monies for parking improvements in the Beach Impact Zone. There is flexibility in the use of the funds for non-parking transportation-related access improvements in the Beach Impact Zone, such as

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⁴ In no event shall the number of required spaces be less than two parking spaces for commercial and industrial projects.

⁵ In no event shall the number of required spaces be less than one parking space for residential projects (unless project has less than 3 dwelling units).

Section 2

Financial Review

2.1 Methods of Collection

Most cities collect in-lieu fees by charging a lump sum payment or an annual fee. The method of collection is dependent on several factors. One approach is to support desired growth patterns for the area using the in-lieu fee program as a tool. For example, the City of Pasadena has a goal to support economic development in Old Pasadena, which is fully built out, so they elect to charge annual fees to attract and accommodate adaptive reuse and infill projects. Before the parking credit program was established, existing uses that wanted to expand or change uses could not meet the parking requirements in the zoning code because there was simply no room to add parking. As a result, businesses had to locate elsewhere, reducing economic activity in the downtown. The parking credit program allows businesses to meet the parking requirements by purchasing the number of credits needed per required parking space on an annual basis.

Many cities believe the in-lieu fee is difficult to manage for small businesses and restaurants. In fact, the City of Beverly Hills understands that restaurant uses may have difficulties making a full lump sum in-lieu fee payment, which may deter new business, so they allow a significant reduction as well as payments in installments.

Annual fees could offer an alternate payment option and may be a better tool for landlords and tenants because the fee would last for the duration of the lease and would be a more straightforward mechanism to pass on charges to tenants. In addition, it may be more manageable than a large lump sum payment for many small businesses. However, from a collection standpoint, the City of West Hollywood noted it may be riskier to charge tenants annually because of the potential that they break their lease and sever the cash flow.

In the case of purely new developments that have longer tenancy types such as office and residential (including mixed-use), the goal of the in-lieu fee program would be to raise funds for parking construction, maintenance, and management costs. A lump sum payment is the best approach, as it provides funds for immediate use by the city.

2.2 Cost Evaluation

The full cost of parking includes capital costs for development, operation and maintenance. Underground parking is the most expensive to construct because of excavation and engineering costs associated with potentially high water tables and soil geology.

Excluding land costs, the cost of constructing an average surface lot parking space is \$3,500. The cost to construct a one-level deck parking averages \$10,000 per space; the cost per parking space for multilevel parking structures is \$15,000 for up to four stories and \$20,000 per space for more than four stories. Underground spaces average \$25,000 for one level and \$35,000 for more than one level.⁶

⁶ Wilbur Smith Associates. Station Parking and Transit Oriented Design – A Transit Perspective. November 4, 2011.

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These cost numbers reflect larger parking facilities. It is important to note that the costs of parking construction vary greatly depending on the size and shape of the site, the soil conditions, the amenities included in the structure and the quality or aesthetics of the design and that these are just representative cost numbers. The small parcels and non-rectangular sites that are typical of the Venice coastal zone do not lend themselves to efficient parking layouts and designs. Parking developments costs in the Westside tends to be significantly higher.

It is important to differentiate costs between building public parking or private parking. It costs a city more to construct a parking space than a developer. According to the Santa Monica Economic Development Division, while it costs \$30,000 to \$50,000 per space for the city to construct a parking structure, it costs a developer only \$20,000 to \$30,000 per space.⁷ This is most likely due to developer experience, the design/build methods typical of private sector projects, and labor efficiencies. Table 2-1 compares available data of some comparable southern Californian cities and their costs of constructing parking for above and below ground structures.

Table 2-1 Comparison of Construction Costs for City

Cities	Above Ground Structure	Below Ground Structure (Cost per Space)
Beverly Hills	\$65,000 ¹	\$57,000 - \$80,000
Santa Monica ²	\$32,000	\$54,000
West Hollywood ³	\$30,000	\$65,000
Ventura ⁴	\$25,000	N/A: Cost prohibitive to build underground due to high water table so there are no structures to estimate construction cost.
Pasadena ⁵	N/A	\$40,000-\$45,000

Notes:

1. Structure was a mixture of above and below ground parking (cost per space is averaged)
2. 2011 financial data from Erika Cavicante, City of Santa Monica. Phone conversation April 23, 2012.
3. Daniel Adams, Construction Manager at HEERY. Email correspondence April 25, 2012.
4. Chandra Shaker, Associate Transportation Engineer, City of Ventura. Phone conversation April 20, 2012.
5. Robert Montano, Economic Development Division, City of Pasadena. Phone conversation April 24, 2012.

Mechanical Stackers

Mechanical parking is an apparatus, such as car stackers, operated by a valet parker that can stack two or more motor vehicles on two or more levels. Mechanical stackers are typically used in low-turnover facilities, such as employee parking. Donald Shoup describes mechanical parking as substituting labor for land and capital in parking cars.⁸ Stackers are typically installed in existing facilities that are deficient in parking and can store two to 30 cars per unit. One drawback is that stackers may be unable to accommodate larger vehicles, such as sport utility vehicles, vans and trucks. However, mechanical parking can provide more parking spaces for lower construction costs than self-park spaces.

In 2008, Watry Design, Inc. studied various options to increase parking by 46 stalls for the Olympia Place development in Walnut Creek, California. Valet-operated stack car lifts provided 66 new stalls.

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⁷ 2011 cost estimate from Erika Cavicante, City of Santa Monica. Phone conversation April 23, 2012.

⁸ Shoup, Donald. (2005). The High Cost of Free Parking. Chicago, IL: American Planning Association.

a construction cost of \$20,000 per stall, while a self-park expansion provided 62 new stalls at a construction cost of \$56,000 per stall.⁹

Automated Parking

Automated garages require only half the volume of conventional garages since they do not require ramps, aisles, elevators, and stairs. In automated garages, cars are parked mechanically instead of by a valet service. Typical automated parking systems can store anywhere from 50 to several thousands of cars, and new software allows garage designers to accurately assess how a facility will manage peak traffic volumes.

Due to wait times for car retrieval, automated garages are not suitable for accommodating large numbers of patrons leaving or arriving at the same time and are more suitable for regular traffic from monthly parkers or even multi-unit residential developments.

West Hollywood is building a first-in-California, fully automated 5-story parking structure at West Hollywood City Hall. The structure will be primarily used by City Hall staff and visitors, who can park for free. However, the structure will be available for public use in the evenings and the fee is expected to be based on existing rates at nearby parking lots and structures.

Construction will begin in June 2012 and is expected to be completed a year later. The structure will provide 200 spaces. Initially the city considered building a traditional parking deck, but the ramping, ventilation shafts and heights required for human-occupied parking structures, plus the mandatory setbacks from adjacent lots, made that impractical.¹⁰ The cost of the automated parking system is estimated at \$53,000 per space, which is less than the \$58,250 per space estimated for a standard parking garage of the same design.¹¹ The automated garage was designed for a 150 foot by 80 foot lot, and 48 foot height. A conventional garage on the same footprint assuming 400 square feet per parking space inclusive of circulation and HVAC needs, could fit 30 spaces per floor and approximately 150 spaces in total.

Valet Parking

This section provides a review of the costs and associated features of various scales of valet service. Contracting a valet parking operation to a third party (similar to any parking service) can result in savings compared to a similar service operated directly by city staff. A third party operator is not bound by labor agreements and rules and can adjust staffing levels as needed. Contractors would typically have more experienced management and there would be no need to train or hire city staff. Finally, the city would have the ability to seek competitive bids for the best terms.

Logistics, Service, and Pricing

The City of Santa Monica has 27 city-licensed, but privately operated valet locations in the downtown area. Currently, valet parking operators pay a permit fee of \$1,750 per location per year, and a space use fee of \$1.00 per space per hour of valet operations in Parking Meter Zone "A" (downtown) and \$0.75 per hour in the rest of the city.

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⁹ Davis, Matt. Watry Design Inc. (April 23, 2008). Olympia Place Development recommendations. Pg. 21

¹⁰ "City Hall to Install Automated Parking Structure", West Hollywood Patch. May 27, 2011.

¹¹ Daniel Adams, Construction Manager at HEERY. Email correspondence April 25, 2012.

As part of the Downtown Parking Program Update, Walker Parking Consultants were asked to evaluate the feasibility of a single-operator, coordinated valet parking service as a public benefit to downtown Santa Monica visitors. The study outlined levels of service for wait times when claiming vehicles. A summary of valet level of service is presented in **Table 2-2**. The ideal level of service (LOS A) is less than four minutes of wait time from presentation of ticket to return of vehicle. Locating parking spaces close to the valet station is a major factor in cutting down labor costs and providing a higher level of service. Ideally, the parking area should be within three blocks of the valet station and all vehicles would be staged in a single area. In the event that multiple parking facilities are needed, operation by radio or telephone dispatch can cut down on wait times. The study also stated that each valet drop-off/pick-up station would require removal of four public parking spaces.

Table 2-2 Valet Wait Times – Level of Service (LOS)

LOS	Wait Time
A	Less than 4 minutes
B	4-6 minutes
C	6-8 minutes
D	8-10 minutes
F	Exceeds 10 minutes

Source: Walker Parking Consultants, 2009.

The cost per parked car depends on the attendants' wages, the distance between drop off point(s) and where the vehicles are parking, the number of staff required, insurance, and workers' compensation. Setting a price of less than \$5.00/hour will probably not cover the costs of running the program. The private operator running the valet program in Pasadena, United Service Parking, currently charges \$7 to \$10 per hour.

Universal Valet Case Study

Pasadena supports universal valet parking program in Old Pasadena. The city and stakeholders originally introduced the idea of valet parking with a program in which businesses would pay and underwrite the cost of the valet. However, this program did not work because the businesses did not support the program. Unified Parking Service took over the valet program and converted it into a universal valet in the lots that they owned to allow customers the convenience of picking up their vehicle in a different lot than where they dropped the vehicle off. The parking operator charged a fee for the valet service. This effectively moved the cost from the business owners to the customers.

The city licenses the valet station and charges a \$115 annual staff processing fee. Private valet parking operators are required to pay fees to occupy the sidewalk and on-street meters. A street usage fee of \$1/hr/parking space is charged when the operator uses a metered parking space for extended hours. Since the city does not implement or run the valet program, the program does not generate revenue aside from covering administrative costs. Pasadena receives approximately 13,500 from valet permits and \$110,000 from related meter rentals on an annual basis from the valet program.^{12,13}

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¹² Gloria Flores, Pasadena. Phone conversation April 25, 2012.

¹³ Unified Parking operates 11 valet stations in Old Pasadena, but did not confirm the number proportion of types of parking spaces rented as part of the program.

The president of Unified Parking, Mike Sabet, stated that the costs of operation are composed of about 80 percent parking space rental and 20 percent payroll and insurance. Fourteen sponsors (restaurants and clubs, etc.) also allow the valet to occupy metered spaces in front of their businesses. Unified Parking currently charges \$7.00 with validation and \$10.00 without validation. Rates are indexed to the cost of on-street parking, which is unchanged in five years. Mr. Sabet claims that the program is very popular, especially on weekends, because customers do not want to waste time looking for the cheapest available parking. At \$1/hour, the annual meter rental fees would cover the use of 75 meters for a 4 hour peak parking period, seven days per week, 52 weeks per year. Since, Unified Parking operates 11 valet stations in Old Pasadena there will likely be a minimum of 11 on-street spaces in use at all times for the valet operation, with an estimated peak parking cost of \$16,000.¹⁴ Based on parking availability and turnover during peak demand hours, it is estimated that the majority of the parking supply used by the valet operation would be 75-85 percent off-street. Therefore it is unlikely that the city will see a negative revenue impact with valet use.

Private Garage Valet Case Study

Valet service can be used in existing garages to handle peak demand and provide better service. An Oakland office building has eight floors of parking, with approximately 300 spaces, operated by Douglas Parking. The garage is open for 15 hours a day, from 5:30 AM to 8:00 PM, and is serviced by a total of eight attendants throughout the day (four in the morning shift and four in the afternoon shift). Parking rates are charged based on the type of parking: \$166 per month, \$11 to \$13 per day, or \$1 per 20 minutes.¹⁵

Shuttle to Satellite Parking

Satellite parking is designed to accommodate overflow demand off-site at the periphery of an activity center. The Venice Coastal Land Use Plan lists potential lots and various locations along Venice Boulevard and Washington Boulevard where a shuttle should stop. On Venice Boulevard, these locations include the library lot, lots on Electric Avenue, and the Venice Boulevard median lot expansion area. On Washington Boulevard, the locations include potential lot on Mildred Avenue, Washington Square garage¹⁶, the Venice pier and the beach. The plan also lists Marina Business Center at Glencoe Avenue, the Channel Gateway project, and school sites during off-season as potential lots. One of the potential school sites is a surface lot at the Westminster Elementary School.

The shuttle should interface with regional transit lines, including Los Angeles County Metropolitan Transportation Authority (Metro), Santa Monica Municipal Bus Lines (SMMBL), also known as the "Big Blue Bus", Culver City Municipal Bus (CCMB), also known as the "Culver City Bus", and the Los Angeles Department of Transportation (LADOT). The majority of these transit lines operate along Pacific Avenue, Main Street, Lincoln Boulevard, and Washington Boulevard.¹⁷

A privately-operated shuttle may cost approximately \$80/bus/hour. This rate includes fuel, maintenance, insurance, administration, driver wages, and the shuttle vehicle.¹⁸ Frequency of service depends on demand. During peak days such as summer weekends, headways can be as frequent as 5 to 10 minutes. During summer weekdays, headways can be around 15 minutes. Assuming a 22-

¹⁴ http://www.oldpasadena.org/docs/2010ParkingValet_Map.pdf (referenced May 31, 2012)

¹⁵ Douglas Parking. Phone conversation with attendant at 420 13th St, Oakland. April 25, 2012.

¹⁶ Since the Venice Coastal Land Use Plan was developed, Washington Square garage is no longer available for remote parking.

¹⁷ Venice Coastal Land Use Plan, Policy II. B. 1. Public Transportation.

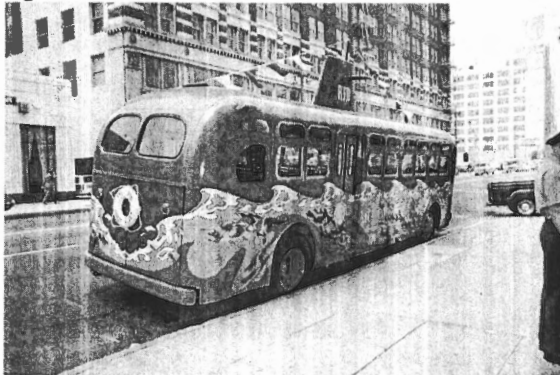
¹⁸ Peter Martin, CDM Smith, based on UCSF shuttle rates.

passenger bus, 15-minute headways would require four buses an hour and could shuttle approximately 200 people per hour. The cost to operate buses on a 12-hour summer schedule is about \$35,000/week.

A shuttle bus operated by a public agency may cost approximately \$90/ bus/ hour. The rate is higher than a privately operated shuttle because of significantly higher wages and benefits of union employees. Based on 2010 data from the National Transit Database, LADOT transit services cost approximately \$88/bus/hour.

Refurbished used shuttles purchased from the used bus market may be most appropriate to handle the dirt and sand tracked in from the beach. The vehicles can be refurbished with easy-to-clean benches and racks to accommodate surf boards and boogie boards. The exterior can be decorated to be easily recognizable as the beach shuttle. The Los Angeles "Submarine Bus Fleet" of the 1970s in **Figure 2-1** was decorated to look like submarines with bright blue waves.

Figure 2-1 Submarine Bus -1970s



Source: May 15, 2012

<http://telstarlogistics.typepad.com/telstarlogistics/2011/06/surfs-up-the-lost-submarine-buses-of-los-angeles.html>

2.3 Parking Restrictions and Revenue Collection Methods

Parking Restrictions on Parking Built by In-Lieu Funds

A review of policies in the Venice Coastal Land Use Plan, the Venice Coastal Zone Specific Plan Section 13E – Beach Impact Zone Parking Requirements, and Section 14 Venice Coastal Parking Impact Trust Fund did not find language applying restrictions to charging for parking built by in-lieu fee funds or for public parking in general. In fact, the policies allowed meters to be priced in increments up to four hours and included daily permits.

Revenue Collection Methods

This section refers to parking inventory counted along the Washington Boulevard corridor for the Westside Transportation Study, supplemented by inventory data provided by LADOT on their Public Parking Locator website¹⁹ to get a sense of current supply and rates for on-street and off-street

¹⁹ <http://parkinginla.lacity.org>, referenced May 10, 2012.

parking in Venice.²⁰ The Abbot Kinney Boulevard/Main Street study area captures the majority of commercial activity along Abbot Kinney Boulevard/Main Street between Dewey Street to the northwest and Washington Boulevard to the southeast. The Washington Boulevard study area captures the majority of commercial activity along Washington Boulevard between Lincoln Boulevard to the northeast and Venice Beach to the southwest, encompassing a large area of the Venice neighborhood.

On-Street Inventory

Inventory from the Abbot Kinney study area shows that there are approximately 780 on-street parking spaces, but only 33 spaces (4 percent) are metered. These meters all charge \$1/hour and most are restricted to either 1 or 2 hours from 8AM-6PM. The parking inventory from the Washington Boulevard study area shows that there are approximately 346 on-street spaces, but only 47 (13 percent) are metered. These meters charge \$1/hr and are restricted to one or two hours from 8:00 AM to 6:00 PM. See **Table 2-3**.

Table 2-3 On-Street Inventory

Study Area	On-Street	
	Inventory (# spaces)	Rates
Abbot Kinney/Main St	33 metered (747 unmetered)	\$1/hr
Washington Blvd	47 metered (299 unmetered)	\$1/hr

Off-Street Inventory

Inventory from the Abbot Kinney study area shows that there are approximately 1400 off-street parking spaces in this corridor, with about 7 percent of the spaces being publicly owned spaces. Three public lots (#616, #617, and #740) were counted in this area and only one of them charged for parking. The lot that charged for parking charged \$1 per hour or \$4 for 10 hours. None of the private lots charged for parking with the exception of one lot that offered a valet service.²¹

The parking inventory from the Washington Boulevard study area show that there are approximately 1,650 off-street parking spaces, with about 35 percent of the spaces being publicly-owned. There are three public lots in the study area: Marina Del Rey public parking, L.A. County parking lot, and the beach parking lot. Costs per hour range from no charge to \$7 and some depend on the season.

The LADOT Public Parking Locator map shows seven lots in the Venice area. The four nearest to the beach are on Pacific Avenue and Venice Boulevard. There are two lots on Abbot Kinney Boulevard and one on Venice Boulevard further inland. This list includes four additional lots that were not part of the Abbot Kinney/Main or Washington Boulevard study area. See **Table 2-4**. All Venice Area lots are shown on **Figure 2-2**

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²⁰ Data collected during April and May of 2011, CDM Smith.

²¹ 1121 Abbot Kinney Blvd, fee of \$3 with validation and \$6 without validation.

Table 2-4 Public Parking Lot Rates

Lot	Address	Inventory	Hours of Operation	Rate	Additional Details
Lot 613-Pisani & Venice	2010 S Pisani Pl, Venice	53	8AM-6PM	Free	Mon-Sat 10 hrs max time limit.
Lot 616-California & Electric	1411 Electric Ave, Venice	29	7AM-2AM	Free	Mon-Fri 8 hrs max time limit, Sat-Sun 4 hrs max time limit; no overnight parking 2am-7am nightly
Lot 617-Milwood & Electric	1511 Electric Ave, Venice	22	7AM-2AM	Free	Mon-Fri 8 hrs max time limit, Sat-Sun 4 hrs max time limit; no overnight parking 2am-7am nightly
Lot 701-Dell & Venice ¹	2150 Dell Ave, Venice	150	8AM-11PM	Hourly: varies by time of day and season ¹ M-F: \$5/day Sat/Sun/Holidays: \$12/day Monthly: \$15	Overflow lot for Lot 731. \$5.00 7am-9am, \$12.00-\$17.00 9am-4pm, \$5.00 4pm-8pm Daily May-Sep; \$4.00 7am-9am, \$7.00-\$12.00 9am-5pm Daily Oct-Apr; no overnight parking 11pm-5am nightly; free for Farmers' Market 7am-12pm Fri; monthly only for grandfathered properties
Lot 731-Venice and Pacific	200 N Venice Blvd, Venice	177	8AM-11PM	Hourly: varies by time of day and season ¹ M-F: \$5/day Sat/Sun/Holidays: \$12/day Monthly: \$55	\$5.00 7am-9am, \$12.00-\$17.00 9am-4pm, \$5.00 4pm-8pm Daily May-Sep; \$4.00 7am-9am, \$7.00-\$12.00 9am-5pm Daily Oct-Apr; pay at honor box closing to 11pm; \$2.00 Mon-Thu, \$3.00 Fri-Sun; overnight parking by monthly permit only 6pm-9am nightly
Lot 740-Main and Rose	301 S Main St, Venice	41	9AM-6PM	\$1/hr, or \$4/10 hrs. ¹	None
Lot 761-Pacific and Windward	1608 S Pacific Ave, Los Angeles	14	8AM-6PM	\$2/hr May 1-Sep 30 ¹ \$1/hr Oct 1-Apr 30	1 hr max time limit
Marina Del Rey ³	4220 Admiralty Way	183	Not Available	\$5-7/hr depending on season	No Overnight Parking allowed
L.A. County Lot	Via Marina at Washington Blvd	8	Not Available	No charge	
Venice City Beach Parking ⁴	Washington Blvd Lot	380	7AM.- 8PM weekdays 7AM-9PM weekends	Winter \$4.00 to \$9.00; Summer \$5.00 to \$15.00	

Notes:

1. <http://parkinginla.lacity.org/> (referenced May 15, 2012)
2. http://file.lacounty.gov/dbh/cms1_150840.gif (referenced July 27, 2012)
3. <http://www.venicebeach.com/parking.php> (referenced July 27, 2012)

With the exception of Lot #613, the three additional lots do charge for parking and offer hourly, daily, and monthly rates. Lots #701, #731, #761, and #740 are located near the coast near or on Pacific Avenue and are also the only 4 out of the 7 lots that charge for parking. The hourly rates for Lot #701 and #731 are even sensitive to demand changes by season and time of day. Lots #616, #617, and #613, on the other hand, are located about a mile further inland and do not charge for parking. The demand varies at each parking lot and the range in prices reflects greater demand near the coast.

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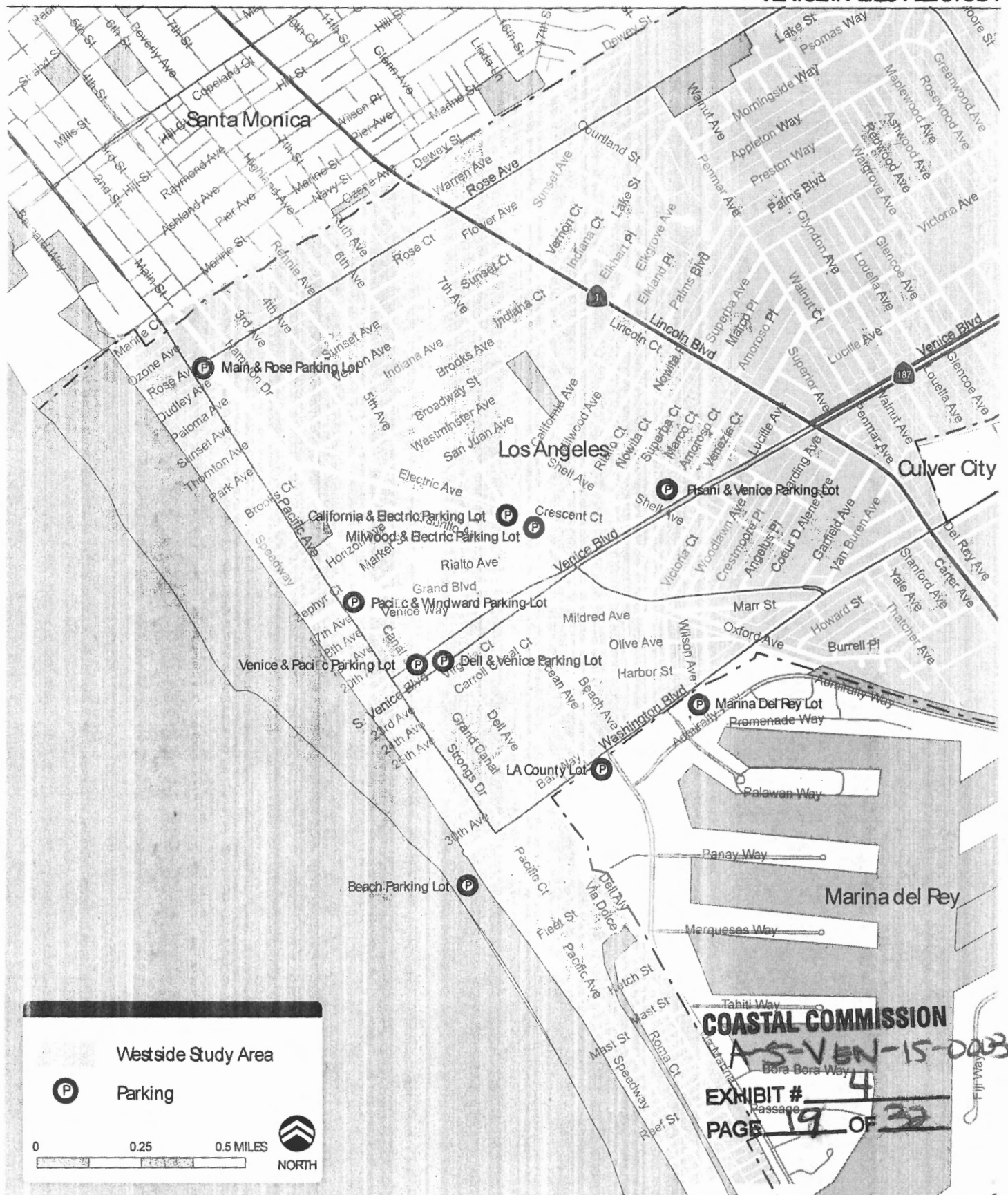


Figure 2-2 Public Parking Lot Location Map

Parking Occupancy of Venice Lots (Parking Concepts)

Parking Concepts, Inc. (PCI) the operator of several of the public parking facilities in the Venice study area provided some general operational details²² for the following lots:

Table 2-5 Parking Concepts Lot Operation Information

	Inventory	Peak	Notes
Lot 731	182	1-4PM (75-100%) weekdays	\$15-\$20 day
100 N. Venice Blvd		12-7PM weekends	
Lot 701	163	Overflow for 731	Film crew parking
2150 N Dell Avenue			(\$1000/day)
Lot 740	42	Metered parking	Staffed weekends only
301 Main Street			

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²² This operational information was provided by Robert Hindle of Parking Concepts, International. Detailed occupancy data was not available for the purpose of estimating available parking spaces in these lots.

Section 3

Findings and Recommendations

3.1 Parking Credits vs In-Lieu Fee Analysis

When determining whether to institute an in-lieu fee program or a system of parking credits it is important to have an idea of how the two systems compare in terms of total revenue each would raise.

Table 3-1 identifies the number of years of collection of each parking credit level it would take to accumulate to each corresponding in-lieu fee amount. The credit and fee amounts listed below are similar to those used by case study cities in Section 3.2. The analysis assumes a \$650 one time administrative processing fee for parking credits (in practice by West Hollywood). For example, if a city collected \$350 a year per parking space it would take 50 years to earn \$18,000 in today's dollars.

Table 3-1 Years for Parking Credits to Equal In-Lieu Fee (Static Fee)

		Parking Credit (\$/space/year)			
		\$ 155	\$ 200	\$ 350	\$ 500
In-Lieu Fee (\$/space)	\$ 10,000	60	47	27	19
	\$ 18,000	112	87	50	35
	\$ 25,000	157	122	70	49

However since the city has the flexibility to change the credit levels more frequently, if the rates were indexed to inflation and increased 2% per year the time needed to earn back the in-lieu fee would decrease significantly. **Table 3-2** identifies the number of collection years required to accumulate to the in lieu fee amounts. The detailed accumulation table is provided in Appendix B.

Table 3-2 Years for Parking Credits to Equal In-Lieu Fee (Inflation Indexed Fee)

		Parking Credit (\$/space/Y01)			
		\$ 155	\$ 200	\$ 350	\$ 500
In-Lieu Fee (\$/space)	\$ 10,000	40	34	22	17
	\$ 18,000	60	51	35	27
	\$ 25,000	72	63	45	35

Note: The initial parking credit is listed for Y01 and escalated 2% annually.

3.2 In-Lieu Fee Program Case Studies

The following section details the administrative and financial aspects of in-lieu fee program management experiences of four Southern California cities. The case studies were developed to understand the success of existing programs in supporting policy goals and the contribution of the program towards the costs of providing, maintaining, and managing parking in each of the various cities studied. The range of communities represented offer valuable lessons regarding the in-lieu fee program as a parking management tool and funding resource for parking-related expenses.

Beverly Hills

Beverly Hills adopted different parking in-lieu rates based on distance from the Central Business District (CBD). Their 2011 fee schedule shows a lump sum fee of \$47,000/space for developments

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within the CBD, \$38,000 for mid-CBD, and \$28,000 for outer-CBD. Restaurants looking to expand have a reduced fee of \$12,000/space. Restaurants are also allowed to pay in installments. Fees are calculated to cover the cost of constructing a parking stall and are adjusted every year based on the Consumer Price Index (CPI). Although the program is administered by the Community Development Department, the Building and Safety Division is responsible for collecting the fees and placing the fees into the In-Lieu Parking Fund. The funds are used to construct parking garages on city-owned lands and for partnership with private development.

Fee Collection and Application

As of April 2012, 15 permits have been issued, totaling \$1,348,000 in revenue that has been collected since July 2006.²³ The funds were used for several parking garages that have been constructed in the past 10 years. However, in-lieu fees have not covered the full cost of the garages, requiring supplemental funding from the General Fund.²⁴ The estimated cost per space for the city's most recent constructed parking garages are summarized in **Table 3-3**.

Table 3-3 Parking Garage Costs

Garage	Date Estimate	Type	Cost Estimate	Cost per Space Estimate
438 N Beverly Drive	2005	City garage below ground and commercial retail/office above	\$23 Million	\$56,500
9333 W 3 rd Street	2010	City Garage with levels below and above ground	\$14 Million	\$65,000
450 N Crescent Drive	2011	City Garage below ground	\$35 Million	\$80,000

Santa Monica

Santa Monica adopted a Parking Developer Fee at the same time that the Bayside Mall Assessment District was created; thus, the fee is locked in at the rate of \$1.50 per square foot per year for the 30-year period until the bond sunsets. For each new square foot of building space added in the Bayside Mall Assessment District after 1986, a fee is charged for parking spaces that are not provided. The fees are collected in a fund used for maintenance and construction of parking. A fee is not required if the developer elects to provides the required parking.

Fee Collection and Application

Based on a study by Walker Parking Consultants in 2009, the current in-lieu fee has lagged far behind the cost of providing a structured parking space. A sample calculation for a 333 square foot building over a 30-year period shows that the in-lieu fee only provided between 8.8 and 10.5 percent of the cost of developing a parking space in Santa Monica (excluding land costs). Although developers now are not required to build new parking in the downtown area, many developers took advantage of this difference and opted to pay the fee over building parking. Since the near 30-year span of the program, funds have accumulated to around \$7 million, which the city speculates will not even cover 20 percent

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²³ Jon Terwilliger, Community Development Department, City of Beverly Hills. Email correspondence April 30, 2012.

²⁴ Peter Noonan, Community Development Department, City of Beverly Hills. Email correspondence April 23, 2012.

of the construction costs of the new parking structure that they are planning to build.²⁵ Walker Parking Consultants estimate the fund balance can cover 129 parking spaces.²⁶

In 2009, city staff met with members of the Bayside Board and Bayside Parking Committee, who recommended that staff consider additional factors in the calculation of an in-lieu parking fee. Staff prepared a Request for Proposal (RFP) for consultant services to develop alternative approaches to calculating this fee, and the consultants are currently working on the report.

The City Planning Department offered another perspective that the concept of the parking developer fee supports the city policy of no new net trips in the city as a parking management tool. Although the program may not be successful generating funds for parking expenses, the program itself could be reducing vehicle trips by not adding to the parking supply.²⁷ The program is used as an incentive for developers to build less parking, and is not meant to fully recapture the cost to build or replace parking.

West Hollywood

West Hollywood recently switched their in-lieu fee program to a parking credits program in March 2012. Their fee was a lump sum payment of \$20,000 per required space and was not adjusted. There were special instances when the city devised payment plans for businesses (such as restaurants) that were unable pay the fee upfront. The lump sum fees along with meter revenue went into the Parking Improvement Fund and had been used to help pay for parking structures, surface lots, and to lease property from land owners.

Fee Collection and Application

According to the Public Works Department, few businesses have ever used the original in-lieu fee option. It has been estimated that the city has collected a total of \$200,000 to \$300,000 since the in-lieu fee was established.²⁸ The program was not attractive for small businesses, such as restaurants, who could not afford to pay the lump sum fee. There were also administrative/collection issues because the fee was charged to the tenant and not the property owner. If the tenant relocated or went out of business, the fee would remain unpaid. The program also did not solve the issue of providing parking for businesses, since a timely parking structure was not guaranteed and once built, may not necessarily be built near the business that paid the fee.²⁹

Parking Credits Program

The newly adopted parking credits program allows the city to actively manage commercial parking supply based on demand. The city monitors the number of spaces available for public use, including street parking, parking structures, and private lots, and then sells parking credits to businesses that need to meet off-site parking requirements. The current program is a pilot project for a specific neighborhood and they currently have about 200 credits to assign. The price is \$375 per credit, per year, with a one-time application fee of \$650. The fee is adjusted every year based on CPI to account for inflation. The fees are collected into the Parking Improvement Fund with other fees and are used

²⁵ Erika Cavicante, Senior Development Analyst. City of Santa Monica, phone conversation April 19, 2012.

²⁶ Erika Cavicante, Senior Development Analyst. City of Santa Monica, phone conversation April 19, 2012.

²⁷ Steve Mizokami, City of Santa Monica, phone conversation April 18, 2012.

²⁸ Oscar Delgado, Public Works Director. "Planning Commission Talks Parking, Delays Decision", West Hollywood Patch, 22, 2011.

²⁹ Don Norte, Public Works, City of West Hollywood. Phone conversation April 17, 2012.

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to cover signage, staff costs, consultant fees, new parking construction and maintenance of existing parking. Every six months, the city has a consultant re-assess the parking occupancy, and based on the new data, the city adjusts the credit pool accordingly. In response to the issue of small businesses not being able to afford to pay the in-lieu fee, the city now does not require businesses of smaller than 10,000 square feet to provide parking in this area. Future plans include expanding the program to bring in private lots and a universal valet program.³⁰

Ventura

Based on their 2011 fee schedule, Ventura charges developers/property owners a \$25,000 lump sum fee per required space. If property owners or businesses cannot afford the fee, there is an option to lease city parking spaces on a monthly basis. The fees are calculated to cover the cost of constructing a parking stall and are adjusted every year based on the CPI. The Land Development department, part of the Community Development Department, is responsible for collecting the fees. The funds are used for parking management and providing more parking.

Fee Collection and Application

City staff reports that since the program was updated from \$1,000/space around 2006, no one has chosen the in-lieu fee option and most developers just build the required parking or lease parking spaces from private or public sources. However, the program is meant to support the park-once policy and is part of an effort to price parking appropriately. Therefore, the city does not rely on the in-lieu fee program to provide significant funding for projects, but rather as an incentive for supporting other parking goals and policies.³¹

Pasadena

Pasadena implemented a parking credit program for Old Pasadena. Old Pasadena has limited room for development/expansion. Old buildings being considered for new uses in the area had difficulty meeting the parking requirements in the zoning code because there was no room for parking. The city created the credit program as a "paper" parking program to allow property owners to meet their required parking numbers and to utilize their existing parking garages. This program may only be utilized if there is an addition or change of use that requires a greater number of parking spaces. Although the property owners buy the credits needed and are under contract, they are not guaranteed a parking space and are still required to pay a monthly fee or purchase a transient parking pass to access existing garages.

The current annual fee is \$155.00 per space, which is adjusted annually in July based on a CPI factor adopted by the Finance Department. The fee is capped at \$200 to preserve the tax-exempt status of their bonds. Once the bonds mature in 2018, the staff plan to revise the rates of the parking credits program to more accurately cover the costs of a parking space.³²

Fee Collection and Application

City staff report that the program makes about \$330,000 per year and is collected in a sub-fund of the general fund.³³ Currently, the revenues derived from the fee go towards paying down debt on existing city parking structures. The maintenance and operation of the off-site parking structures is funded by

³⁰ <http://qcode.us/codes/westhollywood/revisions/12-885.pdf> downloaded May 15, 2012.

³¹ Chandra Shaker, Associate Transportation Engineer, City of Ventura. Phone conversation April 20, 2012.

³² Robert Montano, Economic Development Division. City of Pasadena. Phone conversation April 24, 2012.

³³ Robert Montano, Economic Development Division. City of Pasadena. Phone conversation April 24, 2012.

various sources. Monthly permit sales, Rose Parade parking, ground floor retail lease revenue, investment earnings and transient parking revenue from the structures is all used to fund existing parking structures.³⁴

The program's goal is to give property owners in Old Pasadena a way to meet the parking requirements. The program is not intended to generate significant revenue to cover the costs of constructing parking. However, the city is looking to apply a parking credit program for on-street parking spaces in a commercial area. The city plans to count the total parking spaces and utilization rates in the area and develop the credits based on how many spaces are not utilized. They cited the neighborhood of Eagle Rock in northeastern Los Angeles as inspiration for this program.

Venice

The in-lieu fee is described in the 2004 Venice Coastal Zone ordinance. For commercial and industrial uses Venice Coastal Development Projects, the fee is \$18,000 per space for up to 50 percent of parking required. For multi-family residential, the fee is \$18,000 per space for up to 100 percent of required spaces. There is currently no mechanism in the ordinance that would allow for any kind of adjustment to the fee. The fees are collected by the Department of Transportation and go into the Venice Coastal Parking Impact Trust Fund. The fund can be used for parking facility improvement, construction, and operation of shuttle buses, some administrative costs, and bicycle racks and storage.

Fee Collection and Application

Based on a 2011 accounting report, about \$417,000 has been collected from the in-lieu fee program since 2003. According to Eddie Guerrero of LADOT, these fund expenditures were limited to the two planned at grade parking lots (Electric Avenue/Irving Tabor Court) listed in **Table 3-4**.³⁵ In total these lots will provide 116 spaces. The estimated construction cost and cost per space is presented in Table 3-4. Approximately \$230,000 from the in lieu fee program has been used, which correlates to approximately 12 parking spaces per the \$18,000 fee (17.2% cost coverage) based on the LADOT cost estimate.³⁶ Estimates provided for the design construction of the Electric Ave lots were provided by the city and a private developer.³⁷

Table 3-4 Construction Costs for Venice Surface Parking

Project	Number of Spaces	Total Construction Cost	Cost per Space (LADOT EST)	Cost per Space (Private EST)
1300 Electric Ave	66	\$231,000 - \$618,000 ¹	\$9,400	\$3,500
1600 Irving Tabor Ct	50	\$713,000 ²	\$14,300	NA

Notes:

1. Estimates provided for the design construction of the Electric Ave lot was provided by Vahik Vartanians (LADOT) and a Sully-Miller Contracting Company, a private developer.
2. Estimates provided for the design construction of the Irving Tabor lot was provided by LADOT.

³⁴ Downtown Parking Program Update, Walker Parking Consultants, June 24, 2009.

³⁵ Funds were expended on design and construction of parking facilities and new metered parking in Venice.

³⁶ Email correspondence with Eddie Guerrero. LADOT, April 26, 2012.

³⁷ The LADOT uses city labor including all project costs and the private developer appears to internalize equipment costs or make different assumptions about the site design. The developer's estimate is missing permits, plans/specs and temporary equipment. It is likely these costs have been internalized or considered unnecessary. Also, some administrative costs would likely be incurred by the city even if the project was conducted by a private developer.

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3.3 Recommendations

The goal of this study is to develop policy recommendations that promote the goals of the Venice Coastal Zone Specific Plan and the Venice Coastal Land Use Plan. The goals include increasing parking opportunities and beach access by maximizing the efficiency of the current parking system.

In-Lieu Fee Recommendations

The current in-lieu fee program has successfully funded parking spaces in the district covering 17.2% of costs. While the allowable applications of the funds are broad, supporting alternative access options to the coast, the current structure is not the most effect approach to collect fees for the businesses in the area.

It is recommended that LADOT consider expanding the current in-lieu fee program to include a parking credits program to collect a reliable source of funds and to determine the most suitable area for application. A parking credits program is appropriate for areas with high parking demand and underutilized spaces because it will allow the city to actively manage commercial parking supply based on demand and to collect a steady and reliable source of funds that matches the character and need of the businesses in the district. The city can test the program with a pilot period for Venice Beach as the program matures, expand it throughout the district, and bring in private lots and a universal valet program. Eagle Rock and West Hollywood currently have parking credit programs and Pasadena will be looking to establish one for commercial areas as soon as their bonds mature. A reasonable fee level for the pilot program is in the range \$300 to \$1,000/year per space (with an administrative set-up fee) depending on the location of the business/development and anticipated parking usage.

The program can generate revenue on an annual basis. Based on case studies, the amount that a traditional in-lieu fee can bring in varies with each city. In all cases studied, the fee does not and is not expected to cover the full costs of constructing a parking stall. Even in Beverly Hills where the funds are higher, the funds are pooled with other sources to pay for parking improvements. In West Hollywood's experience, they received only a total of \$200,000 to \$300,000 when requiring \$20,000/space, which is about the same or less than what Pasadena's parking credit program makes in a year.

LADOT may elect to retain the traditional in-lieu fee program if they expect much new expansion and development in the district in the future. In this case, it is recommended that the city add enabling code to adjust the fee annually based on CPI (to account for inflation and construction cost increases) and to allow reduced fee and payment in installments for restaurants and small/local businesses. The city can also vary the rates depending on land cost and perhaps increase the rates if the development is closer to the beach. If the fee is set too high, developers may elect to build the parking spaces or choose instead to abandon their project. However, if the rate is set too low, the city will be short of funds for replacement parking or will need to focus efforts on reducing parking demand.

Before an appropriate fee level can be estimated more data will be needed on the existing occupancies of potential satellite lots and the development and desired extent of a shuttle bus program to serve the study area.

Maximizing Efficiency of Current Parking Supply

The high cost of constructing new parking and the traffic impacts of adding more parking in high activity areas, leads to the conclusion that other measures to improve utilization of existing parking

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and increase use of alternative travel modes should be explored. In addition to a parking credits program and valet program, consideration of implementation of intercept parking with a shuttle service is recommended. This program makes use of underutilized parking lots on the periphery of the study area, connects beach goers with regional transit routes, and eases parking demand near the coastline. A shuttle bus service would cost approximately \$35,000/week.

The cost of a private valet service would be paid by the parking customers as a premium fee over the current seasonal hourly Venice parking lot rates. These programs should be delivered with a robust marketing, outreach, and signage program to educate the public on where to park and how to use the programs. It is also possible to install more parking meters on certain streets to increase turnover and shift demand to off-street lots. An employee parking permit program directing employees to satellite lots could also be considered for managing supply.

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Appendix A Policy & Code Excerpts

Venice Coastal Land Use Plan

Policy II. A. 1. General

"It is the policy of the City to provide increased parking opportunities for both visitors and residents of Venice, and improve summer weekend conditions with respect to Venice Beach parking and traffic control. A comprehensive package of parking measures and strategies that addresses the needs and balances the competing demands of residents and beach visitors is proposed. Parking facilities shall be increased, subject to the availability of funding, to meet existing unmet needs for residents and beach visitors in order to improve public access opportunities and reduce conflicts between residential and beach visitor parking. Parking facilities for beach overload parking shall be located outside of the Beach Impact Zone. To facilitate ingress and egress to the beach area, a shuttle system that serves outlying parking areas, lots or structures should be developed and maintained. The development of parking facilities shall be consistent with Coastal Act policies.

The City's policy is to provide sufficient parking for beach goers outside of local streets, and encourage the use of this parking (simply restricting use of on-street parking without providing an alternative would diminish public access to the beach). An integrated plan should contain the following types of measures:

- Provision of new parking supply for beach goers;
- Measures to encourage beach goers to use the new supply;
- Measures to reduce parking demand; and
- Management and coordination of the parking and traffic system.

Policy II. A. 2. Expansion of Public Beach Parking Supply

"The construction of new public parking facilities should be implemented, as well as maximizing the use of existing ones by restriping existing parking lots or converting them to multi-level structures where consistent with other Coastal Act policies. The parking lots located west of the Ocean Front Walk shall remain surface parking lots. In no case shall such structures obstruct ocean views or be inconsistent with other Coastal Act or LUP Policies." Potential sites:

- Public use of private parking facilities: 414-space subterranean parking garage serving the 330 Washington Boulevard office building.
- Los Angeles County Metropolitan Authority (MTA) bus maintenance yard located between Main Street and Pacific Avenue south of Sunset Avenue is a potential site for public parking. It is estimated that about 350 spaces could be provided on the approximately 3-acre site. This site affords good walking access to the beach, and good vehicular access via Main Street and Pacific Avenue.
- School parking lots and playgrounds may be used as parking areas during periods of high beach use providing vehicular access to such lots is sufficient. In the off-season, the existing parking areas may be used for resident-serving needs, such as basketball courts and farmers' markets.

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Policy II. A. 5. Intercept Parking Lots

"A limited number of large intercept parking facilities at remote locations shall be provided and connected to the beach with a shuttle bus service operated on summer weekend days and holidays, with a signing and advertising program to direct beach goers to the intercept parking lots. This measure should build upon the current system by potentially adding more lots and modifying the shuttle routes accordingly.

The intercept parking lots may be public lots or private lots which are underutilized during weekends (i.e. office building parking) and should be located along major access streets, not within residential neighborhoods.

Possible locations could include continued use of the Marina Business Center lot on Glencoe Avenue served by the existing Venice DASH shuttle service, future parking to be provided by the Channel Gateway project in accordance with its development agreement or other sites to be determined."

Policy II. A. 6. Preferential Parking

Establishment of residential preferential parking districts shall be contingent upon replacing displaced public parking spaces with new public parking at a minimum one-to-one ratio.

To provide adequate visitor parking, the preferential parking district(s) should be operated as follows:

- Parking restriction shall not be less than 4-hour within designated residential district(s); meters, if provided, shall be priced and enforced to encourage use of off-street lots and shall accept payment for time increments up to 4 hours.
- Require that the general public maintain the right to buy a day permit allowing parking on all streets within the zone.

Policy II. A. 10. Valet Parking

"a. The use of public parking areas for valet vehicle Drop-off/ Pick-up stations shall be limited to the minimum area necessary and occupy the fewest number of public parking spaces.

b. Vehicle Storage/ Parking. The storage of vehicles by valets is prohibited in public parking lots, on public rights-of-way and in on-street parking spaces (except for loading and unloading) unless it is determined that use of the public parking area will not conflict with the need for public parking by beach goers.

c. A valet parking program that utilizes public property in the coastal zone shall be available for use by the general public with no preference granted to any group or type of use (i.e., restaurant customers, beach goers)."

Policy II. A. 11. Shared Parking

Shared parking arrangements may be permitted to accommodate new commercial uses and intensification of existing commercial uses provided that a detailed parking study demonstrates that the proposed shared parking arrangement will not negatively affect coastal access or access to public recreational facilities. Public beach parking lots shall not be used for shared parking arrangements.

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Policy II. B. 2. Beach Bus Service

Special beach bus service from targeted areas to Venice Beach shall be provided. The objective of the beach bus service would be to provide specialized bus service to the Venice beach area and offer beach goers an alternative means of accessing the beach. The beach bus service would be provided during summer weekends and holidays by using school buses or LADOT commuter express buses which are otherwise not utilized on weekends. High schools located in the targeted areas could serve as the pick-up/ drop-off points for the beach bus service.

Policy II. B. 3. Shuttle System

The City shall develop a comprehensive shuttle (DASH) system for the Venice Coastal Zone as a transit alternative to the automobile for use by beach visitors. Shuttles should be located along well-utilized routes to the beach to ensure adequate use of the system. To serve Marina Peninsula, the current Venice DASH shuttle bus route shall be modified to operate along Pacific Avenue, south of Washington Boulevard to the Marina Jetty.

The Venice intercept parking shuttle route(s) shall be designed to interface with regional transit routes. For example, the current Venice DASH shuttle bus route travels along Mindanao Way, Admiralty Way, Ocean Avenue and Venice Way to Pacific Avenue, interfacing with MTA line 33 via stops along Venice Way and with Culver City Municipal Busline 1 and Santa Monica Municipal Bus Line 2 at Pacific Avenue. Adding stops within Marina del Rey along Admiralty Way and on Mindanao Way near Lincoln Boulevard would also allow transfers to/ from MTA line 108 and Santa Monica Municipal Bus Line 3. If the shuttle route is modified or new shuttle routes are provided to serve new intercept parking lots, the new or modified routes should also coordinate with regional transit services.

The shuttle system should be implemented as follows:

1. Shuttle bus operation on Venice Boulevard between beach and inland parking areas, including:
 - a. Venice Boulevard Median Lot expansion;
 - b. new Venice Branch Library lot; and
 - c. Electric Avenue lots.
2. Shuttle bus operation on Washington Boulevard between a prospective lot at Mildred Avenue, the Venice Pier, and the beach, with potential stops at existing available parking facilities (e.g., the 400-space Washington Square garage at Via Dolce and Washington Boulevard).
3. Other shuttle bus routes to connect inland standby parking facilities (e.g. school sites) during peak days (e.g. summer and holidays). Shuttle buses would operate on summer weekends and holidays plus other days that might be identified as periods of high public beach demand.

New commercial developments shall be required to contribute to the cost of funding a Venice coastal shuttle system. The City should support coordination and participation of privately operated shuttle systems. Subject to availability of funding, the City should establish park-and-ride lots along regional bus line routes that could be served by commuters on weekdays and which could also be utilized by visitors to recreational areas on weekends.

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Subject to availability of funding, the City should establish park-and-ride lots parallel to the Santa Monica Freeway route which could be utilized by carpoolers traveling to metropolitan Los Angeles on weekdays, and which could also be linked to the coastal area by a shuttle service on weekends.

The City shall continue coordination efforts with CALTRANS to design a park-and-ride lot on the median of the Marina Freeway.

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Appendix B Parking Credit Accumulation

Accumulation of Parking Credit (Fees) Indexed for Inflation								
Program Year	Annual Credit	Cumulative Cost	Annual Credit	Cumulative Cost	Annual Credit	Cumulative Cost	Annual Credit	Cumulative Cost
Y01	\$ 155	\$ 805	\$ 200	\$ 850	\$ 350	\$ 1,000	\$ 500	\$ 1,150
Y02	\$ 158	\$ 963	\$ 204	\$ 1,054	\$ 357	\$ 1,357	\$ 510	\$ 1,660
Y03	\$ 161	\$ 1,124	\$ 208	\$ 1,262	\$ 364	\$ 1,721	\$ 520	\$ 2,180
Y04	\$ 164	\$ 1,289	\$ 212	\$ 1,474	\$ 371	\$ 2,093	\$ 531	\$ 2,711
Y05	\$ 168	\$ 1,457	\$ 216	\$ 1,691	\$ 379	\$ 2,471	\$ 541	\$ 3,252
Y06	\$ 171	\$ 1,628	\$ 221	\$ 1,912	\$ 386	\$ 2,858	\$ 552	\$ 3,804
Y07	\$ 175	\$ 1,802	\$ 225	\$ 2,137	\$ 394	\$ 3,252	\$ 563	\$ 4,367
Y08	\$ 178	\$ 1,980	\$ 230	\$ 2,367	\$ 402	\$ 3,654	\$ 574	\$ 4,941
Y09	\$ 182	\$ 2,162	\$ 234	\$ 2,601	\$ 410	\$ 4,064	\$ 586	\$ 5,527
Y10	\$ 185	\$ 2,347	\$ 239	\$ 2,840	\$ 418	\$ 4,482	\$ 598	\$ 6,125
Y11	\$ 189	\$ 2,536	\$ 244	\$ 3,084	\$ 427	\$ 4,909	\$ 609	\$ 6,734
Y12	\$ 193	\$ 2,729	\$ 249	\$ 3,332	\$ 435	\$ 5,344	\$ 622	\$ 7,356
Y13	\$ 197	\$ 2,925	\$ 254	\$ 3,586	\$ 444	\$ 5,788	\$ 634	\$ 7,990
Y14	\$ 201	\$ 3,126	\$ 259	\$ 3,845	\$ 453	\$ 6,241	\$ 647	\$ 8,637
Y15	\$ 205	\$ 3,330	\$ 264	\$ 4,109	\$ 462	\$ 6,703	\$ 660	\$ 9,297
Y16	\$ 209	\$ 3,539	\$ 269	\$ 4,378	\$ 471	\$ 7,174	\$ 673	\$ 9,970
Y17	\$ 213	\$ 3,752	\$ 275	\$ 4,652	\$ 480	\$ 7,654	\$ 686	\$ 10,656
Y18	\$ 217	\$ 3,969	\$ 280	\$ 4,932	\$ 490	\$ 8,144	\$ 700	\$ 11,356
Y19	\$ 221	\$ 4,190	\$ 286	\$ 5,218	\$ 500	\$ 8,644	\$ 714	\$ 12,070
Y20	\$ 226	\$ 4,416	\$ 291	\$ 5,509	\$ 510	\$ 9,154	\$ 728	\$ 12,799
Y21	\$ 230	\$ 4,646	\$ 297	\$ 5,807	\$ 520	\$ 9,674	\$ 743	\$ 13,542
Y22	\$ 235	\$ 4,881	\$ 303	\$ 6,110	\$ 530	\$ 10,205	\$ 758	\$ 14,299
Y23	\$ 240	\$ 5,121	\$ 309	\$ 6,419	\$ 541	\$ 10,746	\$ 773	\$ 15,072
Y24	\$ 244	\$ 5,365	\$ 315	\$ 6,734	\$ 552	\$ 11,298	\$ 788	\$ 15,861
Y25	\$ 249	\$ 5,615	\$ 322	\$ 7,056	\$ 563	\$ 11,861	\$ 804	\$ 16,665
Y26	\$ 254	\$ 5,869	\$ 328	\$ 7,384	\$ 574	\$ 12,435	\$ 820	\$ 17,485
Y27	\$ 259	\$ 6,128	\$ 335	\$ 7,719	\$ 586	\$ 13,021	\$ 837	\$ 18,322
Y28	\$ 265	\$ 6,393	\$ 341	\$ 8,060	\$ 597	\$ 13,618	\$ 853	\$ 19,176
Y29	\$ 270	\$ 6,663	\$ 348	\$ 8,408	\$ 609	\$ 14,227	\$ 871	\$ 20,046
Y30	\$ 275	\$ 6,938	\$ 355	\$ 8,764	\$ 622	\$ 14,849	\$ 888	\$ 20,934
Y31	\$ 281	\$ 7,219	\$ 362	\$ 9,126	\$ 634	\$ 15,483	\$ 906	\$ 21,840
Y32	\$ 286	\$ 7,505	\$ 370	\$ 9,495	\$ 647	\$ 16,129	\$ 924	\$ 22,764
Y33	\$ 292	\$ 7,797	\$ 377	\$ 9,872	\$ 660	\$ 16,789	\$ 942	\$ 23,706
Y34	\$ 298	\$ 8,095	\$ 384	\$ 10,257	\$ 673	\$ 17,462	\$ 961	\$ 24,667
Y35	\$ 304	\$ 8,399	\$ 392	\$ 10,649	\$ 686	\$ 18,148	\$ 980	\$ 25,647
Y36	\$ 310	\$ 8,709	\$ 400	\$ 11,049	\$ 700	\$ 18,848	\$ 1,000	\$ 26,647
Y37	\$ 316	\$ 9,025	\$ 408	\$ 11,457	\$ 714	\$ 19,562	\$ 1,020	\$ 27,667
Y38	\$ 323	\$ 9,348	\$ 416	\$ 11,873	\$ 728	\$ 20,290	\$ 1,040	\$ 28,707
Y39	\$ 329	\$ 9,677	\$ 424	\$ 12,297	\$ 743	\$ 21,033	\$ 1,061	\$ 29,769
Y40	\$ 336	\$ 10,012	\$ 433	\$ 12,730	\$ 758	\$ 21,791	\$ 1,082	\$ 30,851
Y41	\$ 342	\$ 10,355	\$ 442	\$ 13,172	\$ 773	\$ 22,564	\$ 1,104	\$ 31,955
Y42	\$ 349	\$ 10,704	\$ 450	\$ 13,622	\$ 788	\$ 23,352	\$ 1,126	\$ 33,081
Y43	\$ 356	\$ 11,060	\$ 459	\$ 14,082	\$ 804	\$ 24,156	\$ 1,149	\$ 34,230
Y44	\$ 363	\$ 11,423	\$ 469	\$ 14,551	\$ 820	\$ 24,976	\$ 1,172	\$ 35,401
Y45	\$ 370	\$ 11,793	\$ 478	\$ 15,029	\$ 837	\$ 25,812	\$ 1,195	\$ 36,596
Y46	\$ 378	\$ 12,171	\$ 488	\$ 15,516	\$ 853	\$ 26,666	\$ 1,219	\$ 37,815
Y47	\$ 385	\$ 12,557	\$ 497	\$ 16,013	\$ 870	\$ 27,536	\$ 1,243	\$ 39,059
Y48	\$ 393	\$ 12,950	\$ 507	\$ 16,521	\$ 888	\$ 28,424	\$ 1,268	\$ 40,327
Y49	\$ 401	\$ 13,351	\$ 517	\$ 17,038	\$ 905	\$ 29,329	\$ 1,294	\$ 41,620
Y50	\$ 409	\$ 13,760	\$ 528	\$ 17,566	\$ 924	\$ 30,253	\$ 1,319	\$ 42,940
Y51	\$ 417	\$ 14,177	\$ 538	\$ 18,104	\$ 942	\$ 31,195	\$ 1,346	\$ 44,285
Y52	\$ 426	\$ 14,603	\$ 549	\$ 18,653	\$ 961	\$ 32,156	\$ 1,373	\$ 45,658
Y53	\$ 434	\$ 15,037	\$ 560	\$ 19,213	\$ 980	\$ 33,136	\$ 1,400	\$ 47,058
Y54	\$ 443	\$ 15,479	\$ 571	\$ 19,785	\$ 1,000	\$ 34,136	\$ 1,428	\$ 48,487
Y55	\$ 452	\$ 15,931	\$ 583	\$ 20,367	\$ 1,020	\$ 35,155	\$ 1,457	\$ 49,943
Y56	\$ 461	\$ 16,392	\$ 594	\$ 20,962	\$ 1,040	\$ 36,195	\$ 1,486	\$ 51,429
Y57	\$ 470	\$ 16,861	\$ 606	\$ 21,568	\$ 1,061	\$ 37,256	\$ 1,516	\$ 52,945
Y58	\$ 479	\$ 17,341	\$ 618	\$ 22,186	\$ 1,082	\$ 38,338	\$ 1,546	\$ 54,491
Y59	\$ 489	\$ 17,829	\$ 631	\$ 22,817	\$ 1,104	\$ 39,442	\$ 1,577	\$ 56,067
Y60	\$ 499	\$ 18,328	\$ 643	\$ 23,460	\$ 1,126	\$ 40,568	\$ 1,608	\$ 57,676
Y61	\$ 509	\$ 18,837	\$ 656	\$ 24,117	\$ 1,148	\$ 41,716	\$ 1,641	\$ 59,316
Y62	\$ 519	\$ 19,355	\$ 669	\$ 24,786	\$ 1,171	\$ 42,887	\$ 1,673	\$ 60,989
Y63	\$ 529	\$ 19,884	\$ 683	\$ 25,469	\$ 1,195	\$ 44,082	\$ 1,707	\$ 62,696
Y64	\$ 540	\$ 20,424	\$ 696	\$ 26,165	\$ 1,219	\$ 45,301	\$ 1,741	\$ 64,437
Y65	\$ 550	\$ 20,975	\$ 710	\$ 26,875	\$ 1,243	\$ 46,544	\$ 1,776	\$ 66,213
Y66	\$ 561	\$ 21,536	\$ 725	\$ 27,600	\$ 1,268	\$ 47,812	\$ 1,811	\$ 68,024
Y67	\$ 573	\$ 22,109	\$ 739	\$ 28,339	\$ 1,293	\$ 49,105	\$ 1,847	\$ 69,872
Y68	\$ 584	\$ 22,693	\$ 754	\$ 29,093	\$ 1,319	\$ 50,424	\$ 1,884	\$ 71,756
Y69	\$ 596	\$ 23,289	\$ 769	\$ 29,861	\$ 1,345	\$ 51,769	\$ 1,921	\$ 73,677
Y70	\$ 608	\$ 23,897	\$ 784	\$ 30,646	\$ 1,372	\$ 53,142	\$ 1,961	\$ 75,639
Y71	\$ 620	\$ 24,517	\$ 800	\$ 31,445	\$ 1,400	\$ 54,542	\$ 2,000	\$ 77,639
Y72	\$ 632	\$ 25,149	\$ 816	\$ 32,261	\$ 1,428	\$ 55,970	\$ 2,040	\$ 79,679

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