



West LOS ANGELES AREA PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012, (213) 978-1300

www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: APR 09 2024

Case No.: ZA-2021-7223-CUB-CU-CDP-1A

Council District: 11 – Park

CEQA: ENV-2021-7224-CE

Plan Area: Venice

Project Site: 1217 South Ocean Front Walk

Applicant: Carl Lambert, Venice Waldorf LLC
Representative: Elizabeth Peterson, Elizabeth Peterson Group Inc.

Appellant 1: Margaret Molloy

Appellant 2: John Given, Keep Neighborhoods First

Appellant 3: Robin Rudisill, Citizens Preserving Venice

Appellant 4: Randy Renick, Better Neighbors LA

At its meeting of **March 6, 2024**, the West Los Angeles Area Planning Commission took the actions below in conjunction with the approval of the following Project:

Conditional Uses to allow the sale and dispensing of a full-line of alcoholic beverages for on-site consumption and hours of operation from 8:00 a.m. to 2:00 a.m. daily, all in conjunction with an existing 1,276 square-foot restaurant with 43 seats and an existing 706 square-foot theater with 49 seats. The Project includes interior and exterior improvements to the existing restaurant (ground floor) and theater (basement).

1. **Determined**, based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines, Article 19, Section 15301 (Class 1) and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 applies;
2. **Denied** the appeals and **sustained** the Zoning Administrator's Determination dated August 28, 2023 which;
3. **Approved**, pursuant to Los Angeles Municipal Code (LAMC) Sections 12.24 W.1 and 12.24 W.27, a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with the operation of an existing restaurant at the ground level and an existing theater at the basement level all located within a five-story over a basement historic apartment hotel building in the C1-1 Zone, with the hours of operation from 8:00 a.m. to 12:00 a.m., midnight from Sunday to Wednesday, and from 8:00 a.m. to 1:00 a.m. on Thursday, Friday, and Saturday, in lieu of the maximum hours of operation from 7:00 a.m. to 11:00 p.m. permitted in a Commercial Corner Development;
4. **Approved**, pursuant to LAMC Section 12.20.2, a Coastal Development Permit authorizing the renovation of an existing 1,276 square-foot ground floor restaurant with 43 seats, and a 706 square-foot basement level theater with 49 seats located within an historic five-story over a basement

- apartment hotel building, on a lot located in the Dual Permit Jurisdiction area of the Coastal Zone;
5. **Adopted** the attached Conditions of Approval; and
 6. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Shelton
 Second: Feng
 Ayes: Margulies
 Nay: Waltz Morocco
 Absent: Sandifer

Vote: 3 – 1

Nevery Ann Hill, Commission Executive Assistant
 West Los Angeles Area Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: The decision of the West Los Angeles Area Planning Commission is not further appealable and shall become final upon the mailing of this determination letter.

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable and the decision is final.**

California Coastal Commission/Appeals: Pursuant to Section 13B.9.1.D.4 of Chapter 1A of the Los Angeles Municipal Code, the Los Angeles City Planning Commission's action shall be deemed final only after 20 working days have expired from the date this decision letter is deemed received by the Executive Officer of the California Coastal Commission and provided that a timely, valid appeal is not taken by the California Coastal Commission within said time frame. Furthermore, this Coastal Development Permit shall be subject to revocation as provided in Section 13B.9.1.1.2 of Chapter 1A of the Los Angeles Municipal Code, as authorized by Section 30333 of the California Public Resources Code and Section 13105 of the California Administrative Code.

The proposed development is in the dual permit jurisdiction area and will require an additional permit from the California Coastal Commission upon the expiration of the above 20 working day appeal period. For more information on filing a permit, applicants should visit <https://www.coastal.ca.gov/cdp/cdp-forms.html> or contact the Coastal Commission South Coast District Office: SouthCoast@coastal.ca.gov.

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

Attachments: Zoning Administrator's Determination Letter Dated August 28, 2023, Appeal Filing Procedures (CEQA)

c: Jack Chiang, Associate Zoning Administrator
Ira Brown, City Planner

OFFICE OF ZONING ADMINISTRATION
200 N. SPRING STREET, ROOM 763
LOS ANGELES, CA 90012-4801
(213) 978-1318

ESTINEH MAILIAN
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

JACK CHIANG
HENRY CHU
TIM FARGO

JONATHAN A. HERSHEY, AICP
PHYLLIS NATHANSON
CHARLES J. RAUSCH JR.
CHRISTINE SAPONARA
COURTNEY SHUM
CHRISTINA TOY LEE
JORDANN TURNER

CITY OF LOS ANGELES
CALIFORNIA



KAREN BASS
MAYOR

LOS ANGELES DEPARTMENT
OF CITY PLANNING
EXECUTIVE OFFICES

VINCENT P. BERTONI, AICP
DIRECTOR

SHANA M.M. BONSTIN
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR
planning.lacity.org

August 28, 2023

Appeal Period Ends: September 12, 2023

Carl Lambert (A)
Venice V, Inc.
2 Breeze Avenue, Unit 101
Los Angeles, CA 90291

Venice Waldorf, LLC (O)
2 Breeze Avenue, Unit 101
Los Angeles, CA 90291

Elizabeth Peterson (R)
Elizabeth Peterson Group Inc.
400 S. Main Street, Suite 808
Los Angeles, CA 90013

CASE NO. ZA-2021-7223-CUB-CU-CDP
CONDITIONAL USE;
COASTAL DEVELOPMENT PERMIT
Address: 1217 S. Ocean Front Walk
Venice Planning Area
Zone : C1-1
D. M. : 108A143
C. D. : 11 - Park
CEQA: ENV-2021-7224-CE
Legal Description: Lot 5, Block 4,
Country Club Tract

Pursuant to California Environmental Quality Act (CEQA), I hereby DETERMINE:

based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines, Article 19, Section 15301 (Class 1), and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 applies; and,

Pursuant to the Los Angeles Municipal Code (LAMC) Section 12.20.2, I hereby APPROVE:

a Coastal Development Permit authorizing the renovation of an existing 1,276 square-foot ground floor restaurant with 43 seats, and a 706 square-foot basement level theater with 49 seats located within an historic 5-story over a basement apartment hotel building, on a lot located in the Dual Permit Jurisdiction area of the Coastal Zone; and,

Pursuant LAMC Sections 12.24-W.1 and 12.24-W.27, I hereby APPROVE:

a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with the operation an existing restaurant at the ground level and an existing theater at the basement level all located within a 5-story over a basement historic apartment hotel building in the C1-1 zone, with the hours of operation from 8 a.m. to 12 a.m., midnight from Sunday to Wednesday, and from 8:00 a.m. to 1:00 a.m. on Thursday, Friday, and Saturday, in lieu of the maximum hours of operation from 7 a.m. to 11 p.m. permitted in a Commercial Corner Development,

upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Zoning Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
6. Within 30 days of the effective date of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in the case file.

7. **Dual Permit Jurisdiction Area.** The project is located within the Dual Permit Jurisdiction area of the California Coastal Zone. The applicant shall file an application for a second (or "dual") coastal development permit with the Coastal Commission. Prior to the issuance of any permits, the Applicant shall submit proof of a valid ("dual") permit issued by the Coastal Commission.
8. Authorized herein is the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with an existing 1,276 square-foot restaurant with 43 indoor seats located on the ground floor, and a 706 square-foot theater with 49 indoor seats located at the basement level, all located within an existing 5-story over a basement apartment hotel building. No in-room minibar and no outdoor seating were requested or granted.
9. The hours of operation shall be limited to 8 a.m. to 12 a.m., midnight from Sunday to Wednesday, and from 8:00 a.m. to 1:00 a.m. on Thursday, Friday, and Saturday. After hours use shall be prohibited, except routine clean-up. This includes but is not limited to private or promotional events, special events, excluding any activities which are issued film permits by the City.
10. The establishment shall be maintained as a bona fide eating place (restaurant) with an operational kitchen and shall provide a full menu containing an assortment of foods normally offered in such restaurants. Food service shall be available at all times during operating hours. The establishment shall provide seating and dispense food and refreshments primarily for consumption on the premises and not solely for the purpose of food takeout or delivery.
11. No deviations from the Venice Coastal Specific Plan have been requested or approved herein. All applicable provisions of the Specific Plan shall be complied with.
12. **Parking and Access.** A total of zero new parking spaces is required to re-establish the existing permitted restaurant and theater uses. The property shall maintain any existing parking, subject to review and approval by the Los Angeles Department of Building and Safety (LADBS).
13. The applicant shall provide on-site valet service. The valet attendant shall be located an adequate distance from the parking entrance to allow adequate queuing on-site and to prevent obstruction of the sidewalk or any back-up on adjacent streets or alleyway. Valet vehicles shall not be parked on adjacent streets. The use of handheld communication devices shall be prohibited to minimize noise on the adjoining apartment building. The valet attendants shall operate the service with due regard for the surrounding residential uses and minimize unnecessary noise from car alarms, radios or other entertainment or communication devices.

14. No portion of the restaurant and the theater shall be deemed to be "private", for the purpose of dispensing alcoholic beverages to selected patrons. No enclosed room, other than restrooms, intended for use by patrons or customers shall be permitted. No private dining room with a separate access door shall be permitted.
15. There shall be no bar or lounge area upon the licensed premises maintained solely for the purpose of sales, service or consumption of alcoholic beverages. The main purpose and use of the ground floor and basement facility shall always be a full-service restaurant and a theater.
16. No booths or group seating shall be installed with dividers or partitions between them that are more than 54-inches high. No partitions, dividers or curtains shall be installed that restrict, limit or obstruct the clear observation of the occupants.
17. There shall be no Adult Entertainment of any type pursuant to LAMC Section 12.70. No conditional use for dancing has been requested or approved herein.
18. Dancing is prohibited. The applicant shall not accommodate, arrange or endorse any dancing features in any fashion.
19. Except for community events, educational and art exhibitions, and movie showings at the basement level of the building, no live entertainment of any kind including, but not limited to, patron dancing live music, Disc Jockey, jukebox or karaoke nights is permitted on the ground floor of the building.
20. No pay phone, coin-operated electronic, video or mechanical games, or pool or billiard tables shall be maintained upon the premises at any time.
21. This establishment is restricted from having private events at the location without prior approval from the local area Police Division of the Los Angeles Police Department (LAPD).
22. Any use of the restaurant and the theater for private events, including corporate events, birthday parties, anniversary parties, weddings or other private events which are not open to the general public, shall be subject to all the same provisions and hours of operation stated herein.
23. The restaurant and the theater shall not be leased to promoters or music groups or similar entities for nightclub or concert activity at any time. At no time will the premises host raves, a dance club, or other similar events. There shall be no admission or cover charge at any time.
24. A camera surveillance system shall be installed and operating at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recordings shall be maintained for a minimum period of 30 days and are intended for use by the Los Angeles Police Department.

25. The exterior windows and glass doors of the location shall be maintained substantially free of signs and other materials from the ground to at least 6-feet in height above the ground to permit surveillance into the location by Police and private security. Notwithstanding this condition, exterior windows and glass doors of the location may be covered by sheer roll-up shades or other mechanisms to shield the patrons from excessive glare of the sun if necessary.
26. All exterior portions of the site shall be adequately illuminated in the evening so as to make discernible the faces and clothing of persons utilizing the space. Lighting shall be directed onto the site without being disruptive to persons on adjacent properties.
27. The applicant shall fully comply with all California State Department of Alcoholic Beverage Control (ABC) regulations governing the sale of alcoholic beverages for the restaurant.
28. **STAR/LEAD/RBS Training.** Within the first six months of already selling alcohol, all employees involved with the sale of alcohol shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR) or Department of Alcoholic Beverage Control "Licensee Education on Alcohol and Drugs" (LEAD) training program, or "Responsible Beverage Service" (RBS) training program. A record of the completion of a training program shall be maintained and shall be transmitted to the Department of City Planning as evidence of compliance. In the event there is a change in the licensee, within six months of such change, this training program shall be required for all new staff. The STAR/LEAD/RBS training shall be conducted for all new hires within two months of their employment.
29. Prior to the utilization of this grant, an electronic age verification device shall be purchased and retained on the premises to determine the age of any individual attempting to purchase alcoholic beverages and shall be installed on at each point-of-sales location. This device shall be maintained in operational condition and all employees shall be instructed in its use.
30. A "No Alcohol beyond this point" sign shall be posted at the public exits of the restaurant and the theater.
31. Signs shall be prominently posted in English and the predominant language of the facility's clientele, if different and a notice shall be placed therein stating California State Law prohibits the sale of alcoholic beverages to persons under the age of twenty-one years or to intoxicated persons and no such sales will be made.
32. The owner or the operator shall comply with California Labor Code 6404.5 which prohibits the smoking of tobacco or any non-tobacco substance, including from electronic smoking devices or hookah pipes, within any enclosed place of employment.

33. Smoking tobacco or any non-tobacco substance, including from electronic smoking devices, is prohibited in or within 10 feet of the outdoor areas in accordance with Los Angeles Municipal Code Section 41.50 B. 1. C. This prohibition applies to all outdoor areas of the establishment if the outdoor area is used in conjunction with food service and/or the consumption, dispensing or sale of alcoholic or non-alcoholic beverages.
34. At least one on-duty manager with authority over the activities within the facility shall be on the premises at all times that the facility is open for business. The on-duty manager's responsibilities shall include the monitoring of the premises to ensure compliance with all applicable State laws, Municipal Code requirements and the conditions imposed by the State Department of ABC and the conditional use herein. Every effort shall be undertaken in managing the facility to discourage illegal and criminal activity on the subject premises and any exterior area over which the building owner exercises control, in effort to ensure that no activities associated with such problems as narcotics sales, use or possession, gambling, prostitution, loitering, theft, vandalism and truancy occur.
35. The manager and all employees of the facility shall be knowledgeable of the conditions herein. Additionally, a copy shall be provided to all employees who shall sign an acknowledgment form stating that they have read and understood all the ABC conditions as well as all the conditions of this grant. Said form shall be maintained at the location by the owner and/or manager who shall present it to Police personnel, ABC investigators or any other City agency upon request.
36. Staff will monitor the immediate vicinity in order to ensure that no public consumption of alcoholic beverages occurs. Staff will also be responsible to constantly monitor and ensure patrons do not take open alcoholic beverages for on-site and off-site consumption beyond the entrance doors onto the shopping center common area and the parking lot.
37. The applicant, owner and on-site manager(s) shall comply with all applicable laws and conditions and shall properly manage the facility to discourage illegal and criminal activity on the subject premises and any accessory parking areas over which they exercise control.
38. The applicant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under his/her control to assure behavior that does not adversely affect or detract from the quality of life for adjoining residents, property owners, and businesses.
39. No employee or agent shall be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor shall the licensee provide, permit, or make available, either gratuitously or for compensation, male or female patrons who act as escorts, companions, or guests of and for the customer.

40. The operator shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under his/her control to assure such conduct does not adversely affect or detract from the quality of life for adjoining residents, property owners, and businesses.
41. No public address system, no paging system shall be installed or maintained on the subject property, which are audible outside the building in which it is located.
42. The establishment shall make an effort to control any unnecessary noise made by restaurant staff or any employees contracted by the restaurant, or any noise associated with the operation of the establishment, or equipment of the restaurant.
43. Any background music or other recorded ambient music shall not be audible beyond the area under the control of the applicant. Any music, sound or noise including amplified or acoustic music which is under control of the applicant shall not constitute a violation of Sections 112.06 or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance). At any time, a City inspector may visit the site during operating hours to measure the noise levels. If, upon inspection, it is found that the noise level exceeds those allowed by the citywide noise regulation, the owner/operator will be notified and will be required to modify or, eliminate the source of the noise or retain an acoustical engineer to recommend, design and implement noise control measures within property such as, noise barriers, sound absorbers or buffer zones.
44. Loitering is prohibited on or around these premises or the area under the control of the applicant. "No Loitering or Public Drinking" signs shall be posted outside of the subject facility. The licensee shall keep the property adjacent to the licensed premises and under the control of the license, clear of newspaper racks, benches, pay telephones, and any other objects which may encourage loitering. The applicant shall be responsible for ensuring persons are dissuaded from loitering on or immediately around the subject restaurant premises.
45. The owner/restaurant operator shall at all times maintain the abutting public access ways free of obstruction as well as maintaining the premises and adjoining sidewalk free of debris or litter.
46. Trash and recycling bins shall be locked. Trash and recycling bins/storage shall be located within a gated, covered enclosure constructed of materials that will match or blend with the exterior wall materials of the building.
47. Trash deposit in the rear dumpsters shall be carried out quietly with respectful manner to the neighbors. Outside disposal of trash shall be conducted only between the hours of 7 a.m. to 8 p.m. Monday through Friday, and between 10 a.m. and 4 p.m., on Saturday and Sunday. Sorting of bottles shall be conducted indoors only. Trash and glass bottles shall be deposited into the trash bin quietly.

48. There shall be no deliveries or similar business operations conducted between the hours of 9 p.m. and 8 a.m. of the following day, Monday through Sunday.
49. Prior to the utilization of this grant, a telephone number and email address shall be provided for complaints or concerns from the community regarding the operation. The phone number and email address shall be posted at the entry, customer service desk, and front desk or near the hostess station visible to the public.
50. Complaints shall be responded to within 24-hours. The applicant shall maintain a log of all calls and emails, detailing: (1) date complaint received; (2) nature of complaint, and (3) the manner in which the complaint was resolved. This log shall be made available to law enforcement personnel upon request and presented as part of the application if and when a new application to continue the operation is submitted to the Department of City Planning.
51. These conditions of approval as well as a copy of any Business permit, insurance information, security and any emergency contact phone numbers shall be maintained in the office at all times and produced immediately upon request of the Police Department, the Zoning Administrator, the Department of Building and Safety or other enforcement agency.
52. A copy of the conditions of this letter of determination shall be retained on the premises at all times and produced upon request by the Police Department, the Department of Building and Safety, the Department of City Planning, or the State Department of ABC.
53. **MViP – Monitoring Verification and Inspection Program.** Prior to the effectuation of this grant, fees required per L.A.M.C Section 19.01 E (3) for Monitoring of Conditional Use Permits and Inspection and Field Compliance Review of Operations shall be paid to the City.
 - a. Within 24 months from the beginning of operations or issuance of a Certificate of Occupancy, a City inspector will conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and included in the administrative file.
 - b. The owner and operator shall be notified of the deficiency or violation and required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed, may result in additional corrective conditions imposed by the Zoning Administrator.

54. At any time during the period of validity of this grant, should documented evidence be submitted showing continued violation of any condition of this grant and/or the ABC license of the location, resulting in an unreasonable level of disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator (Upon his/her initiative, or upon written request by LAPD or Department of ABC) reserves the right to call for a public hearing requiring the applicant to file for a plan approval application together with associated fees pursuant to LAMC Section 19-01-I (Miscellaneous Plan Approval), the purpose of which will be to review the applicant's compliance with and the effectiveness of these conditions. The applicant shall prepare a radius map and cause notification to be mailed to all owners and occupants of properties within a 500-foot radius of the property, the Council Office and the Los Angeles Police Department's corresponding division. The applicant shall also submit a summary and any supporting documentation of how compliance with each condition of this grant has been attained. Upon this review, the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.
55. Should there be a change in the ownership and/or the operator of the business, the property owner, business owner, or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination including the conditions required herewith has been provided to the prospective owner/operator shall be submitted to the Department of City Planning in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the Department of City Planning within 30-days of the beginning day of his/her new operation of the establishment along with any proposed modifications to the existing the floor plan, seating arrangement or number of seats of the new operation.
56. The Zoning Administrator reserves the right to require that the new owner or operator file a Plan Approval application, if it is determined that the new operation is not in substantial conformance with the approved floor plan, or the operation has changed in mode or character from the original approval, or if documented evidence be submitted showing a continued violation(s) of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties. The application, in association with the appropriate fees, and a 500-foot notification radius, shall be submitted to the Department of City Planning within 30 days of the date of legal acquisition by the new owner or operator. The purpose of the plan approval will be to review the operation of the premise and establish conditions applicable to the use as conducted by the new owner or operator, consistent with the intent of the Conditions of this grant. Upon this review, the Zoning Administrator may modify, add or delete conditions, and if warranted, reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.

57. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement (b).
- e. If the City determines it necessary to protect the City's interests, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may

withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

“City” shall be defined to include the City, its agents, officers, boards, commission, committees, employees and volunteers.

“Action” shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

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

TRANSFERABILITY

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

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

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

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

NOTICE

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

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the statements made at the public hearing on December 7, 2022, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements and prerequisites for authorizing a Conditional Use and a Coastal Development Permit as enumerated in Sections 12.27-W.1, 12.27-W.27 and 12.20.2 of the Municipal Code have been established by the following facts:

BACKGROUND

The subject site is a flat, rectangular-shaped corner lot with a frontage of 40 feet on Ocean Front Walk and a uniform depth of 110 feet along Westminster Avenue for a total lot area of approximately 4,416 square feet in size. The subject site adjoins Speedway (alley) to the rear. The subject site is located in the Venice Community Plan area with a Community Commercial Land Use designation and zoned C1-1. The subject property is also located within the Dual-Permit Jurisdiction of the Coastal Zone, the North Venice Subarea of the Venice Coastal Zone Specific Plan, and the Los Angeles Coastal Transportation Corridor Specific Plan. Further, the subject site is located within a Liquefaction area, Methane Zone, Tsunami Inundation Zone and approximately 5.04 kilometers from the Santa Monica Fault Line. The subject site is located within 500 feet from Venice Beach recreational areas.

The subject site is improved with a five-story Apartment Hotel building with a basement as shown in the Department of Building and Safety Certificates of Occupancy dated from 1955 through 1969. The Apartment-Hotel building was constructed in 1913, is known as The Waldorf, which has been identified as a historical resource by SurveyLA. The collective of Certificates of Occupancy shows the building has 11 apartments, 22 light-housekeeping rooms, and 3 guest rooms, a ground floor restaurant, and a theater at the basement level. The building also has at least three ground floor commercial tenant spaces facing Westminster Avenue which are not shown with any Building Department permit.

The applicant proposes to restore the existing restaurant and the theater spaces and provide a full service dining operation, thus the applicant is requesting a Conditional Use permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with an existing 1,276 square foot restaurant and 706 square foot theater located at the basement level, with the hours of operations limited to 8:00

a.m. to 2:00 a.m. daily. Since the property is located within the Dual Jurisdiction of the California Coastal Zone, the applicant is also requesting a Coastal Development Permit from both the City and the State to authorize the renovation of an existing 1,276 square-foot restaurant with 896 square feet of Service Floor Area at the ground floor and 43 seats, and a basement level theater with 49 seats, as permitted by a 1960 and a 1969 Department of Building and Safety Certificates of Occupancy.

The subject site is located in an urbanized coastal community, developed with residential and visitor-serving commercial uses. The buildings fronting Ocean Front Walk Between Rose Avenue and 17th Avenue date from 1910 to 2007 with varying building heights. There are 20 buildings along this length of Ocean Front Walk that range between three and six stories, with 14 building exceeding 40 feet in height. The tallest building is 76-feet 9-inches.

The property to the north has a land use designation of Community Commercial and is zoned C1-1, which is developed with a one-story commercial building with multi-tenant spaces for retail and restaurant uses. The property to the east, across Speedway, has a land use designation of Low Medium II Residential and is zoned RD1.5-1, which is developed with a two-story duplex with a ground-level basement. The property to the south, across Westminster Avenue has a land use designation of Community Commercial and is zoned C1-1, which is developed with a one-story commercial building with an eatery. The area to the west, across Ocean front Walk has a land use designation of Open Space and is zoned OS, which is maintained as a sandy beach.

Ocean Front Walk, a pedestrian walkway dedicated to a right-of-way width of 50 feet and is improved with a concrete roadway. The roadway is closed to vehicular traffic and is utilized as a pedestrian walkway.

Westminster Avenue, a designated Local Street (Standard), with a designated right-of-way width of 60 feet and is dedicated to a right-of-way width of 40 feet and is improved with a roadway width of 30 feet. Westminster Avenue is improved with an asphalt roadway, gutter, curb and sidewalk.

Speedway, a Local Street, abutting the subject property on the northeast, is dedicated to a width of 20 feet and is improved with a 20-foot asphalt roadway. Speedway is not improved with gutters, curbs, or sidewalks; as such, Speedway functions as an alley.

Previous Zoning and Building Records at the subject site include:

ZA-2020-1541-CUB-CU-CDP – On March 21, 2022, the Director of Planning issued a case withdrawal confirmation letter for the renovation of an existing 1,276 square-foot restaurant with 896 square feet of Service Floor Area and 43 seats and a basement level theater with 49 seats and to re-establish the existing uses.

Building Application No. 18016-10000-2446 – On September 7, 2018, the Department of Building and Safety issued a building permit new roof mounted HVAC system for a 36-unit apartment-hotel.

Building Application No. 18042-90000-13753 – On June 6, 2018, the Department of Building and Safety issued a building permit for bathroom and kitchen renovations to 10 units within a 36-unit apartment-hotel.

Building Application No. 17042-90000-29957 – On December 5, 2017, the Department of Building and Safety issued a building permit for renovations to 13 units within a 36-unit apartment-hotel.

Building Application No. 17042-90000-11965 – On May 26, 2017, the Department of Building and Safety issued a building permit for renovations to 3 units within a 36-unit apartment-hotel.

Building Application No. 16016-10000-30772 – On January 20, 2017, the Department of Building and Safety issued a building permit for tenant improvements to 21 units within a 36-unit apartment-hotel.

Building Permit No. WLA76575/69 – On March 28, 1969, the Department of Building and Safety issued a Certificate of Occupancy for the conversion of an existing portion of a basement of an existing apartment-hotel into an 18 foot by 40 foot theater.

Building Permit Nos. 67569/64 et al. – On January 27, 1967, the Department of Building and Safety issued a rehabilitation Certificate of Occupancy for an Apartment Hotel containing 11 apartments, 22 light-housekeeping rooms and 3 guest rooms.

Building Permit No. V20791/59 – On July 26, 1960, the Department of Building and Safety issued a Certificate of Occupancy for the conversion of an existing portion of the ground floor of an existing apartment-hotel into a 22 foot by 58 foot irregular-shaped restaurant.

Previous zoning related actions in the vicinity of the subject site include:

ZA-2019-2484-CUB – On November 12, 2019, the Zoning Administrator approved a Conditional Use to allow the sale and dispensing of a full-line of alcoholic beverages for on-site consumption in conjunction with a private creative office use/club, located at 73 E. Market Street.

ZA-2002-1349-CDP-SPPA-MEL-ZAA – On May 8, 2003, the Zoning Administrator approved a Coastal Development Permit, Project Permit Compliance Review, and Zoning Administrator's Adjustment for a 2-unit residential condominium conversion project on a substandard lot within the Dual Permit Jurisdiction of the Coastal Zone, located at 20 Wave Crest Avenue.

ZA-2000-3313-CDP-SPP – On October 18, 2000, the Zoning Administrator approved a Coastal Development Permit and Project Permit to allow a skating venue and beach bike path improvements in conjunction with the demolition of an abandoned oil facility within the Dual Permit Jurisdiction of the Coastal Zone, located ¼ mile west of Windward Avenue and Ocean Front Walk.

ZA-1996-708-CUB – On October 25, 1996, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for off-site consumption in conjunction with an existing mini-market in the C1-1 zone, located at 1101 Ocean Front Walk.

PUBLIC HEARING

A Notice of Public Hearing was sent to nearby property owners and/or occupants residing near the subject site for which an application as detailed below was filed with the Department of City Planning. The purpose of the hearing was to obtain testimony from affected and/or interested persons regarding the project. All interested persons were invited to attend the public hearing where they could listen, ask questions or present testimony regarding the project. Interested parties were also invited to submit written comments regarding the request prior to the public hearing. The hearing was held on Tuesday, December 7, 2022, at approximately 10:30 a.m. Due to concerns over COVID-19, the hearing was conducted entirely telephonically.

The Applicant made the following comments:

- Venice Waldorf is a historic building which opened in May 1915.
- It was an exclusive and luxurious, and the home of Charlie Chaplin, Fatty Arbuckle and Clara Bow.
- The building was a part of Venice's early development and rise as a recreational destination between 1910 and 1930.
- It had historic ballroom use with live entertainment, the gas lighting and the central phone system.
- The ground floor was occupied by café shop from 1960s to 1985.
- The applicant proposes to restore the ground floor restaurant and basement theater spaces in the subject hotel building. No new square footage is proposed.
- The restaurant has a 1967 Certificate of Occupancy; thus, no change of use is a part of the project.
- The restaurant will have 1,276 square-feet and 43 seats, which will offer casual, hip dining option right on the beach.
- The design consists of high doorways to give an indoor and outdoor feel, and also to active the ground floor and put eyes on the street.
- The basement of the building also contains a theater with a 1969 Certificate of Occupancy. The theater will have 748 square-feet and 49 seats.
- The project will re-establish the historic use in a manner that is faithful to its Venice roots. The building will be undergoing a ten-million-dollar renovation and breathing new life into the historic building.
- There was a historic alcohol use in the Waldorf building as an old picture show.
- The approval of the requested Conditional Use for alcohol sales and service will re-energize the ground floor of the historic property by making way for a vibrant restaurant and the basement theater.
- The Conditional Use fully complies with the Venice coastal Zone Specific Plan, Venice Coastal Land Use Plan, and LAMC. No Zone Change, General Plan Amendment, variances or exceptions requested.
- The Venice Neighborhood Council approved the proposed project with 60 letters of support.

- LAPD recognizes that the vibrant use will provide public safety the area.
- The project is only a restaurant and theater with Conditional Use and a Coastal Development Permit.
- The project also creates new full time and part time jobs for local Venetians.
- In-room minibar is not a part of the Conditional Use request anymore.
- The housing issue has been closed, and the applicant will happily submit any documents to the file.

Judith Goldman, Keep Neighborhood First, a grassroots community coalition:

- She strongly opposes to the project.
- The applicant has illegally converted the housing units located in the building to hotel rooms.
- The applicant has violated the Home Sharing Ordinance (HSO).
- It is unlawful to move the project forward.
- The City has already determined that.
- Home Sharing Ordinance must be enforced.
- The subject Conditional Use and the building's housing units cannot be dealt separately.
- The Planning Department should immediately investigate the situation.
- The hotel needs to be immediately converted back to housing.

Jason Douglas, (formal) Eleventh Council District Planning Deputy:

- Councilmember Bonin urges the Planning Department to deny the project.
- This is a key case in Venice on how the City is ill-equipped to enforce the violation of Home Sharing Ordinance.
- The building is not eligible for short term rental under the Home Sharing Ordinance.
- The project is a piecemealed attempt to support the existing illegal hotel uses on the site.
- The 1969 Certificate of Occupancy described the building with a mixed uses containing a restaurant, apartment-hotel, and theater. These 3 uses are codependent and compose a unified development.
- The Council Office request the Zoning Administrator to deny the Coastal Development Permit for the restaurant and theater, the Conditional Use for alcohol, and the Conditional Use for the extended hours to operate till 2:00 a.m.
- The Council Office also requests the Planning Department to investigate the change of use of the site without pursuing a property Coastal Development Permit, and report back to per Council File 14-1635-S10.

David Ewing, a nearby resident:

- The applicant has illegally converted the housing units and then asks for forgiveness.
- The applicant has advertised himself as an attorney, a realtor, a tax specialist, and then removed hundreds of Rent Stabilization Ordinance (RSO) Units from the market by buying the RSO tenants out.
- The applicant claims the building has a grandfathered right.
- He is now operating a hotel without the required parking.

Margaret Molloy, a resident and a Venice stakeholder:

- The applicant is a serial violator of illegally removing the RSO units in Venice.
- 150 units removed all by one man!
- The applicant should be investigated.
- He cheats the system repeatedly.
- She will be submitting a document to the file.
- The applicant is spending 10 million dollars to renovate the building with a Coastal Development Permit.
- This is a 5-story apartment building.

Mark Ryavec, a nearby resident:

- He lives four blocks away.
- He is the President of the Venice Association and served two years on the Venice Neighborhood Council. He supports this application.
- The historic documents show restaurant and theater in the building.
- The project is a standalone case.
- There will be a change in the Council Office, so there will be a new Councilmember, thus please leave the record open.
- We oppose restaurant projects occasionally when they do not operate well with sensitive uses.
- This is a visitor use and consistent with the Venice's use.

Mason Smith, United Local 11:

- He requests the City to reject the application as it is an incomplete application.
- The applicant has evaded the required laws when a non-conforming use has been discontinued for a year. Coastal Findings cannot be made.
- The site has an illegal hotel use. This is also questioned by the Coastal Commission. The legal use of the building is an apartment.
- The hours are also excessive since the site is surrounded by RD1.5 Zone.

George Francisco, Venice Chamber of Commerce:

- He supports the project.
- The project would provide jobs to the local residents.
- The use complies with the historic usage of the building.
- As a neighborhood, he wants to express his outrage that Judith Goldman as a lobbyist, is wrong with the applicant.
- The outgoing Councilmember's recommendation is not applicable.
- The use will add public safety and be consistent with the Venice character.
- The restaurant will be known for its fine dining.

Melissa Diner, an interested party:

- She is in favor of the application.
- The applicant has done a great job renovating the building.
- The project is a huge asset to the neighborhood.
- The applicant will be a great operator.

Michael Jensen, Chair of Venice Neighborhood Council:

- The Planning Land Use Committee of the Neighborhood Council heard the project on March 3, 2022, and the full board on March 17, 2022.
- The local support of the project is evident.
- Many stated the illegal use, but the building has been used as restaurant on the ground floor and residential above historically, thus there is no reason not to grant the Conditional Use.
- There is also lots of misinformation as there is court findings and actual law versus violation.
- He supports the project.

Charlie Carnow, United Local 11:

- He requests the City to deny the project.
- The hotel use was non-conforming and being discontinued. It needs a variance.
- Parking is also not provided.
- Incompatible use of alcoholic service and hours in a small residential building.
- Incomplete application.

Mary Jack, a nearby resident:

- Citywide election is coming with the homelessness as the no. 1 crisis, and Venice has the worst homelessness problem.
- The applicant intimidated and squeezed out the RSO tenants, and how will they find a place to live?
- The housing is replaced by tourists.
- The long-term residents feel the area is already safe without the new restaurant.
- Do not reward an illegal hotel with a Conditional Use for alcohol.

Ron Charbonneau, a resident in the Waldorf Building:

- He supports the project.
- He is a resident of the building.
- The applicant has done an exceptional job in restoring the fallen beauty of the building and the building's electrical wirings and the elevator.
- Alcohol service is welcome for the tourists.
- He is thrilled to live in the Venice V Hotel.
- He and one other person are the long-term tenants in the building.

Pamela London, a resident in the Waldorf Building:

- She is a 40-year resident of the building.
- She fully supports the project.
- The return of the restaurant is exciting.
- We dined on the ground floor in the 1980s.
- The theater is also great to provide entertainment, and for the community to use.
- It is great to live in the Venice V Hotel.
- The applicant will be a great operator for the on-site residents and the tourists.

Allison Kirste, Better Neighbors LA:

- She opposes the project.
- It is an illegal hotel, and it violated HSO several times.
- The project is incompatible with the neighborhood.
- The units must be returned to the housing market.

Robin Ludisill, a Venice resident:

- The applicant entered cash for keys buyout agreement to convert apartments to a hotel.
- The applicant violated Home Sharing Ordinance where a RSO building cannot be used for hotel or short-term rentals.
- The applicant violated two Coastal Development Permits on the same property.
- Existing violation must be resolved before a new Permit can move forward.
- There should be a Conditional Use for the hotel use.
- A roof bar is not included.
- Environmental justice policy must also be considered.
- The applicant must follow the law.

Heidi Roberts, a nearby resident:

- She is a 20-year resident in the neighborhood.
- She supports the project. It is exciting to see something new.
- She attended an event at Hotel V, and it was so fun.
- The building has great renovation, and it feels authentic Venice.
- It is great to have a place to bring family and friends to.

Yolanda Gonzales, a nearby apartment owner:

- She is a 48-year apartment owner.
- She supports the application.
- It is time to renovate Venice.
- The building looks gorgeous, elegant, with first class plan.
- People who spoke against the application should be looking at the beautification of the building.
- Councilmember Bonin has a hatred again apartment owners.
- We offered relocation fee to tenants who qualify for it. We also encourage tenants to buy their own place.
- The project employs people. Businesses are closing down; we should be supporting businesses.
- We support prosperity of our community and apartment owners.

Robert Thibodean, an interested party:

- He is a Neighborhood Council member but speaking as a private party.
- He supports the project.
- Businesses along Ocean Front Walk have suffered greatly.
- There is a homelessness problem.
- The applicant has stood up and pushed forward to renovate the building.

Jack and Katy Hoffman, nearby residents:

- He and his wife are 35-year residents in Venice.
- They support the project.
- Bring drinking indoor is encouraged.
- The renovation of the building made a drastic change to the neighborhood and replaced the outdoor drug use.

Barry Cassilly, a nearby property owner:

- He supports projects like these.
- The building is a historic hotel currently sits dark with people doing drugs.
- It is wonderful to renovate the building.
- There are lots of disingenuous comments about Venice from people that do not live here in Venice.
- Robin Rudisill does not even live in Venice. She lives in San Pedro.
- Judith Goldman is just one person, not a group, she made up a big front group to against small hotel operators.
- Venice is a known visitor destination.
- It is important to establish the historical Venice tourism and character.

Joyce Ivonne, a nearby business owner:

- She owns her business in Venice since 2017.
- She supports the hotel project and the restaurant.
- The project will turn Venice into a gem.
- She holds events such as yoga and meditation classes in the hotel.
- It is great to have a nice place for people to go.
- The project gentrifies the area and keep it safe.
- There has been a tremendous amount of work that went into the area.

Mr. Hugh, a nearby apartment owner:

- He was going to oppose the project, but he wonders after hearing the comments.
- He wonders if there can be a compromise, part apartment and part hotel for the building.
- Does it have to be the 2:00 a.m. closing time for the restaurant? He has tenants who work in the morning.

Captain Steve Embrich, Los Angeles Police Department:

- Captain for three years.
- He knows the applicant.
- There was no call for LAPD service in 2022.
- There were 10 calls on the Westminster address.
- There is no significant crime concern for the site.
- The applicant is a community leader.
- LAPD will submit a letter.

Michael Wallerstein, a nearby resident:

- He supports the project.
- It is an appropriate use for the neighborhood.
- The seaside resort suffered the national alcohol prohibition.
- The neighborhood desperately needs such use.
- The owner is a tremendous community serving individual.

Tom Elliott, a Venice resident, stakeholder, property owner, and business owner:

- The building underwent an amazing renovation, and it benefits the community.
- There is a desire to have an alcohol serving place.
- Venice is a resort community.
- Boardwalk is not appropriate for low-income housing.
- The building needs to be restored to its purpose.
- There must be a best and highest use for the building.

Tima Bell, the architect of the project and a Venice resident:

- He supports the project.
- It is a fantastic addition to the community.
- There are three Certificates of Occupancy that show the existing use of the building.
- The project has been through City's scrutiny on the housing issue.
- It has been one of his most challenging projects.
- The project has received approvals from all three Departments.

Jim Murez, President of the Venice Neighborhood Council:

- He is a resident nearby.
- He knows the applicant for years.
- The project went through lots of scrutiny at the Venice Neighborhood Council Planning Land Use Committee.
- The applicant worked with the community.
- The project received an overwhelm support of the Neighborhood Council which speaks for itself.
- He truly believes the need to active the people presence after COVID Pandemic.
- There is a need to provide a tourist venue and amenity.
- The building has a small theater, and it would be great to showcase artwork.
- Skateboarding can be Venice's tie to the upcoming Olympics in Los Angeles.
- He completely supports the project.

Sunny Bak, the President of the Venice Chamber of Commerce:

- He has been in Venice since 1995.
- He supports the project.
- The project is positive and great, and it is much needed.
- It allows people to stay.
- The applicant is an outstanding person.

Ryan Mcllen, a nearby resident:

- The project has a positive impact on the quality of life.
- It cleans and upgrades the area, and it provides a service.
- He supports the project.

Alex Stowell, a nearby resident:

- He supports the project.
- Having a restaurant and bar on boardwalk benefits the community.
- It adds safety, business, and vibrancy to the neighborhood.
- He does not recognize any naysayers; they do not live in the community.
- It has been difficult to tell people to come to Venice because of the crime increase after the COVID.

Paula P., an interested party:

- She is an architect.
- History is only brought up by the applicant when he needs a hotel.
- The City desperately needs low-income housing.
- There are homeless people on the boardwalk.
- It has not gotten any better in the past 25 years.
- The RSO units need to be brought back.

Applicant's final comments:

- Remembered the vibrancy of Venice.
- Venice is a tourist attraction in the world, not just in Southern California.
- It was not safe in the early 1990s, and it is like that again.
- It is important to look the history and bring it back much like the Downtown adaptive reuse.
- We need to restore the vibrancy of the boardwalk again.
- The Certificates of Occupancy show a combination of hotel and apartment uses.
- The historic picture of the building wall sign shows previous alcohol services.
- Having transient, apartment, and restaurant are how the building has been used.
- There is no change of use.
- The building serves as a safety anchor in the area.
- The project is an example of smart planning moving forward.
- The building is an apartment hotel and being utilized that way.
- The building needed upgrade and plumbing work; thus, it underwent the renovation.
- There were lots of misstatements.
- Coastal Commission did issue a violation, but it was withdrawn. The Coastal Commission staff confirmed the building has a combination of apartment and hotel uses. It is a mixed-use building.
- Willing to change the hours to 7:00 a.m. to 11:00 p.m.
- The applicant is very sensitive to the low-income units and tenants.
- Signed 20 units of low-income housing on the west side of the building.
- The applicant requests the project be taken under advisement until the new Councilmember takes the office.
- There is no minibar request anymore.

The Zoning Administrator stated that he will take project under advisement and review the legal use of the building by checking the Coastal Commission, Los Angeles Housing Department and Building Department's documentations, as well as wait for the new Councilmember to take the office.

Communications:

Venice Neighborhood Council issued a letter of support to the Conditional Use and the Coastal Development Permit on March 24, 2022. The Neighborhood Council did not recommend any condition.

Formal Councilmember Mike Bonin, Eleventh District, forwarded a letter to the Directors of Planning, Housing, Building, and City Attorney Departments expressing a concerning trend that RSO housing units have been illegally converted to hotel units and requested Department Heads to enforce Home Sharing Ordinance. The letter also pointed out that the subject project Hotel V, has attempted to circumvent the HSO and LAMC to convert RSO units into a hotel, and that a citation was issued to this building for the violation of HSO. The formal Councilmember argued that a hotel Conditional Use is missing from the complete entitlement application because the building's restaurant, theater, and apartment hotel uses are codependent from each other and compose a unified development and need to be considered as whole. And, that enforcement of the HSO must be taken immediately.

Public written comments. Project Manager has received 42 comment letters from 34 individuals or organizations in opposition to the proposed project, and two letters in support of the proposed project. The following provides a summary of the comments received:

- The subject site contains 33 rent-stabilized units, which is currently being operated as short-term units in violation of the Home Sharing Ordinance.
- The request for a Coastal Development Permit should also include a change of use from a residential use to a hotel (commercial) use.
- Venice needs more visitor-serving uses like restaurants, theaters and hotels like the proposed project.
- Though underhanded methods, the applicant caused existing tenants to vacate their rent-stabilized units.
- The protection of RSO units is important for maintaining a stable and engaged community.
- The hours of operation for alcohol sales to 2 a.m. will create noise impacts to the adjacent residential uses.
- The rent-stabilized housing stock in Venice has been severely impacted the illegal conversion to short-term rental units.
- Apartment Hotel, as described on the Certificate of Occupancy, is not allowed for short-term rental. The existing Los Angeles Housing Department code violations should be resolved prior to any decision on a Coastal Development Permit.

CONDITIONS IDENTIFIED FOR CONSIDERATION BY THE STATE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL RELATIVE TO THE SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES

In approving the instant grant, the Zoning Administrator has not imposed Conditions specific to the sale or distribution of alcoholic beverages, even if such Conditions have been volunteered or negotiated by the applicant, in that the Office of Zoning Administration has no direct authority to regulate or enforce Conditions assigned to alcohol sales or distribution.

The Zoning Administrator has identified a set of Conditions related to alcohol sales and distribution for further consideration by the State of California Department of Alcoholic Beverage Control (ABC). In identifying these conditions, the Office of Zoning Administration acknowledges the ABC as the responsible agency for establishing and enforcing Conditions specific to alcohol sales and distribution. The Conditions identified below are based on testimony and/or other evidence established in the administrative record and provide the ABC an opportunity to address the specific conduct of alcohol sales and distribution in association with the Conditional Use granted herein by the Zoning Administrator.

The following conditions are submitted for consideration:

- There shall be no exterior advertising of any kind or type, including advertising directly to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition.
- No signs are permitted on the outside of the building or directed from the inside to the outside which display or advertise the availability of alcoholic beverages.
- No "Happy Hour" type of reduced-price alcoholic beverage or "2 for 1" promotion shall be allowed at any time. Discounted food promotions are encouraged.
- There shall be no minimum drink requirement for the patrons.
- No alcohol shall be allowed to be consumed on any adjacent property under the control of the applicant.
- The sale of alcohol shall be incidental to the sale of food in the ground floor restaurant.
- The sale of alcoholic beverages for consumption off the premises is prohibited.
- Alcohol may only be served to patrons in the restaurant who are seated at a table or seated at the bar and only in conjunction with a food order. Patrons shall not be served while standing or while waiting to be seated.

- The quarterly gross sales of food shall not exceed the quarterly gross sales of alcohol. The business operator shall maintain records which reflect these numbers and make them available to the Police Department upon request.
- No buckets of beer, no pitchers of beer, and no “all you can drink” sales and consumption.
- The off-site sale of alcoholic beverages as a secondary use (i.e., “take out”) is not permitted.
- No person under 21 years of age shall sell or serve alcoholic beverages.
- All service of alcoholic beverages shall be conducted by a waitress or waiter or bartender.
- No sale of alcohol shall be permitted at any self-service, automated check-out station (checkout conducted primarily by the customer, with assistance by a store monitor) if such are available on the site.
- No employee or agent shall solicit or accept any alcoholic or non-alcoholic beverages from any customer while in the premises.
- The alcoholic beverage license shall not be exchanged for a public premises type license nor operated as a public premises.

BASIS FOR CONDITIONAL USE PERMITS

A particular type of development is subject to the conditional use process because it has been determined that such use of property should not be permitted by right in a particular zone. All uses requiring a conditional use permit from the Zoning Administrator are located within Section 12.24-W of the Los Angeles Municipal Code. In order for the sale of a full line of alcoholic beverages for on-site consumption to be authorized, certain designated findings have to be made. In these cases, there are additional findings in lieu of the standard findings for most other conditional use categories.

CONDITIONAL USE FINDINGS

Following (highlighted) is a delineation of the findings and the application of the relevant facts to same:

1. **The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.**

The subject site is a flat, rectangular-shaped corner lot with a frontage of 40 feet on Ocean Front Walk and a uniform depth of 110 feet along Westminster Avenue for a total lot area of approximately 4,416 square feet in size. The subject site adjoins Speedway (alley) to the rear. The subject site is located in the Venice Community Plan area with a Community Commercial Land Use designation and zoned C1-1. The subject property is also located within the Dual-Permit Jurisdiction of the Coastal Zone, the North Venice Subarea of the Venice Coastal Zone Specific Plan, and the Los Angeles Coastal Transportation Corridor Specific Plan. Further, the subject site is located within a Liquefaction area, Methane Zone, Tsunami Inundation Zone and approximately 5.04 kilometers from the Santa Monica Fault Line. The subject site is located within 500 feet from Venice Beach recreational areas. The subject site is located in an urbanized coastal community, developed with residential and visitor-serving commercial uses. The buildings fronting Ocean Front Walk Between Rose Avenue and 17th Avenue date from 1910 to 2007 with varying building heights. There are 20 buildings along this length of Ocean Front Walk that range between three and six stories, with 14 buildings exceeding 40 feet in height. The tallest building is 76-feet 9-inches.

The subject site is improved with a five-story Apartment Hotel building with a basement. The Apartment-Hotel building was constructed in 1913, is known as The Waldorf, which has been identified as a historical resource by SurveyLA. A collective of Department of Building and Safety Certificates of Occupancy dated from 1955 through 1969 show the building is an Apartment Hotel with apartment units and guestrooms, a ground floor restaurant, and a theater at the basement level. A 1955 Certificate of Occupancy shows the building is an Apartment Hotel and documented a conversion of the units from 19 apartments and 17 guestrooms to 15 apartments and 21 guestrooms. A 1967 Rehabilitation Certificate of Occupancy continues to show that the 5-story building is an Apartment Hotel, but with 11 apartments, 22 light-housekeeping rooms, and 3 guest rooms. Further, a 1960 Certificate of Occupancy shows a restaurant was converted from an existing portion of the first floor of the building, and a 1969 Certificate of Occupancy shows a portion of the Apartment Hotel building has been converted to a theater. The building also has at least three ground floor commercial tenant spaces facing Westminster Avenue which are not shown with any Building Department permit.

The historic Waldorf building is currently being operating under a brand name Venice V Hotel. The applicant proposes to restore the existing restaurant and the theater spaces as well as providing a full-service dining operation, thus the applicant is requesting a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a 1,276 square-foot restaurant located on the ground floor and a 706 square-foot theater located at the basement level. The applicant intends to restore the historic character of the building as much as possible, thus the restaurant and the theater plan is proposed to conform to their original locations and floor area size as much as possible, with no new expansion or construction. The proposed hours of operation are from 8:00 a.m. to 2:00 a.m. daily, thus the applicant is also applied

for a Conditional use to deviate from the Mini-Shopping Center/Commercial Corner Development hours of 7:00 a.m. to 11:00 p.m. as permitted by LAMC. The property is located within the Dual Jurisdiction of the California Coastal Zone, the applicant is also requesting a Coastal Development Permit from both the City and the State to authorize the renovation of an existing 1,276 square-foot ground floor restaurant with 43 seats and a basement level theater with 49 seats, as permitted by a 1960 and a 1969 Department of Building and Safety Certificates of Occupancy.

Prior to, at, and after the December 7, 2022, public hearing, many interested parties have forwarded written comments and provided verbal testimonies, including the formal Eleventh Council District, opposing the subject Conditional Use and Coastal Development Permit application. There are also many local residents, particularly the Venice Neighborhood Council, support the project and provided positive testimonies, but the Zoning Administrator is interested in understanding and analyzing the opposing arguments. Some opposing written comments were lengthy and attached Los Angeles Housing Department (LAHD) and California Coastal Commission Notices of Violation on the operation of the building, thus there were various pieces of information that needed to be processed and verified. The Zoning Administrator reviewed all submitted comments by interested parties, obtained relevant Agencies letters, permits, communications, and researched decisions of relevant projects in Venice, to understand the issues and the background of the subject application and relevant past projects. It is understood that the opposing parties asserted that many permanent housing units especially affordable dwellings in the City have been converted into short term rentals. This problem is particularly serious in communities such as Venice where it is famed for its unique attractions and tourism amenities.

Properties in Venice such as Venice Suites (417 South Ocean Front Walk, Case No. 2015-629-ZV-ZAA-CDP-SPP-MEL-1A, which is also owned by the applicant of this application, Carl Lambert), Venice Breeze Suites (2 East Breeze Avenue, Case No. ZA-2012-2841-ZV-CU-CDP-MEL, which is also owned by the applicant of this application, Carl Lambert), and Ellison Suites (15 East Paloma Avenue, Case No. DIR-2018-3137-BSA) have a combined of 115 (31+32+52) housing units that the property owners were attempting to convert into hotel units in the past few years. There are more apartment buildings in the Venice Community and Citywide being converted legally and illegally to hotel use with many dwelling units subject to Rent Stabilization Ordinance. Many owners utilize Airbnb platform to advertise these apartment units for short term rentals. However, when City's Home Sharing Ordinance was passed, become effective in 2019, and prohibited short term rentals in non-Hotel/Motel/Transient Occupancy Residential Structure/Bed and Breakfast uses and in affordable dwelling units subject to Federal fundings and Rent Stabilization Ordinance, thus City's enforcement agencies issued citations to buildings with RSO units that violated Home Sharing Ordinance.

The subject Waldorf Building is another property owned by the applicant which has also received citations from the LAHD for Home Sharing Ordinance violations of conducting short term rentals in RSO units. Thus, when the interested parties learned that the applicant has applied for a Conditional Use for an alcohol license and marketed the license for a restaurant in a "hotel", it stirred up an immense objection. The opposition parties vehemently against the alcohol license application based on the loss of RSO housing and illegal short term rental offenses. Opposing parties further asserted that the hotel use in the building was discontinued and thus the building lost its hotel non-conforming right, so the project also requires an additional Conditional Use for hotel if the applicant intends to convert and operate the subject apartment building as a hotel. The formal Councilmember's comment also argued that a hotel Conditional Use is missing from the complete entitlement application because the building's restaurant, theater, and apartment hotel uses are codependent from each other and compose a unified development and need to be considered as whole. Granting the alcohol application is also rewarding the applicant for his illegal act of converting RSO housing into hotel units.

California Coastal Commission. The Zoning Administrator first investigated the Coastal Commission's reports and letters from 2016 to 2019 regarding the alleged violations. Coastal Commission issuances show that the applicant initiated much renovation work such as façade brick repair, remodel of building interior, installation of HVAC, and electrical system upgrade. The Commission has issued a Notice of Violation of California Coastal Act on November 3, 2017, to the applicant due to the unpermitted change in use from apartment to hotel. The Notice cited several Coastal Exception (CEX) permits issued with a history that the building was consistently described as an apartment description since 2013, but the corresponding City of Los Angeles Building Permit described a portion of the building for hotel use. The Coastal Commission considered it is an avoidance of the Coastal Development Permit process, and that the applicant shall request for an after-the-fact change of use approval or subject to enforcement.

On a January 24, 2019, Coastal Commission staff report to a permit amendment for an installation of an electrical transformer in a parking lot for the Waldorf Building, per Application No. 5-89-011-A1, the Coastal Commission staff stated on page no. 11, in the Site History portion of the report that the November 3, 2017, Notice of Violation has led to a discussion between the Commission staff and the applicant. The Commission staff has confirmed that the Waldorf Building has traditionally been a mix of hotel and apartment uses per Certificates of Occupancy and the actual use, and that no change in use has occurred that would require a Coastal Development Permit. The Commission staff also stated that the applicant has committed to preserving the 11 apartment units in the building.

The Zoning Administrator also contacted Coastal Commission Enforcement Manager to confirm if the Commission has been resolved as indicated in Application No. 5-89-011-A1. The Enforcement Manager replied that the Coastal Commission was satisfied that 11 apartment units were available at the time of the

Application, but it is dynamic situation thus the Commission will continue to monitor for compliance of the property with its Certificate of Occupancy, thus the enforcement case has not been closed.

Los Angeles Housing Department. The Zoning Administrator also reviewed the LAHD's records on the property. On January 3, 2018, the applicant submitted a Tenant Habitability Plan with a two-million-dollar budget to LAHD for the renovation of the building. Renovation work includes mechanical, structural, HVAC, plumbing, electrical, and elevator upgrade in the building, and additional work in the units. The Plan also shows 10 tenants in the building who would be affected and would either be relocated to another building (temporarily) or provided with permanent relocation, which LAHD accepted the Tenant Habitability Plan and property owner's tenant buyout plan. On January 28, 2021, and February 25, 2021, LAHD issued two letters to clarify and resolve numbers of unit discrepancy in the building due to difference between Annual Bill (35 units) and actual number purported (32 units). LAHD resolved the unit discrepancy and determined that the building has 36 units with 11 apartments, 22 light housekeeping rooms, and 3 guestrooms. On June 22, 2022, LAHD Code Enforcement Division issued a memorandum notifying Planning Department that the property is not eligible for short term rental use and the newly passed Home-Sharing Ordinance due to the building's 1967 apartment hotel Certificate of Occupancy and building's valid registered Rent Stabilization Ordinance status. LAHD stated that the apartment hotel use is not a use permitted in Home-Sharing Ordinance for short term rental purposes, and that the property owner also did not file for any RSO exemption to be relieved from RSO. LAHD however stated that the Department allowed STR (short term rental) in light housekeeping rooms and guestrooms in this building as an Apartment Hotel prior to the effectuation of the Home Sharing Ordinance in a December 12, 2022, LADBS email to the Planning Staff.

Upon the review of the LAHD records, the Zoning Administrator contacted LAHD Code Enforcement Director and Principal Manager for further information, which both gentlemen replied in individual emails on July 13, 2023, and August 9, 2023. It is understood that LAHD deems the entire building as a RSO property and all on-site units (apartments, light housekeeping units, and guestrooms) are subject to RSO rent until the property owner applies for an exemption. A tenant buyout is not an RSO exemption, thus the building continues to be a RSO building. LAHD explained that the building's apartment hotel use does not meet the definition of Home Sharing Ordinance, and LAHD no longer allows light housekeeping units and guestrooms as short-term rental units with the passage of the Home Sharing Ordinance although LAHD recognizes the LADBS Certificate of Occupancy. LAHD further conveyed that the Department sent a Citation to the property owner on September 15, 2021, for 8 violations. However, the Citation is currently on hold due to the property owner's appeal and that an appeal hearing has not occurred as of August 2023, and that the property owner/appellant asserted that his building has been considered as a Transient Occupancy Residential Structure (TORS), so it is not subject to the Home Sharing Ordinance.

Department of City Planning. The Zoning Administrator also contacted the Senior Planner who led and authored the Home Sharing Ordinance, and inquired why Apartment Hotel was not exempt from the Ordinance. The Senior Planner replied that apartment hotel buildings are mostly used for long-term residential purposes, and the City Council wanted to them to stay that way. Unlike TORS, hotels, and bed and breakfasts, there has also never been a clarity on whether short term stay is even permitted in apartment hotels. Apartment hotels are also mostly subject to the Rent Stabilization Ordinance; thus, the idea was to protect housing stock as the first policy priority. However, if some apartment hotels have been operated with a hotel transient use, the Senior Planner thinks that the City would not enforce against them, thus these apartment hotels can continue to operate the transient occupancy use and advise property owners of these buildings claim a TORS use if they want the hybrid allowance. However, these apartment hotels are likely would not be able to register for home sharing since they are subject to Rent Stabilization Ordinance and they do not meet the Home Sharing Ordinance Definition. The Zoning Administrator asked why these operating apartment hotels would need to register for home sharing if the hotel use is in existence since they can continue the hotel component operation and simply pay hotel tax like any hotel. The Senior Planner replied that they do not need to register for home sharing then, but the hotel use allowance is not so clear cut to him. His historic research showed these apartment hotels were home for people and not tourist hotels.

The Zoning Administrator also reviewed a Zoning Administrator's Interpretation (ZAI), Case No. ZA-2019-3671-ZAI, issued on August 25, 2020, for hotel components such as Guestroom, Light Housekeeping Units, and Efficiency Dwelling Unit. The ZAI stated unlike dwelling units, Guestrooms and Light Housekeeping Units have a lower lot area (as in density) and parking requirement, thus they are better fit for a hotel use.

Based on all records presented, the Zoning Administrator opines that the Waldorf Building remains to be an Apartment Hotel at this time, however, property owner cannot conduct a transient use until the RSO exemption for the non-apartment-dwelling-units is approved by the LAHD. The Zoning Administrator further opines that the property owner need not apply for a Conditional Use for Hotel because (1) per Planning Department, there seems to be an ambiguity of how Home Sharing Ordinance would apply to an apartment hotel when a specific apartment hotel continues to operate the hotel component despite the HSO definition excludes Apartment Hotels. The apartment hotel exclusion was based on a Council directive and staff research but lacks congruency with the established LAMC when reviewed further. There is a clear inconsistency and conflict among the transient occupancy regulations for apartment hotels which the HSO prohibits such transient use in Light Housekeeping Units and Guestrooms while the Code and the aforementioned ZAI deem the Light Housekeeping Units and Guestrooms continue to be a hotel component for transient occupancy based on how the density and parking for both are calculated differently from dwelling units. City Ordinances are often followed up by subsequent revisions and amendments to remove flaws based on a few years of implementation. The Senior Planner

recommends a TORS use consideration for this building, and this is exactly what the property owner states in his appeal to LAHD. An exception for this property cannot be ignored. **(2)** LAHD's Citation is inconclusive at this time. While LAHD finds the building does not eligible for the Home Sharing Ordinance, the Department does recognize the LADBS Certificate of Occupancy that the use of the Building is an Apartment Hotel. In the Tenant Habitability Plan accepted by LAHD, the property owner showed 10 tenants are affected for the renovation work, but the Department agreed that there are 36 units in the Waldorf Building. Such record also presents inconsistency and unclarity as to whether the entire building was used for dwelling purposes despite the RSO registration. No tenant record is evident to show the 22 light housekeeping rooms and 3 guestrooms were used as dwelling units aside from the 11 apartment units. LAHD further stated in a December 12, 2022, that the Department allowed short term rental in the light housekeeping rooms and guest rooms in the Building prior to Home Sharing Ordinance became effective. Thus, no record showing the transient occupancy of the building was ever discontinued despite the current violation to the Home Sharing Ordinance. **(3)** Coastal Commission continues to recognize the Building's historic hotel and apartment combination use, and mostly importantly the Commission does not consider there is a change of use and further require the property owner to file for a Coastal Development Permit for the hotel occupancy in a Dual Coastal Zone, as long as 11 apartment units are maintained. Therefore, the Waldorf Building does not need to request a Conditional Use to continue a hotel use. Of course, the above comments are a Zoning Administrator's opinion and does not replace or supersede any official decisions from other Agencies.

The Zoning Administrator has gone through an extensive exercise pondered the property's legal residential use and considered the loss of affordable housing argument brought up by the opposing parties, but the Zoning Administrator is not convinced there is a nexus between the loss of affordable housing issue and the subject Conditional Use for alcohol service. Unlike previously mentioned Venice Suites, Venice Breeze Suites, and Ellison Suites which all are straight forward residential Apartments as shown on their Certificates of Occupancy and located in R Zones (with the exception of Venice Breeze Suites), and clearly contributed to the loss of the affordable units, the Waldorf Building is an Apartment Hotel located in C1 commercial zone which is a major difference from other three contentious buildings. Also, since the property is commercially zoned and mixed use is permitted in the underline C1 Zone, thus whether units located at above floors are apartments or hotel units is irrelevant to the validity of the subject Conditional Use for alcohol service. The Zoning Administrator only needs to understand the mode and character of the building which contains a mix of long-term and short-term units of 11 apartment units, 22 light housekeeping units and 3 guestrooms as recognized by Coastal Commission and City Agencies so appropriate conditions can be imposed to protect the on-site and off-site residential use from possible nuisance generated by the alcohol use, is the only relevant nexus. Although the applicant promises to keep the 11 apartments on site in the building as stated in the Coastal Commission report, this alcohol Grant does not have a nexus or authority to condition the use of the building aside from the alcohol service and consumption operation. The residential and hotel units shall be continued to be regulated by the building's Certificate of Occupancy and by LAHD.

A variety of commercial uses are an intrinsic part of these service amenities necessary for the conservation, development, and success of a vibrant commercial corridor. The restaurant and the theater are located in an active commercial area with heavy pedestrian traffic along Venice Boardwalk. Venice Boardwalk is an area with various commercial and residential uses, and the operation of a restaurant and a theater with incidental alcoholic beverage sales is and will remain consistent with other uses in the community. The sale of alcoholic beverages is an expected amenity typically found in neighborhood restaurant and social spaces. The subject restaurant and theater offer a unique innovative dining experience, movie and art exhibits for customers who are seeking to experience the amenities available in Venice beach community. The subject grant does not represent the introduction of a new use to the area. The existing restaurant and theater will serve an expected amenity offered at many similar hospitality and art spaces. The sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with the operation an existing restaurant and theater is a convenience for patrons who reside in, work in, or visit the area. Further, the proposed use complements the activities within the surrounding tourist, recreational, retail, and restaurant establishments in the neighborhood. The sale and dispensing of a full line of alcoholic beverages will be incidental to food sales. The location is compatible with the character of the surrounding uses. The conditional imposed in the Grant addresses common parking, traffic, and noise issues often associated with a popular location with alcohol service. These conditions will allow a service intrinsically expected by, and beneficial to the patrons in the surrounding community. Therefore, the project will enhance the built environment in the surrounding neighborhood and provide a service that is beneficial to the community and City.

2. **The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

The subject site is a flat, rectangular-shaped lot with a frontage of 40-feet on Ocean Front Walk and a uniform depth of 110-feet along Westminster Avenue for a total lot area of approximately 4,416 square feet in size. The subject site adjoins Speedway (alley) to the rear. The subject site is located in the Venice Community Plan area with a Community Commercial land use designation and zoned C1-1. The subject site is located within 500-feet from the Venice Beach recreational area, developed with residential and visitor-serving commercial uses. The property to the north is zoned C1-1 and developed with a one-story commercial structure with a retail use. The property to the east, across Speedway is zoned RD1.5-1 and developed with a two-story duplex with a ground-level basement. The property to the south, across Westminster Avenue is zoned C1-1 and developed with a one-story commercial building with an eatery. The area to the west, across Ocean front Walk is zoned OS and the area is maintained as a sandy beach.

The subject site is improved with a five-story over a basement Apartment Hotel building constructed in 1913. The Apartment Hotel building has been identified as Waldorf Hotel which a historical resource by listed by SurveyLA and by Venice Coastal Land Use Plan. The applicant/property owner is requesting a Conditional Use and a Coastal Development Permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in the existing 1,276 square-foot ground floor restaurant and the 706 square-foot basement level theater spaces, with 43 seats in the restaurant and 49 seats in the theater. The proposed hours of operation by the applicant are from 8:00 a.m. to 2:00 a.m. daily. However, the Grant limits the hours of operation to 8 a.m. to 12 a.m., midnight from Sunday to Wednesday, and from 8:00 a.m. to 1:00 a.m. on Thursday, Friday, and Saturday. There is no construction, alterations or changes in the use proposed as part of this application. No in-room minibar, live entertainment, dancing, and outdoor seating were requested or granted.

From the both the submitted written comments and the verbal hearing testimonies, the Zoning Administrator found only a couple of speakers who testified at the December 7, 2022, public hearing mentioned the noise as possible impact with the proposed 2:00 a.m. closing time, as the only relevant issue. No parking, public drunkenness, crime, trash, loitering, etc. issues were brought up in any of the opposing written or verbal comments. The fact is the project does have its support, especially from residents who live nearby. Many neighbors, local business owners, and the Venice Neighborhood Council strongly support the project, hoping the restaurant-theater combo will help to mend the loss of tourist businesses from COVID, increase safety along Ocean Front Walk, and bring back the vibrancy of Venice Beach. The LAPD Captain who testified at the hearing also stated that the project site generates low calls for police service. The LAPD did not submit any written comment to the case file showing the LAPD does not have any policing or safety concern with the project despite the LAPD Captain stated that he would issue a letter. In addition, the project was reviewed by the Venice Neighborhood Council which the Neighborhood Council voted to support the project without recommending any additional condition. The Zoning Administrator agrees that the proposed 2:00 a.m., daily, closing time is excessive and would contribute to possible noise impact, thus the hours of operation were reduced to fit the operation of the restaurant and theater with the uses within the historic Waldorf Building and the surrounding residential buildings.

The sale of alcohol is regulated by the State of California through the issuance of an Alcohol Beverage Control License. The Zoning Administrator has recommended a set of Conditions related to alcohol sales and distribution for consideration by the State of California Department of Alcoholic Beverage Control that will safeguard adjacent properties while maintaining public health, safety and welfare. These conditions include the prohibition of off-site alcohol sales, restrictions on signage, and no incentives to promote alcohol sales and consumption. Such conditions are not imposed by the Zoning Administrator in order to preclude intruding upon the jurisdiction of the ABC. The Conditional Use

Permit regulates land use issues such as mode and character, parking spaces, valet parking, live entertainment, responsive operation, noise, site maintenance, loitering, lighting, and security. The land use conditions imposed herein, combined with the enforcement authority of ABC and the LAPD will ensure that the limited sale of alcohol will not be detrimental to the public health, safety and welfare.

The renovation of the existing restaurant and theater for continued business at this location will re-enforce the vibrant character of the Venice Boardwalk and serve to strengthen the economic vitality of the community. Restaurant uses contribute to the overall success of the surrounding community and the local economy. Furthermore, restaurant uses are desirable to the public convenience and welfare as such uses are intended to serve nearby residents and visitors. The continuation of the existing restaurant and theater spaces, with the incidental sale of alcoholic beverages, will remain compatible with the neighboring uses and will continue to provide a benefit to the nearby community. The ability to serve a full line of alcoholic beverages for on-site consumption will help to ensure the lasting success of the restaurant and the theater. Therefore, as conditioned, it is anticipated that the project's location, size, height, operations, and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, or safety.

3. **The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.**

The General Plan is the City's roadmap for future growth and development. The General Plan Elements establish goals, policies, purposes, and programs that provide for the regulatory environment in managing the City, and for addressing environmental concerns and problems. The majority of the policies derived from these elements are implemented in the form of Municipal Code requirements. The General Plan is comprised of the Framework Element, seven state-mandated elements, and four additional elements. The Framework Element establishes the broad overall policy and direction for the General Plan. The approval of the Conditional Use and the Coastal Development Permit in conjunction with a ground floor restaurant and a basement level theater renovated in their perspective existing spaces located on a property zoned for commercial land use adjacent to residential uses is consistent with the following Framework Element Objective and Policy:

Objective 7.3 - Maintain and enhance the existing businesses in the City.

Policy 7.3.2 - Retain existing neighborhood commercial activities within walking distance of residential areas.

The Land Use Element of the City's General Plan divides the City into 35 Community Plans. The subject property is located within the Venice Community Plan area. The Community Plan Area Map designates the property for Community Commercial land uses, with corresponding zones of CR, C2, C4, RAS3 and RAS4.

The property is zoned C1-1. Granting the requested Conditional Use and Coastal Development Permit for the sales and dispensing of on-site alcoholic service and consumption is also consistent with the following Goal and Objective of the Venice Community Plan in Commercially Zoned properties:

Goal 2 – A strong and competitive commercial sector which promotes economic vitality, serves the needs of the community through well designed, safe and accessible areas while preserving the historic, commercial and cultural character of the community.

Objective 2-1 – To conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services within existing commercial areas.

Policy 2-1.2 – Protect commercially planned and zoned areas from encroachment by residential-only development.

Policy 2-1.5 – Requires that “commercial projects be designed and developed to achieve a high level of quality, distinctive character and compatibility with surrounding uses and development.

Objective 2-2 – To enhance the identity of distinctive commercial district and to identify pedestrian-oriented districts.

Policy 2-2.1 – Encourage pedestrian-oriented uses and mixed-use in designated areas.

Policy 2-2.3 - Require that mixed-use projects and development in pedestrian-oriented areas are developed according to specific guidelines to achieve a distinctive character and compatibility with surrounding uses.

The property is also located within the North Venice Subarea of the Venice Coastal Zone Specific Plan and the Coastal Transportation Corridor Specific Plan. The Venice Local Coastal Land Use Plan (“LUP”) as a part of the Venice Coastal Zoning Specific Plan was certified by the California Coastal Commission. The subject property is in the North Venice Subarea on parcels designated for “Community Commercial” use. The Venice Land Use Plan provides policy direction for the Community Commercial designation. The LUP specifically encourages “visitor-serving, mixed-use, community commercial, overnight hotel, recreational, and historic preservation,” at the subject location. The continued operation of a ground floor restaurant and a theater is permitted under the site’s zoning and the LUP while further fulfilling the LUP’s intent on mixed-use, visitor serving, recreation, educational, and preserving coastal historic building. The project substantially conforms and complies with the LUP Policies and Coastal Guidelines as demonstrated by the following policies:

Policy I. B. 2. Mixed-Use Development. Mixed-use residential-commercial development shall be encouraged in all areas designated on the Land Use Policy Map for commercial use.

Policy I. B. 6. Community Commercial Land Use. The Community Commercial designation is intended to provide focal points for local shopping, civic and social activities and visitor-serving commercial uses. The Community Commercial designation is intended to provide focal points for local shopping, civic and social activities and for visitor-serving commercial uses. They differ from Neighborhood Commercial areas in their size and intensity of business and social activities. The existing community centers in Venice are most consistent with, and should be developed as, mixed-use centers that encourage the development of housing in concert with multi-use commercial uses. The integration and mixing of uses will increase opportunities for employees to live near jobs and residents to live near shopping. Overnight visitor-serving uses, such as hotels and youth hostels, are preferred uses in the Community Commercial land use category.

Policy I. B. 6. (c) North Venice Community Commercial. Properties located along Ocean Front Walk from 17th Avenue to the Santa Monica City Line, which includes the project site, are designated as "Community Commercial Areas of Special Interest" with the intention of promoting: "Visitor-serving and personal services emphasizing retail and restaurants. Mixed-use with retail and/or personal services on the ground floor with either residential or personal services on upper floors."

Policy I. F. 1. Historic and Cultural Resources. The historical, architectural and cultural character of structures and landmarks in Venice should be identified, protected and restored where appropriate, in accordance with historical preservation guidelines. The following buildings, streets, and trees have been identified through the coordinated efforts of surveys performed by the Venice Historical Society, Venice Community, State Coastal Conservancy and City of Los Angeles as significant architectural, historical and cultural landmarks in the Venice Coastal Zone - Waldorf Hotel (1913).

Policy I. F. 2. (d) Reuse and Renovation of Historic Structures. Wherever possible, the adaptive reuse and renovation of existing historic structures shall be encouraged so as to preserve the harmony and integrity of historic buildings identified in this LUP. This means: The existing character of building/house spaces and setbacks shall be maintained.

Policy III. A. 1. (a) General (on Recreational Opportunities). New recreational opportunities should be provided, and existing recreational areas, shall be protected, maintained and enhanced for a variety of recreational opportunities for both residents and visitors, including passive recreational and educational activities, as well as active recreational uses. Recreation and visitor-serving facilities shall be encouraged, provided they retain the existing housing opportunities of the area and provided there is sufficient infrastructure capacity to service such facilities.

The project is the renovation of an existing ground floor restaurant and a basement level theater in conjunction with the sales and dispensing of a full line of alcoholic beverages within the historic Waldorf Building. The General Plan, Venice Community Plan, and Venice Local Coastal LUP are silent with regards to the sale and dispensing of alcohol. In such cases, the Zoning Administrator must interpret the intent of the Plans. The property is zoned C1-1 and a restaurant use and a theater is a permitted use within this zone. Specific renovation work is subject to the Coastal Development Permit. The sale and dispensing of alcoholic beverages are an allowed use within the C1 Zone, pursuant to a Conditional Use approval. The Conditional Use and the Coastal Development Permit approvals are contingent upon the decision-maker making affirmative Findings in support of the request for the renovation work and the on-site sell and consumption of alcoholic beverages. The Findings made herein are in support of that approval.

As conditioned, the project is consistent with the General Plan, the Venice Community Plan, and the Venice Local Coastal LUP. This case is not considered a project under the Venice Specific Plan since there is no expansion in floor area and no increase in density or intensity of the use. The subject restaurant and the theater renovation and the ancillary alcohol use are undeniably consistent with the aforementioned General Plan, Venice Community Plan, and Venice Local Coastal LUP Goals, Objectives, and Policies, in that the project enhances the local business activities, furthers mixed-use, preserve historic resources and unique local community character and culture, promotes recreational / visitor serving / pedestrian-oriented uses. The disapproval of the subject case would in-fact be inconsistent with the Goals, Objectives, and Policies expressed in the Plans. The continued operation of the restaurant and the theater in the historic Waldorf Building is in conformance with the spirit and intent of the General Plan and other City polices which aim to promote the subject property and its immediate area with healthy and viable commercial activity. The applicants are not proposing a substantial change in the character of the premises. Therefore, the project substantially conforms with the purpose, intent and provisions of the General Plan, the Venice Community Plan, and Venice Local Coastal Zone Specific Plan.

ALCOHOLIC BEVERAGE FINDINGS

- 4. The proposed use will not adversely affect the welfare of the pertinent community.**

The project is located within a commercial corridor along Venice Ocean Front Walk boardwalk developed with primarily restaurant and retail uses, abutting Venice Beach recreational areas. A variety of commercial uses are an integral part of these service amenities necessary for the conservation, development, and success of a vibrant neighborhood. At the December 7, 2022, public hearing, opposing parties was more interested in and commented on the housing component and issue of the building as opposed to focus in on the adverse effect of the alcohol use. The property is zoned C1 which permits commercial uses and mixed uses whether the above units are hotel guestrooms or permanent affordable

housing units. The housing topic is only relevant in terms of determining what adverse impacts the alcohol use would the restaurant and theater pose to the residents or guest resides in the building and to the surrounding area, and also to determining appropriate conditions to impose to the project.

From the both the submitted written comments and the verbal hearing testimonies, the Zoning Administrator found only a couple of speakers who testified at the December 7, 2022, public hearing mentioned the noise as possible impact with the proposed 2:00 a.m. closing time, as the only relevant issue. No parking, public drunkenness, crime, trash, loitering, etc. issues were brought up in any of the opposing written or verbal comments. In fact, supporting parties requested the project to be approved so the ground floor restaurant can serve as eyes to monitor the pedestrian activities on Streets to increase a sense of safety while deter potential on-street crime activities and nuisance. The LAPD Captain who testified at the hearing also stated that the project site generates low calls for police service. Also, when LAPD finds a proposed alcohol application to potentially be problematic, the Department issues an opposition letter to the case file swiftly. The LAPD did not submit any written comment to the case file showing the LAPD does not have any policing or safety concern with the project despite the LAPD Captain stated that he would issue a letter. In addition, the project was reviewed by the Venice Neighborhood Council which the Neighborhood Council voted to support the project without recommending any additional condition.

The Zoning Administrator agrees that the noise would be a potential nuisance with the proposed 2:00 a.m., daily, closing time, thus limited the hours of operation from 8 a.m. to 12 a.m., midnight from Sunday to Wednesday, and from 8:00 a.m. to 1:00 a.m. on Thursday, Friday, and Saturday, to fit the operation with the residential use in the Waldorf Building and in the surrounding buildings. As conditioned, the sale of a full line of alcoholic beverages for on-site consumption will not adversely affect the welfare of the pertinent community. Standard conditions seen in the LAPD recommendation report have been included to the determination ensuring the use will not be materially detrimental to the development in the immediate neighborhood. Said conditions include but are not limited to the hours of operation; the prohibition of live entertainment; on-site surveillance cameras, 24-hour complaint hotline, and employees training on the sale of a full line of alcoholic beverages including training provided by the LAPD Standardized Training for Alcohol Retailers (STAR) Program or equivalent. Additional conditions have also been recommended for consideration by the California Department of ABC that regulate the sales of alcohol to prevent potentially negative impacts. The Zoning Administrator also included extensive specialized conditions relating to mode and character, parking, valet service, responsible management, staff training, no-smoking, noise, loitering, public drunkenness, trash, nuisance prevention, and complaint resolution to address neighbors' concerns and to assure no nuisance will occur. Therefore, as conditioned, it can be found that the proposed use, including the sale, dispensing, and on-site consumption of a full line of alcoholic beverages will not adversely affect the welfare of the pertinent community.

5. **The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.**

According to the California Department of Alcoholic Beverage Control licensing criteria, one (1) on-site and zero (0) off-site consumption licenses are allocated to the subject census tract (Census Tract 2734.03). Currently there are 4 (four) on-site licenses and 2 (two) off-site licenses in this census tract. Records from the California Department of Alcoholic Beverage Control show no active ABC Licenses for the subject site.

Within 600 feet of the Project Site there are two (2) total active licenses, one (1) for on-site sales and (1) for off-site sales. Over concentration can be undue when the addition of a license will negatively impact a neighborhood. Over concentration is not undue when the approval of a license does not negatively impact an area, but rather such a license benefits the public welfare and convenience.

According to statistics provided by the Los Angeles Police Department's Pacific Division Vice Unit, within Crime Reporting District No. 1412, which has jurisdiction over the subject property, a total of 610 crimes were reported in 2022 (308 Part I and 302 Part II crimes), compared to the citywide average of 156 offenses and the high crime reporting district of 187 crimes for the same reporting period.

Part 1 Crimes reported by LAPD include, Homicide (1), Rape (4), Robbery (20), Aggravated Assault (71), Burglary (23), Auto Theft (31), Larceny (158). Part II Crimes reported include, Other Assault (19), Forgery/Counterfeit (0) Embezzlement/Fraud (0), Stolen Property (0), Weapons Violation (3), Prostitution Related (1), Sex Offenses (0), Offenses Against Family (2), Narcotics (16), Liquor Laws (74), Public Drunkenness (33), Disturbing the Peace (1), Disorderly Conduct (0), Gambling (0), DUI related (4), Moving Traffic Violations (0), Miscellaneous Other Violations (93), Pre-Delinquency (0) and other offenses (157). Of the 610 total crimes reported for the census tract, 53 arrests were made for liquor laws and 4 arrests were made for under the influence of alcohol. Crime reporting statistics for 2022 is the best available information.

Although the crime report for the subject District No. 1412 can be rather high, Venice Community has suffered as the one of the most serious homelessness problem and location in the City which would contribute to the LAPD service calls and crime statistics. Despite the higher-than-average crime statistics, LAPD

Captain who testified at the December 7, 2022, public hearing stated that the project site has no significant crime issue, and that the Department did not issue an opposition letter as there is no crime or public safety concern.

In these active commercial areas where there is a demand for licenses beyond the allocated number and where an over-concentration of licenses is suggested, the ABC has recognized that high-activity retail and commercial centers located within revitalized hubs are supported by a significant employee population, in addition to the increasing resident population base in the area. The ABC has discretion to approve an application if there is evidence that normal operations will not be contrary to public welfare and will not interfere with the quiet enjoyment of property by residents. Additional conditions have been included to prevent public drinking, driving under the influence, and public drunkenness.

The above statistics indicate that the crime rate in the census tract where the subject site is located is higher than the city average. Negative impacts commonly associated with the sale of alcoholic beverages, such as criminal activity, public drunkenness, and loitering are mitigated by the imposition of conditions requiring surveillance, responsible management and deterrents against loitering. The conditions will safeguard the welfare of the community. As conditioned, allowing the sale of a full line of alcoholic beverages for off-site consumption at the subject location will benefit the public welfare and convenience because it would add an amenity to nearby residences.

The Venice Beach Boardwalk has a long history as a commercial tourist attraction that draws over 18 million visitors annually. A large concentration of the alcohol licenses issued along Ocean Front Walk predate the advent of CUB permitting and offer the operators "grandfathered" rights. A survey of the establishments operating closest to the project shows many operate with these grandfathered licenses. The conditions placed on CUB's will set this project apart from the grandfathered license holders in the area and form the basis for a partnership between the applicants and the community to provide a supervised sales process in a safe environment.

6. **The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.**

All sales will happen in conjunction with sit-down food service within a quality restaurant. Service will be conducted and monitored at all times by employees certified to have completed Standardized Training for Alcohol Retailers (STAR Training) or equivalent, and security surveillance system will monitor the entire premises of the restaurant, theater, and the surrounding areas to deter potential nuisance activities.

While the project site is within proximity to nearby sensitive uses, the location of the site does not directly adjoin these sensitive uses and service of alcoholic beverages is anticipated to be ancillary to the sale of food at the restaurant. The project site is located within a developed commercial area and will not detrimentally affect the neighboring commercial uses. To the east of the project site the properties are zoned RD1.5-1 and are developed with single- and multi-family residential uses.

The project site is zoned for commercial uses and is improved with an apartment hotel (mixed-use) with a restaurant and theater use. The following sensitive uses are located within a 600-foot radius of the site:

- 37 single-family dwellings
- 75 multi-family structures
- Westminster Dog park
- Westminster Senior Center
- Venice Beach Skate Park

Consideration has been given to the distance of the subject establishment from the above-referenced sensitive uses. The grant has been well conditioned, which will protect the health, safety and welfare of the surrounding neighbors. The potential effects of excessive noise or disruptive behavior have been considered and addressed by imposing conditions related to noise and loitering. The project is consistent with the zoning and in keeping with the existing uses adjacent to the development. This project will contribute to a neighborhood and will serve the neighboring residents and the local employees as well as visitors.

Since the site is located in a commercial area, the diversity amongst the uses is not uncommon. This grant has placed numerous conditions on the proposed project which might create potential nuisances for the surrounding area. Such imposition of conditions will make the restaurant and the theater a more compatible and accountable operation to the surrounding neighbors. The entrance to the restaurant is oriented along Ocean Front Walk on an active commercial corridor composed of a mix of commercial retail and residential uses. This grant also imposes numerous conditions on the operation of the property, which will minimize nuisances for the surrounding residential uses.

To ensure that the nearby sensitive uses are adequately buffered from any potential adverse impacts of this project, conditions of approval have been imposed to ensure that nearby sensitive uses are adequately buffered from any potential adverse impacts of this project. These include prohibition on any form of coin-operated games or video machines on the premises. Additionally, any music, sound or noise shall not be audible beyond the subject premises. The applicant is also responsible for maintaining the premises and areas adjacent to premises, over which the applicant has control, free of litter and loitering and queuing on public sidewalks.

As such, the establishment will be within a contained environment where monitoring is facilitated through the enforcement of numerous conditions that will minimize the potential to create nuisances for the surrounding sensitive uses. Therefore, as conditioned, the proposed use will not detrimentally affect the nearby residentially zoned communities or sensitive uses in the neighborhood.

MINI-SHOPPING CENTER/COMMERCIAL CORNER FINDINGS

7. **Based on data provided by the Department of Transportation or a licensed traffic engineer, ingress to, egress from and associated parking on the project will not constitute a traffic hazard or cause significant traffic congestion or disruption of vehicular circulation on adjacent streets.**

The Los Angeles Department of Transportation exempts discretionary projects solely related to the sale or dispensing of alcoholic beverages for on- or off-site consumption from requiring a transportation and circulation study. Further, no evidence was brought forth through written comments conveying concern regarding existing and similarly proposed access and circulation. Therefore, access, ingress, and egress are not expected to create a traffic hazard, cause significant traffic congestion, or cause disruption of vehicular circulation on adjacent streets.

8. **Project approval will not create or add to a detrimental concentration of Mini-Shopping Centers or Commercial Corner Developments in the vicinity of the proposed project.**

The project proposes to sell and dispense of a full line of alcoholic beverages and to operate one additional hour past the 11:00 PM closing time restriction Sunday through Wednesday and two additional hours past the closing time restriction on Thursday, Friday and Saturday. The Zoning Administrator limited the hours of operation from 8 a.m. to 12 a.m., midnight from Sunday to Wednesday, and from 8:00 a.m. to 1:00 a.m. on Thursday, Friday, and Saturday, to fit the operation of the restaurant and theater with the uses within the historic Waldorf Building and the surrounding residential buildings. Similar operations in Venice and other vibrant communities have been consistently granted with similar hours. There will be no new construction or creation of a new mini-shopping center or commercial corner development. Therefore, the instant grant will not add to the detrimental concentration of mini-shopping centers or commercial corner developments.

MANDATED FINDINGS

Coastal Development Permit

In order for a Coastal Development Permit to be granted all of the requisite findings maintained in Section 12.20.2 of the Los Angeles Municipal Code must be made in the affirmative.

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

Chapter 3 of the Coastal Act includes provisions that address the impact of development on public services, infrastructure, traffic, the environment and significant resources, and coastal access. Applicable provisions are as follows:

Section 30244 Archaeological and Paleontological Resources.

Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

The proposed project includes the renovation of an existing 1,276 square-foot restaurant with 896 square feet of Service Floor Area and 43 seats and a basement level theater with 49 seats and to continue the existing permitted uses. The subject site is improved with a five-story Apartment-Hotel with a basement constructed in 1913. As such, the project does not include new construction or any changes to the exterior façade. The subject site is not located within an area with known Archaeological or Paleontological Resources. Further, the proposed project does not include any excavation or grading. However, if such resources are discovered during excavation or grading activities, the project is subject to compliance with Federal, State and Local regulations already in place.

Section 30250 Location; existing developed area.

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

The proposed project includes the renovation of an existing 1,276 square-foot restaurant with 896 square feet of Service Floor Area and 43 seats and a basement level theater with 49 seats. The subject site is improved with a five-story Apartment-Hotel with a basement constructed in 1913. The subject property is located along a commercial strip fronting on Ocean Front Walk, a pedestrian walkway that fronts on Venice Beach. This commercial strip is part of the larger Venice Boardwalk, which is a regional and international tourist attraction. Surrounding properties include a mix of residential and commercial uses dating from 1910 to 2007. As such, the project is accommodated by the existing infrastructure and by the existing public services.

Section 30251 Scenic and Visual Qualities.

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, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

The neighborhood and properties immediately surrounding the subject site are zoned C1-1 and RD1.5-1 and developed with one-story to six-story commercial structures on Ocean front Walk and one-story to three-story residential structures in the neighborhood across Speedway. The subject site is improved with a five-story Apartment-Hotel with a basement constructed in 1913, where the structure is identified as a historic resource by SurveyLA. The proposed project includes the renovation of an existing 1,276 square-foot restaurant with 896 square feet of Service Floor Area and 43 seats and a basement level theater with 49 seats. As such, the proposed project will maintain the character, massing and scale of structures built in the 1920s, and will not obstruct any views or compromise the scenic or visual qualities in the area.

Section 30252 Maintenance and Enhancement of Public Access.

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development. life of 75 years).

The proposed project includes the renovation of an existing 1,276 square-foot restaurant with 896 square feet of Service Floor Area and 43 seats and a basement level theater with 49 seats. As such, the project is limited to subject site, where no permanent structures would be placed within the public right-of-way and public access to the coast would not be impacted. As such, public access to the sea will not be affected by the proposed project.

Section 30253 Minimization of Adverse Impacts.

New development shall: (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard. (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. (3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular

development. (4) Minimize energy consumption and vehicle miles traveled. (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

The property is located in a Liquefaction area, Methane Zone, Tsunami Inundation Zone, and approximately 5.04 kilometers from the Santa Monica Fault Line. As such, the project is subject to compliance with Zoning, Building, and Fire Safety Code requirements that will minimize risks to life and property in geological and Liquefaction hazard zones.

The project site is also located within an area that may be affected by Sea Level Rise. On August 12, 2015, the Coastal Commission adopted a Sea Level Rise Policy Guidance document, updated and adopted On November 7, 2018. This policy document provides a framework and directions for local jurisdictions to address sea level rise (SLR) in Local Coastal Programs (LCPs) and Coastal Development Permits (CDPs). In May 2018, the City completed an initial sea level rise vulnerability assessment for the Venice Coastal Zone. The report provides that: *Existing wide beaches generally protect Venice from coastal hazards. Coastal assets along or near the beachfront are potentially vulnerable during a large storm event in combination with SLR greater than 3.3 feet. After 4.9 feet SLR, beachfront assets are more vulnerable to damage from flooding or potential erosion of the beach. A SLR of 6.6 feet is a tipping point for Venice's exposure to extreme coastal wave events. Beachfront and coastal assets could flood annually, beaches could be greatly reduced in width, and high water levels could greatly increase potential for flooding of inland low-lying areas. As discussed in the analysis, there is considerable uncertainty around the timing of SLR, how coastal processes may be affected, and what adaptation approaches will be applied in the future (VSLRVA, pg. 45).* Policies and development standards to address the potential impacts of SLR would be addressed in the City's LCP for the Venice Coastal Zone.

The Coastal Storm Modeling System (CoSMoS) was utilized to analyze the project's vulnerability to flood hazards, considering a scenario of a minimum 6.6-foot sea level rise and a 100-year storm scenario. Based on this scenario, the proposed development could potentially be affected by flooding as a result of SLR, however, the potential for such flooding in severe storm events is likely to increase towards the end of the project life (based on a typical development life of 75 years). The proposed project does not include any basement areas or any new construction. The proposed project involves renovation and historic preservation work. Furthermore, any repair, demolition, and/or new construction as a result of any flooding would be subject to additional review. As conditioned, the proposed development is consistent with Section 30253 of the Coastal Act.

The renovation of a permitted restaurant and theater would have no adverse impacts on public access, recreation, public views or the marine environment, as the property is located within a developed commercial node. The project will neither interfere nor reduce access to the shoreline or beach. There will be no

dredging, filling or diking of coastal waters or wetlands associated with the request, and there are no sensitive habitat areas, archaeological or paleontological resources identified on the site. The proposed dwelling will not block any designated public access views. As conditioned, the proposed project is in conformity with Chapter 3 of the California Coastal Act.

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

Coastal Act Section 30604(a) states that prior to the certification of a Local Coastal Program (LCP), a Coastal Development Permit may only be issued if a Finding can be made that the proposed development is in conformance with Chapter 3 of the Coastal Act. The Venice Local Coastal Land Use Plan (LUP) was certified by the California Coastal Commission on June 14, 2001; however, the necessary implementation ordinances were not adopted. The City is in the initial stages of preparing the LCP; prior to its adoption the guidelines contained in the certified LUP are advisory. Per the Land Use Plan, the subject property is designated as Community Commercial land use.

The following are applicable policies from the Venice Local Coastal Land Use Plan:

Policy I.B.6 Community Commercial Land Use. *The areas designated as Community Commercial will accommodate the development of community serving commercial uses and services, with a mix of residential dwelling units and visitor-serving uses. The Community Commercial designation is intended to provide focal points for local shopping, civic and social activities and for visitor-serving commercial uses.*

The subject site is located in an urbanized area, developed in the 1910s and 1920s with residential and commercial uses. The subject site is improved with a five-story Apartment-Hotel with a basement constructed in 1913; the Apartment-Hotel has been identified as a historical resource by SurveyLA. The neighborhood and properties immediately surrounding the property are zoned C1-1 and RD1.5-1 and developed with one-story to six-story commercial and residential structures. The proposed project includes the renovation of an existing 1,276 square-foot restaurant with 896 square feet of Service Floor Area and 43 seats and a basement level theater with 49 seats to continue the existing permitted restaurant and theater uses. As such, the proposed project will maintain a visitor-serving commercial use near the Venice Beach recreational areas consistent with the Community Commercial land use designation.

Policy I.B.7 Commercial Development Standards. *The following standards shall apply in all commercial land use designations, unless specified elsewhere within this Land Use Plan.*

Density/Intensity: Maximum Floor Area Ratio (FAR)

- 0.5 to 1 for retail only (including restaurants)*
- 1.0 to 1 for retail / office*
- 1.5 to 1 for retail and/or office and residential*

Lot Consolidation. Two commercial lots may be consolidated, or three with subterranean parking with the following restrictions:

- 11. Methods for ensuring that the structure does not look consolidated (breaks in front wall of ten feet minimum) shall be utilized.*
- 12. Subterranean parking shall be fully depressed with roof at natural grade.*

Yards: Per the following Ground Level Development Policy which requires that commercial development be designed in scale with, and oriented to, the adjacent pedestrian accessways (i.e. sidewalks).

Ground Level Development: Every commercial structure shall include a Street Wall, which shall extend for at least 65% of the length of the street frontage, and shall be located at the property line or within five feet of the property line, except on Ocean Front Walk, where all commercial buildings shall have the Street Wall set zero (0) feet from the building line. The required Street Wall at sidewalk level shall be a minimum of 13 feet high. (A Street Wall is the exterior wall of a building that faces a street.)

Street Walls adjacent to a sidewalk café, public plaza, retail courtyard, arcade, or landscaped area may be setback a maximum of 15 feet along the project which consists of the sidewalk café, public plaza, retail courtyard, arcade, or landscaped area. Such areas shall not be considered in calculating the buildable area of a project but, with the exception of areas used only for landscaping, shall be considered in calculations for required parking.

Landscaping: Any portion of the lot used for parking, buildings, driveways or other features shall be landscaped.

Access: Driveways and vehicular access to project shall be provided from alleys unless the Department of Transportation determines that it is not possible. New and existing curb cuts shall be minimized in order to protect and maximize public on-street parking opportunities.

Trash: Projects shall be required to provide and maintain enclosures for all trash including recyclables.

Light: Lighting from commercial projects shall be directed away from residential properties and environmental sensitive habitat areas.

The proposed project is consistent with Policy I.B.7 (Community Commercial Land Use). The proposed project includes the renovation of an existing 1,276 square-foot restaurant with 896 square feet of Service Floor Area and 43 seats and a basement level theater with 49 seats and to re-establish the existing permitted uses. The proposed project does not include new construction or any changes to the exterior façade. The project maintains the existing floor area ratio, a trash enclosure, and pedestrian scale entrance.

Policy II.A.3. Parking Requirements. *The parking requirements outlined in the following table shall apply to all new development, any addition and/or change of use. The public beach parking lots and the Venice Boulevard median parking lots shall not be used to satisfy the parking requirements of this policy. Extensive remodeling of an existing use or change of use which does not conform to the parking requirements listed in the table shall be required to provide missing numbers of parking spaces or provide an in-lieu fee payment into the Venice Coastal Parking Impact Trust Fund for the existing deficiency. The Venice Coastal Parking Impact Trust Fund will be utilized for improvement and development of public parking facilities that improve public access to the Venice Coastal Zone.*

The proposed project includes the renovation of an existing 1,276 square-foot restaurant with 896 square feet of Service Floor Area and 43 seats and a basement level theater with 49 seats and to re-establish the existing permitted uses. As such, the improvement does not include a change of use and no additional parking is required. The project site will continue to maintain legally nonconforming parking (zero spaces) for the site.

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

The Los Angeles County Interpretive Guidelines were adopted by the California Coastal Commission (October 14, 1980) to supplement the Statewide Guidelines. Both regional and statewide guidelines, pursuant to Section 30620 (b) of the Coastal Act, are designed to assist local governments, the regional commissions, the commission, and persons subject to the provisions of this chapter in determining how the policies of this division shall be applied to the coastal zone prior to the certification of a local coastal program. As stated in the Regional Interpretive Guidelines, the guidelines are intended to be used "in a flexible manner with consideration for local and regional conditions, individual project parameters and constraints, and individual and cumulative impacts on coastal resources." In addition to the Regional Interpretive Guidelines, the policies of the Venice Local Coastal Program Land Use Plan (the Land Use Plan was certified by the Coastal Commission on June 14, 2001) have been reviewed and considered.

The Regional Interpretive Guidelines have been reviewed and the proposed project is consistent with the requirements for the North Venice Subarea; the project also complies with the policies of the LUP and other applicable provisions of the Specific Plan. As such, the proposed project, as conditioned, is consistent with the Regional Interpretive Guidelines.

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

This section of the California Public Resources Code provides that prior California Coastal Commission decisions where applicable, shall guide local governments in their actions in carrying out their responsibility and authority under the Coastal Act of 1976.

The proposed project includes the renovation of an existing 1,276 square-foot restaurant with 896 square feet of Service Floor Area and 43 seats and a basement level theater with 49 seats and to re-establish the existing permitted uses. The Coastal Commission will render decisions on appeals of the City's Coastal Development Permits or Coastal Exemptions. The Coastal Commission took action on the following residential projects in the Venice Coastal Zone:

- On August 11, 2021, the Commission approved with conditions a Coastal Development Permit for an after-the-fact change of use from a 946 square foot flower shop to a 946 square foot restaurant with 200 square feet of Service Floor area, remove unpermitted outdoor dining patio and outdoor deck at 20 Washington Boulevard (Application No. 5-21-0142).
- In March 2019, the Commission approved a Coastal Development Permit with conditions for the demolition of a two-story, 2,300 square foot multi-family dwelling and the construction of a new three-story, 4,584 square foot mixed-use building with retail space, an accessory dwelling unit, a single-family residence, with an attached five-car garage, four bicycle spaces and roof decks in the dual permit jurisdiction, located at 3011 Ocean Front Walk (Application No. 5-18-0212 & A-5-VEN-18-0017).
- In July 2018, the Commission found Substantial Issue for a Coastal Development Permit for the change of use and addition to a one-story, 1,107 square-foot residence to a three-story, 4,111 square foot, mixed-use artist-in-residence with office space on the ground floor, two on-site parking spaces, located at 1209 Abbot Kinney Boulevard. (Application No. A-5-VEN-18-0-0033).

- In March 2016, the Commission approved an administrative permit for the change of use from a 1,056 square-foot retail space to a 1,056 square foot massage parlor, located at 711 Lincoln Boulevard (Application No. 5-15-2130).
- In January 2014, the Commission approved an administrative permit for the change of use from an existing 1,462 square-foot market with commercial kitchen to a market with a kitchen and a 278 square-foot interior customer service area, located at 9-11 Dudley Avenue (Application No. 5-13-1237).

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

13. **The development is not located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone, and the development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976.**

Section 30210 of the Coastal Act states the following in regard to public access:

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

Section 30211 of the Coastal Act states the following in regard to public recreation policies:

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

The subject site is located on the eastern (inland side) of Ocean Front Walk, between Club House Avenue to the north and Westminster Avenue to the south, both within 120 feet of the property and of which provide vehicle as well as pedestrian access to Venice Beach. Ocean Front Walk is a public right-of-way which separates the beach from developed inland areas. There is no evidence of any previous public ownership of the lot or the subject project conflict with the goal of providing appropriately located public access points to the coast.

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

A Categorical Exemption, ENV-2021-7224-CE, has been prepared for the proposed project consistent with the provisions of the California Environmental Quality Act and the City CEQA Guidelines. The proposed project is the renovation of an existing 1,276 square-foot restaurant space with 896 square-feet of Service Floor Area and 43 seats, also a basement level theater space with 49 seats, as the existing permitted uses for the sale and dispensing of a full line of alcoholic beverages for on-site consumption with hours of operations limited to 8:00 a.m. to 2:00 a.m. daily. However, the Grant limits the hours of operation to 8 a.m. to 12 a.m., midnight from Sunday to Wednesday, and from 8:00 a.m. to 1:00 a.m. on Thursday, Friday, and Saturday. The Categorical Exemption prepared for the proposed project is appropriate pursuant to CEQA Guidelines, Section 15301 (Class 1).

The Class 1 Categorical Exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The key consideration is whether the project involves negligible or no expansion of use. The proposed project is the renovation of an existing 1,276 square-foot restaurant with 896 square feet of Service Floor Area and 43 seats and a basement level theater with 49 seats as existing permitted uses with the sale and dispensing of a full line of alcoholic beverages for on-site consumption with hours of operations limited to 8 a.m. to 12 a.m., midnight from Sunday to Wednesday, and from 8:00 a.m. to 1:00 a.m. on Thursday, Friday, and Saturday. The project involves negligible or no expansion of use and qualifies for this exemption.

Furthermore, the Exceptions outlined in the State CEQA Guidelines Section 1 5300.2 do not apply to the project:

- (a) **Cumulative Impact.** All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

The project is consistent with the type of development permitted for the area zoned C1-1 and designated Community Commercial land use. The proposed project is the renovation of an existing 1,276 square-foot restaurant with 896 square feet of Service Floor Area and 43 seats and a basement level theater with 49 seats with on-site alcohol sales, service, and consumption, and will not exceed thresholds identified for impacts to the area (i.e., traffic, noise, etc.). The project will not result in significant cumulative impacts.

- (b) **Significant Effect.** A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The proposed project is the renovation of an existing 1,276 square-foot restaurant 43 seats and a basement level theater with 49 seats with on-site alcohol use. Only tenant improvement work is involved with no new construction or expansion work. The surrounding area is developed with similar commercial and residential uses. The proposed project consists of work typical to a commercial neighborhood, no unusual circumstances are present or foreseeable.

- (c) **Scenic Highways.** A categorical exemption shall not be used for a project, which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.

The project site is not located on or near a designated state scenic highway.

- (d) **Hazardous Waste Sites.** A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

The project site is not identified as a hazardous waste site or is on any list compiled pursuant to Section 65962.5 of the Government Code.

- (e) **Historical Resources.** A categorical exemption shall not be used for a project, which may cause a substantial adverse change in the significance of a historical resource.

The subject site is improved with a five-story Apartment-Hotel with a basement constructed in 1913 known as Waldorf Hotel; the Apartment-Hotel has been identified as a historical resource by SurveyLA. The proposed project is the renovation of an existing 1,276 square-foot restaurant with 896 square feet of Service Floor Area and 43 seats and a basement level theater with 49 seats with on-site alcohol use. The proposed project does not include new construction or any changes to the exterior façade. As such, the proposed project will not impact the integrity of the historic resource.

Therefore, the project is determined to be categorically exempt and does not require mitigation or monitoring measures; no alternatives of the project were evaluated. An appropriate environmental clearance has been granted.

ADDITIONAL MANDATORY FINDINGS

15. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in an area outside of the Flood Zone.

APPEAL PERIOD - EFFECTIVE DATE

This grant is not a permit or license and any permits and/or licenses required by law must be obtained from the proper public agency. If any Condition of this grant is violated or not complied with, then the applicant or their successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Los Angeles Municipal Code (LAMC).

This determination will become effective after the end of appeal period date on the first page of this document, unless an appeal is filed with the Department of City Planning. An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure the Development Services Center (DSC) staff has adequate time to review and accept the documents, and to allow appellants time to submit payment.

An appeal may be filed utilizing the following options:

Online Application System (OAS): The OAS (<https://planning.lacity.org/oas>) allows entitlement appeals to be submitted entirely electronically by allowing an appellant to fill out and submit an appeal application online directly to City Planning's DSC, and submit fee payment by credit card or e-check.

Drop off at DSC. Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, and payment can be made by credit card or check. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications; alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms, and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

Forms are available online at <http://planning.lacity.org/development-services/forms>. Public offices are located at:

Metro DSC (213) 482-7077 201 N. Figueroa Street Los Angeles, CA 90012 planning.figcounter@lacity.org	Van Nuys DSC (818) 374-5050 6262 Van Nuys Boulevard Van Nuys, CA 91401 planning.mbc2@lacity.org	West Los Angeles DSC (CURRENTLY CLOSED) (310) 231-2901 1828 Sawtelle Boulevard West Los Angeles, CA 90025 planning.westla@lacity.org
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City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable LAMC provisions.

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

Verification of condition compliance with building plans and/or building permit applications are done at the City Planning Metro or Valley DSC locations. An in-person or virtual appointment for Condition Clearance can be made through the City's BuildLA portal (appointments.lacity.org). The applicant is further advised to notify any consultant representing you of this requirement as well.



QR Code to
Online Appeal Filing



QR Code to Forms for
In-Person Appeal Filing



QR Code to BuildLA
Appointment Portal for
Condition Clearance

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

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

The proposed development is in the dual permit jurisdiction area and will require an additional permit from the California Coastal Commission upon the expiration of the above 20 working day appeal period. For more information on filing a permit, applicants should visit <https://www.coastal.ca.gov/cdp/cdp-forms.html> or contact the Coastal Commission South Coast District Office: SouthCoast@coastal.ca.gov.

Inquiries regarding this matter shall be directed to Ira Brown, Project Planner for the Office of the Zoning Administrator at (213) 978-1453.

A handwritten signature in blue ink, appearing to read 'Jack Chiang'.

JACK CHIANG
Associate Zoning Administrator

JC:IB:mr

cc: Councilmember Traci Park
Eleventh Council District
Adjoining Property Owners
Interested Parties

VENICE WALDORF & RESTAURANT

SCOPE OF WORK

A CONDITIONAL USE PERMIT TO ALLOW THE SALE AND DISPENSING OF A FULL LINE OF ALCOHOLIC BEVERAGES FOR ON-SITE CONSUMPTION, IN CONJUNCTION WITH AN EXISTING, A 1,276 SQ. FT. RESTAURANT HAVING 43 INTERIOR SEATS IN 896 SQ. FT. OF FLOOR SERVICE AREA LOCATED ON THE GROUND FLOOR, AND AN EXISTING 706 SQ. FT. BASEMENT THEATER WITH 49 SEATS IN AN EXISTING 26,241 SQ. FT. APARTMENT HOTEL. A COASTAL DEVELOPMENT PERMIT FOR THE RE-ESTABLISHMENT OF THE EXISTING GROUND FLOOR RESTAURANT AND BASEMENT THEATER. NO CHANGE OF USE.

EXISTING USES PER C of O

- (E) 36 ROOMS + SERVICE FLOOR AREAS
- (E) 22'X58' IRREGULAR SHAPED RESTAURANT
- (E) 18'X40' SF BASEMENT THEATER

CALCULATIONS OF RESTAURANT & BASEMENT THEATER SEATING

LOCATION	SF	SEATING
RESTAURANT SFA	896 SF	43 SEATS (FIXED)
BASEMENT THEATER	706 SF	49 SEATS (NON-FIXED)

PARKING

PARKING REQUIRED	=	0
PARKING PROVIDED	=	0

EXHIBIT "A"

Page No. 1 of 5
 Case No. ZA-2021-7223-CUB-CU-COP

PROJECT CONTACTS

OWNER:
 VENICE WALDORF
 2 E. BREEZE AVE., SUITE 101
 VENICE CA 90291
 310.453.9656

ARCHITECT:
 SCOTT SULLIVAN (C-33139)
 RELATIVITY ARCHITECTS
 6824 LEXINGTON AVE
 LOS ANGELES, CA 90028
 310.907.6845
 scott@relativityarchitects.com

EXPEDITING
 EPG
 ELIZABETH PETERSON
 400 S. Main Street #808,
 LOS ANGELES, CA 90013
 213.620.1904
 mark@epgla.com | epgla.com

PROJECT INFO / LEGAL DESCRIPTION

ADDRESS:
 1217 S OCEAN FRONT WALK
 VENICE, CA 90291

ZONING:
 C1-1

CONSTRUCTION TYPE:
 III-B

STORIES:
 5 STORIES

FLOOR AREA:
 26,241 SF

OCCUPANCY GROUP:
 A-1: BASEMENT WITH THEATER
 A-2: 1ST FL. RESTAURANT
 M¹ 1ST FL. RETAIL
 R-1: 36 UNITS, (11 APTS, 22 HOUSEKEEPING ROOMS, 3 GUEST ROOMS)

LOT AREA:
 4,414 SF

FIRE SPRINKLERS:
 YES (PER DOROTHY MAE ORDINANCE)

ASSESSOR PARCEL NO. (APN):
 4226 - 005 - 004

LEGAL DESCRIPTION:
 TR: COUNTRY CLUB TRACT. BLOCK 4, LOT #5

APPLICABLE CODES:
 2013 CBC, CRC, CMC, CPC, CEC, CGBC, T24 CA ENERGY, 2012 IBC,

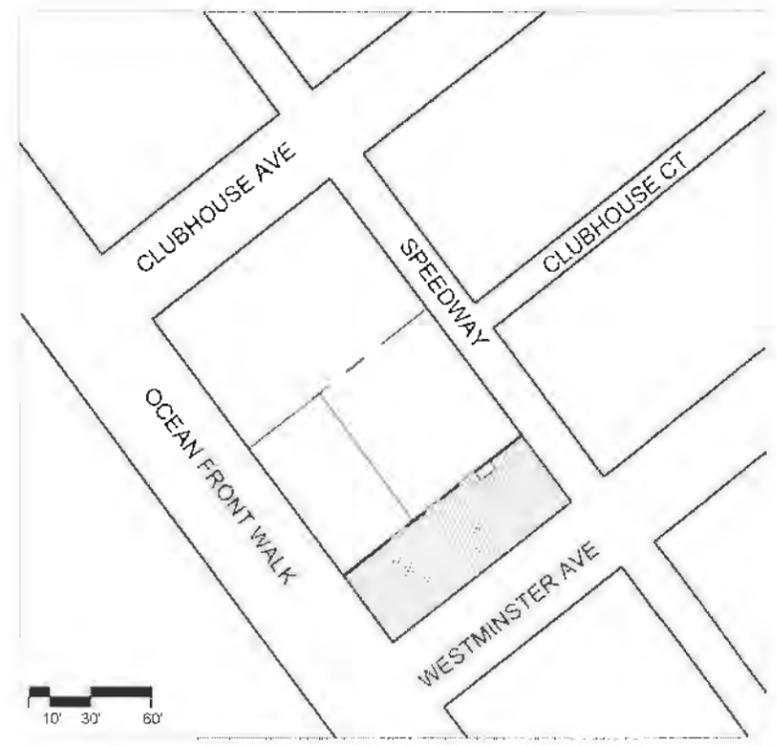
PARKING:
 NO NEW SQUARE FEET ADDED.

*PROJECT IS 100% PRIVATELY FUNDED
 *MECHANICAL/ ELECTRICAL SHALL BE UNDER SEPARATE PERMIT

SHEET INDEX

	DATE OF ISSUE				
	06/14/2019	09/08/2020	11/11/2020	12/23/2020	05/19/2021
SK-00 COVER	●	●	●	●	●
SK-01 PLOT PLAN	●	●	●	●	●
SK-02 BASEMENT FLOOR PLAN	●	●	●	●	●
SK-03 GROUND FLOOR PLAN	●	●	●	●	●
SK-04 2ND FLOOR PLAN	●	●	●	●	●
SK-05 3RD FLOOR PLAN	●	●	●	●	●
SK-06 4TH FLOOR PLAN	●	●	●	●	●
SK-07 PENTHOUSE PLAN	●	●	●	●	●
SK-08 SQUARE FOOTAGES BASEMENT -1ST FLR	●	●	●	●	●
SK-09 SQUARE FOOTAGES UNITS	●	●	●	●	●
SK-10 CERTIFICATES OF OCCUPANCY			●	●	●

PLOT PLAN



AREA CALCULATIONS

Location	SF	Seats
Alcohol Storage	40	-
Theater (E)	706	49

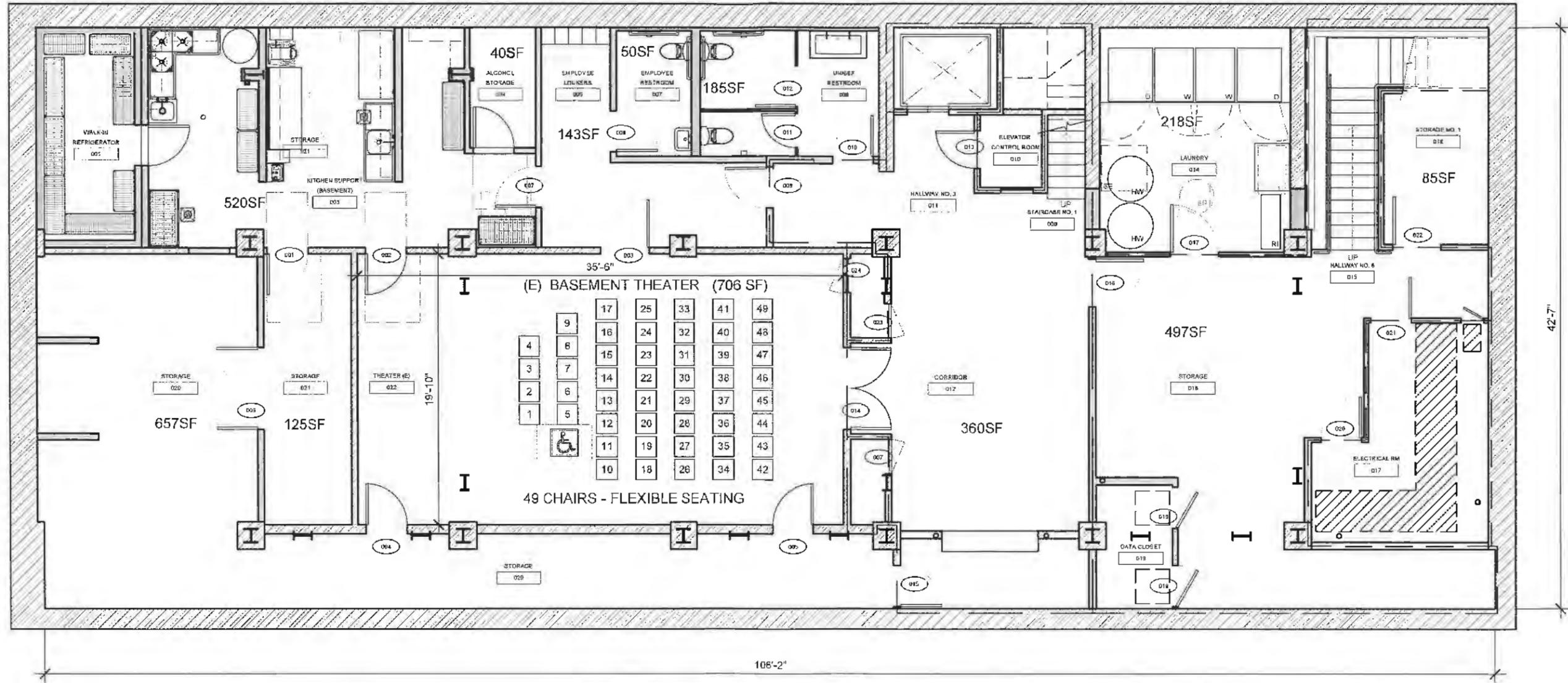
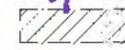


EXHIBIT "A"
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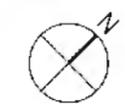


VENICE WALDORF
RELATIVITY ARCHITECTS

VENICE WALDORF
 1217 S OCEAN FRONT WALK
 VENICE, CA 90291

421 COLYTON STREET
 2ND FLR, LA, CA. 90013
 310.573.4300 | 213.232.3664 FX

REFERENCE | TITLE: BASEMENT FLOOR PLAN
 DATE: 07-06-2021



SK - 02

SCALE: 1/8" = 1'-0"

AREA CALCULATIONS

Location	SF	Seats
Restaurant SFA	896	43
Restaurant Kitchen/BOH	380	
Totals	1,276	43

KEYNOTES:

- 1 WOMENS RESTROOM
- 2 MENS RESTROOM

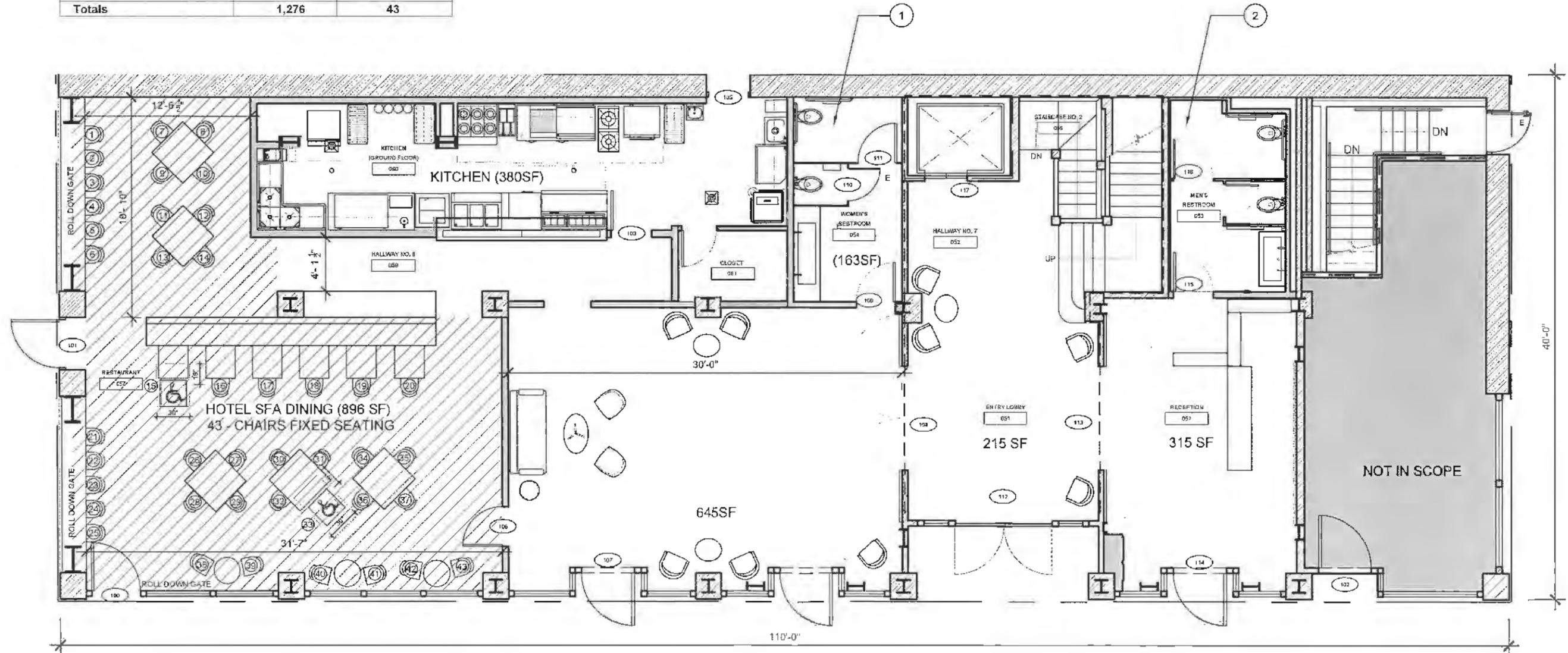


EXHIBIT "A"
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RESTAURANT

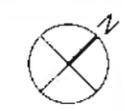


VENICE WALDORF
RELATIVITY ARCHITECTS

VENICE WALDORF
 1217 S OCEAN FRONT WALK
 VENICE, CA 90291

421 COLYTON STREET
 2ND FLR, LA, CA. 90013
 310.573.4300 | 213.232.3604 FX

REFERENCE | TITLE: GROUND FLOOR PLAN
 DATE: 7-06-2021



SK - 03

SCALE: 1/8" = 1'-0"

Address of Building 1217 Ocean Front Walk
 CITY OF LOS ANGELES
CERTIFICATE OF OCCUPANCY

NOTE: Any change of use or occupancy must be approved by the Department of Building and Safety. This certifies that, so far as ascertained by or made known to the undersigned, the building at the above address complies with the applicable requirements of the Municipal Code, as follows: Ch. 9, Art. 1, 3, 4, and 5; and with applicable requirements of State Housing Act—for following occupancies:

Issued: **5-28-69** Permit No. and Year WLA76575/69

Convert approximately 18' x 40' portion of existing 5 story, type III-A; 40' x 110', restaurant, apartment-hotel and commercial building to theatre, G-1/G-2/H-4 occupancy.

Owner: G.R. Lenny & J.P. Corrodi (owners)
 Occupier: J. Clampa (tenant)
 Address: 1217 Ocean Front Walk
 Venice, California

Form B-95a-10M-3-60 (R-37) G. E. MORRIS, Superintendent of Building — By: A. S. HEWITT:cc

1969 CERTIFICATE OF OCCUPANCY (THEATRE)

Address of Building 1219 Ocean Front Walk
 CITY OF LOS ANGELES
Certificate of Occupancy

NOTE: Any change of use or occupancy must be approved by the Department of Building and Safety. This certifies that, so far as ascertained by or made known to the undersigned, the building at above address complies with the applicable requirements of the Municipal Code, as follows: Ch. 9, Art. 1, 3, 4, and 5; and with applicable requirements of State Housing Act,—for following occupancies:

Issued: July 26, 1960 Permit No. and Year V20791-59

22' x 58' irregular-shaped restaurant converted from an existing portion of the first floor of a 40' x 110', Type III-B, five-story and basement apartment house and store building.

G-2 Occupancy

Owner: Herman and Anna Solloway
 Owner's Address: 5 Westminster Avenue
 Venice, California

E. E. SPITZER 1mv

Form B-95a-10M-3-60 (R-37) G. E. MORRIS, Superintendent of Building — By: _____

1960 CERTIFICATE OF OCCUPANCY (RESTAURANT)

EXHIBIT "A"
 Page No. 5 of 5
 Case No. 2A-2021-7223-CUB-CU-COP

Address of Building 1217-19 Ocean Front
 Building 5 - 9 Westminster Avenue
 Permit No. 87569/64, WLA54382/64
 and Year 93583/65, WLA10021/65
 Certificate Issued 15969/65, 92792/65
 Issued January 27, 1967

CITY OF LOS ANGELES
 DEPARTMENT OF BUILDING AND SAFETY
**REHABILITATION
 CERTIFICATE OF OCCUPANCY**

NOTE: Any change of use or occupancy must be approved by the Department of Building and Safety.

This certifies that, so far as ascertained by or made known to the undersigned, the deficiencies in this building have been corrected and the building complies with the applicable requirements of Division 49, Article 1, Chapter 9 of the Municipal Code for the following occupancies:

Five-Story Type III-A, 40' x 110' Apartment Hotel.
 11 Apartments, 28 Light-Housekeeping rooms & 3-Guest Rms.
 H-4, G-1 & G-2 Occupancies. X21399

ACCEPT FOR DEVIATIONS APPROVED BY BOARD OF BIDS. & SAFETY COMMISSIONERS

Owner: Mr. George Binney
 Owner's Address: Westminster Avenue
 Venice, California 90291

Form B1100-11M-12-51 G. E. MORRIS, Superintendent of Building C. M. WILSON/tb

1967 CERTIFICATE OF OCCUPANCY (APARTMENT HOTEL)



LOS ANGELES CITY PLANNING APPEAL FILING PROCEDURES

Entitlement and CEQA appeals may be filed using either the Online Application System (OAS) or in person Drop Off at DSC (Development Services Center).

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Metro DSC

(213) 482-7077

201 N. Figueroa Street

Los Angeles, CA 90012

Van Nuys DSC

(818) 374-5050

6262 Van Nuys Boulevard

Van Nuys, CA 91401

West Los Angeles DSC

(CURRENTLY CLOSED)

(310) 231-2901

1828 Sawtelle Boulevard

West Los Angeles, CA 90025

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable Los Angeles Municipal Code provisions.

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QR Code to Online Appeal Filing



QR Code to Forms for In-Person Filing