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November 13, 2017

The Honorable City Council
City of Los Angeles
City Hall, Room 395
Los Angeles, California 90012

Dear Honorable Members:

TECHNICAL CORRECTION TO [Q] QUALIFIED CONDITIONS AND CEQA LANGUAGE INCLUDED INTO THE RECORD, CASE NO. APCW-2015-4392-ZC-CDP-1A; CF 17-1042

On October 19, 2017, the Department of City Planning transmitted a technical correction to the [Q] Qualified Conditions of Approval to provide corrected language inadvertently omitted in the August 18, 2017 West Los Angeles Area Planning Commission's determination. Therefore, it is recommended that the City Council adopt the corrected [Q]-conditions in lieu of any other in the file.

On November 7, 2017, before the Planning & Land Use Management Committee, City Planning staff stated for the record the following:

The Project is exempt from CEQA pursuant to CEQA Guidelines, 15323. Section 1, Class 23 (Normal Operations of Facilities for Public Gatherings), and Class 15303 (New Construction or Conversion of Small Structure). Additionally, there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

Please include this as an action to the PLUM Committee Report.

Sincerely,

VINCENT P. BERTONI, AICP
Director of Planning

Claudia Rodriguez
Council Liaison

YK:cr

Enclosures: Corrected Zone Change Ordinance

ORDINANCE NO. _____

An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:

IT11Q1C1.5-1-0-CA

20TH PL

SPEEDWAY

NORTH VENICE BLVD

120

25

60



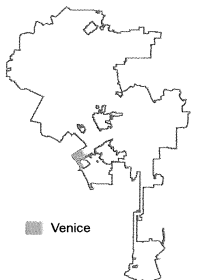
25 12.5 0 25
Feet

APCW 2015-4392 ZC CDP

LH/af

080717

City of Los Angeles



Venice

[Q] QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32 G of the Municipal Code, and any amendment thereto, the following limitations are hereby imposed upon the use of that property as shown in Section 1 hereof which is subject to the Permanent "Q" Qualified classification.

Entitlement Conditions

1. Use: Lots 12, 13, 14, 17, and 18 of Block 4 of Short Line Beach Subdivision No. 1 are referred to herein as Lots 12, 13, 14, 17 and 18, respectively Lots 24, 25, 26, 27, and 28 of Block 5 of Short Line Beach Subdivision No. 1 are referred to herein as Lots 24, 25, 26, 27, and 28, respectively. The following are the current uses of the various lots:

Lots 12 and 13:	Proposed new art gallery site.
Lot 14:	King Apartment Building.
Lots 17 and 18:	Rebecca's Restaurant.
Lot 24:	West Beach Cafe.
Lots 25 through 28:	Proposed new parking structure.

The building on Lots 12 and 13 shall be limited to the following uses: an art gallery and associated uses; and office, business, or professional uses that are related, including administrative operations, to creative activities including, but not limited to, visual arts, audio arts, literary arts, design, culture, architecture and engineering; entertainment, emerging technologies, production and post-production, media, digital and electronic design and technologies; and other similar uses. Lots 25 through 28 (located on the west side of Speedway between 20th Avenue and N. Venice Boulevard) shall be used exclusively for a parking structure. No Certificate of Occupancy shall be issued for the art gallery building on Lots 12 and 13 until the parking structure on Lots 25 through 28 is fully constructed and available for parking use. The existing structure on Lot 14 shall be used for art gallery or commercial uses on the ground floor and residential units on all upper floors.

2. Height: The existing structures on Lots 14 may be maintained at its present height, and its height shall not be increased in any way. No structure located on Lots 12 and 13 shall exceed 40 feet in height, as defined by Section 12.03 of the Municipal Code. Further, on Lot 13, no structure within 20 feet of the front property line, nor within 12 feet of the rear property line shall exceed 30 feet in height. On Lot 12, no structure located within 20 feet of the front property line, nor within 12 feet of the southwesterly side property line, nor within 12 feet of the rear property line of Lot 12 shall exceed 30 feet in height. Any structures on the roof, such as air conditioning units, antennas, and other equipment shall be fully screened from view from any nearby residential properties. The parking structure on Lots 25 through 28 shall not exceed 18 feet in height within 30 feet of the southwesterly property line of Lot 28, nor shall it exceed 24 feet in height on the remainder of the property. The 42-inch high parapet wall required to shield headlights may be in addition to the prescribed heights on the parking building.
3. Parking Building Design: For the parking building on Lots 25 through 28, the facade that faces North Venice Boulevard shall be constructed with four distinctly different architectural design treatments, and landscaped in substantial conformance to the rendering contained in the case file marked Exhibit A-1 and dated May 5, 1988. The southwesterly wall of the building shall be of solid masonry construction, and shall have no openings. All not exceed 42 inches in height.

4. Landscaped Setback: A 5-foot landscaped setback shall be maintained along the southwesterly side property line of Lot 28.
5. Building Separation: New construction on Lot 12 shall observe a 3-foot side yard setback along the southwesterly property line.
6. Parking-Residential: Parking for new or existing dwelling units shall be provided at a ratio of 2 spaces per dwelling unit plus 1/4 space guest parking per dwelling unit. A total of 27 parking spaces shall be dedicated for use by residents and guests of the King Apartments (55 N. Venice Blvd.) and shall be made available at a rate not to exceed the daily rate charged in the County operated beach parking lots on Venice Beach.
7. Parking-Commercial: Parking for commercial uses in the building on Lot 14 and for new commercial uses shall be at the ratio of 1 space for each 250 square feet of gross floor area enclosed within the walls of buildings, exclusive of floor area devoted to off-street parking and accessory areas defined under Municipal Code Section 12.21 and any amendment thereto. Parking for new retail commercial uses above the gallery shall be at the ratio of 1 space per 225 feet of gross floor area.
8. Parking Existing Agreements: In addition to the above, parking shall be provided on-site to continue existing parking obligations for on-site and off-site uses, including 22 spaces for Rebecca's Restaurant (Lots 17 and 18) and 26 spaces for the West Beach Café (24). Copies of the affidavits or other evidence of the extent of these and any other off-site parking obligations shall be submitted to the satisfaction of the Department of City Planning. The required 22 spaces for Rebecca's Restaurant may be combined with 22 of the required spaces for Lots 12 and 13 (the proposed art gallery) under a shared parking arrangement covering all affected properties (Lots 12, 13, 17, 18, 25, 26, 27, and 28). Said agreement shall specify (a) the required parking; (b) that the shared agreement shall apply only so long as both the existing restaurant use and the proposed gallery and office uses on the respective properties are maintained; (c) that hours of operation for the restaurant use on Lots 17 and 18 shall be limited to 6:00 p.m. to 12 midnight Monday through Thursday, 11 a.m. to 2 a.m. Friday and Saturday, and 11 a.m. to 12 midnight on Sunday; (d) that hours of operation for gallery and office uses on Lots 12 and 13 during which uses are open to the public shall be limited to 8:00 a.m. to 5:00 p.m. for visitors, patrons and clients, Monday through Saturday, except that the art gallery may operate until 10:30 p.m. regardless of the day of the week for not more than ten special events per year; and (e) a plan for the management of parking on the evenings of the ten special art gallery events, including but not limited to: provision of a minimum of 22 additional parking spaces during the special event; the location of said special event parking spaces, any necessary agreements to secure these special event parking spaces; and valet parking services. A covenant and agreement concerning all of the information contained in this condition shall be recorded by the property owner of Lots 12, 13, 17, 18, 25, 26, 27, and 28 in the County Recorder's Office. The covenant and agreement shall run with the land and shall be binding on any subsequent owners, heirs, or assigns of the affected properties. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number shall be attached to the subject file.
9. Trash storage: Adequate space for the storage of 6 trash dumpsters, (2 for the subject use and 4 for Rebecca's Restaurant), in containers to store source-separated recyclable materials (glass, metal, office paper and newsprint), at a minimum shall be provided on the art gallery site adjacent to, but not encroaching on 20th Place; and appropriate facilities shall be provided to accomplish recycling at the West Beach Café; or an alternative means to accomplish both subject site trash and recyclable storage and correction of the illegal trash storage in connection with Rebecca's Restaurant, and to accomplish recycling at the West Beach Café, shall be submitted to the satisfaction of the Department of City Planning. Maintenance and other staff shall be instructed in recycling and all tenants shall be availed

of the program. Further, arrangements shall be made for the transport of the recyclables to a recycling facility on a regular schedule.

10. Landscaping: Required landscaping shall contain trees planted 15 feet on center, 10 feet tall at the time of planting. Shrubs, vines, ground covers or flowering plants shall be placed between the trees, planted three feet on center, and all shall be five-gallon in size at the time of planting.
11. Landscaping Plan: A landscape development plan prepared by a licensed landscape architect, licensed architect or licensed landscape contractor shall be submitted to the satisfaction of the Planning Department. Said plan shall include the location of a permanent underground system of automatic sprinklers of adequate design to insure complete coverage of all plant materials. Further, all parking areas shall be improved and landscaped in accordance with Section 12.21,A-6.
12. Replacement Housing: The conversion or demolition of existing residential dwelling units, boarding house units, or residential hotel units occupied by persons and families of low or moderate income shall require replacement on a 1 to 1 basis for persons and families of low or moderate income, as required by State Government Code Sections 65590 and 65590.1, to the satisfaction of the Housing Division of the Community Development Department. Prior to the issuance of building permits for the art gallery on Lots 12 and 13, the existing residential structure on Lot 12 shall be relocated to an appropriate location within the Venice Coastal Zone and residential uses re-established herein and Certificate of Occupancy issued. Baseline rental rates for the units immediately upon re-occupation shall be not more than as follows: single apartment: \$518.70 per month; one one bedroom apartment: \$600.60 per month; the other one bedroom apartment: \$1,100.00 per month. These units shall be subject to all applicable provisions of the City's Rent Stabilization Law.
13. Lighting: All lighting shall be directed onto the site and no floodlighting shall be located so as to be seen directly by the adjacent residential areas. The condition shall not preclude the installation of low-level security lighting. (Environmental Condition).
14. Flood Hazard: Any existing flood hazard shall be required to be mitigated through compliance with the Flood Hazard Management Specific Plan Ordinance No. 154,405 unless a waiver is permitted under provisions of the Flood Hazard Management Plan. (Environmental Condition)
15. Plans: Prior to the issuance of building permits, detailed development plans, including complete landscape and automatic irrigation plans, shall be sent to the affected Council Office and approved by the Planning Department. (Environmental Condition)
16. Parking Exhibits: Prior to the issuance of building permits, a parking plan, tables of figures, and/or other exhibits as appropriate to show floor areas, code parking requirements, supplemental parking requirements imposed herein, existing and proposed parking locations, and existing and proposed parking spaces, for both the existing development, replacement housing development, and any other proposed development on off-site parking or replacement housing sites shall be submitted for review by and approval by the Planning Department.
17. Other Permit Requirements: A new Coastal Development Permit shall be required for this project. In the event that an Interim control Ordinance (ICO) or Local Coastal Program (LCP) is in place at the time of application for building permit, the project shall also be subject to the provisions therein.
18. Notification: Prior to issuance of building permit, the applicant shall furnish evidence to the Department of City Planning that a copy of the Q and T conditions as finally approved

for this case have been mailed to each of the property owners within 300 feet of the subject property.

19. Noise: The applicant shall provide satisfactory evidence to the Planning Department that through a combination of landscaping, building construction and acoustic design, day and night noise levels produced on the subject site shall not exceed the presumed ambient noise levels in Section 111.03 (LAMC) as measured from any point on any adjacent property, according to measurement procedures and criteria Section 111.02 (LAMC). The maximum permitted noise levels shall be 50 dBA during the day (7 a.m. to 10 p.m.) and 40 dBA during the night (10 p.m. to 7a.m.)

Sec. XX. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Pursuant to Section 558 of the City Charter, the West Los Angeles Area Planning Commission on July 5, 2017 recommends this ordinance **BE ADOPTED** by the City Council.

By  _____
Cecilia Lamas
Commission Executive Assistant
West Los Angeles Area Planning Commission

File No. _____

I hereby certify that the foregoing ordinance was passed by a **vote of not less than two-thirds of all its members** by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____