

SUPPLEMENTAL REPORT TO THE HEARING OFFICER

DATE ISSUED:	October 26, 2023	
HEARING DATE:	November 7, 2023	AGENDA ITEM: 4
PROJECT NUMBER:	2020-000436-(3)	
PERMIT NUMBER(S):	Conditional Use Permit RPPL2020000759 Parking Permit RPPL2021010465	
SUPERVISORIAL DISTRICT:	3	
PROJECT LOCATION:	128 Old Topanga Canyon Road, Topanga	
OWNER:	Ralph and Lucile Yaney	
APPLICANT:	Ronald Mass	
CASE PLANNER:	William Chen, AICP, Senior Regional Planner wchen@planning.lacounty.gov	

This agenda item is a request to expand existing alcoholic beverage sales from beer and wine to a full line of beer, wine, and spirits and to authorize tandem parking with valet service at Inn of the Seventh Ray, an existing restaurant located in the Santa Monica Mountains Coastal Zone.

The Hearing Officer provided staff with questions pertaining to the project on October 11, 2023. Staff's responses are as follows:

1. Please explain how a parcel zoned O-S (Open Space) may be used for off-site parking.

The subject parcel (Assessor's Parcel Number 4445-006-900) was previously zoned C-3 (Unlimited Commercial), which allows parking lots as a by-right use. This parking lot was approved by an Approval in Concept issued by LA County Planning on September 14, 2005, and was subsequently approved on August 27, 2007, as of a part of a Coastal Development Permit Exemption related to a bookstore remodel and expansion. Additionally, use of this off-site parking could be authorized without the need for a Parking Permit through execution of a recorded lease of not less than 20 years. The property owner had first obtained a rental agreement from the County in 2006 to use the subject parcel for off-site parking. The subject parcel was subsequently rezoned to Open Space upon adoption and certification of the Santa Monica Mountains Local Coastal Program in 2014. However, the existing off-site parking land use continues to be legal nonconforming.

2. What is the thought behind requiring seven inspections for a 10-year grant?

The requirement of seven inspections is intended to provide monitoring to ensure that the parking arrangements are being implemented pursuant to the approved Exhibit "A" and conditions of approval. Due to the unique site conditions, active interventions in the form of tandem parking and valet service are necessary to ensure that the restaurant use is being supported with adequate parking.

3. Is there a situation under which the Parking Permit would expire?

The Parking Permit would expire if the restaurant use were no longer in operation, or if changes to the use were proposed that would eliminate the need for tandem parking. The Parking Permit request is for non-residential tandem parking only. The applicant intends to pursue a Minor Parking Deviation to authorize a reduction in the number of required parking spaces for this use.

4. Please suggest some options for allowing live entertainment, dancing, and a dance floor at the restaurant under limited circumstances.

County Code Section 22.140.330 authorizes accessory live entertainment for a legally established restaurant with approval of a Ministerial Site Plan Review if the parking conforms to County Code Chapter 22.112 (Parking) requirements. Otherwise, a Conditional Use Permit is necessary. Since this Project requires a Parking Permit and a Minor Parking Deviation in order to achieve conformance with parking standards, Staff determined it is appropriate to incorporate the accessory live entertainment request into the Conditional Use Permit application for alcoholic beverage sales that is currently being considered. The Conditional Use Permit application for alcoholic beverage sales presents an opportunity to impose conditions that would be necessary to address any potential impacts as a result of the request.

5. Has the applicant demonstrated they have the ability to provide the required number of parking spaces should the lease on the adjoining parcel be cancelled or terminated?

At this time the applicant has not stated that replacement parking spaces can be provided should the lease on the adjoining parcel be cancelled or terminated. Upon further review and discussion with the Department of Public Works (DPW) regarding their recommendations related to the Parking Permit, Staff determined that the proposed parking spaces on the adjoining parcel, in addition to several on-site parking spaces, could not be functionally utilized. DPW's condition requiring that the applicant maintain a clear traffic line-of-sight with no obstructions taller than three and a half feet in height cannot be realistically achieved with parked vehicles on this adjoining parcel. This situation will result in the loss of eight vehicle parking spaces out of the total 42 required spaces. Therefore, the applicant must now request a Minor Parking Deviation in order to conform with parking requirements.

Based upon the recent discussions and circumstances, Staff is recommending that this item be removed from the Hearing Officer calendar so that accessory live entertainment and the

Minor Parking Deviation can be incorporated into the project scope, and to allow for public notification of the modified project description.

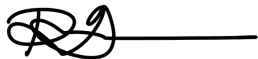
Staff recommends the following motion:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND REMOVE CONDITIONAL USE PERMIT NUMBER RPPL2020000759 AND PARKING PERMIT NUMBER RPPL2021010465 FROM THE HEARING OFFICER CALENDAR.

If you have any questions or need additional information, please contact William Chen at wchen@planning.lacounty.gov.

Report

Reviewed By:



Robert Glaser, Supervising Regional Planner

Report

Approved By:



Mitch Glaser, Assistant Administrator
