

ORDINANCE NO. 2018-____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA APPROVING ZONING CODE MAP AMENDMENT, P2017-0021-ZCMA FOR A NEW, 44 FOOT TO 56 FOOT, 3- TO 4-STORY, 155,986 SQUARE FOOT (SF) COMMERCIAL BUILDING (KNOWN AS THE BRICK AND THE MACHINE) WITH 75,467 SF OF SUBTERRANEAN PARKING AND 80,519 SF OF OFFICE AND RETAIL SPACE WHICH INCLUDES 13,598 SF OF GROUND FLOOR RETAIL AND RESTAURANT USES, AND A REQUESTED REDUCTION IN REQUIRED PARKING SPACES THROUGH SHARED PARKING BY TWENTY-FOUR (24), AT 9735 WASHINGTON BOULEVARD IN THE COMMERCIAL GENERAL (CG) AND COMMERCIAL DOWNTOWN (CD) ZONES.

(Zoning Code Map Amendment, P2017-0021-ZCMA)

WHEREAS, on January 27, 2017, Clarett West Development (the "Applicant") filed applications for an Administrative Modification, Administrative Use Permit, Site Plan Review, General Plan Map Amendment, and Zoning Code Map Amendment to allow the development of a new, 44 foot to 56 foot, 3- to 4-story, 155,986 Square Foot (SF) commercial building with 75,467 SF of subterranean parking and 80,519 SF of office and retail space which includes 13,598 SF of ground floor retail and restaurant uses (the "Project"). The Project Site is more specifically described by Los Angeles County Assessors Numbers 4207-002-014, 4207-002-024, and 4207-002-025 in the City of Culver City, County of Los Angeles, State of California; and,

WHEREAS, Pursuant to the California Environmental Quality Act (CEQA) Guidelines, an Initial Study was prepared for this Project. The Initial Study determined that the Project would not result in significant impacts on the environment provided certain mitigation measures are required and a Mitigated Negative Declaration (MND) was prepared as the required CEQA clearance documentation for the Project. The MND determined that the Project

1 will require mitigation measures to reduce "potentially significant" impacts on the environment
2 to a less than significant level. The mitigation measures address items related to Biological
3 Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials,
4 Hydrology/Water Quality, Noise, and Public Services; and,
5

6 **WHEREAS**, the MND was adopted by the Planning Commission on June 27,
7 2018, which determined that the Project will not have a significant adverse impact on the
8 environment. Pursuant to Section 15162 of CEQA, Zoning Code Map Amendment, P2017-
9 0021–ZCMA is within the scope of the adopted MND, the circumstances under which the MND
10 was prepared have not significantly changed, and no new significant information has been
11 found that would impact the MND. Therefore, no additional environmental analysis is required;
12 and,
13

14 **WHEREAS**, on June 27, 2018, after conducting a duly noticed public hearing on
15 the subject applications, including full consideration of the applications, plans, staff report,
16 environmental information and all testimony presented, the Planning Commission (i) by a vote
17 of 5 to 0, adopted an MND and Mitigation Monitoring Program, in accordance with CEQA,
18 including findings required by CEQA; (ii) by a vote of 5 to 0, conditionally approved
19 Administrative Modification, Administrative Use Permit, and Site Plan Review, Case No.
20 P2017-0021; (iii) by a vote of 5 to 0, recommended to the City Council approval of General
21 Plan Map Amendment and Zoning Code Map Amendment, Case No. P2017-0021; and (iv) by
22 a vote of 5 to 0 recommended to the City Council approval of a reduction in required parking
23 spaces by twenty-four (24) parking spaces through the use of an in-lieu fee; and,
24
25
26
27
28
29

1 **WHEREAS**, on August 27, 2018, after conducting a duly noticed public hearing
2 on the Zoning Code Map Amendment, the City Council, by a vote of 5 to 0, continued the public
3 hearing to the October 22, 2018 City Council meeting; and,

4 **WHEREAS**, on October 22, 2018, after conducting a duly noticed public hearing
5 on the Zoning Code Map Amendment, fully considering the Planning Commission's
6 recommendation and all reports, testimony and environmental information presented, the City
7 Council, by a vote of ___ to ___, introduced an ordinance to approve Zoning Code Map
8 Amendment, P2017-0021-ZCMA, regarding 9735 Washington Boulevard (the "Ordinance"), as
9 set forth herein below.
10

11 **NOW, THEREFORE**, the City Council of the City of Culver City, California, DOES
12
13 HEREBY ORDAIN as follows:

14 **SECTION 1.** Pursuant to the foregoing recitations and the provisions of CCMC,
15 the following required findings for a Zoning Code Map Amendment as outlined in CCMC Title
16 17, Section 17.620.030, are hereby made:
17

- 18
19 **1. The proposed amendment ensures and maintains internal consistency with the**
20 **goals, policies, and strategies of all elements of the General Plan and will not**
21 **create any inconsistencies with this Title, in the case of a Zoning Code**
22 **amendment.**

23 The Project is proposing a Zoning Code Map Amendment that will shift a portion of the
24 Project's CG Zoning approximately 16 feet to 23 feet south towards Washington
25 Boulevard. The current line dividing the Project's CG and CD zoning designations
26 occurs at an angle within the Site boundaries. The shift will make the division line
27 between the Project's zoning designations parallel with the rear property line creating
28 the ability to provide a more uniform and efficient building division where height will
29 increase from a maximum allowed 44 feet in the CD Zone to a maximum allowed 56 feet
in the CG Zone. The change in the zoning designation will maintain land use and zoning
consistency with an accompanying resolution that will shift the General Plan Land Use
designation approximately 16 feet to 23 feet south towards Washington Boulevard from
Downtown to General Corridor. These minor map amendments will result in changing
one type of commercial designation for another type of commercial designation on a

1 small portion of a lot in the Downtown commercial area. Overall General Plan
2 commercial related goals, policies, and strategies will not be affected by this minor shift
3 in the Project's internal boundary between the two different commercial land use and
4 zoning designations. The Projects two separate components will include office, retail,
5 and restaurant uses which are allowed in both the CG and CD Zones. The retail and
6 restaurant uses will be required at the ground floor as stipulated in the CD Zone. The
7 differing heights will be consistent with the CG maximum allowed 56 feet and the CD
8 maximum allowed 44 feet and three stories. The different heights will occur at the new
9 internal boundary between the two different commercial land use and zoning
10 designations thereby assuring consistency with the Zoning Code.

11 **2. The proposed amendment would not be detrimental to the public interest, health,
12 safety, convenience or welfare of the City.**

13 The map amendment affecting the Project's internal boundary between two different
14 zoning designations will only affect the Project site and no other surrounding properties.
15 Further the amendment results in changing a small portion of the Project site from one
16 commercial zoning designation to another zoning designation. The only significant
17 result from this amendment is that the Project's height limit of 56 feet in the CD Zoned
18 portion of the Project will be shifted a maximum of 23 feet south towards Washington
19 Boulevard. Allowed commercial land uses and CD ground floor restrictions will not be
20 affected. The majority of the site will maintain its General Plan Downtown and CD Zone
21 designations which are more restrictive compared to the Project's General Plan General
22 Corridor and CG Zone designations which will continue to be at the rear of the Project
23 site. Therefore the proposed amendment would not be detrimental to the public interest,
24 health, safety, convenience or welfare of the City.

25 **3. The proposed amendment is in compliance with the provisions of the California
26 Environmental Quality Act (CEQA).**

27 The proposed Zoning Code Map Amendment is in compliance with CEQA as more fully
28 outlined in the Initial Study and Mitigated Negative Declaration environmental finding
29 and related documentation for this Project including the Project's traffic study.

30 **4. Additional Finding for Zoning Map Amendments: The site(s) is physically suitable
31 (including access, provision of utilities, compatibility with adjoining land uses
32 and absence of physical constraints) for the requested zoning designation(s) and
33 anticipated land use development.**

34 The site is physically suitable (including access, provision of utilities, compatibility with
35 adjoining land uses and absence of physical constraints) for the requested zoning and
36 the anticipated land use development because a full review by City staff determined all
37 applicable design standards and public services can be provided.

38 The Project's internal boundary between its two different Zoning designations occurs at
39 an arbitrary point. Without the Zoning Map Amendment the building would be comprised

1 of two irregularly shaped structures creating difficulty in mapping floor plans for each
2 level. This minor map amendment will result in changing one type of commercial zone
3 for another type of commercial zone for only a small portion of the property. This Zoning
4 Code Map Amendment will facilitate a commercial development that is consistent with
5 surrounding Downtown commercial uses and that is less intense than the nearby
6 hospital use. The Project's height, setbacks, and proposed office and pedestrian
7 oriented commercial uses are consistent with development standards and allowed land
8 uses as stipulated the CCMC for the CG and CD Zones. These same standards apply
9 to adjacent and surrounding Downtown properties that also support similar office and
10 pedestrian oriented commercial uses. The amendment will shift the boundary between
11 the Project's CG and CD Zoned areas by approximately 23 feet while still assuring that
12 the majority of the Project site is designated with the more restrictive CD Zone.
13 Vehicular access to the Project site has been located at a physically suitable location
14 that is sufficiently distant from the Washington Boulevard frontage. In addition, locating
15 on-site parking access from Delmas Terrace will lessen potential traffic conflicts with
16 commercial uses along Washington Boulevard.

17 **SECTION 2.** Pursuant to the foregoing recitations and findings, the City Council
18 of the City of Culver City, California, hereby introduces the Ordinance approving Zoning Code
19 Map Amendment, P2017-0021-ZCMA, thereby changing a portion of the Project Site's
20 Commercial Downtown (CD) Zone to the Commercial General (CG) Zone as shown in Exhibit
21 A, attached hereto and incorporated herein by reference.

22 **SECTION 3.** Pursuant to Section 619 of the City Charter, this Ordinance shall
23 take effect thirty (30) days after the date of its adoption. Pursuant to Sections 616 and 621 of
24 the City Charter, prior to the expiration of fifteen days after the adoption, the City Clerk shall
25 cause this Ordinance, or a summary thereof, to be published in the Culver City News and shall
26 post this Ordinance or a summary thereof in at least three places within the City.

27 ///

28 ///

29 ///

///

///

SECTION 4. The City Council hereby declares that, if any provision, section, subsection, paragraph, sentence, phrase or word of this ordinance is rendered or declared invalid or unconstitutional by any final action in a court of competent jurisdiction or by reason of any preemptive legislation, then the City Council would have independently adopted the remaining provisions, sections, subsections, paragraphs, sentences, phrases or words of this ordinance and as such they shall remain in full force and effect.

APPROVED and ADOPTED this 22nd day of October, 2018.

THOMAS AUJERO SMALL, Mayor
City of Culver City, California

ATTESTED BY:

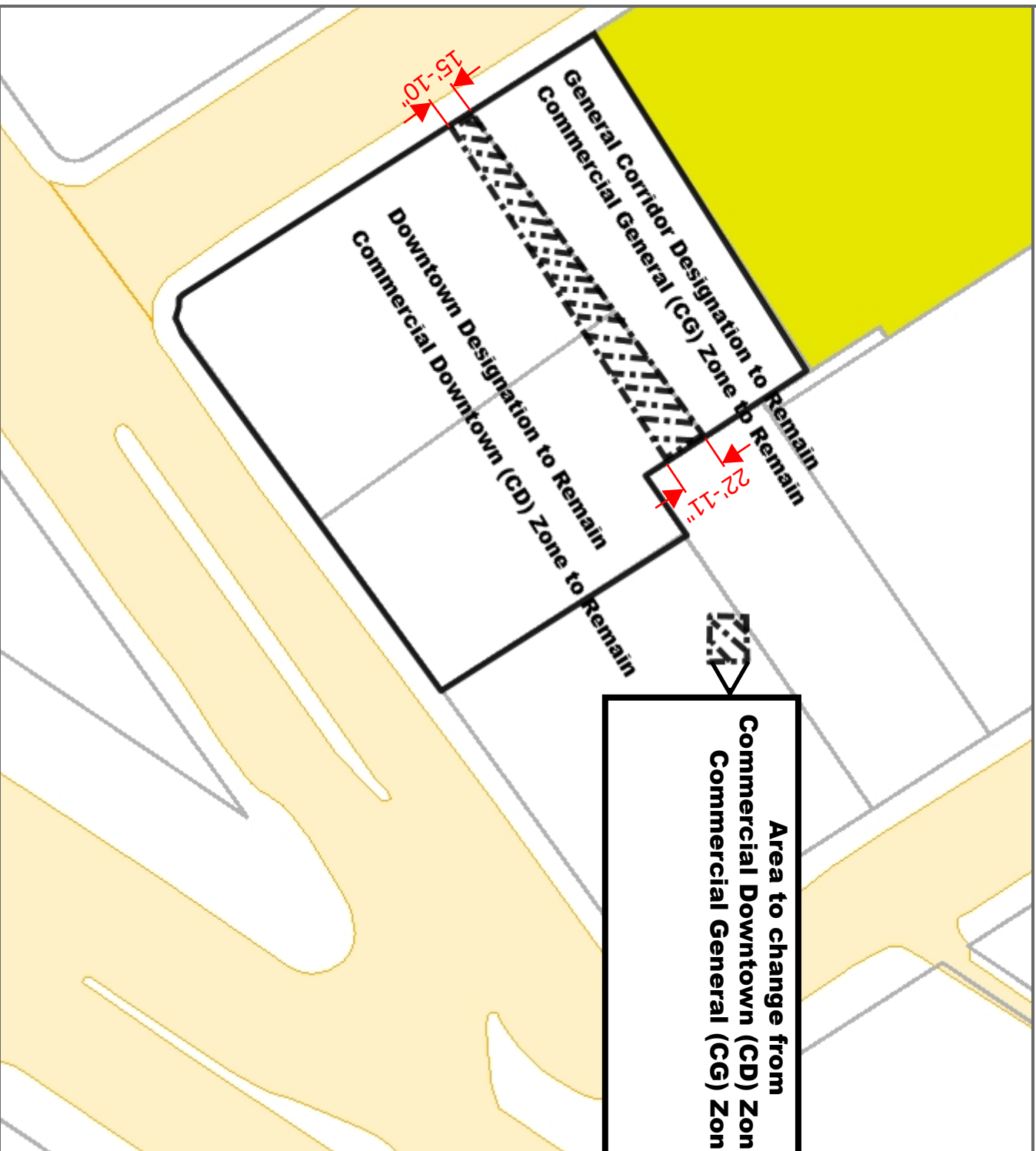
APPROVED AS TO FORM:

JEREMY GREEN, City Clerk

CAROL SCHWAB, City Attorney

A18-00419

Exhibit A Zoning Code Map Amendment, P2017-0021-ZCMA



**THE CITY OF
CULVER CITY**



INFORMATION TECHNOLOGY DEPARTMENT
GEOGRAPHIC INFORMATION SYSTEMS

9770 CULVER BLVD
CULVER CITY, CA 90232
TEL: 310-253-5976

Scale: 1: 770

