

## January 15, 2014 FINAL LUPC MOTION

Project: 1033 Abbot Kinney Blvd. Proposed mixed use project consisting of an apartment hotel with accessory uses, restaurants and retail project.

Whereas, there has been considerable input and testimony from the community and residents of the immediate neighborhood between August 2012 and December 2013 expressing that any hotel project proposed for this site should fully comply with the VCZSP with no modifications or exceptions permitted.

Whereas, with any large scale development project it is only reasonable to expect that there will always be a difference of opinion as to the appropriateness of a proposed use and or building type for a specific site.

Whereas, the applicant has made revisions to the project design 4 times decreasing the scale and mass of the proposed building to address concerns and issues raised during this 17 month community outreach phase.

Whereas, after 6 LUPC meetings, review of testimony from both supporters and opponents of the project, the applicant proposes to lower the building height to fully comply with Section 10F3(a) of the VCZSP. The project architect shall provide revised building elevations to the VNC which demonstrate that the project fully complies with a 30 foot flat roof height and/or 35 feet varied roof line and all other design requirements of the VCZSP.

Whereas, the VCZSP and Venice LUP contain no definitions for the following words and or phrases; Scale, Character and Mass, compatible in character, compatible in scale and character with the existing neighborhood.

Whereas, Section 3F and 8C of the VCZSP read as follows:

VCZSP Section 3 PURPOSES. The purposes of this Specific Plan are as follows:

*Section F. To regulate all development, including use, height, density, setback, buffer zone and other factors in order that it be compatible in character with the existing community and to provide for the consideration of aesthetics and scenic preservation and enhancement, and to protect environmentally sensitive areas.*

Section 8 C. FINDINGS. In granting a Project Permit Compliance Review in the Venice Coastal Zone, the Approving Authority shall make each of the findings in Section 11.5.7 and the following findings:

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

Whereas, Sections 3F and 8C of the VCZSP are subjective and open to interpretation regarding said compliance and compatibility absent definitions of the phrases; Scale, Character and Mass: compatible in character, compatible in scale and character with the existing neighborhood.

Therefore, the LUPC recommends approval of the project based upon compliance with the VCZSP, review of the architectural drawings, review of correspondence and testimony from the applicant, applicants representative, architect, supporters of the project and opponents of the project and moves that the VNC adopt the following mandatory findings in order to support a fully compliant VCZSP mixed use project.

Proposed findings:

The design of the proposed building with a combination of 1, 2 and 3 stories blends into the fabric of the neighborhood by incorporating portions of the existing structures along Abbot Kinney maintaining the existing character of the street by stepping back the building at various locations.

Abbot Kinney Boulevard has been undergoing numerous renovations of older buildings which have been very sensitive to the character of the street. The proposed project will continue an aesthetically diverse frontage along Abbot Kinney Boulevard. The architectural style of the proposed mixed use building and materials selected is both sensitive and respectful of the current architecture blending in rather than creating a modern architectural statement. As designed the project is compatible in scale and character with the existing neighborhood and the project would not be materially detrimental to adjoining lots or the immediate neighborhood.

Should the VNC support the project LUPC recommends the following conditions be imposed on the project,

- 1) The project shall fully comply with all sections of the VCZSP regulating design including but not limited to Height, Access, FAR, Parking, Landscaping, and Lighting.
- 2) That no loading or unloading of deliveries shall be permitted along Abbot Kinney Blvd, Electric Avenue and Westminster Street.
- 3) That loading and unloading of all deliveries and trash pick up shall be limited to a 60 foot yellow curb loading zone on Broadway Avenue. Noise (Receiving, Trash, Storage Areas). Any activities associated with areas devoted to trash compacting, loading and unloading, receiving, and the "tote and bale" enclosure, shall be limited as follows: Monday through Friday, 7:00 AM to 6:00 PM; Saturday, 10:00 AM to 4:00 PM; except as follows: There should be no deliveries 45 minutes prior to Westminster school commencing and 15 minutes after school commencement time and no deliveries 1 hour after Westminster school ends. Delivery and trash pickup times should be limited based upon peak traffic hours and Westminster school hours. No deliveries, receiving, trash, or storage area use shall be allowed on Sunday or legal holidays.
- 4) That passenger loading shall be limited to 5 timed passenger loading spaces along Abbot Kinney Blvd. which shall be used by the valet. No other street parking shall be used by the valet at any time.
- 5) There shall be one valet operator responsible for all uses on site that will be accountable for enforcement.
- 6) Required parking shall be satisfied with automobile parking only and all bicycle parking shall be in addition to the minimum number of parking spaces required by the VCZSP. The applicant has agreed that no grandfather parking rights or credits shall be applied to any parking calculation for the project.

- a) All restaurants, hotel, retail, spa, and office employees that drive to work shall park on site and free of charge during their employment shift hours.
  - b) All hotel guests that arrive to the hotel by automobile shall park free of charge during their stay at the hotel.
  - c) All restaurant and spa patrons shall receive a free 90 minute parking validation.
- 7) That prior to the commencement of construction the applicant shall provide documentation that 56 temporary parking spaces are available for the restaurant and office uses should these businesses remain open during construction.
- 8) That prior to construction the applicant shall provide documentation that Construction Related Parking is being provided as follows: Off-street parking shall be provided for all construction related employees generated by the proposed project. No employees or subcontractor shall be allowed to park on the surrounding residential streets for the duration of all construction activities. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any residential street in the immediate area. All construction vehicles shall be stored either on site unless returned to their owners base of operations or in a designated parking area provided by the applicant.
- 9) Should this project be phased as currently proposed by the applicant , a separate plan approval shall be required filed no less than 12 months prior to the issuance of the second building permit which shall address the following:
- a. Compliance with all existing conditions of approval
  - b. Review of all existing conditions of approval to determine if any conditions should be modified for the second phase of the project
  - c. Review of the cumulative effect of any project not considered in the environmental review for this planning application raising a substantial issue regarding the 2<sup>nd</sup> phase of the project.
  - d. Changes required to the project design based upon the enactment of new zoning or building codes.

Motion made by: John Reed

Seconded Mia Herron

Vote Approved 6-YES  
1 NO  
1 Abstain