

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 07/23/07		Item Number: <u>PH-1</u>	
AGENDA ITEM: Continuation of Public Hearing on Appeal of the Planning Commission's Denial of a Site Plan Review; Administrative Use Permit; and Administrative Modification for a proposed Mixed Use Development of 23 Residential Units with Ground Floor Retail at 9900 Culver Boulevard (ITEM CONTINUED FROM 07/09/04).			
Contact Person/Dept.: Jose Mendivil; Thomas Gorham		Phone Number: (310) 253-5710	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☒		Action Item: ☐ Attachments: ☒	
Public Notification: Applicants notified by mail (06/18/07); Notice of Public Hearing was published in the Culver City News (06/21/07); Notice of Public Hearing was mailed (06/18/07); Site was posted (06/18/07); Master Notification List (07/18/07).			
Department Approval: Sol Blumenfeld		City Attorney Approval Carol Schwab (by H. Iker) (07/18/07)	
City Controller Approval: Marlee Chang (07/18/07)		City Manager Approval: Jerry B. Fulwood (07/18/07)	
<u>RECOMMENDATION:</u> Staff recommends the City Council consider the additional information requested and the revised project plans (to be submitted under separate cover) that respond to City Council concerns, and either: 1. Grant the Appeal and overturn the Planning Commission's denial and approve the modified Site Plan Review, Administrative Use Permit and direct staff to return with the appropriate resolution outlining the findings and appropriate conditions of approval; and continue the Public Hearing to a date certain to act upon the General Plan and Zoning Map Amendments and Tentative Tract Map. OR 2. Deny the Appeal and uphold the Planning Commission's denial of a Site Plan Review; Administrative Use Permit; and Administrative Modification and direct staff to return to the Council with the appropriate resolution outlining the findings for denial. <u>PROCEDURE:</u> 1. Mayor calls on staff for a brief staff report on the additional requested information and revised project plans.			
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2. Mayor reopens the public hearing, providing the applicant the first opportunity to speak, followed by the general public. (At the City Council meeting of July 9, the City Council adopted a motion closing the public hearing.)
3. Mayor seeks a motion to close the public hearing after all testimony has been presented.
4. Council discusses the matter and arrives at its decision.

BACKGROUND:

On July 9, 2007, staff presented to the City Council the appeal of the Planning Commission's denial of Uptown Lofts/SPF Architect's mixed use project at 9900 Culver Boulevard. At the appeal hearing, the City Council decided to continue the item to July 23, 2007, pending requested additional information and suggested that the applicant consider design changes to address Council and neighborhood concerns.

DISCUSSION:

The City Council decided to request financial information regarding the viability of the project and Redevelopment Agency documents that detail the process by which 9900 Culver Boulevard was sold to the applicant. These documents include the following and are attached hereto:

- Agency staff report requesting authorization for Request for Proposals (RFP)
- The RFP
- Property Appraisal
- Grant Deed
- Purchase Agreement

Pursuant to the Council's suggestion, the applicant has modified the plans (to be submitted under separate cover) with the following changes to address the City Council's concerns:

- Reduced the density from 23 to 21 units (one unit eliminated and two units combined for one penthouse unit), consistent with density allowed under current zoning.
- Eliminated the request for pooled parking. This was accomplished by reducing the number of units which resulted in four less residential parking spaces and these four spaces can now be used for the commercial portion of the project.

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- Increased the retail square footage by 240 square feet, which does not result in the need for an additional commercial parking space.
- Added open air public seating/arcade area at corner of Culver Boulevard and Duquesne Avenue.
- Scaled back building at roof level to the north, west and south elevations and at ground level at the proposed arcade/seating area to reduce massing.
- Increased the rear setback at the top floor by an additional 10 feet for a total of 40 feet to the adjacent residential property line.
- Increased the front setback at the top floor by approximately 10 feet at Culver Boulevard.
- Eliminated the need for Administrative Modification by increasing the subterranean drive aisle width to the code minimum required 27 feet.

FISCAL ANALYSIS:

The development of 9900 Culver Blvd will contribute revenue to both the Culver City General Fund and the Redevelopment Agency. The City will receive sales tax, business tax, business license tax, retail utility user tax and residential utility user tax following the development of the site. Staff estimates that in fiscal year 2008-09 the City will receive approximately \$14,143 in on-going tax revenue from 9900 Culver Blvd (Attachment No. 6).

In addition to General Fund revenue the Redevelopment Agency will receive Tax Increment ("TI") following the development of 9900 Culver Blvd. Treasury Department staff estimates that in fiscal year 2008-09 the Redevelopment Agency will receive in \$156,044 in TI from 9900 Culver Blvd (Attachment No. 7).

SUMMARY:

The applicant has responded to the Council's concerns regarding massing, setbacks from abutting residential properties, reduced density (to the number permissible under the split zoning of the site) and increased parking. In addition, the modified project has resulted in the elimination of two of the special requests, Pooled Parking and the Administrative Modification.

The outstanding entitlements necessary to develop the project still include Site Plan Review, General Plan and Zoning Map Amendment, Administrative Use Permit for Tandem Parking (allowed by right in the residential zones) and the Tentative Tract Map.

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ATTACHMENTS:

1. Agency staff report requesting authorization for Request for Proposals (RFP)
2. The RFP
3. Property Appraisal
4. Grant Deed
5. Purchase Agreement
6. 9900 Culver Blvd Revenue Analysis
7. 9900 Culver Blvd Tax Increment Analysis

MOTION:

That the City Council receive and file additional information requested and either:

1. Grant the Appeal and overturn the Planning Commission's denial and approve the modified Site Plan Review, Administrative Use Permit and direct staff to return with the appropriate resolution outlining the findings and appropriate conditions of approval; and continue the Public Hearing to a date certain to act upon the General Plan and Zoning Map Amendments and Tentative Tract Map;

OR

2. Deny the Appeal and uphold the Planning Commission's denial of a Site Plan Review; Administrative Use Permit; and Administrative Modification and direct staff to return to the Council with the appropriate resolution outlining the findings for denial.