

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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Long Beach, CA 90802-4302
(562) 590-5071



Click here to go to
original staff report

Th13b

ADDENDUM

DATE: July 6, 2015

TO: Coastal Commissioners and Interested Parties

FROM: South Coast District Staff

SUBJECT: **Addendum to Item Th13b: Coastal Development Permit Amendment**
Application No. A-5-VEN-10-138-A1 (ADC Development Inc.), scheduled for
the Commission meeting of July 9, 2015

I. Public Opposition

The Commission has received 14 emails from members of the public dated June 24, 2015 through July 5, 2015, all in opposition to the proposed amendment, included in full in this addendum. The interested parties allege that the applicant never intended to provide the three vehicle parking lifts subject to the Commission's approval of the underlying coastal development permit and that the applicant may use the rooftop parking area for outdoor dining.

The staff report describes the project history in detail and analyzes the potential public access impacts of the parking plan and associated transportation related mitigation measures proposed by the applicant. The staff report recommends approval of the amendment subject to strict conditions to ensure that the parking area is used for parking and that the operation of the approved development does not negatively impact public access to the coast.

Special Condition 1 states that the approved development is "a restaurant with a maximum of 550 square feet of Service Floor Area (which includes both the indoor and outdoor patio Service Floor Area), a rooftop parking deck, and a total of ten (10) on-site parking spaces... In the event of non-compliance with the approved parking program, the permittee's right to use the 550 square feet of Service Floor Area for customer service shall terminate." Special Condition 2 includes specific parking requirements and transportation mitigation measures and requires "the Parking and Transportation Management Program shall be implemented at all times consistent with the above-stated requirements and limitations." Special Condition 8 required the applicant to record against the parcel a deed restriction imposing the special conditions of the permit, as amended, as covenants, conditions and restrictions on the use and enjoyment of the property.

Rehm, Zach@Coastal

From: David Ewing <moreseriousbus@gmail.com>
Sent: Wednesday, June 24, 2015 12:56 AM
To: Elaine Spierer
Cc: Rehm, Zach@Coastal; Chris Robertson; Tricia Keane
Subject: Re: 1305 Abbot Kinney, Venice --- A-5-VEN-10 -138 - A1

opposed

Th13b

Dear Zach:

I realize this comes very, very, late, but would it be possible to add this to the Commissioners' materials and the CDP file?

David Ewing

Re: 1305 Abbot Kinney, Venice --- A-5-VEN-10 -138 - A1

Honorable Coastal Commissioners:

The Staff recommendation appears to begin with the premise that the restaurant should be approved and then considers the parking needs on the basis of feasibility. That does not do justice to the the CDP requirements nor to the vast majority of Venice businesses that comply in good faith with the California Coastal Act.

"The applicant...asserts that the structure cannot support the weight of the vehicle lifts and there is not enough space on-site to provide the required 13 vehicle parking spaces."

This applicant has made many assertions to regulatory bodies regarding his Venice enterprises, and they have not all proven reliable. Why does Coastal Commission staff rely on his *unsupported* assertion as the basis for an exception for this project? This is especially troubling given that the applicant's parking problem is self-imposed, and that his original promise of 13 parking spaces appears to have been either casual or based on incompetent engineering. This building was his project from the ground up, and he has plenty of experience in the Venice Coastal Zone. There doesn't seem to be a lot of room for excuses. Perhaps there was an expectation that it would be easier to be forgiven than to get permission.

Yours truly,
David Ewing
1234 Preston Way
Venice, CA 90291

On Jun 23, 2015, at 5:34 PM, Elaine Spierer wrote:

Thanks very very much.

e

On Jun 23, 2015, at 5:25 PM, Rehm, Zach@Coastal wrote:

Rehm, Zach@Coastal

From: Elaine Spierer <espierer@verizon.net>
Sent: Wednesday, June 24, 2015 1:24 PM
To: Rehm, Zach@Coastal
Cc: Mike Bonin; Tricia Keane; Chris Robertson; Jesus D. Orozco; Robin Rudisill
Subject: A-5-VEN-10-138-A1 (1305 Abbot Kinney, Venice) HEARING 7/9/2015

Zach, please add this to the Commissioner's materials and the CDP file. You informed me of this meeting yesterday. It is important that the Commissioners hear from the community. I hope you will make sure the email which follows below gets included in their materials. Thank you.

Elaine Spierer

Dear Commissioners,

The decision made to allow hugely important changes to your own decision when there is absolutely no material change to justify it is really stunning. It goes completely against the description Mr. Posner put out describing what changes the CCC would allow. It breaches the faith residents have in the Coastal Commission in a very serious way.

It appears that this decision was made at the outset to eliminate the 3 parking places and the justification was built around that predetermination. It implies that this is a tiny operation. In fact, the alcohol license is pending and the 'noodle bar' is expected to be a high grossing restaurant. It would be silly to think otherwise as millions have been spent to construct this 1250 sq ft operations. Further, the valet only parking deck (no customers allowed on it to self park due to the steep driveway is specimine landscaped and exquisite stone pavers were applied to its surface. Hardly a parking deck! It is obvious that the parking deck is going to be an outside dining terrace. A blind man could see what use this so-called 'parking deck' really will be. The reasons for approval which your report describes are not backed up with any evidence whatsoever. I think you should have questioned the claims and statements of the applicant before your determination.

The applicant pulled his building permit knowing full well its conditions. This building was constructed like a mini Eiffel Tower. Never before have I seen a 2-story building built entirely of industrial steel. I am a retired developer and am very familiar with construction. To state it would not hold up the 3 required lifts is total nonsense. If the people who prepared this report had done their proper due diligence, they would have learned exactly how this property was constructed. This scheme's design for lifts is lower than the original and the lifts can't be seen from the street. There is no visual blight from ugly lifts as the report suggests whatsoever. Additionally, the claim that additional public parking was coming available is baloney. The parking area in the back alley has been in full use for 10+ years and only these last 2 months has it been closed for permanent surfacing.

Further, to justify eliminating 3 critically needed parking spaces and replacing them with bike racks in no way offsets the car parking deficit around here. We are frequently gridlocked here as people search for parking spaces. People don't even want to come here anymore because the access is impossible and it gets worse with each decision to eliminate parking spaces. The bike racks now here are totally empty at night. People do not ride bikes to restaurants in the dark around this community. The charging station is useless for anyone with an hour to have a dinner and there already are 6 charging stations one block south. The parking pass is just more stuff thrown in to 'persuade' the exchange is fair and good. It is not. And, importantly, it is against the will of the community who worked for years to get even what the CCC finally decided. What is the point for all of us in Venice to care and work hard to get things right if you wily-nily makes these unnecessary kinds of decision which are totally against the interests of Venice?

CCC was not even aware that the applicant eliminated 3 parking spaces through an illegal city permit. He never built the property intending to put in lifts as he never intended to comply with the CCC directive. If residents had not discovered the illegal permit, Chuck Posner would know nothing. There is absolutely no oversight from that office of their own decisions. This illegal permit was obtained by stealth and the applicant rescinded it when discovered. It was to be revoked if he had not done that. Then he moved on to file this appeal when his illegal actions were discovered.

At this very moment, this applicant has an order to comply for illegal operation on another restaurant on Abbot Kinney with a compliance date of 7/10. Additionally, because of lack of compliance on another illegal restaurant operation at 320 Sunset he must appear before a judge the second week of July. He refuses to comply with multiple citations. This last one he pulled a permit for a bakery when he fully intended a full service restaurant which he now has operated illegally but in a smaller fashion. There is good reason why the neighborhood has named this operation 'The Fakery.' Despite hearings and citations, he refuses to cease the illegal acts. This is his modus operandi. Residents want the rules obeyed. Venice is not the Wild West. Why should anyone go through the process correctly to see people who have some kind of influence skirt the laws? It is corruption at its worst.

This appeal is more of the same. It should be denied completely. The community relied on you at the final hearing to come up with a fair decision. When your decision came out, we all accepted it without complaint. We implore you to maintain the integrity of the process, respect the residents of Venice and deny the applicant any reduction in parking whatsoever.

Respectfully,
Elaine Spierer
Abbot Kinney residents and Landlord

It is not.

11

Rehm, Zach@Coastal

From: ilana marosi <ilanam18@yahoo.com>
Sent: Thursday, July 02, 2015 2:29 PM
To: Rehm, Zach@Coastal
Cc: Lester, Charles@Coastal; Hudson, Steve@Coastal; Ainsworth, John@Coastal; Padilla, Al@Coastal; Posner, Chuck@Coastal; Chris Robertson
Subject: A-5-VEN-10-138-A1 (1305 Abbot Kinney, Venice) HEARING 7/9/2015

Subject: A-5-VEN-10-138-A1 (1305 Abbot Kinney, Venice) HEARING 7/9/2015

Dear Mr Rehm,

Would you kindly add this to the Commissioner's materials and the CDP file, in time for next week's Coastal Commission hearing. Thank you in advance.

Honorable Commissioners,

I respectfully request that the Coastal Commission deny the recommendations in the above mentioned appeal. I urge you to uphold your original decision and enforce that the developer include the three car lifts per your Determination in 2011. There have been no material changes to the property since, other than that the developer has built the restaurant from ground up and has ignored your requirements of the three parking lifts, as well as those of the City of LA Building and Safety.

The following points are pertinent and must be considered in order to deny the current CCC recommendation of removal of lifts in this case:-

CONSTRUCTION:- The applicant pulled his building permits in full knowledge of what the CCC conditions were. The building appears to have been painstakingly constructed and extensively reinforced over the past three years in order to adequately sustain the weight of the three car lifts. The neighborhood has witnessed this building in progress.

Furthermore, the actual construction has been overseen and signed off by LA Department of Building and Safety at every turn, which means it should have been constructed per the Coastal Commission's original Determination and STAMPED PLANS, also lodged with the City, which were inclusive of the three parking lifts.

VISUAL BLIGHT:- This scheme's design for lifts is lower than the original and the lifts can't be seen from the street. Hence, there is no visual blight whatsoever from "ugly lifts" as the report suggests.

DECK PAVING/LANDSCAPING:- The parking area which is supposed to be used for valet parking only of 12 cars, is paved with domestic pavers. It is also landscaped with rather fancy, and bulky, planter boxes which actually encroach on the parking space. This is a very tight area for parking 12 cars to begin with. A 3 x 3 tandem situation is previously unheard of. If one were to physically go there and observe the steep incline leading up to this 3 deep, 3 wide tandem situation, one would truly be left scratching their head as to how in the real world this could ever accommodate those 9 cars, save for dropping them

in with a crane. The addition of the landscaping encroaches on this "parking" and hence the dimensions of available parking space on the deck falls short of your 2011 determination.

PARKING DECK AS POTENTIAL DINING PATIO:- We also have experience with same operator, Fran Camaj, who last year opened what was supposed to be a bakery-take out (NO SEATING) at 320 Sunset Ave, Venice, "Gjusta", yet from the get go operated a full restaurant. As part of his seating arrangement, he paved the adjoining Vacant Lot with the very *same pavers* which he has placed on the parking roof here at 1305 Abbot Kinney, inserted planter boxes and similar landscaping to here, and placed milk crates as make-shift tables and chairs to seat his customers. All of this without the proper permits. We believe he intends to do the same thing on this parking deck at 1305 Abbot Kinney. Why else would he put fancy pavers and lovely landscaping FOR VALET ACCESS ONLY? *we believe that to take his word that the lifts aren't feasible to build, is playing into his hands and enabling his USUAL plan of unpermitted seating to the detriment of the community's dire parking problems.*

RELEVANT APPLICANT HISTORY:- At his 320 Sunset, Gjusta, location he is still out of compliance after 9 months, seating people in vacant/parking lot and on unpermitted patio. You should note that due to this non-compliance, after several citations from Building and Safety, and repeated meetings with the City Attorney, he is scheduled to appear before a judge at LAX courthouse on July 13th. This relevant track record by this operator displays his blatant disregard for the law and disrespect for City codes, not to mention for the affected community. He is also seating patrons without a permit at his other location Gjelina's/GTA at 1425 Abbot Kinney, in a neighboring rear yard, and has been cited by Building and Safety. Compliance date for that is 10th July.

Commissioners, we respectfully request that you uphold your very important conditions which were fought for hard by the community in 2010 and 2011. A fair decision was made by you all at that time. This current appeal should be denied completely. To excuse this operator's accountability at this premises, will simply cause the community undue strain from lack of parking, and further intensify already difficult traffic conditions on Abbot Kinney and at the rear of the site.

To go against your original determination, upon the mere word of an operator who the community and the City knows to be a serial scofflaw, would bring into question the integrity of the entire process. Please do not cause us to lose faith - It is important that we in Venice are assured that we can rely on you, the Coastal Commission, to protect and preserve our quality of life. Please deny this appeal and enforce that this developer meet his original obligations.

Sincerely,

Ilana Marosi
Venice Resident

Rehm, Zach@Coastal

From: Brian Finney <bhfinney@bhfinney.com>
Sent: Thursday, July 02, 2015 1:44 PM
To: Rehm, Zach@Coastal
Cc: Ainsworth, John@Coastal; Hudson, Steve@Coastal; Lester, Charles@Coastal
Subject: Agenda Item 13 for July 9, 2015: 1305 Abbot Kinney Blvd.

Dear Commissioners,

Coastal Commission Agenda Item 13 for July 9, 2015:

Permit No. A-5-VEN-10-138-A1

I urge you to reject the recommendations in the staff report for this property.

LA City Planning Department Permit No. 11010-30004-00590 issued 12/21/14 by Greg Schoop reduced the required parking spaces for this restaurant by three by removing the automobile lift. In fact, as the applicant admits, the Planning Department had no jurisdiction to modify the previous Coastal Coastal Development Permit No. A-5-VEN-10-138, approved on October 13, 2010.

The Coastal Commission's staff report accepts the City permit's reasoning for substituting 14 bicycle spaces for three previously required car spaces on the grounds that the Municipal Code says that "New or existing automobile parking spaces required by the Code for all uses may be replaced by bicycle parking at a ratio of one automobile parking space for every four bicycle parking spaces provided."

However the Venice Specific Plan, which supplants the LAMC wherever the Specific Plan differs from the Municipal Code, has its own requirement for parking for restaurants: "One space for each 50 square feet of Service Floor area" plus a minimum of two parking spaces for commercial projects in the Venice Beach Impact Zone. In other words the Venice Specific Plan, unlike the LAMC, does not offer the choice of substituting four bicycle spaces for one car space, and City Planning was ignoring the primacy of the Venice Specific Plan in incorrectly applying the LAMC to this permit.

In addition the state of the City permit as of 3/31/15 is "Intent to Revoke." This adds another reason why the Coastal Commission should not alter its original conditions for approval. Please insist on the re-instatement of the 13 parking spaces you required in the Coastal Development Permit you approved in 2010.

Thank you.

Brian Finney

448 Rialto Avenue

Venice, CA 90291

Rehm, Zach@Coastal

From: Heineman <heine2919@yahoo.com>
Sent: Friday, July 03, 2015 11:21 AM
To: Rehm, Zach@Coastal; Ainsworth, John@Coastal; Hudson, Steve@Coastal; Lester, Charles@Coastal
Cc: ilana marosi
Subject: Fwd: A-5-VEN-10-138-A1 (1305 Abbot Kinney, Venice) HEARING 7/9/2015

Dear Coastal Commissioners,

My name is Steve Heineman and I am a retired Lieutenant from the Santa Monica Police Department (retired in '12 after 25 years of Service) . I would like to echo what has been so eloquently stated below as well as add my personal perspective on Establishments and Owners that do not comply with the "rules" regarding parking, public safety, and overcrowding. They pose a significant drain on the Public Safety resources such as Police, Fire and City Yards & Services at a time when we are often operating at minimum staffing already. During my career I spent six years assigned to our Vice Unit which oversaw all of the licensed alcohol dispensing establishments within the City, augmenting the grossly understaffed Alcohol Beverage Control (ABC) Bureau. I know firsthand the problems that can, do and will arise from an over saturation of restaurants and bars. The area does not need any more. What is sorely needed is more open-space and park area. I would ask on behalf of the area residents, the local emergency services personnel and the general public that you collective do not approve any type of variance or amended permits period, but especially to an owner/operator who already operates out of compliance and with complete disregard for environmental and community safety.

Sincerely,

Steve Heineman

**Subject: A-5-VEN-10-138-A1 (1305 Abbot Kinney, Venice) HEARING
7/9/2015**

Dear Mr Rehm,

Please add this to the Commissioner's materials and the CDP file, in time for next week's Coastal Commission hearing. Thank you.

**Subject: A-5-VEN-10-138-A1 (1305 Abbot Kinney, Venice) HEARING
7/9/2015**

Honorable Commissioners,

I respectfully request that the Coastal Commission deny the recommendations in the above mentioned appeal. I urge you to uphold your original decision and enforce that the developer include the three car lifts per your Determination in 2011. There have been no material changes to the property since, other than that the developer has built the restaurant from ground up and has ignored your requirements of the three parkings lifts, as well as those of the City of LA Building and Safety.

The following points are pertinent and must be considered in order to deny the current CCC recommendation of removal of lifts in this case:-

CONSTRUCTION:- The applicant pulled his building permits in full knowledge of what the CCC conditions were. The building appears to have been painstakingly constructed and extensively reinforced over the past three years in order to adequately sustain the weight of the three car lifts. The neighborhood has witnessed this building in progress.

Furthermore, the actual construction has been overseen and signed off by LA Department of Building and Safety at every turn, which means it should have been constructed per the Coastal Commission's original Determination and STAMPED PLANS, also lodged with the City, which were inclusive of the three parking lifts.

VISUAL BLIGHT:- This scheme's design for lifts is lower than the original and the lifts can't be seen from the street. Hence, there is no visual blight whatsoever from "ugly lifts" as the report suggests.

VENICE SPECIFIC PLAN:-

The Venice Specific Plan unlike the LAMC, does not offer the choice of substituting four bicycle spaces for one car space, and City Planning, Building and Safety, and the developer seem to have ignored the VSP by neglecting to provide, and oversee, required parking for this project. For restaurants, the Venice Specific Plan requires one space for each 50 square feet of Service Floor Area plus a minimum of two parking spaces for commercial projects in the Venice Beach Impact Zone. In this case that accounts for the 13 ACTUAL car spaces. This project was built from the ground up and MUST provide real TANGIBLE spaces for patron parking.

DECK PAVING/LANDSCAPING:- The parking area which is supposed to be used for valet parking only of 12 cars, is paved with domestic pavers. It is also landscaped with rather fancy, and bulky, planter boxes which actually encroach on the parking space. This is a very tight area for parking 12 cars to begin

with. A 3 x 3 tandem situation is previously unheard of. If one were to physically go there and observe the steep incline leading up to this 3 deep, 3 wide tandem situation, one would truly be left scratching their head as to how in the real world this could ever accommodate those 9 cars, save for dropping them in with a crane. The addition of the landscaping encroaches on this "parking" and hence the dimensions of available parking space on the deck falls short of your 2011 determination.

PARKING DECK AS POTENTIAL DINING PATIO:- We also have experience with same operator, Fran Camaj, who last year opened what was supposed to be a bakery-take out (NO SEATING) at 320 Sunset Ave, Venice, "Gjusta", yet from the get go operated a full restaurant. As part of his seating arrangement, he paved the adjoining Vacant Lot with the very *same pavers* which he has placed on the parking roof here at 1305 Abbot Kinney, inserted planter boxes and similar landscaping to here, and placed milk crates as make-shift tables and chairs to seat his customers. All of this without the proper permits. We believe he intends to do the same thing on this parking deck at 1305 Abbot Kinney. Why else would he put fancy pavers and lovely landscaping FOR VALET ACCESS ONLY? *We believe that to take his word that the lifts aren't feasible to build, is playing into his hands and enabling his USUAL plan of unpermitted seating to the detriment of the community's dire parking problems.*

RELEVANT APPLICANT HISTORY:- At his 320 Sunset, Gjusta, location he is still out of compliance after 9 months, seating people in vacant/parking lot and on unpermitted patio. You should note that due to this non-compliance, after several citations from Building and Safety, and repeated meetings with the City Attorney, he is scheduled to appear before a judge at LAX courthouse on July 13th. This relevant track record by this operator displays his blatant disregard for the law and disrespect for City codes, not to mention for the affected community. He is also seating patrons without a permit at his other location Gjelina's/GTA at 1425 Abbot Kinney, in a neighboring rear yard, and has been cited by Building and Safety. Compliance date for that is 10th July.

Commissioners, we respectfully request that you uphold your very important conditions which were fought for hard by the community in 2010 and 2011. A fair decision was made by you all at that time. This current appeal should be denied completely. To excuse this operator's accountability at this premises, will simply cause the community undue strain from lack of parking, and further intensify already difficult traffic conditions on Abbot Kinney and at the rear of the site.

To go against your original determination, upon the mere word of an operator who the community and the City knows to be a serial scofflaw, would bring into question the integrity of the entire process. Please do not cause us to lose faith - It is important that we in Venice are assured that we can rely on you, the Coastal

Commission, to protect and preserve our quality of life. Please deny this appeal and enforce that this developer meet his original obligations.

Sincerely,

Venice Resident

Sent from my iPhone

Rehm, Zach@Coastal

From: Barbara Peck <icare@benefitnetwork.org>
Sent: Friday, July 03, 2015 12:54 PM
To: Lester, Charles@Coastal; Posner, Chuck@Coastal; Ainsworth, John@Coastal; Hudson, Steve@Coastal; Rehm, Zach@Coastal
Subject: DENY APPEAL: A-5-VEN-10-138-A1 - 1305 Abbot Kinney Blvd., Venice

Please forward to the Coastal Commissioners and print a copy for the file. Thank you.

Dear Commissioners,

Re: A-5-VEN-10-138-A1 - 1305 Abbot Kinney Blvd., Venice

I am writing to request that the Coastal Commission DENY the recommendations in the above mentioned appeal.

Please UPHOLD your original decision and enforce the condition that the developer must include the three car lifts, as per your Determination in 2011. Since that original determination, there have been no material changes to the property other than the fact that the developer has built the restaurant from ground up, but has IGNORED the Coastal Commission and LA Building and Safety requirements for three parking lifts!

I urge you to consider the points below and DENY the current CCC recommendation of removal of lifts in this case:

VENICE SPECIFIC PLAN: The Venice Specific Plan unlike the LAMC, does not offer the choice of substituting four bicycle spaces for one car space, and City Planning, Building and Safety, and the developer seem to have ignored the VSP by neglecting to provide, and oversee, required parking for this project. For restaurants, the Venice Specific Plan requires one space for each 50 square feet of Service Floor Area plus a minimum of two parking spaces for commercial projects in the Venice Beach Impact Zone. In this case that accounts for the 13 ACTUAL car spaces. This project was built from the ground up and MUST provide real TANGIBLE spaces for patron parking.

PARKING DECK AS POTENTIAL DINING PATIO: We also have experience with same operator, Fran Camaj, who last year opened what was supposed to be a bakery-take out (NO SEATING) at 320 Sunset Ave, Venice, "Gjusta", yet from the get go operated a full restaurant. As part of his seating arrangement, he paved the adjoining Vacant Lot with the very *same pavers* which he has placed on the parking roof here at 1305 Abbot Kinney, inserted planter boxes and similar landscaping to here, and placed milk crates as make-shift tables and chairs to seat his customers. All of this without the proper permits. We believe he intends to do the same thing on this parking deck at 1305 Abbot Kinney. Why else would he put fancy pavers and lovely landscaping FOR VALET ACCESS ONLY? *We believe that to take his word that the lifts aren't feasible to build, is playing into his hands and enabling his USUAL plan of unpermitted seating to the detriment of the community's dire parking problems.*

DECK PAVING/LANDSCAPING: The parking area which is supposed to be used for valet parking only of 12 cars, is paved with domestic pavers. It is also landscaped with rather fancy, and bulky, planter boxes which actually encroach on the parking space. This is a very tight area for parking 12 cars to begin with. A 3 x 3 tandem situation is previously unheard of. If one were to physically go there and observe the steep incline leading up to this 3 deep, 3 wide tandem situation, one would truly be left scratching their head as to how in the real world this could ever accommodate those 9 cars, save for dropping them in with a crane. The addition of the landscaping encroaches on this "parking" and hence the dimensions of available parking space on the deck falls short of your 2011 determination.

CONSTRUCTION:- The applicant pulled his building permits in full knowledge of what the CCC conditions were. The building appears to have been painstakingly constructed and extensively reinforced over the past three years in order to adequately sustain the weight of the three car lifts. The neighborhood has witnessed this building in progress.

Furthermore, the actual construction has been overseen and signed off by LA Department of Building and Safety at every turn, which means it should have been constructed per the Coastal Commission's original Determination and STAMPED PLANS, also lodged with the City, which were inclusive of the three parking lifts.

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Sincerely,

Barbara Peck
Stakeholder Of Venice

Rehm, Zach@Coastal

From: johnwcampbell@verizon.net
Sent: Friday, July 03, 2015 1:18 PM
To: Rehm, Zach@Coastal; Ainsworth, John@Coastal; Hudson, Steve@Coastal; Lester, Charles@Coastal
Cc: Chris.robertson@lacity.org; mike.bonin@lacity.org
Subject: Subject: A-5-VEN-10-138-A1 (1305 Abbot Kinney, Venice) HEARING 7/9/2015

Dear Mr Rehm,

Please add this to the Commissioner's materials and the CDP file, in time for next week's Coastal Commission hearing. Thank you.

Subject: A-5-VEN-10-138-A1 (1305 Abbot Kinney, Venice) HEARING 7/9/2015

Honorable Commissioners,

We are hoping you will help us preserve the unique nature of the Venice Beach community. We are seeing too many projects bypass the rules. We have multiple buildings going up that take up over 90% of the usable lot, height restrictions are being ignored, and the Mello Act exemptions are being abused by folks like those building at 714 Hampton Avenue.

For this project in question today, the owner has a very consistent record of breaking every rule. It is clearly documented, and we are seeing also that the City is consistently being made aware of every violation, and for some unexplained reason, the City and the Coastal commission is turning a blind eye to the breaking of rules. Please enforce what is on the books. This project is a perfect example of what is going wrong with the approval process for these projects.

I respectfully request that the Coastal Commission deny the recommendations in the above mentioned appeal. I urge you to uphold your original decision and enforce that the developer include the three car lifts per your Determination in 2011. There have been no material changes to the property since, other than that the developer has built the restaurant from ground up and has ignored your requirements of the three parkings lifts, as well as those of the City of LA Building and Safety.

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Commission's original Determination and STAMPED PLANS, also lodged with the City, which were inclusive of the three parking lifts.

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The Venice Specific Plan unlike the LAMC, does not offer the choice of substituting four bicycle spaces for one car space, and City Planning, Building and Safety, and the developer seem to have ignored the VSP by neglecting to provide, and oversee, required parking for this project. For restaurants, the Venice Specific Plan requires one space for each 50 square feet of Service Floor Area plus a minimum of two parking spaces for commercial projects in the Venice Beach Impact Zone. In this case that accounts for the 13 ACTUAL car spaces. This project was built from the ground up and MUST provide real TANGIBLE spaces for patron parking.

DECK PAVING/LANDSCAPING:- The parking area which is supposed to be used for valet parking only of 12 cars, is paved with domestic pavers. It is also landscaped with rather fancy, and bulky, planter boxes which actually encroach on the parking space. This is a very tight area for parking 12 cars to begin with. A 3 x 3 tandem situation is previously unheard of. If one were to physically go there and observe the steep incline leading up to this 3 deep, 3 wide tandem situation, one would truly be left scratching their head as to how in the real world this could ever accommodate those 9 cars, save for dropping them in with a crane. The addition of the landscaping encroaches on this "parking" and hence the dimensions of available parking space on the deck falls short of your 2011 determination.

PARKING DECK AS POTENTIAL DINING PATIO:- We also have experience with same operator, Fran Camaj, who last year opened what was supposed to be a bakery-take out (NO SEATING) at 320 Sunset Ave, Venice, "Gjusta", yet from the get go operated a full restaurant. As part of his seating arrangement, he paved the adjoining Vacant Lot with the very *same pavers* which he has placed on the parking roof here at 1305 Abbot Kinney, inserted planter boxes and similar landscaping to here, and placed milk crates as make-shift tables and chairs to seat his customers. All of this without the proper permits. We believe he intends to do the same thing on this parking deck at 1305 Abbot Kinney. Why else would he put fancy pavers and lovely landscaping FOR VALET ACCESS ONLY? *We believe that to take his word that the lifts aren't feasible to build, is playing into his hands and enabling his USUAL plan of unpermitted seating to the detriment of the community's dire parking problems.*

RELEVANT APPLICANT HISTORY:- At his 320 Sunset, Gjusta, location he is still out of compliance after 9 months, seating people in vacant/parking lot and on unpermitted patio. You should note that due to this non-compliance, after several citations from Building and Safety, and repeated meetings with the City Attorney, he is scheduled to appear before a judge at LAX courthouse on July 13th. This relevant track record by this

operator displays his blatant disregard for the law and disrespect for City codes, not to mention for the affected community. He is also seating patrons without a permit at his other location Gjelina's/GTA at 1425 Abbot Kinney, in a neighboring rear yard, and has been cited by Building and Safety. Compliance date for that is 10th July.

Commissioners, we respectfully request that you uphold your very important conditions which were fought for hard by the community in 2010 and 2011. A fair decision was made by you all at that time. This current appeal should be denied completely. To excuse this operator's accountability at this premises, will simply cause the community undue strain from lack of parking, and further intensify already difficult traffic conditions on Abbot Kinney and at the rear of the site.

To go against your original determination, upon the mere word of an operator who the community and the City knows to be a serial scofflaw, would bring into question the integrity of the entire process. Please do not cause us to lose faith - It is important that we in Venice are assured that we can rely on you, the Coastal Commission, to protect and preserve our quality of life. Please deny this appeal and enforce that this developer meet his original obligations.

Sincerely,
John Campbell
Venice Resident and long time home owner.

Rehm, Zach@Coastal

From: James Adams <jadams828@gmail.com>
Sent: Friday, July 03, 2015 3:22 PM
To: Rehm, Zach@Coastal; Ainsworth, John@Coastal; Hudson, Steve@Coastal; Lester, Charles@Coastal
Cc: Chris.robertson@lacity.org; mike.bonin@lacity.org
Subject: Please deny the recommendations in A-5-VEN-10-138-A1 (1305 Abbot Kinney, Venice) HEARING 7/9/2015

Date: July 3, 2015

To: Dr. Charles Lester, Executive Director, California Coastal Commission

Jack Ainsworth, California Coastal Commission

Steve Hudson, California Coastal Commission

Chuck Posner, California Coastal Commission

Steve Hudson, Deputy Director, California Coastal Commission

Cc: Chris Robertson, Planning Deputy, CD 11

Mike Bonin, Councilmember, CD 11

From: James AdamsRe: A-5-VEN-10-138-A1 (1305 Abbot Kinney, Venice) HEARING 7/9/2015

Dear Mr. Rehm,

Please add the letter below to the Commissioner's materials and the CDP file, in time for next week's Coastal Commission hearing.

Thank you,
James Adams

Honorable Commissioners,

I respectfully request that the Coastal Commission deny the recommendations in the above mentioned appeal.

I urge you to uphold your original decision to include the three car lifts per your Determination in 2011. There have been no material changes to the property since, other than that the developer has built the restaurant from ground up and has ignored your requirements of the three parking lifts, as well as those of the City of LA Building and Safety.

I respectfully request that the following points be considered to the current CCC recommendation of removal of lifts in this case:

When he started this project this applicant was fully aware of all CCC conditions. Instead of adhering to these conditions, the building appears to have been constructed and extensively reinforced over the past three years in order to adequately sustain the weight of the three car lifts.

The actual construction was reviewed and signed off by LA Department of Building and Safety and should have been constructed per the Coastal Commission's original Determination and stamped plans lodged with the City, which were inclusive of the three parking lifts.

Unlike the LAMC, the Venice Specific Plan does not offer the choice of substituting four bicycle spaces for one car space, and City Planning, Building and Safety, and the developer seem to have ignored the VSP by neglecting to provide, and oversee, required parking for this project. This project was built from the ground up and should therefore provide real spaces for patron parking.

The operator of this business has another business at 320 Sunset, Gjusta, that has been out of compliance for 9 months, seating people in a vacant/parking lot and on an un-permitted patio. Even after several citations from the Department of Building and Safety, and repeated meetings with the Los Angeles City Attorney, Mr. Carmaj is scheduled to appear before a judge at LAX courthouse on July 13th. This relevant track record displays this operators blatant disregard for the law and disrespect for City codes and for his neighbors.

Commissioners, I respectfully request that you uphold your very important conditions which were hard won by the community in 2010 and 2011. A fair decision was made at that time and I ask that the current appeal should be denied completely.

To go against your original determination, upon the mere word of an operator who the community and the City knows to be a serial scofflaw, would bring into question the integrity of the entire process. Venice residents rely on you, the Coastal Commission, to protect and preserve our quality of life. Please deny this appeal and adhere to your original decision.

Sincerely,

James Adams,
Venice Resident

Rehm, Zach@Coastal

From: David Ewing <seriousbus@aol.com>
Sent: Friday, July 03, 2015 3:24 PM
To: Rehm, Zach@Coastal
Subject: A-5-VEN-10-138-A1 (1305 Abbot Kinney, Venice) -- a Teachable Moment.

Dear Honorable Coastal Commissioners:

You may be wondering why all the fuss about amending the parking conditions for 1305 Abbot Kinney's CDP. Why are Venice residents up in arms? More to the point, why is this an important Coastal issue?

Venice parking is extremely tight, especially on good beach days. When local businesses try to get by with inadequate parking, their clientele reduce the public spaces available for beach access. As the surrounding residential neighborhood gets saturated, the ripple effect moves toward to the beach. On summer days, everything from Abbot Kinney to the beach is taken, and traffic clogs as literally thousands of people search for a spot.

The applicant, Mr. Camaj, was permitted to open his large Gjeline restaurant, also on Abbot Kinney, with a single parking spot. He then expanded its dining area and reportedly appropriated the lone parking space for storage. The City apparently lacks either the will or the means to stop this, or to require parking to mitigate the impact.

Elsewhere in the Venice Coastal Zone, Mr. Camaj was permitted to open a bakery. He immediately converted it into a large eating establishment, without benefit of an amended permit, serving a full line of plated food. He attempted to convert the parking area into an informal seating area for diners. Both of these establishments take a toll on street parking near the beach.

This new restaurant at 1305 AK has already received a reduced parking requirement. Now he's back for another bite, using a specious argument.

Other businesses see his successes and wonder why they should follow the rules, such as they are. The City's rules themselves are part of the problem. In many circumstances, the City allows payment of a fee in lieu of providing a parking space. This in lieu fee is only a fraction of the value of a parking space. This is one way the Venice Coastal Zone Specific Plan fails to fulfill the responsibilities of the California Coastal Act. So it falls to this Commission to protect the coastal access mandate in the areas where City ordinances and enforcement fail to do so.

The bait and switch contained in the litany of changes in his applications to both this Commission and the City on this project have handed you a teachable moment about attempting to manipulate the system at the expense of coastal access. We all hope you will put this moment to effective use.

Yours truly,
David Ewing
1234 Preston Way,
Venice, CA 90291

26

Rehm, Zach@Coastal

From: HOLLY MOSHER <hollywoodnt@me.com>
Sent: Friday, July 03, 2015 3:52 PM
To: Rehm, Zach@Coastal; Ainsworth, John@Coastal; Hudson, Steve@Coastal; Lester, Charles@Coastal
Cc: Chris.robertson@lacity.org; mike.bonin@lacity.org
Subject: Subject: A-5-VEN-10-138-A1 (1305 Abbot Kinney, Venice) HEARING 7/9/2015

Dear Mr Rehm,

Please add this to the Commissioner's materials and the CDP file, in time for next week's Coastal Commission hearing. Thank you.

Subject: A-5-VEN-10-138-A1 (1305 Abbot Kinney, Venice) HEARING 7/9/2015

Honorable Commissioners,

I respectfully request that the Coastal Commission deny the recommendations in the above mentioned appeal. I urge you to uphold your original decision and enforce that the developer include the three car lifts per your Determination in 2011. There have been no material changes to the property since, other than that the developer has built the restaurant from ground up and has ignored your requirements of the three parkings lifts, as well as those of the City of LA Building and Safety.

The following points are pertinent and must be considered in order to deny the current CCC recommendation of removal of lifts in this case:-

CONSTRUCTION:- The applicant pulled his building permits in full knowledge of what the CCC conditions were. The building appears to have been painstakingly constructed and extensively reinforced over the past three years in order to adequately sustain the weight of the three car lifts. The neighborhood has witnessed this building in progress.

Furthermore, the actual construction has been overseen and signed off by LA Department of Building and Safety at every turn, which means it should have been constructed per the Coastal Commission's original Determination and STAMPED PLANS, also lodged with the City, which were inclusive of the three parking lifts.

VISUAL BLIGHT:- This scheme's design for lifts is lower than the original and the lifts can't be seen from the street. Hence, there is no visual blight whatsoever from "ugly lifts" as the report suggests.

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VENICE SPECIFIC PLAN:-

The Venice Specific Plan unlike the LAMC, does not offer the choice of substituting four bicycle spaces for one car space, and City Planning, Building and Safety, and the developer seem to have ignored the VSP by neglecting to provide, and oversee, required parking for this project. For restaurants, the Venice Specific Plan requires one space for each 50 square feet of Service Floor Area plus a minimum of two parking spaces for commercial projects in the Venice Beach Impact Zone. In this case that accounts for the 13 ACTUAL car spaces. This project was built from the ground up and MUST provide real TANGIBLE spaces for patron parking.

DECK PAVING/LANDSCAPING:- The parking area which is supposed to be used for valet parking only of 12 cars, is paved with domestic pavers. It is also landscaped with rather fancy, and bulky, planter boxes which actually encroach on the parking space. This is a very tight area for parking 12 cars to begin with. A 3 x 3 tandem situation is previously unheard of. If one were to physically go there and observe the steep incline leading up to this 3 deep, 3 wide tandem situation, one would truly be left scratching their head as to how in the real world this could ever accommodate those 9 cars, save for dropping them in with a crane. The addition of the landscaping encroaches on this "parking" and hence the dimensions of available parking space on the deck falls short of your 2011 determination.

PARKING DECK AS POTENTIAL DINING PATIO:- We also have experience with same operator, Fran Camaj, who last year opened what was supposed to be a bakery-take out (NO SEATING) at 320 Sunset Ave, Venice, "Gjusta", yet from the get go operated a full restaurant. As part of his seating arrangement, he paved the adjoining Vacant Lot with the very *same pavers* which he has placed on the parking roof here at 1305 Abbot Kinney, inserted planter boxes and similar landscaping to here, and placed milk crates as make-shift tables and chairs to seat his customers. All of this without the proper permits. We believe he intends to do the same thing on this parking deck at 1305 Abbot Kinney. Why else would he put fancy pavers and lovely landscaping FOR VALET ACCESS ONLY? *We believe that to take his word that the lifts aren't feasible to build, is playing into his hands and enabling his USUAL plan of unpermitted seating to the detriment of the community's dire parking problems.*

RELEVANT APPLICANT HISTORY:- At his 320 Sunset, Gjusta, location he is still out of compliance after 9 months, seating people in vacant/parking lot and on unpermitted patio. You should note that due to this non-compliance, after several citations from Building and Safety, and repeated meetings with the City Attorney, he is scheduled to appear before a judge at LAX courthouse on July 13th. This relevant track record by this operator displays his blatant disregard for the law and disrespect for City codes, not to mention for the affected community. He is also seating patrons without a permit at his other location Gjelina's/GTA at 1425 Abbot Kinney, in a neighboring rear yard, and has been cited by Building and Safety. Compliance date for that is 10th July.

Commissioners, we respectfully request that you uphold your very important conditions which were fought for hard by the community in 2010 and 2011. A fair decision was made by you all at that time. This current appeal should be denied completely. To excuse this operator's accountability at this premises, will simply cause the community undue strain from lack of parking, and further intensify already difficult traffic conditions on Abbot Kinney and at the rear of the site.

To go against your original determination, upon the mere word of an operator who the community and the City knows to be a serial scofflaw, would bring into question the integrity of the entire process. Please do not cause us to lose faith - It is important that we in Venice are assured that we can rely on you, the Coastal Commission, to protect and preserve our quality of life. Please deny this appeal and enforce that this developer meet his original obligations.

Sincerely,

Holly Mosher

Venice Resident

Sent from my iPhone

29.

Rehm, Zach@Coastal

From: Amy Alkon <flame777@aol.com>
Sent: Friday, July 03, 2015 4:16 PM
To: Rehm, Zach@Coastal; Ainsworth, John@Coastal; Hudson, Steve@Coastal; Lester, Charles@Coastal
Cc: Chris.robertson@lacity.org; mike.bonin@lacity.org
Subject: Subject: A-5-VEN-10-138-A1 (1305 Abbot Kinney, Venice) HEARING 7/9/2015

Subject: A-5-VEN-10-138-A1 (1305 Abbot Kinney, Venice) HEARING 7/9/2015

Dear Mr Rehm,

Please add this to the Commissioner's materials and the CDP file, in time for next week's Coastal Commission hearing. Thank you.

Subject: A-5-VEN-10-138-A1 (1305 Abbot Kinney, Venice) HEARING 7/9/2015

Honorable Commissioners,

As a neighbor and as part of a coalition of neighbors within a few blocks of 1305 Abbot Kinney, I respectfully request that the Coastal Commission deny the recommendations in the above mentioned appeal. I urge you to uphold your original decision and enforce that the developer include the three car lifts per your Determination in 2011. There have been no material changes to the property since, other than that the developer has built the restaurant from ground up and has ignored your requirements of the three parkings lifts, as well as those of the City of LA Building and Safety.

It is my strong suspicion that Fran Camaj has acted duplicitously in his stated plans for this location, and I think I can provide some illumination through a bit of history: Through years of what we have experienced from Gjelina, his restaurant a half a block from my house, and its companion, Gjelina Takeaway, next door. There has been a constant violation of numerous codes, from outdoor seating (not allowed) for Gjelina Takeaway to bringing in twice as many customers as they were permitted to have at Gjelina. This has imposed serious costs on my neighborhood.

I detail those below:

Amy Alkon here -- author and newspaper columnist living (almost) three blocks from 1305 Abbot Kinney.

I apologize for not coming to Ventura. I have a vestibular problem which currently makes it impossible for me to travel more than short distances by car without incurring motion sickness. But I am very passionate about this issue and the rule of law/codes, and I hope you will give serious consideration to what I've written below.

I would like to explain why it is the right thing to do to hold 1305 to the original conditions and especially the original parking conditions they were given.

Fran Camaj and his business associates in Gjelina, Gjelina Takeaway, and Gjusta (320 Sunset) have repeatedly shown that they violate any code or rule with impunity. Sadly, though we report them to Building and Safety for enforcement, as many know, enforcement in Los Angeles has been terribly lax, in part due to lack of budget.

Most of us -- thank goodness -- will never be the victim of serious crime. We all, however, have a right to a night's sleep that is not interrupted by a business violating their prohibition against amplified sound on their patio -- as Gjelina has done repeatedly for years, late into the night, despite both a prohibition against amplified sound being applied to them by a zoning board judge and despite LA Municipal Code 115.02, which says that a business within 500 feet of residences is prohibited from having amplified sound at any time.

When we reported them to Building and Safety, we were told that Building and Safety inspectors couldn't come out after hours. We tried reporting them to LAPD, but we have had a problem with that also. Officers don't understand the noise

laws -- and, we suspect, may be impressed by the celebrity restaurateur and clientele, so they seem to just come out and look the other way. How does that impact the neighborhood? We cannot leave our doors and windows open on a hot night without hearing the music -- the illegal amplified sound -- from Gjelina's patio. This isn't right.

Gjelina was given a limit of the number of seats they could have -- 60, or thereabouts -- in their zoning paperwork. As the neighborhood coalition proved to the zoning board repeatedly, they about doubled the amount of seats there in utter violation, which means we have hundreds of cars daily fighting for parking in our neighborhood. Gjelina, which provides ZERO parking spaces for the hundreds and hundreds of customers it brings in daily and the over 100 staffers one of their managers, Robert Schwann, told the zoning board judge they have.

When we reported them to the zoning board for having twice the seats they were allowed, no meaningful action was every taken against them. They are packed as ever with chairs. The message we are sent: If you are a wealthy and connected business owner, rules don't apply to you.

They were to use a one-car garage for parking for the restaurant. They do not. It is used for storage. This was also reported to the zoning board and nothing was done.

This is terrible, unfair, and has a strong negative effect on quality of life in neighborhoods around Gjelina and around each of Camaj's restaurants and food service places.

The British economist Pigou said that a business must pay for its costs out of its profits, not pass them on to the neighborhood around them. Well, it is a normal cost of doing business to provide parking for the customers you bring in. I was involved as early as 2010 or 2011 in the fight to talk sense about the parking plans (these awful lifts) at 1305. I lived in New York City for a number of years and can attest that these lifts are terribly loud. There are houses about 75 feet from 1305. Will residents never ever be able to keep a window open due to shrieking metal? How could this possibly be acceptable.

It is the belief of many of us who live in the neighborhood that these lifts were a wily plan designed to fail. To be impossible in terms of engineering (in such a small space) and utterly impractical (move eight cars to get one out? Who would park their car with the valets in order to have it held hostage in such a manner?) Furthermore, people in LA are not used to these lifts and are likely to fear that their cars would be damaged. I did an informal poll at a local coffeehouse the other day, and everyone I asked said they wouldn't allow their car to be put into one of these things.

There is one thing I would like to make clear: Those of us who oppose the constant violations by Camaj and his business partners of zoning and other codes are not a bunch of business-hating hippies. On the contrary, I am a pro-business libertarian. But I am pro ethical business -- business that follows rules and codes instead of taking advantage of lax enforcement and those impressed enough by celebrity restaurateurs and the like to roll back conditions of operation and ignore rule violations.

We just expect rule of law rather than celebrity popularity to triumph and for those who have the duty to apply and uphold the law to actually do that. I ask that you uphold the original parking rules and parking requirements imposed on 1305 -- and also that you impose punishments with real teeth in them for any overseating they end up doing (as Gjelina has done without repercussion). If it is not possible to impose such punishments, we ask why a repeat abuser, in repeated neighborhoods, as Camaj has shown himself to be, is not punished but is instead rewarded with more opportunities to degrade the quality of life for residents.

Sincerely,
Amy Alkon
1518 Electric Ave
Venice 90291

31

Rehm, Zach@Coastal

From: Sharon Laufer Vagley <sharonnlauffer@gmail.com>
Sent: Saturday, July 04, 2015 10:01 AM
To: Rehm, Zach@Coastal; Ainsworth, John@Coastal; Hudson, Steve@Coastal; Lester, Charles@Coastal
Cc: Chris.robertson@lacity.org; mike.bonin@lacity.org
Subject: A-5-VEN-10-138-A1 (1305 Abbot Kinney, Venice) HEARING 7/9/2015

Dear Mr Rehm,

Please add this to the Commissioner's materials and the CDP file, in time for next week's Coastal Commission hearing. Thank you.

Subject: A-5-VEN-10-138-A1 (1305 Abbot Kinney, Venice) HEARING 7/9/2015

Honorable Commissioners,

I respectfully request that the Coastal Commission deny the recommendations in the above mentioned appeal. I urge you to uphold your original decision and enforce that the developer include the three car lifts per your Determination in 2011. There have been no material changes to the property since, other than that the developer has built the restaurant from ground up and has ignored your requirements of the three parking lifts, as well as those of the City of LA Building and Safety.

The following points are pertinent and must be considered in order to deny the current CCC recommendation of removal of lifts in this case:-

CONSTRUCTION:- The applicant pulled his building permits in full knowledge of what the CCC conditions were. The building appears to have been painstakingly constructed and extensively reinforced over the past three years in order to adequately sustain the weight of the three car lifts.

VISUAL BLIGHT:- This scheme's design for lifts is lower than the original and the lifts can't be seen from the street. Hence, there is no visual blight whatsoever from "ugly lifts" as the report suggests.

VENICE SPECIFIC PLAN:-

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DECK PAVING/LANDSCAPING:- The parking area which is supposed to be used for valet parking only of 12 cars, is paved with domestic pavers. A 3 x 3 tandem situation is previously unheard of. If one were to physically go there and observe the steep incline leading up to this 3 deep, 3 wide tandem situation, one would truly be left scratching their head as to how in the real world this could ever accommodate those 9 cars, save for dropping them in with a crane. The addition of the landscaping encroaches on this "parking" and hence the dimensions of available parking space on the deck falls short of your 2011 determination.

PARKING DECK AS POTENTIAL DINING PATIO:- We also have experience with same operator, Fran Camaj, who last year opened what was supposed to be a bakery-take out (NO SEATING) at 320 Sunset Ave, Venice, "Gjusta", yet from the get go operated a full restaurant. As part of his seating arrangement, he paved the adjoining Vacant Lot with the very *same pavers* which he has placed on the parking roof here at 1305 Abbot Kinney, inserted planter boxes and similar landscaping to here, and placed milk crates as make-shift tables and chairs to seat his customers. All of this without the proper permits. We believe he intends to do the same thing on this parking deck at 1305 Abbot Kinney. Why else would he put fancy pavers and lovely landscaping FOR VALET

ACCESS ONLY? We believe that to take his word that the lifts aren't feasible to build, is playing into his hands and enabling his USUAL plan of unpermitted seating to the detriment of the community's dire parking problems.

RELEVANT APPLICANT HISTORY:- At his 320 Sunset, Gjusta, location he is still out of compliance after 9 months, seating people in vacant/parking lot and on unpermitted patio. You should note that due to this non-compliance, after several citations from Building and Safety, and repeated meetings with the City Attorney, he is scheduled to appear before a judge at LAX courthouse on July 13th. This relevant track record by this operator displays his blatant disregard for the law and disrespect for City codes, not to mention for the affected community. He is also seating patrons without a permit at his other location Gjelina's/GTA at 1425 Abbot Kinney, in a neighboring rear yard, and has been cited by Building and Safety. Compliance date for that is 10th July.

Commissioners, we respectfully request that you uphold your very important conditions which were fought for hard by the community in 2010 and 2011. A fair decision was made by you all at that time. This current appeal should be denied completely. To excuse this operator's accountability at this premises, will simply cause the community undue strain from lack of parking, and further intensify already difficult traffic conditions on Abbot Kinney and at the rear of the site.

To go against your original determination, upon the mere word of an operator who the community and the City knows to be a serial scofflaw, would bring into question the integrity of the entire process. Please do not cause us to lose faith - It is important that we in Venice are assured that we can rely on you, the Coastal Commission, to protect and preserve our quality of life. Please deny this appeal and enforce that this developer meet his original obligations.

Sincerely,

--

Sharon Vagley

Mobile: 917.881.2136

<http://goodmigrations.com>

33

Rehm, Zach@Coastal

From: arae12003 <arae12003@yahoo.com>
Sent: Sunday, July 05, 2015 6:14 PM
To: Rehm, Zach@Coastal; Ainsworth, John@Coastal; Hudson, Steve@Coastal; Lester, Charles@Coastal
Cc: Chris.robertson@lacity.org; mike.bonin@lacity.org
Subject: A-5-VEN-10-138-A1 (1305 Abbot Kinney, Venice) HEARING 7/9/2015

Dear Mr Rehm,

Please add this to the Commissioner's materials and the CDP file, in time for next week's Coastal Commission hearing. Thank you.

Subject: A-5-VEN-10-138-A1 (1305 Abbot Kinney, Venice) HEARING 7/9/2015

Dear Commissioners,

First, I want to apologize for my tardiness in getting my letter to you due to the holiday weekend spent with family and friends. I respect your time and hope that you are able to take my words into consideration for the upcoming hearing this week. I will keep it brief as I know you have heard from me at several hearings regarding Fran Camaj and living directly behind 320 Sunset, Gjusta.

I support the decision you made in 2011 re: 1305 Abbot Kinney and ask that you uphold that determination as is. The owner has a proven track record lacking in respect for city codes, laws and requirements. He is not in good standing with the community nor the city (9 month non-compliance court date July 13th re: 320 Sunset and cited by Building and Safety to be in compliance for seating at 1425 Abbot Kinney by July 10th). He has taken every chance possible to undermine the law to do what benefits him and his businesses, not the community.

I said I would keep my letter brief and will close with this... a city can only sustain so much. What is our dear City of Venice turning into? What is it going to become? What do we want it to be? How do we protect it and each other? I ask again that you please uphold your original decision and those of LA Building and Safety.

Thank you for your time and efforts. I hope that you will be able to get to the cold hard truth on July 9th when addressing Fran Camaj and his true motives for taking the law and our parking into his own hands.

Sincerely,

Amanda Borja and family

Rehm, Zach@Coastal

From: ilana marosi <ilanam18@yahoo.com>
Sent: Sunday, July 05, 2015 11:54 PM
To: Rehm, Zach@Coastal
Cc: Ainsworth, John@Coastal; Posner, Chuck@Coastal; Lester, Charles@Coastal; Hudson, Steve@Coastal; Alison Mills Bean
Subject: Fw: Subject:A-5-VENICE-10-138-A1 (1305 Abbott Kinney Blvd. Venice)

Hi Zach,

These concerned Venice residents sent an email to you on Saturday and it bounced back undelivered. They have since asked that I forward it on to you, as they are away with family for the holiday weekend. I hope you enjoyed a good holiday weekend yourself! I'm also hoping that you can find it in you to accept this important correspondence into the file and distribute it to the commissioners in time for Thursdays hearing.

Thank you in advance.

Best,
Ilana Marosi, on behalf of Mrs Alley Bean

On Saturday, July 4, 2015 3:46 PM, Alison Mills Bean <a@orsonbean.com> wrote:

Dear Commissioners,

My husband and I are long time residents of Venice Beach, we live on the Canals and used to enjoy walking and dining on Abbott Kinney Boulevard. I'm sure that we are not the first Venetians to appeal to you at the Coastal Commission about the very real and serious problem we are increasingly facing with parking. I am aware of the "in lieu" parking that Ruth Galanter set up years ago, but our understanding was that the monies collected would eventually be used to create ACTUAL parking. I have never been a Venetian vigilante, but as out Councilman Mike Bonin knows, as development increases in such astounding numbers, and very often with no parking included, I am rapidly becoming one.

This project on 1305 Abbott Kinney is by the developer Frann Camaj, whom I'm sure you know is perceived as no friend to our community. He now has MANY projects in Venice that have no parking provided, and the one on Sunset, Gjusta, still has people sitting on crates in the parking area, which is becoming obvious that is exactly what he plans to do here as well in his valet parking area, as it is now beautifully landscaped. A similar project on Hampton, "Sauce" again has absolutely no parking and it squeaked by Planning on an overturned ruling, by promising parking it cannot possibly deliver.

He clearly knows how to work the system to get a project passed and then just never comply, while residents have nowhere to park around Abbott Kinney and yet it continues!

Why, when someone is already in contempt of the City are they awarded more projects with what looks like exactly the same parking problems?

We citizens of Venice have always counted on the Coastal Commission to right wrongs, side with the people and keep the beach area accessible to everyone and livable. Please believe me this developer does not have that goal in mind. He does not play by the rules of the Venice Specific Plan nor of the Coastal Development bylines.

I speak for MANY neighbors in my neighborhood who are astonished and very upset that this parking

situation in Venice has been allowed to go on for so long. That developers continue to be allowed to buy more and more parking when no actual parking exists. And worse, that this developer repeatedly cheats in his plans and never gets cited. I'm thrilled that Fran Camaj is being taken to court, but I plead with you to please carefully consider these plans, look at the fact that he removed the stacked parking he was forced to provide, and the terrace he is "offering" instead does not look like a parking area any more than Gjusta's now outdoor seating(parking) area does if you would go look at it.

Thank you for your time. I urge you to reject this project as it now stands, until real parking that will be used as parking is provided.

Sincerely yours,
Alley Mills Bean
Orson Bean
444 Carroll Canal
Venice

Sent from my iPad

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CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
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Th13b

Filed: 6/5/15
180th Day: 12/2/15
Staff: Z. Rehm-LB
Staff Report: 6/19/15
Hearing Date: 7/9/15

STAFF REPORT: PERMIT AMENDMENT

Application No.: A-5-VEN-10-138-A1

Permittee: ADC Development Inc. (Fran Camaj)

Agent: Stephen Vitalich

Location: 1305 Abbot Kinney Boulevard, Venice, City of Los Angeles, Los Angeles County (APN 423-902-7002).

Description of Amendment: Reduce required vehicle parking spaces from 13 to 10, remove three vehicle lifts from project description, provide electric vehicle charging station, 12 outdoor bicycle parking spaces, two indoor bicycle parking spaces, and employee transit pass program.

Description of Project Originally Approved October 13, 2010: Demolition of a one-story 1,312 square foot residential building, and construction of a new 25-foot high, 1,248 square foot restaurant with a rooftop parking deck.

Staff Recommendation: Approval with conditions.

SUMMARY OF STAFF RECOMMENDATION

ADC Development Inc. requests an amendment to Coastal Development Permit A-5-VEN-10-138 for a restaurant and associated parking requirements in Venice. After the City of Los Angeles's action to approve a restaurant with six vehicle parking spaces was appealed, the Commission found that a substantial issue existed and approved the underlying coastal development permit for a restaurant with 13 parking spaces (including three spaces on vehicle lifts) at a de novo hearing on October 13, 2010. The applicant has constructed the restaurant and the rooftop parking area but asserts that the structure cannot support the weight of the vehicle lifts and there is not enough space on-site to provide the required 13 vehicle parking spaces. Commission staff recommends **approval** of the amendment request, as conditioned to ensure that the applicant provides a rigorous set of transportation related mitigation measures in addition to a minimum of 10 vehicle parking spaces.

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APPENDICES

Appendix A – Substantive File Documents

Appendix B – All Standard and Special Conditions that Apply to this CDP

EXHIBITS

Exhibit 1 – Vicinity Map

Exhibit 2 – Proposed Plans

Exhibit 3 – Photographs

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** the proposed amendment to Coastal Development Permit A-5-VEN-10-138-A1 subject to the conditions set forth in the staff recommendation.*

Staff recommends a **YES** vote on the foregoing motion. Passage of this motion will result in conditional approval of the permit amendment and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby approves the coastal development permit amendment on the ground that the development as amended and subject to conditions, will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit amendment complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the amended development on the environment, or 2) there are no feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the amended development on the environment.

II. STANDARD CONDITIONS

This permit amendment is granted subject to the following standard conditions:

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittees or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittees to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

NOTE: Appendix B, attached, includes all standard and special conditions that apply to this permit, as approved by the Commission in its original action and modified and/or supplemented by all subsequent amendments, including this amendment number A-5-VEN-10-138-A1. All of the Commission's adopted special conditions approved by the Commission in its previous action continue to apply in their most recently approved form unless explicitly changed in this action. New conditions and modifications to existing conditions imposed in this action on Amendment A-5-VEN-10-138-A1 are shown in the following section. Within Appendix B, changes to the previously approved special conditions are also shown in bold and underline. This will result in one set of adopted special conditions.

Changes to the special conditions of the permit are noted with eliminated words in ~~strike through~~ and new words in existing conditions and new conditions are in **bold and underline**:

1. **Approved Development: Restaurant with On-site Parking.** Coastal Development Permit A-5-VEN-10-138 approves the construction of a restaurant with a maximum of 550 square feet of Service Floor Area (which includes both the indoor and outdoor patio Service Floor Area), a rooftop parking deck, and a total of ~~thirteen~~ **ten (10)** on-site parking spaces. Prior to the issuance of the coastal development permit, the applicant shall submit, for the review and approval of the Executive Director, a revised floor plan that is consistent with the terms of this condition. The approved restaurant use is contingent upon the permittee's implementation and continued operation of the parking program described in Special Condition Two of this permit. In the event of non-compliance with the approved parking program, the permittee's right to use the 550 square feet of Service Floor Area for customer service shall terminate.

All development must occur in strict compliance with the special conditions and the final plans approved by the Executive Director. Any deviation from the approved plans, any proposed change in use, expansion of customer dining areas, change to the approved parking program, change in number of parking stalls, or any other deviation from the approved development, shall be submitted for review by the Executive Director to determine whether an amendment to this coastal development permit is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations. If the Executive Director determines that an amendment is necessary, no changes shall be made until a permit amendment is approved by the Commission and issued by the Executive Director.

2. **Parking and Transportation Management Program.** In order to protect nearby public parking facilities from the parking impacts of the proposed development and to protect public access to the coast, the permittee shall:

- A. Provide at least ~~thirteen (13)~~ **ten (10)** parking stalls on the site for use by restaurant employees and customers. There shall be no charge or fee for customers and employees to use the on-site parking while working or patronizing the approved restaurant (a parking validation system is permitted).
- B. Provide a parking attendant service on the premises during all hours that the restaurant is open to maximize the on-site parking capacity. During peak business hours (8:00 pm to closing on all Fridays, Saturdays and Sundays), at least three parking attendants shall be on the premises to move vehicles into and out of the on-site parking area. Storage of vehicles by valets/parking attendants in public parking lots or on public rights-of-way is prohibited. Automobiles may be queued in the alley for up to five minutes, if necessary.
- C. Maintain an area **with a minimum of twelve (12) outdoor and two (2) indoor bicycle parking spaces** on the site for convenient bicycle parking (for **no charge or fee and unrestricted use of** customers and employees).
- D. **Provide a minimum of one ADA Accessible Parking Space.**
- E. **Provide a minimum of one functional Level 2 Electric Vehicle Charging Station with a minimum 20-foot long cable capable of delivering 220 Volts of power to plug-in electric vehicles on-site (for no charge or fee and unrestricted use of customers and employees).**
- F. **Reimburse 100% of the cost of transit for employees who ride transit to work. This condition shall not be limited to a particular program offered by METRO, but shall apply to any transit system(s) employees utilize to reach the workplace.**

The Parking **and Transportation Management** Program shall be implemented at all times consistent with the above-stated requirements and limitations. Any proposed change to the required Parking and Transportation Management Program shall be submitted to the Executive Director to determine whether an amendment to this permit is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations.

8. **Deed Restriction. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT AMENDMENT (A-5-VEN-10-138-A1), the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant has executed and recorded against the parcel governed by this permit amendment a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this coastal development permit, as amended, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the special conditions of this permit, as amended, as covenants, conditions and restrictions on the use and enjoyment of the property. The deed restriction shall include a legal description of the entire parcel governed by this coastal development permit amendment. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this coastal development permit, as amended, shall continue to restrict the use and enjoyment of**

the subject property so long as either this coastal development permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property. This deed restriction shall supersede and replace the deed restriction(s) recorded pursuant to Special Condition 7 of Coastal Development Permit No. A-5-VEN-10-138, approved on October 13, 2010, which deed restriction is recorded as Instrument No. 2011-0302992 in the official records of Los Angeles County.

IV. 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 subject 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 subject project site is located within the *Single Permit Jurisdiction Area*. Since the Commission approved the original permit after hearing an appeal of the project, the Commission retains permitting authority over subsequent amendments to the permit.

V. FINDINGS AND DECLARATIONS

A. PROJECT LOCATION AND DESCRIPTION

ADC Development Inc. requests an amendment to Coastal Development Permit A-5-VEN-10-138 for a restaurant and associated parking requirements at 1305 Abbot Kinney Boulevard in Venice, Los Angeles. The 1,248 square foot restaurant structure and rooftop parking area have been constructed consistent with the plans approved by Coastal Development Permit A-5-VEN-10-138, with the exception of the three vehicle lifts atop the roof originally proposed by the applicant and subject to the Commission’s approval of the underlying CDP. The project site is a 3,400 square foot commercially zoned (C2-1) lot in North Venice, which fronts Abbot Kinney Boulevard approximately ½ mile inland of Venice Beach and boardwalk (**Exhibit 1**).

The approved one-story restaurant building is 25 feet high and has 550 square feet of indoor and outdoor customer service area (**Exhibit 2**). The approvals of the restaurant project granted by the City of Los Angeles limits the patron capacity to a maximum of 47 people. **Exhibit 2** shows the applicant’s revised parking plan with nine conforming tandem parking spaces on the rooftop deck and one ADA Accessible parking space at grade at the southeast corner of the property adjacent to the alley. The plan also notes the applicant’s request to remove three vehicle lifts at the western edge of the roofdeck parking area from the project description and includes a commitment to provide an electric vehicle charging station at the northern edge and bike racks at the western edge.

Abbot Kinney Boulevard is a pedestrian-oriented commercial street lined with a variety of eating and drinking establishments, retail stores, boutiques, art galleries, and residences. The community was established early in the nineteenth century and many of the businesses have little or no on-site

parking. The competition for the limited amount of on-street parking is intense, especially in the evenings and on weekends when many of the residents of the surrounding neighborhood are home. A paid public parking lot is located behind the project site opposite the rear alley (**Exhibit 3**).

B. PROJECT HISTORY

On April 21, 2010, the City of Los Angeles West Los Angeles Area Planning Commission approved with conditions Local Coastal Development Permit No. APCW-2009-1738 for a new restaurant at 1305 Abbot Kinney Boulevard in the North Venice. The action was not appealed at the local level.

On June 17, 2010, 1311 A.K. Properties, LLC appealed the City's final action to the Coastal Commission. On July 9, 2010, the Commission determined that the appeals raised a substantial issue because the local approval did not include a plan to fully mitigate the parking impacts of the development. On October 13, 2010, the Commission approved Coastal Development Permit A-5-VEN-10-138 with conditions including a requirement to provide a minimum of 13 on-site vehicle parking spaces.

C. PUBLIC ACCESS

One of the basic goals stated in the Coastal Act is to maximize public access and recreation along the coast. The proposed project must conform with the following Coastal Act policies which protect and encourage public access and recreational use of coastal areas. The Commission has consistently found that a direct relationship exists between public access and the provision of adequate parking and transportation related mitigation at new developments near the coast. The subject development is approximately ½ mile inland of Venice Beach and boardwalk where public beach use is most popular; however, the demand for parking on Abbot Kinney Boulevard and on the surrounding residential streets surpasses the supply during peak use periods, as does the demand for beach parking near the beach and boardwalk. The peak use periods in the Venice area when parking demand is greatest are primarily summer weekends, although beach use tends to be higher during the daytime and restaurant use is most intense in the evening.

Section 30210 of the Coastal Act states, in part:

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 people...

Section 30252 of the Coastal Act states, in part:

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...(3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation...

Section 30253 of the Coastal Act states, in part:

*New development shall do all of the following:
(d) Minimize energy consumption and vehicle miles traveled.*

The Commission, on June 14, 2001, certified the Venice Land Use Plan (LUP), which contains specific policies to carry out the requirements of the Coastal Act. The certified Venice LUP requires that new development shall provide the necessary additional parking spaces as required by the LUP Parking Requirement Table. LUP Policy II.A.3, sets forth the parking requirements for restaurants as follows:

Restaurant: 1 space for each 50 square feet of service floor area (including outdoor service areas).

The LUP definition for “Service Floor Area” is: All areas where the customer can be served, except the bathroom, including the indoor and outdoor dining area, bar, waiting room and tavern. The proposed restaurant has 550 square feet of service floor area (**Exhibit 2**). The parking requirements set forth in the certified Venice LUP require 11 parking spaces for 550 square feet of service floor area (at the rate of one parking space for each fifty square feet of service floor area).

Policy II.A.4 of the certified LUP requires the provision of additional parking spaces (or the payment of in lieu fees) for new development in the Beach Impact Zone (BIZ):

Any new and/or any addition to commercial, industrial, and multiple-family residential development projects within the Beach Impact Zone shall provide additional (in addition to parking required by Policy II.A.3) parking spaces for public use or pay in-lieu fees into the Venice Coastal Parking Impact Trust Fund.

Beach Impact Zone (BIZ) Parking Impact Trust Fund criteria:

- a. Commercial and industrial projects in the BIZ shall provide one additional parking space for each 640 square feet of floor area of the ground floor. Up to 50% of the total number of these additional parking spaces required in this section may be paid for in lieu of providing the spaces...*

The BIZ parking requirement for the proposed project is one parking space for each 640 square feet of floor area on the ground floor. The proposed project includes 1,248 square feet of floor area on the ground floor so the applicant would be required to provide two BIZ parking spaces under the LUP (at the rate of one parking space for each 640 square feet of floor area). The applicant originally proposed to pay into the City’s in-lieu program for one of the spaces, but the Commission required 13 actual vehicle parking spaces on-site (11 per LUP Policy II.A.3 plus two per LUP Policy II.A.4) through Special Condition 3 of the underlying Coastal Development Permit A-5-VEN-10-138.

Following issuance of the CDP, the applicant received approval from the Los Angeles Department of Building and Safety to provide 12 bicycle parking spaces on the roof of the building in lieu of three of the required vehicle parking spaces. That action is permitted under amended Section 12.03 of the Los Angeles Municipal Code which allows up to 30% of required vehicle parking spaces to be replaced by bicycle parking spaces at a rate of 4:1; however, the action was inconsistent with the conditions of the approved CDP which is explicit in its requirement that any changes to the approved plans must be submitted to the Executive Director for review.

Special Condition 1 states, in part: *Any deviation from the approved plans, any proposed change in use, expansion of customer dining areas, change to the approved parking program, change in number of parking stalls, or any other deviation from the approved development, shall be submitted for review by the Executive Director to determine whether an amendment to this coastal development permit is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations.*

Special Condition 2 states, in part: *The Parking Program shall be implemented at all times consistent with the above-stated requirements and limitations. Any proposed change to the required Parking Program shall be submitted to the Executive Director to determine whether an amendment to this permit is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations.*

Special Condition 6 states, in full: **Local Government Approval.** *The proposed development is subject to the review and approval of the local government (City of Los Angeles). This action has no effect on conditions imposed by a local government pursuant to an authority other than the Coastal Act, including the conditions of the City of Los Angeles Department of City Planning Case No. APCW-2009-1738 (Venice Specific Plan Project Permit & Zone Variances). In the event of conflict between the terms and conditions imposed by the local government and those of this coastal development permit, the terms and conditions of Coastal Development Permit A-5-VEN-10-138 shall prevail.*

The Los Angeles Department of Building and Safety issued a building permit for the restaurant and rooftop parking area in 2014 and the structure has since been constructed consistent with both the Commission-approved plans of the underlying CDP and the City-approved construction plans. Following communication with Commission staff, the applicant has acknowledged that the City did not have jurisdiction to waive the requirement for three vehicle parking spaces and the applicant has agreed that an amendment is required to reduce the number of required parking spaces.

According to the applicant, it is no longer feasible or safe to provide the required 13 vehicle parking spaces on-site because three of the spaces were originally proposed atop vehicle lifts, atop the roof. According to the applicant, vehicle lifts weigh thousands of pounds and the roofdeck was not constructed to support their weight because the City-approved construction plans did not require the vehicle lifts or the three vehicle parking spaces they would have enabled. The applicant applied for the subject Coastal Development Permit A-5-VEN-10-138-A1 on April 7, 2015 and has worked with Commission staff to propose a rigorous set of transportation related mitigation measures in addition to a minimum of 10 conforming vehicle parking spaces.

The applicant proposes 12 bicycle parking spaces secured to six bicycle racks on the western edge of the roofdeck. These are proposed to be available for employee or customer use. Additionally, the applicant proposes two secure bicycle parking spaces inside the restaurant, primarily for employee use but secure bicycle parking will also be available to customers on request. The applicant also provides funding and maintenance for City programs which provide bicycle parking corrals for up to 18 bicycles each on Abbot Kinney Boulevard (two of which were approved by the Executive Director under Coastal Development Waiver Nos. 5-12-248 and 5-12-250). The applicant states that encouraging cycling is an important value of the company (which includes several other restaurants in the area). The applicant further states that based on his experience living and working in Venice, on-site bike parking is highly coveted because it is more secure than bike parking on the street. The

applicant states that “since 2008, I know of at least 50 occurrences of bike theft from my employees.” The applicant suggests that providing bike infrastructure and interest free loans to employees who wish to purchase bikes reduces demand for driving and parking at his restaurants.

The applicant has offered to provide a Level 2 Electric Vehicle Charging Station within the rooftop parking area, which will provide free charging to employees and customers of the restaurant. The Commission has recently found that electric vehicle charging stations improve public access to areas at or near the coast because they encourage those who have electric cars to visit these areas without worrying about running out of power (CDP 5-14-1819; City of Long Beach Junipero Parking Lot). If more people with electric cars visit these areas, it will, inherently, have the effect of improving air quality and reducing energy consumption since electric cars do not produce emissions and are much more energy efficient than cars with internal combustion engines, consistent with Coastal Act Sections 30252 and 30253.

The subject site is well served by public transit. Multiple Los Angeles County Metropolitan Authority (METRO) routes provide access along Venice Boulevard, Abbot Kinney Boulevard, and Main Street. The Santa Monica Big Blue Bus serves Pacific Avenue. METRO’s Expo light rail line is set to open in late 2015 and will have stations in Santa Monica, approximately 1 ½ miles north, which will be served by busses and bike share. The applicant currently offers employees up to 100% reimbursement for transit passes purchased through METRO’s TAP program and states that 65 employees participated in 2014.

The applicant proposes to utilize the rooftop parking area as efficiently as possible to enable the maximum amount of vehicles to park and to minimize transition and idling time of employees and customers waiting to park. The applicant states that parking attendants are on-site any time the restaurant is open and additional attendants are on-site during peak periods. The City recognizes nine conforming parking spaces in tandem on the rooftop parking deck and one conforming ADA accessible parking space at grade adjacent to the alley. The applicant states that during extremely busy periods, the ramp between the alley and the rooftop parking area could accommodate an additional two valet-parked vehicles (see parking plan in **Exhibit 2** and images in **Exhibit 3**). Those potential parking spaces are not recognized by the City of Los Angeles because the ramp is too steep to meet City code (although the City issued variances for other non-conforming aspects of the applicant’s parking plan). The applicant also asserts that the City parking lot on the other side of the alley directly behind the restaurant (**Exhibit 3**) will alleviate parking issues along Abbot Kinney Boulevard. The parking lot has not been accessible for approximately one year, as the City has been re-paving and re-landscaping it using funds generated from parking in-lieu fees charged to other businesses and residences in the area.

Finally, the applicant’s parking analysis prepared during the application process of the underlying coastal development permit concluded that during most hours of most weekdays and weekends, parking demand will be fewer than the 10 proposed parking spaces.¹ The analysis was based on national standards developed by the Urban Land Institute for similar land uses. Projected total demand (employees plus customers) is 11 vehicles from approximately 7:00 pm to 10:00 pm on weekdays and approximately 6:00 pm to 11:00 pm on weekends. The analysis predicts demand for 12 vehicles for one hour on weekends between approximately 7:30 pm and 8:30 pm. During those

¹ “Updated Parking Assessment for a Proposed 1,248 SF Restaurant Located at 1305 Abbot Kinney Boulevard in the Venice Community”. Overland Traffic Consultants, Inc. September 13, 2010.

hours, the applicant would be required to have a minimum of three parking attendants on duty who could utilize the ramp parking area to meet the excess demand.

The standard of review for the proposed amendment is the Chapter 3 policies of the Coastal Act. The Venice Land Use Plan may be used as guidance. The proposal to provide 10 conforming vehicle parking spaces instead of the 13 required by the underlying CDP is not consistent with the Venice Land Use Plan, which would require 12 parking spaces on-site plus one additional Beach Impact Zone parking space on-site or payment in-lieu. However, the applicant's proposal can be found to be consistent with the Coastal Act and with recent Commission actions which encourage alternate modes of transportation and less intense energy uses.

The proposed amendment is consistent with Section 30252 of the Coastal Act because the applicant's proposed transit program *facilitate(s) the provision or extension of transit service, provide(s) non-automobile circulation within the development, and provide(s) adequate parking facilities or provide(s) substitute means of serving the development with public transportation.*

The proposed amendment is consistent with 30253 because the provision of bicycle parking and an electric vehicle charging station *minimizes energy consumption and vehicle miles traveled.*

In order to ensure that the applicant's proposed transportation related mitigation measures are enhanced and maintained over the life of the development use (which will reduce demand for vehicle parking and improve coastal access), the Commission revises **Special Condition 2** to require the applicant to maintain an area with a minimum of 12 outdoor and two indoor bicycle parking spaces on the site for convenient bicycle parking (for no charge or fee and unrestricted use of customers and employees), provide a minimum of one ADA accessible parking space, provide a minimum of one functional Level 2 Electric Vehicle Charging Station with a minimum 20-foot long cable capable of delivering 220 Volts of power to plug-in electric vehicles on-site (for no charge or fee and unrestricted use of customers and employees), and reimburse 100% of the cost of transit for employees who ride transit to work. In order to maximize the incentive offered for employees who ride transit to work and further reduce the demand for vehicle parking, the Commission requires that the transit reimbursement program shall not be limited to a particular program offered by METRO, but shall apply to any transit system(s) employees utilize to reach the workplace. In order to permit the restaurant to operate safely and with maximum structural integrity, while providing its employees and customers with free on-site parking, the Commission revises **Special Condition 1** and **Special Condition 2** to reduce the number of required on-site parking spaces from 13 to 10.

The Commission finds that, only as conditioned to minimize impacts to the parking supply in Venice and the surrounding residential neighborhoods, where parking demand may overlap with beach parking demand, the proposed development will not have any new adverse impact on public access to the coast or to nearby recreational facilities. Thus, as conditioned, the proposed development conforms with Sections 30210, 30211, 30252, and 30253 of the Coastal Act.

D. VISUAL RESOURCES

As required by the Coastal Act and the certified Venice LUP, the visual qualities of this coastal area shall be protected from negative impacts such as excessive building heights and bulks, and unnecessary visual clutter.

Section 30251 of the Coastal Act states, in part:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas...

Policies I.D.4 and V.A.5 of the certified Venice LUP state:

Policy I. D. 4. Signs. Roof top signs and billboards are prohibited in all land use categories. Business identification signs shall comply with the height limits and development standards specified in the LUP to ensure they do not adversely affect view sheds and view corridors.

Policy V. A. 5. Streetscapes. Streetscape improvements throughout the Venice Coastal Zone shall be maintained and enhanced to enhance pedestrian activity and contribute to a high quality of life and visual image for residents and visitors.

When the applicant originally proposed to provide the vehicle lifts atop the parking garage, some appellants and nearby residents alleged that the vehicle lifts would contribute to negative visual impacts of the surrounding area. The Commission did not make specific findings related to the visual impact of the lifts in its approval of the underlying coastal development permit; however the proposal to remove the vehicle lifts from the project description will be consistent with the visual resource policies of the Coastal Act and the Venice Land Use Plan because the lifts would have contributed to the visual clutter of the area. The proposal to provide bicycle parking, electric vehicle charging station, and reimbursement for transit instead of three large metal structures atop a 25 foot high building is consistent with the character and scale of the surrounding area, has been designed to assure structural integrity, and will avoid cumulative adverse impacts on visual resources and public access. Therefore, the Commission finds that the development, as conditioned, conforms with Section 30251 of the Coastal Act.

E. DEED RESTRECTION

To ensure that any prospective future owners of the property are made aware of the applicability of the conditions of this coastal development permit amendment, the Commission imposes one additional condition requiring that the property owners to record a deed restriction against the property that will supersede and replace the previously recorded deed restriction that the applicant recorded pursuant to Special Condition 7 of the original permit. The deed restriction will reference all of the special conditions of this permit, as amended, and impose them as covenants, conditions and restrictions on the use and enjoyment of the property. Thus, as conditioned, this permit ensures that any prospective future owner will receive actual notice of the restrictions and/or obligations imposed on the use and enjoyment of the land in connection with the authorized development.

F. LOCAL COASTAL PROGRAM

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal development permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act.

The City of Los Angeles does not have a certified Local Coastal Program for the Venice area. The City of Los Angeles Land Use Plan (LUP) for Venice was effectively certified on June 14, 2001. The Commission's standard of review for the proposed development is the Chapter 3 policies of the Coastal Act. The certified Venice LUP is advisory in nature and may provide guidance. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and the certified LCP for the area. As a result of the proposed project's consistency with the Coastal Act and the certified LUP for Venice, approval of this project will not prejudice the City of Los Angeles' ability to prepare an LCP that is consistent with Chapter 3 of the Coastal Act.

G. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 13096 of the California Code of Regulations requires Commission approval of coastal development permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

In this case, the City of Los Angeles is the lead agency and the Commission is the responsible agency for the purposes of CEQA. The City of Los Angeles issued Negative Declaration No. ENV-2009-1739-MND for the project on August 24, 2009. The proposed project, as conditioned, has been found consistent with the Chapter 3 policies of the Coastal Act. The proposed project, as revised by this permit amendment, has been conditioned in order to be found consistent with the Chapter 3 policies of the Coastal Act. As conditioned, there are no feasible alternatives or additional feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, and the permit amendment, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and complies with the applicable requirements of the Coastal Act to conform to CEQA.

Appendix A – Substantive File Documents

1. City of Los Angeles certified Land Use Plan for Venice, 6/14/2001.
2. City of Los Angeles Specific Plan for Venice, Ordinance No. 175,693.
3. Updated Parking Assessment for a Proposed 1,248 SF Restaurant Located at 1305 Abbot Kinney Boulevard in the Venice Community, Prepared by Overland Traffic Consultants, Inc. September 13, 2010.
4. City of Los Angeles Local Coastal Development Permit No. APCW-2009-1738.
5. City of Los Angeles Zone Variance to permit compact parking stalls within an on-site parking area that contains less than ten overall spaces (Case No. APCW-2009-1738).
6. City of Los Angeles Zone Variance to permit tandem parking (No. APCW-2009-1738).
7. City of Los Angeles Zone Variance to not provide a loading space that is otherwise required for commercial buildings which abut an alley (Case No. APCW-2009-1738).
8. City of Los Angeles Specific Plan Project Permit pursuant to the Venice Coastal Zone Specific Plan (Case No. APCW-2009-1738).
9. City of Los Angeles Negative Declaration No. ENV-2009-1739-MND, 8/24/2009.

Appendix B – All Standard and Special Conditions that Apply to this CDP

Appendix B includes all standard and special conditions that apply to this permit, as approved by the Commission in its original action and modified and/or supplemented by all subsequent amendments, including this amendment number A-5-VEN-10-138-A1.

STANDARD CONDITIONS:

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittees or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittees to bind all future owners and possessors of the subject property to the terms and conditions.

SPECIAL CONDITIONS:

1. **Approved Development: Restaurant with On-site Parking.** Coastal Development Permit A-5-VEN-10-138 approves the construction of a restaurant with a maximum of 550 square feet of Service Floor Area (which includes both the indoor and outdoor patio Service Floor Area), a rooftop parking deck, and a total of ~~thirteen~~ **ten (10)** on-site parking spaces. Prior to the issuance of the coastal development permit, the applicant shall submit, for the review and approval of the Executive Director, a revised floor plan that is consistent with the terms of this condition. The approved restaurant use is contingent upon the permittee's implementation and continued operation of the parking program described in Special Condition Two of this permit. In the event of non-compliance with the approved parking program, the permittee's right to use the 550 square feet of Service Floor Area for customer service shall terminate.

All development must occur in strict compliance with the special conditions and the final plans approved by the Executive Director. Any deviation from the approved plans, any proposed change in use, expansion of customer dining areas, change to the approved parking program, change in number of parking stalls, or any other deviation from the approved development, shall be submitted for review by the Executive Director to determine whether

an amendment to this coastal development permit is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations. If the Executive Director determines that an amendment is necessary, no changes shall be made until a permit amendment is approved by the Commission and issued by the Executive Director.

2. **Parking and Transportation Management Program.** In order to protect nearby public parking facilities from the parking impacts of the proposed development and to protect public access to the coast, the permittee shall:

- A. Provide at least ~~thirteen (13)~~ **ten (10)** parking stalls on the site for use by restaurant employees and customers. There shall be no charge or fee for customers and employees to use the on-site parking while working or patronizing the approved restaurant (a parking validation system is permitted).
- B. Provide a parking attendant service on the premises during all hours that the restaurant is open to maximize the on-site parking capacity. During peak business hours (8:00 pm to closing on all Fridays, Saturdays and Sundays), at least three parking attendants shall be on the premises to move vehicles into and out of the on-site parking area. Storage of vehicles by valets/parking attendants in public parking lots or on public rights-of-way is prohibited. Automobiles may be queued in the alley for up to five minutes, if necessary.
- C. Maintain an area **with a minimum of twelve (12) outdoor and two (2) indoor bicycle parking spaces** on the site for convenient bicycle parking (for **no charge or fee and unrestricted use of** customers and employees).
- D. **Provide a minimum of one ADA Accessible Parking Space.**
- E. **Provide a minimum of one functional Level 2 Electric Vehicle Charging Station with a minimum 20-foot long cable capable of delivering 220 Volts of power to plug-in electric vehicles on-site (for no charge or fee and unrestricted use of customers and employees).**
- F. **Reimburse 100% of the cost of transit for employees who ride transit to work. This condition shall not be limited to a particular program offered by METRO, but shall apply to any transit system(s) employees utilize to reach the workplace.**

The Parking **and Transportation Management** Program shall be implemented at all times consistent with the above-stated requirements and limitations. Any proposed change to the required Parking and Transportation Management Program shall be submitted to the Executive Director to determine whether an amendment to this permit is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations.

3. **Beach Impact Zone Parking.** The applicant is not permitted to pay into the Venice Coastal Parking Impact Trust Fund in lieu of providing any required BIZ parking space. All required parking shall be provided on the site consistent with Special Conditions One and Two of this permit.

4. **Protection of Marine Resources.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit plans, subject to the review and approval of the Executive Director, for the implementation of appropriate source control, treatment, and both structural and non-structural Best Management Practices (BMPs) to mitigate the pollutant load of stormwaters and nuisance flows from the development site. The BMPs shall include, but are not limited to the following:
- A. The applicant shall, on a weekly basis, sweep the on-site parking surface and outdoor dining areas and other impervious surfaces to remove sediment, debris and vehicular residues. Washing-down of impervious surfaces is prohibited, unless these nuisance flows are diverted through an approved filter and do not contribute any additional pollutants to the runoff.
 - B. The applicant shall use trash and recycling containers that, if they are to be located outside or apart from the principal structure, are fully enclosed and water-tight in order to prevent stormwater contact with waste matter which can be a potential source of bacteria, grease and other pollutants in runoff.
 - C. Wash down areas for restaurant equipment and accessories shall be identified and designed as follows: i) The area shall be self-contained, equipped with a grease trap or grease interceptor, or other BMP that prevents grease from reaching the sewer system, and properly connected to a sanitary sewer; ii) if the wash area is to be located outdoors, it shall be covered, paved, have primary containment, and be connected to the sanitary sewer; and, iii) the grease trap/interceptor shall be regularly maintained according to manufacturer's specifications to ensure maximum removal efficiencies.

The permittee shall implement, maintain and carry out the plans for BMPs as approved by the Executive Director.

5. **Signs.** Rooftop signs and signs that exceed the height of the structure are prohibited. Freestanding signs are not permitted.
6. **Local Government Approval.** The proposed development is subject to the review and approval of the local government (City of Los Angeles). This action has no effect on conditions imposed by a local government pursuant to an authority other than the Coastal Act, including the conditions of the City of Los Angeles Department of City Planning Case No. APCW-2009-1738 (Venice Specific Plan Project Permit & Zone Variances). In the event of conflict between the terms and conditions imposed by the local government and those of this coastal development permit, the terms and conditions of Coastal Development Permit A-5-VEN-10-138 shall prevail.
7. **Deed Restriction.** PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant has executed and recorded against the parcel governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this coastal development permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2)

imposing the special conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the property. The deed restriction shall include a legal description of the entire parcel governed by this coastal development permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this coastal development permit shall continue to restrict the use and enjoyment of the subject property so long as either this coastal development permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

8. **Deed Restriction. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT AMENDMENT (A-5-VEN-10-138-A1), the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant has executed and recorded against the parcel governed by this permit amendment a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this coastal development permit, as amended, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the special conditions of this permit, as amended, as covenants, conditions and restrictions on the use and enjoyment of the property. The deed restriction shall include a legal description of the entire parcel governed by this coastal development permit amendment. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this coastal development permit, as amended, shall continue to restrict the use and enjoyment of the subject property so long as either this coastal development permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property. This deed restriction shall supercede and replace the deed restriction(s) recorded pursuant to Special Condition 7 of Coastal Development Permit No. A-5-VEN-10-138, approved on October 13, 2010, which deed restriction is recorded as Instrument No. 2011-0302992 in the official records of Los Angeles County.**

Vicinity Map: 1305 Abbot Kinney Boulevard, Venice, Los Angeles



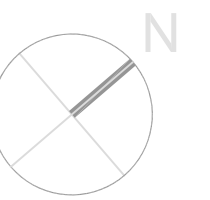
Photo credit: Bing Maps

Exhibit 1

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ABBOT KINNEY BLVD

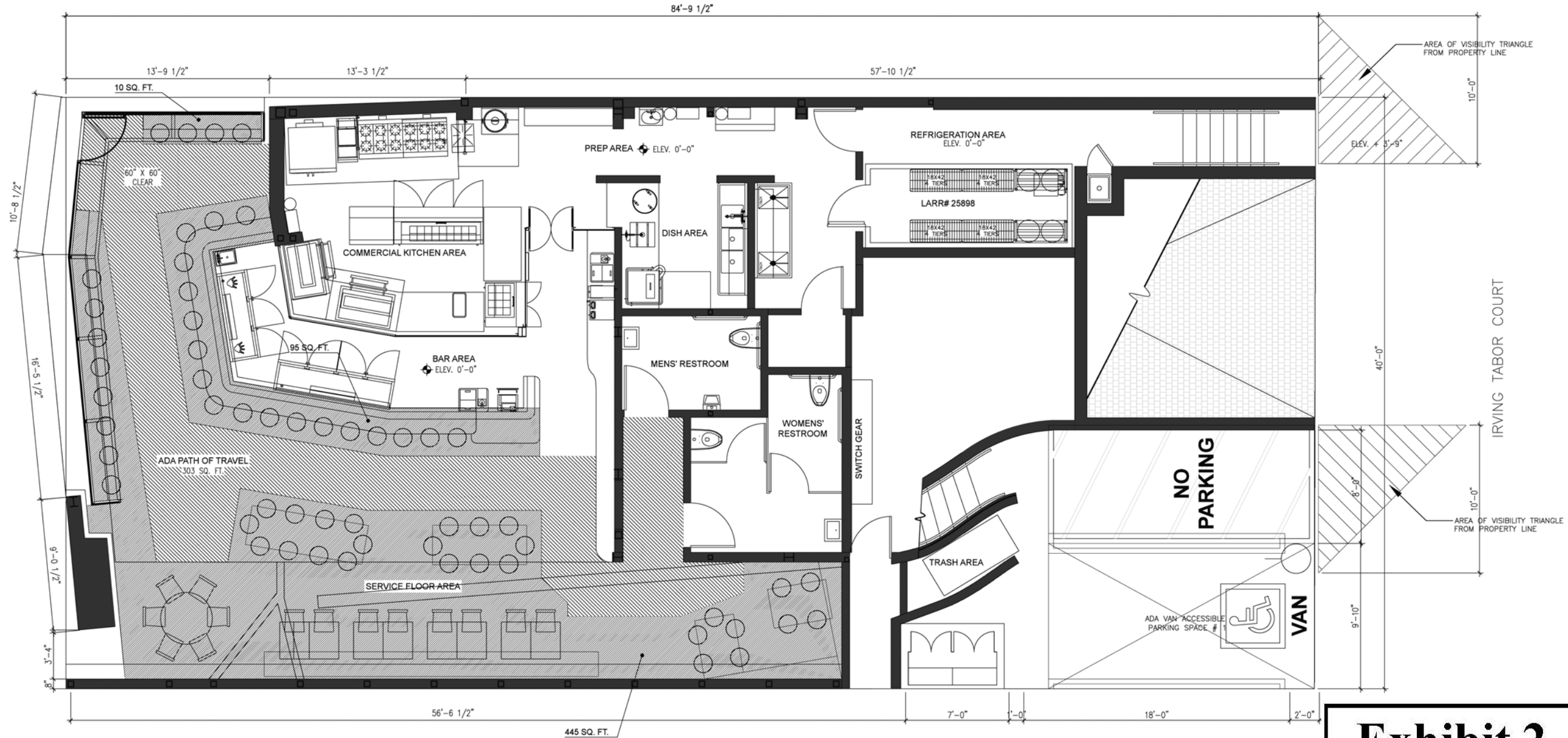


Exhibit 2

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CONSTRUCTION FLOOR PLAN

SCALE
1/4" = 1'-0"

1

BUILDING DEPT. NOTES CONT.

- EXIT SIGNS SHALL BE INTERNALLY OR EXTERNALLY ILLUMINATED.
- EXIT SIGNS ILLUMINATED BY AN EXTERNAL SOURCE SHALL HAVE AN INTENSITY OF NOT LESS THAN 5 FOOT CANDLES (54 LUX).
- INTERNALLY ILLUMINATED SIGNS SHALL BE LISTED AND LABELED AND SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS AND SECTION 2702.
- EXIT SIGNS SHALL BE ILLUMINATED AT ALL TIMES.
- EXIT SIGNS SHALL BE CONNECTED TO AN EMERGENCY POWER SYSTEM THAT WILL PROVIDE AN ILLUMINATION OF NOT LESS THAN 90 MIN. IN CASE OF PRIMARY POWER LOSS.
- EGRESS DOORS SHALL BE READILY OPENABLE FROM THE EGRESS SIDE WITHOUT THE USE OF A KEY OR SPECIAL KNOWLEDGE OR EFFORT.
- DOOR HANDLES, LOCK AND OTHER OPERATING DEVICES SHALL BE INSTALLED AT A MIN. 34" AND A MAX. 48" ABOVE THE FINISHED FLOOR.
- THIS DOOR TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED.
- ALL EGRESS DOOR OPERATION SHALL ALSO COMPLY WITH SECTION 1008.1.9-1008.1.9.7.
- THE MEANS OF EGRESS, INCLUDING EXIT DISCHARGE, SHALL BE ILLUMINATED AT ALL TIMES THE BUILDING SPACE SERVED BY THE MEANS OF EGRESS IS OCCUPIED.
- THE MEANS OF EGRESS ILLUMINATION LEVEL SHALL NOT BE LESS THAN 1 FOOT-CANDLE AT THE WALKING SURFACE.
- THE POWER SUPPLY FOR MEANS OF EGRESS ILLUMINATION SHALL NORMALLY BE PROVIDED BY THE PREMISES' ELECTRICAL SUPPLY. IN THE EVENT OF POWER SUPPLY FAILURE, AN EMERGENCY ELECTRICAL SYSTEM SHALL AUTOMATICALLY ILLUMINATE THE FOLLOWING AREAS:
 - aisles and unenclosed egress stairways in rooms and spaces that require two or more means of egress.
 - corridors, exit enclosures and exit passageways in buildings required to have two or more exits.
 - exterior egress components at other than the level of exit discharge until exit discharge is accomplished for buildings required to have two or more exits.
 - interior exit discharge elements, as permitted in section 1027.1, in buildings required to have two or more exits.
 - exterior landings, as required by section 1008.1.5, for exit discharge doorways in buildings required to have two or more exits.
- THE EMERGENCY POWER SYSTEM SHALL PROVIDE POWER FOR A DURATION NOT LESS THAN 90 MINUTES AND SHALL CONSIST OF STORAGE BATTERIES, UNIT EQUIPMENT AND AN ON-SITE GENERATOR. THE INSTALLATION OF THE EMERGENCY POWER SYSTEM SHALL BE IN ACCORDANCE WITH SECTION 2702.
- EMERGENCY LIGHTING FACILITIES SHALL BE ARRANGED TO PROVIDE INITIAL ILLUMINATION THAT IS AT LEAST AN AVERAGE OF 1 FOOT-CANDLE (11 LUX) AND A MINIMUM AT ANY POINT OF 0.1 FOOT-CANDLE (1 LUX) MEASURED ALONG THE PATH OF EGRESS AT FLOOR LEVEL. ILLUMINATION LEVELS SHALL BE PERMITTED TO DECLINE TO 0.6 FOOT-CANDLE (0.6 LUX) AVERAGE AND A MINIMUM AT ANY POINT OF 0.06 FOOT-CANDLE (0.6 LUX) AT THE END OF THE EMERGENCY LIGHTING TIME-DURATION. A MAXIMUM TO MINIMUM ILLUMINATION UNIFORMITY RATIO OF 40 TO 1 SHALL NOT BE EXCEEDED.

- TOILET ROOM FLOORS SHALL HAVE SMOOTH, HARD NON-ABSORBENT SURFACE, SUCH AS PORTLAND CEMENT, CERAMIC TILE OR OTHER APPROVED MATERIAL THAT EXTENDS UPWARD ONTO THE WALLS AT LEAST 4".
- WALLS WITHIN 2 FEET (610 MM) OF THE FRONT AND SIDES OF URINALS AND WATER CLOSETS SHALL HAVE A SMOOTH, HARD, NON-ABSORBENT SURFACE OF PORTLAND CEMENT, CONCRETE, CERAMIC TILE OR OTHER SMOOTH, HARD, NON-ABSORBENT SURFACE TO A HEIGHT OF 4 FEET (1219 MM), AND EXCEPT FOR STRUCTURAL ELEMENTS, THE MATERIALS USED IN SUCH WALLS SHALL BE OF A TYPE THAT IS NOT ADVERSELY AFFECTED BY MOISTURE.
- PROVIDE ANTI-GRAFFITI FINISH AT THE FIRST 9 FEET, MEASURED FROM GRADE, AT EXTERIOR WALLS AND DOORS.
- MAX. 4 EMPLOYEES
- PROVIDE RAY PROTECTION PER 91.6302.7

LEGEND:

- SERVICE FLOOR AREA
- ADA PATH OF TRAVEL

AREA CALCULATIONS:

- OVERALL RESTAURANT AREA = 803 SQ. FT.
- SERVICE FLOOR AREA = 550 SQ. FT.
- ADA PATH OF TRAVEL = 303 SQ. FT.

SYMBOLS:

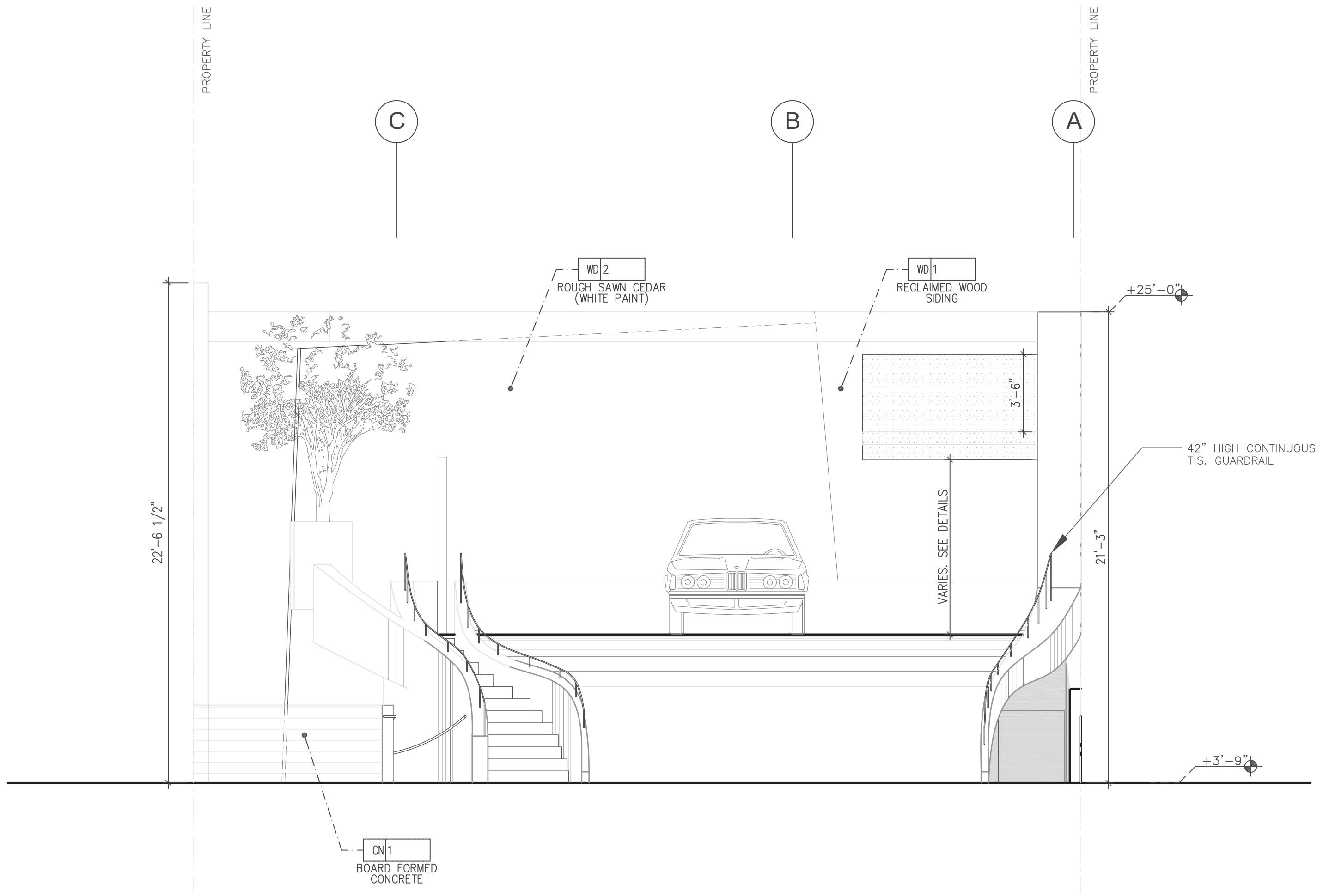
- INTERIOR FURNISHING
- FURNISHING ITEM NUMBER
- FIXTURE DESIGN
- ITEM NUMBER
- SHEET NUMBER
- CEILING HEIGHT
- SHEET NUMBER OR COLOR NUMBER
- CEILING HEIGHT OR ELEVATION CHANGE
- INTERIOR FLOOR FINISH OR MATERIAL
- ITEM NUMBER (FROM DECORATOR)
- MATERIAL OR COLOR
- WALL FINISH
- ITEM NUMBER
- REFERENCE NUMBER
- ARCHITECTURAL DETAIL
- SHEET NUMBER
- SPOT DETAIL
- MATCH LINE
- REFERENCE NUMBER
- SHEET NUMBER
- ELEVATION REFERENCE
- SHEET NUMBER

CONSTRUCTION NOTES:

- FIELD VERIFY ALL DIMENSIONS WITH EXISTING STRUCTURE
- ALL DIMENSIONS SHOWN ARE TO FINISH FACE UNLESS OTHERWISE NOTED
- REFER TO DRAWING A-901 FOR DETAILS OF PARTITION TYPES.
 - ALL WALL TYPES TO BE TYPE 1 UNLESS OTHERWISE NOTED.
 - FOR ALL PARTITION TYPES, WHERE PARTITION IS PART OF A WASHROOM, PANTRY OR JANITOR ROOM WALL, THE ROOM SIDE TO RECEIVE ONE LAYER 5/8" MOISTURE RESISTANT GYPSUM BOARD, TYPICAL U.N.O.
- PROVIDE EXTRA STUDS AS REQUIRED TO MOUNT ELECTRICAL OR MECHANICAL CONTROLS. INSURE STUDS REMAIN PLUMB.
- PREPARE SLAB AS REQUIRED FOR SPECIFIED FINISH PER FINISH PLAN AND SCHEDULE.
- DOOR JAMB LOCATIONS SHALL BE TYPICAL 2" FROM ADJACENT WALL, U.N.O.
- PROVIDE SOUND INSULATION IN ALL INTERIOR WALLS INCLUDING BATHROOM WALLS AND CEILING OF DINING ROOM

KEY NOTES:

- ALLOWABLE:
- A-2 1 STORY / 6,000 SQ. FT.
 - S-2 2 STORY / 13,500 SQ. FT.
- PROPOSED:
- A-2 1 STORY = 1,789 SQ. FT. TOTAL
 - S-2 1 STORY = 1,188 SQ. FT. TOTAL
- SUM OF RATIO DOES NOT EXCEED 2 FOR MIXED USE OCCUPANCY PER SECTION 508.4
- ALLOWABLE BUILDING AREA PER STORY SEPARATION BETWEEN 2 OCCUPANCIES: 1 HR. BETWEEN A-2 & S-2
- RATING IS OBTAINED BY CONCRETE ROOF DECK AND WATER CURTAIN ALONG PERIMETER OPENINGS.



ELEVATION SCALE
1/4" = 1'-0"

2

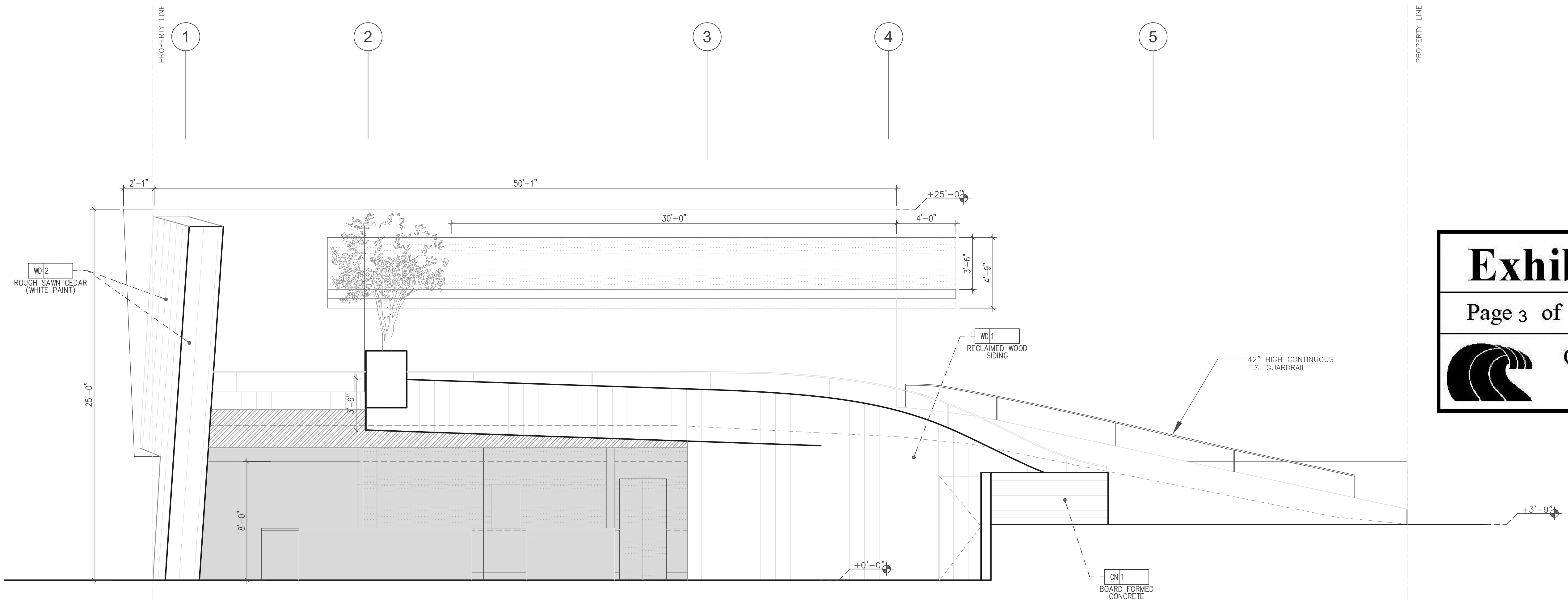


Exhibit 2

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California Coastal Commission

EXTERIOR ELEVATIONS

ELEVATION SCALE
1/4" = 1'-0"

1

A-4-01

Rooftop Parking Deck and Ramp



Photo: Commission staff (4/25/15)

Exhibit 3

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City Parking Lot at Rear of Subject Site



Photo: Commission staff (4/25/15)

Exhibit 3

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Abbot Kinney Boulevard Fronting Site



Subject site

Exhibit 3

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California Coastal
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Photo: Commission staff (4/25/15)