

City of Culver City, California
Redevelopment Agency Agenda Item Report

Meeting Date: 8/21/06		Item Number: <u> A-1 </u>	
AGENDA ITEM: Consideration of a Modification to the Jefferson Boulevard Industrial Area Design for Development Restriction that Prohibits the Location of STAR Prep Academy, the school component of STAR ECO Station, located at 10101 Jefferson Boulevard.			
Contact Person/Dept.: Kriss Casanova/CDD		Phone Number: (310) 253-5769	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: Letter to STAR ECO Station (07/24/06); Postcards were mailed to all property owners and occupants within 300 feet of the site (07/31/06); Master Notification List (8/16/06).			
Department Approval: Susan Evans 08/03/06		Exec. Director Approval: Jerry Fulwood 08/16/06	
City Controller Approval:			

RECOMMENDATION:

Staff recommends the Culver City Redevelopment Agency (the "Agency") consider modifying the restriction in the Jefferson Boulevard Industrial Area Design for Development ("DFD") that prohibits schools or education institutions for grades K-12. The modification relates to STAR Prep Academy, the school component of STAR ECO Station, located at 10101 Jefferson Boulevard (the "Site").

The Agency could:

- 1) Not modify provisions of the DFD and advise STAR Prep Academy to cease and desist; or
- 2) Authorize staff to modify, as needed, provisions of the DFD to allow STAR Prep Academy and require them to apply for an after-the-fact Conditional Use Permit ("CUP") from the Culver City Planning Commission to make necessary improvements to the Site.

BACKGROUND:

In 1981, a variance was issued at the Site to allow shared parking so that a school for adults could operate. The school was only allowed to operate during the evenings and on weekends when other businesses in the area weren't utilizing the weekday parking spaces. The variance was conditioned to become null and void should a required parking agreement be terminated or should a business (other than a school operating during the evenings and weekends) be in operation.

City of Culver City, California
Redevelopment Agency Agenda Item Report

Subsequently, different adult schools (including one that prepared law students to take the Bar exam) occupied the site. These adult schools operated at the site during the evenings and weekends, and utilized the shared parking agreement.

In 1987, the ERAS School (now located at Machado Road and Sepulveda Boulevard) moved to the Site. The ERAS school, operating as a traditional school for children with learning disabilities, occupied the Site after obtaining a business license from the City of Culver City. At that time, ERAS should have been required to obtain a CUP due to their inability to satisfy conditions of the original variance they had, due to the fact they had weekday operations (and therefore could not practically share parking spaces with adjacent uses also operating during the day).

In 2000, ERAS moved to their new location at Machado Road and Sepulveda Boulevard, and STAR ECO Station moved to the Site. STAR ECO Station is a non-profit environmental education museum and exotic wildlife rescue center. At that time, STAR ECO Station's business tax certificate application was approved for educational services/wildlife rescue uses. Educational services includes hands-on lessons of ecology and environmentalism through exhibits and is not considered a school.

In early summer 2005, staff became aware that the building was also operating as a private middle school and high school, STAR Prep Academy. In order to continue operating the school use at STAR ECO Station, the business owners, Katya Bozzi and Eric Bozzi (the "applicant"), were told they would need to apply for a CUP.

In July 2005, staff conducted a brief site visit and tour with the applicant and informed them that existing Planning and life safety issues needed to be addressed.

In August 2005, the City's Building Official, Craig Johnson, sent a letter to the applicant requesting that a life safety analysis be performed and advising them to consult the Planning Division regarding submittal of an after-the-fact CUP application.

In fall 2005, improvements were made to the electrical system (emergency egress lighting).

In December 2005 and early February 2006, Jose Mendivil, Associate Planner, sent additional letters to the applicant, stating that to date, a CUP application had not been submitted to the City.

City of Culver City, California
Redevelopment Agency Agenda Item Report

In late February 2006, the Agency approved the DFD which prohibits school use at the Site. "Schools" is listed as a prohibited use because it was not believed to be compatible with the surrounding manufacturing and industrial uses.

In June 2006, the City Attorney's Office advised the applicant about its failure to comply with City laws, rules and regulations. As a result, the City Attorney held an official conference with the applicant to discuss future steps to obtain compliance.

DISCUSSION:

According to the City's Building Official, several life safety issues exist that relate to the seismic stability of the building, exit doors, exit door hardware, exit capacity, exit signage and emergency egress lighting. To date, no action has occurred to resolve these matters (or obtain a CUP).

Modification of the DFD provision could require STAR Prep Academy to make improvements to the Site the Building Official deems necessary within 60 days and obtain a CUP within 120 days following the Agency's decision. If improvements are not made and an application is not filed within 60 days, the use shall cease and desist.

Because the CUP process is discretionary there is no guarantee that the Planning Commission would approve an after-the-fact CUP. However, their decision could be appealed to the City Council.

ATTACHMENTS:

- 1) STAR Prep Academy brochure
- 2) Letter from City Attorney's Office dated June 7, 2006
- 3) Letter from Craig Johnson, Building Official, dated August 4, 2005
- 4) Letter from M-E Engineers, Inc. dated August 1, 2006
- 5) Agency letter to STAR ECO Station dated July 24, 2006
- 6) STAR ECO Station's Response to Agency letter dated July 24, 2006

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Redevelopment Agency Agenda Item Report

MOTION:

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