

**City of Culver City, California
City Council Item Report**

Meeting Date: 12/08/08		Item Number: <u>PH-2</u>	
AGENDA ITEM: PUBLIC HEARING - Adoption of a Resolution Approving Tentative Tract Map No. 65473, TTM P-2008080, for a One Lot Subdivision for Twenty Six (26) Commercial (Retail and Office) Condominium Airspace Units located at 12803-12823 Washington Boulevard (Between Meier and Moore Streets).			
Contact Person/Dept.: Susan Yun/CDD		Phone Number: (310) 253-5755	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☒		Action Item: ☐ Attachments: ☒	
Public Notification: Notices were mailed to all property owners and occupants, within a 500 foot radius of the project site, extended to the end of City block (8/28/08). A sign announcing the public hearing was posted onsite (9/1/08) and notice was emailed to the Master E-Mail Notification List (9/3/08, 9/17/08, 10/22/08 and 12/03/08).			
Department Approval: Sol Blumenfeld (12/01/08)		City Attorney Approval: Carol Schwab (by H. Baker) (12/02/08)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (12/02/08)		City Manager Approval: Jerry Fulwood (12/02/08)	
<u>RECOMMENDATION:</u> Staff recommends the City Council adopt a Resolution approving Tentative Tract Map No. 65473, TTM P-2008080 ("TTM"), subject to the Recommended Conditions of Approval (Attachment No.1). <u>PROCEDURE:</u> 1. Mayor seeks motion to receive and file affidavit of mailing and posting of public notice. 2. Mayor calls on staff for a brief staff report and City Council poses questions to staff as desired. 3. Mayor seeks a motion to declare the public hearing open, providing the applicant the first opportunity to speak, followed by the general public. 4. Mayor seeks a motion to close the public hearing after all testimony has been presented. 5. City Council thoroughly discusses the matter and arrives at its decision.			

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BACKGROUND:

Per the applicant's prior requests for additional time to re-examine the project plans, this item was continued by the City Council on September 22, 2008 and October 27, 2008.

On August 7, 2008, the Planning Commission held a public hearing regarding Axis Mundi's RE II, LLC (the "Applicant" and "Developer") for a Site Plan Review to allow the construction of a 3-story, 37,450 square feet commercial (Retail and Office) building with one level of subterranean parking (the "Project"); a Tentative Tract Map No. 65473, TTM P-2008080 to subdivide the property into 26 commercial condominium airspace units (not for residential purposes); and an Administrative Use Permit to allow tandem parking for the office units. A detailed description of the proposed Project is provided in Attachment No. 4, Planning Commission Staff Report dated August 7, 2008.

At the public hearing the Planning Commission adopted Resolution No. 2008-P009 (Attachment No. 5) adopting a Negative Declaration finding pursuant to the California Environmental Quality Act (CEQA) and approving the Site Plan Review and Administrative Use Permit and recommended approval of the Tentative Tract Map for the Project subject to the conditions of approval.

In preparation for this Public Hearing, staff provided public notice on August 28, 2008 to meet the 21 day minimum advance notice required by the Culver City Municipal Code (Sections 15.10.270 and 17.630.010).

Because the Site Plan Review and Administrative Use Permit were approved with no appeals submitted, the Planning Commission's decision regarding these requests is final. Staff is recommending that the City Council approve the Tentative Tract Map and adopt the attached resolution.

DISCUSSION:

The action requested of the City Council is the consideration of the Tentative Tract Map. Because the project is intended for sale as an office and retail condominium development, a one lot and airspace subdivision is required. There will be 26 commercial condominium (office and retail) airspace units.

The Public Works Department reviewed the proposed condominium subdivision and found it to be in compliance with State and local regulations. The Planning Division, in its review of the subdivision, found it to be consistent with the General Plan and

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the Zoning Code. As noted above, the Planning Commission made the appropriate findings for the subdivision and recommended the City Council approve the Tentative Tract Map.

Findings

The Planning Commission has conditionally approved and recommends that the City Council approve the Tentative Tract Map based on the findings pursuant to Culver City Municipal Code (CCMC) Section 15.10.265 findings, as outlined in proposed City Council Resolution No. 2008-R____ (Attachment No. 1).

Environmental Determination

Pursuant to the California Environmental Quality Act (CEQA) guidelines, an Initial Study and Negative Declaration finding has been prepared and circulated for review for the proposed project. The Planning Commission adopted the Negative Declaration finding on August 7, 2008 (Attachment No. 7).

FISCAL ANALYSIS:

There is no fiscal impact associated with this item.

ATTACHMENTS:

1. Proposed City Council Resolution No. 2008-R____ approving Tentative Tract Map No. 65473, TTM P-2008080.
2. Vicinity Map
3. 500' Public Notice Radius Map
4. August 7, 2008, Planning Commission Staff Report.
5. Planning Commission Resolution No. 2008-P009.
6. August 7, 2008, Draft Planning Commission Minutes
7. Initial Study/Negative Declaration dated July 17, 2008.
8. Development Plans and Tentative Tract Map No. 65473 reviewed by the Planning Commission on August 7, 2008.

MOTIONS:

That the City Council:

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1. Determine that no additional environmental information is needed based on the Planning Commission's adoption of a Negative Declaration finding that Tentative Tract Map No. 65473, TTM P-2008080 will not have a significant adverse impact on the environment; and,
2. Adopt Resolution No. 2008-RXXX (Attachment No. 1) approving Tentative Tract Map No. 65473, TTM P-2008080 subject to the Recommended Conditions of Approval.