

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

Meeting Date: June 28, 2010		Item Number: <u>PH-1</u>	
CITY COUNCIL AGENDA ITEM: PUBLIC HEARING – Adoption of a Resolution Approving Tentative Tract Map, TTM P-2010028, (Tentative Tract Map No. 63634) Creating a One Lot Subdivision for Six Condominium Live/work Units at 13340 Washington Boulevard.			
Contact Person/Dept.: Thomas Gorham		Phone Number: (310) 253-5727	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☒		Action Item: ☐ Attachments: ☒	
Public Notification: Public notices mailed on June 7, 2010, to all property owners and occupants within a 500 feet radius along with other interested parties. Site posted on June 7, 2010. (E-Mail) Agenda and Meetings - City Council (06/23/10) June 23, 2010.			
Department Approval: Sol Blumenfeld: (06/16/10)		City Attorney Approval: Carol Schwab (by H. Baker) (06/22/10)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller)(06/22/10)		City Manager Approval: P. Lamont Ewell (06/23/10)	
<u>RECOMMENDATION:</u> Staff recommends the City Council adopt a resolution approving Tentative Tract Map, TTM P-2010028 for the creation of six condominium live/work units at 13340 Washington Boulevard in the Commercial General and Commercial Zero Setback Overlay (CG-CZ) Zones, and Commercial General Corridor General Plan Land Use designation. <u>PROCEDURE:</u> 1. Mayor calls on staff for a brief staff report and the City Council poses questions to staff as desired. 2. Mayor declares the public hearing open, providing the applicant the first opportunity to speak, followed by the general public. 3. Mayor declares the public hearing closed after all testimony has been presented. 4. The City Council discusses the matter and arrives at its decision. <u>BACKGROUND:</u> On January 25, 2006, the Planning Commission approved Site Plan Review, SPR P-2005086, and Tentative Tract Map, TTM P-2005087, for the construction of six condominium live/work units at 13340 Washington Boulevard. On February 27, 2006, the City Council and Redevelopment Agency Board jointly approved the			

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Tentative Tract Map and the Redevelopment Agency Board determined that the project was consistent with the Redevelopment Plan. The applicant at that time was Standard Pacific of Los Angeles.

The project consisted of the consolidation of several lots into two separate tract maps following the boundary line between the cities of Culver City and Los Angeles. Only the first 50.38 feet of the site along the south side of Washington Boulevard is in Culver City. The portion of the project in Culver City consists of six two-bedroom live/work units in two buildings. The tract map in Los Angeles contains an additional 33 units of residential condominium units. See Attachment No. 4 for a rendering, site plans, and elevations of the project and Attachment No. 5 for the proposed Tentative Tract Map No. 63634.

By the end of 2006, Standard Pacific of Los Angeles had sold the project to Millennium Homes which eventually lost the project back to the bank. The current applicant, Angeleno Builders, obtained the project from the bank. All necessary entitlements for the project from the cities of Los Angeles and Culver City had been obtained. Unfortunately somehow during this time of ownership transition, the tract map for the property in the City of Los Angeles was finalized and recorded but the map for the Culver City portion was not recorded. Pursuant to Culver City Municipal Code (CCMC) Section 15.10.285.A, the originally approved vested tentative tract map expired February 27, 2008, requiring a new application and approval. As the map expired before July 15, 2008, it was not eligible for the automatic extension given by SB 1185 that amended the Subdivision Map Act.

Angeleno Builders has obtained grading and building permits from both cities and has begun construction. Each 1,499 sq. ft. live/work unit will be comprised of three stories consisting of workspace, bathroom, and deck on the ground level with two levels of living space above. The arch style of the buildings is modern with all the parking for the overall development located in a common subterranean garage with the only ingress and egress occurring from Beach Avenue in the City of Los Angeles.

While the originally approved Tentative Tract Map expired, the Site Plan Review did not as extensions were requested and granted for the Site Plan Review and construction began on the project in 2009.

On May 12, 2010, the Planning Commission held a public hearing and adopted Resolution No. 2010-P003 conditionally approving and recommending the City Council approve the tract map (Attachment No. 3).

DISCUSSION:

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The recordation of a subdivision map is necessary in order to create condominium units. Without approval of the new tract map, the six live/work units would not be able to be sold as individual units.

The State Subdivision Map Act and CCMC Chapter 15.10, regulate the subdivision of land. Among numerous objectives, the tract map process allows the City to review the proposed subdivision to ensure necessary improvements and dedications for streets and parkland requirements are provided. The process also ensures the reservation of required easements and assures those easements are maintained. The Engineering Division of the Public Works Department has reviewed the proposed subdivision and found it to be in compliance with State and local regulations.

Findings

The Planning Commission has conditionally approved and recommends the City Council approve the tentative tract map based on the findings pursuant to CCMC Section 15.10.265, Findings, as outlined in the proposed Resolution (Attachment No. 1). The recommended conditions of approval are standard conditions for all subdivision maps.

ENVIRONMENTAL DETERMINATION:

Pursuant to the California Environmental Quality Act (CEQA) guidelines, the City of Los Angeles, as the Lead Agency, filed a Mitigated Negative Declaration (MND) (Attachment No. 2) for the original overall project. The City of Culver City as a Responsible Agency in connection with the overall project was required to rely on the Lead Agency's MND. All potential impacts were related to the development entitlements and not the subdivision maps. All potentially significant impacts were mitigated by conditions of approval to a level of insignificance through conditions of approval to the development entitlements (i.e., Site Plan Review P-2005086). Pursuant to Section 15162 of CEQA, as the circumstances under which the MND was prepared have not significantly changed and there is no new information of substantial importance that could impact the project, which was not previously known at the time the MND was adopted, no further environmental determination is required.

FISCAL ANALYSIS:

This is a private venture project with no financial participation by the City or Redevelopment Agency. The portion of the site located in Culver City previously served as a parking area for Burger King. With the development of the site into six separate condominium live/work units, the City will gain commercial taxes (i.e. business tax, sales tax, utility users tax) once construction is completed, all the

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live/work condominium units are sold, and businesses in the units are established. Additionally, the Redevelopment Agency will gain additional tax increment. The amounts of such increases are unknown at this time and will be somewhat offset with increased service costs to the site.

CCMC Section 15.10.755 requires the developer of condominiums to dedicate parkland or pay a fee in lieu thereof. Because there is no parkland proposed as part of the project, the in-lieu fee is required. Under CCMC Section 15.10.765, the parkland fee is based on a formula designed to provide three (3) acres of parkland property for each one thousand (1,000) persons and based on density and land value factors.

The in-lieu parkland dedication fee shall be based on the fair market value of providing 0.0439 acres (1,912.28 sq. ft.) of parkland as determined by a written appraisal report of the land value, approved by the City and dated no more than six (6) months prior to payment of the in-lieu fee for the six condominium units. Final calculations will be based upon the required appraisal.

The CCMC requires payment of the fees prior to approval of the Final Map, or City policy permits a developer to post a financial guarantee of up to one (1) year after the Final Map approval. Partial payment must also be made from the escrow sale of each unit during the one (1) year period.

To implement the CCMC and stated policies regarding the in-lieu fee, staff is recommending that the City Council impose the applicable condition on its approval of the tentative tract map. The condition is included in the draft City Council Resolution (Attachment No. 1).

ATTACHMENTS:

1. Proposed Resolution
2. City of Los Angeles Mitigated Negative Declaration
3. Planning Commission Resolution No. 2010-P003
4. Approved project plans received March 4, 2010
5. Proposed Tentative Tract Map No. 63634 received April 27, 2010

MOTION:

That the City Council:

Adopt a Resolution approving Tentative Tract Map, TTM P-2010028, (Tentative Tract Map No. 63634) creating a one lot subdivision for six condominium live/work units at 13340 Washington Boulevard.