



Culver CITY

MIKE BALKMAN COUNCIL CHAMBERS
9770 CULVER BOULEVARD
CULVER CITY, CALIFORNIA 90232-0507
CITY HALL Tel. (310) 253-5710
FAX (310) 253-5721

**PLANNING COMMISSION
MEETING AGENDA
WEDNESDAY, DECEMBER 14, 2011
7:00 P.M.**

PUBLIC COMMENT

The Planning Commission will listen to the public on any item on the agenda or item of interest that is not on the agenda. The Planning Commission cannot legally take action on any item not scheduled on the agenda. Such items may be referred for administrative action or scheduled on a future agenda.

If you wish to speak to the Commissioners, please complete a Speaker's Card and present it to the Secretary before the agenda item is called. You will be called to the podium by name when it is your turn to speak to the Commissioners.

PUBLIC COMMENT FOR ITEMS ON THE AGENDA

Persons wishing to speak on agenda items will be called at the time the agenda item is brought forward. Comments will generally be limited to five minutes per speaker; however, a three-minute limit may be declared by the Chairperson for agenda items for which many Speaker Cards have been submitted.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

A total of twenty minutes shall be devoted to audience participation at the beginning of the agenda. Speakers will be called on in the order cards were received by the Secretary. If additional time is needed, the Chairperson will allow for same at the end of the agenda.

When the Secretary calls your name, please advance to the podium and state your name and city of residence. Speakers must limit their comments to five minutes. A three-minute limit may be declared by the Chairperson if there is a large number of individuals desiring to address the Commissioners.

NOTE: AT OR ABOUT 11:00 P.M., COMMISSION MEMBERS WILL DETERMINE WHETHER TO CONTINUE WITH DISCUSSION OF REMAINING ITEMS ON THE AGENDA OR TO CARRY SOME/ALL OF THE ITEMS OVER TO A FUTURE MEETING DATE.

CELL PHONES AND OTHER DISTRACTIONS

Use of cell phones, pagers and other communication devices is prohibited while the Planning Commission Meeting is in session. Please turn all devices off or place on silent alert and leave the Chambers to use. During the meeting, please refrain from applause or other actions that may be disruptive to the speakers or the conduct of City business.

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ALD

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AGENDA
Planning Commission
Wednesday, December 14, 2011
7:00 p.m.
Mike Balkman Council Chambers

CALL TO ORDER & ROLL CALL

Anthony Pleskow, Chair
Scott Wyant, Vice Chair
Linda Smith Frost, Commissioner
Marcus Tiggs, Commissioner
John Kuechle, Commissioner

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT – Items Not On The Agenda

ACTION ITEMS

A-1

Second Study Session - Consideration of Zoning Code Text Amendments Affecting Residential Accessory Structures and Residential Non-Conforming Structures.
Action: ***Provide Staff with direction.***

PUBLIC HEARINGS

PH-1

11957 Washington Boulevard: Site Plan Review; Administrative Modification; Administrative Use Permit; and Tentative Tract Map to allow the development of a 3-story mixed use building with 8,682 square feet of commercial space and 30 residential units. Action: ***Approve.***

PH-2

Zoning Code Amendment, ZCA P-201170: To add “Retail Food Uses” to the list of permitted uses in the Commercial and Industrial Zones; to establish parking requirements for “Retail Food Uses”; and to add a definition for “Retail Food Uses”.
Action: ***Approve***

CONSENT CALENDAR. *Note: Consent Calendar items are considered to be routine in nature and may be approved by one motion. Public requests to discuss Consent Calendar items must be filed with the Secretary before the Consent Calendar is called.*

C-1. Secretary's Report. ***Approve Report.***

C-2. Approval of Minutes of October 12, 2011.

ITEMS FROM STAFF

ITEMS FROM PLANNING COMMISSION

ADJOURN

Upcoming Public Meeting Schedule –Tentative – 2011

Date	Day	Time	Location
<i>City Council</i>			
<i>January 9 (TBD)</i>	<i>Monday</i>	<i>7:00PM</i>	<i>Council Chambers</i>
<i>Redevelopment Agency</i>			
<i>December 19</i>	<i>Monday</i>	<i>7:00PM</i>	<i>Council Chambers</i>
<i>Civil Service Commission</i>			
<i>January 4</i>	<i>Wednesday</i>	<i>7:00PM</i>	<i>Council Chambers</i>
<i>Cultural Affairs Commission</i>			
<i>January 10</i>	<i>Tuesday</i>	<i>7:00PM</i>	<i>Council Chambers</i>
<i>Parks & Recreation Commission</i>			
<i>January 3</i>	<i>Wednesday</i>	<i>7:00PM</i>	<i>Patacchia Room</i>
<i>Planning Commission</i>			
<i>January 11</i>	<i>Wednesday</i>	<i>7:00PM</i>	<i>Council Chambers</i>

Meetings may be added or changed.

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Meeting Date: December 14, 2011
(Continued from October 12, 2012)

Item Number: A-1

AGENDA ITEM: Study Session - Consideration of Zoning Code Text Amendments Affecting Residential Accessory Structures and Residential Non-Conforming Structures.

Contact Person/Dept.: Thomas Gorham Phone Number: (310) 253-5727.

Public Hearing: ☐ Action Item: ☒ Attachments: ☒

Public Notification: Master Notification List on December 6, 2011. City Website December 7, 201. Original Courtesy Notification Mailed to All Residential Property Owners, All homeowner associations, and Various Members of the Community on August 4, 2011

Planning Approval:
Thomas Gorham, Planning Manager /
Deputy Community Development Director

Department Approval:
Sol Blumenfeld, Community Development
Director

RECOMMENDATION:

Staff recommends the Culver City Planning Commission (the "Commission") discuss and provide final input regarding draft amendments to the Zoning Code affecting Residential Accessory Structures and Residential Non-Conforming Structures. Based upon final direction, staff will proceed with text amendments modifying various Zoning Code Sections as noted below and bring them back to the Commission for recommendation to the City Council.

BACKGROUND:

On October 12, 2011 Staff presented draft recommendations (October 12, 2011 Staff Report attached) on amending the Zoning Ordinance related to residential accessory structures and legal non-conforming residential structures. The Commission considered the staff recommendations and testimony provided at the meeting and agreed to options provided by staff as outlined below.

DISCUSSION:

The sections of the Zoning Code affected by the proposed amendments are Sections 17.610.020 – Nonconforming Structures and 17.400.100 – Accessory Residential Structures. Further, the purpose of these proposed amendments is to maintain the character of existing residential neighborhoods (Zoning Code Section 17.210.010 – Purpose of Residential Zoning Districts – A through F) while allowing for property improvements such as square footage additions.

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Current Code Provisions

Section 17.610.020 - Nonconforming Structures – A.1 (Attachment No. 2)

The section provides standards for proposed additions to nonconforming structures and currently states:

“...The construction, enlargement, expansion, extension, or reconstruction of a nonconforming structure shall be subject to the following:

...The work shall be allowed if it results in an increase or enlargement of the area, space, or volume of the structure only if the structure is nonconforming with respect to setbacks, height, distance between structures, architectural projections, staircase and landing area encroachments, and the requirements of the Uniform Building Code are met. New additions, replacement structures or alterations shall not increase existing nonconformities (e.g., the construction may comply with the existing nonconforming setbacks but shall not propose any further encroachment in the required setbacks)...”

Basically the legal nonconforming setback line can continue for an addition to a nonconforming structure provided that the existing nonconforming setback does not encroach further into required setbacks. Zoning Code Interpretation, ZCI 08-01 (Attachment No. 3) further clarifies that alterations or additions shall not increase the height of nonconforming setback nor encroach into any existing nonconforming setback or distance between buildings.

Zoning Code Section 17.400.100 – Accessory Residential Structures (Attachment No.4)

This section provides specific development standards for accessory residential structures that include maximum height and setbacks. This section currently states:

“... Accessory uses and structures shall be incidental to and not alter the residential character of the site... The maximum allowable heights of residential accessory structures are specified in Table 4-4 (Maximum Heights for Residential Accessory Structures), below.

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Table 4-4
Maximum Heights for Residential Accessory Structures

Applicable Zoning District	Maximum Height
Single-Family Residential (R1), Two-Family Residential (R2) and Three-Family Residential (R3) zoning districts.	26 ft
Low density Multiple-Residential (RLD), Medium Density Multiple-Residential (RMD) and High Density Multiple-Residential (RHD) zoning districts.	30 ft

...The structure shall have a setback of at least 2 feet from every perimeter property line, except that the setback shall be the same as required for the primary dwelling in the zoning district in which the accessory structure is located whenever the accessory structure:

- i Exceeds 12 feet in height; or
- ii. Is within a setback facing a public street right-of-way.

...If the structure is a carport or garage, it shall be set back from a public street right-of-way as necessary to conform with the requirements of Subsection 17.320.035.N. (Special Parking Requirements for Residential Uses).

...The following structures are exempt from the accessory structure setback requirements:

- i. Movable structures not exceeding 12 feet in height including children's play equipment, pet shelters, and similar structures may be placed within a required side or rear setback without limitation on location.
- ii. Trash enclosures may be placed within a required rear or side setback without limitation on location.

...Roofed accessory structures shall not occupy more than 50% of the required rear or side setbacks, provided that the Director may approve additional coverage where a replacement open area equivalent to the additional coverage over 50% is substituted elsewhere on the site, provided that:

- a. The Director determines that the usability and location of the substitute area is equally satisfactory.
- b. The substitute area does not exceed a slope of 10%, and has no dimension less than 15 feet."

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Amendment Options

The Commission agreed to the following options recommended by staff:

Amendments to Section 17.610.020 (Nonconforming Structures)

- Elimination of current allowance to extend nonconforming setbacks for additions.
- Require all new construction to follow current code setback and height standards.

These amendments will still enable owners to maintain their existing nonconforming conditions, but will eliminate expansion of the nonconforming condition by prohibiting nonconforming setbacks to be extend and requiring all new construction to meet the current code setback and height standards.

Amendments to Section 17.400.100 (Accessory Residential Structures)

- Prohibit 2nd story additions on garages that do not meet the primary structure setbacks. (Commission Split). Staff recommends limiting second story additions to existing residential accessory structures used as garages only.
- Allow only ¾ baths in residential accessory structures.
- Prohibit wet bars in accessory structures and allow sink drains only in the garage portion of an accessory structure.
- Restrict accessory structures to a maximum size of 800 square feet
- Revise covenant language to be more clear on use restrictions for accessory structures and penalties for non-compliance

These amendments are intended to reduce the overall size of residential accessory structures and reduce the possibility that they can be used as a separate residential unit, while still providing opportunities for modest additions to accessory structures.

There was a split on the Commission regarding the first recommendation to Prohibit 2nd story additions on accessory structures that do not meet the primary structure setbacks. As originally recommended, a one-story accessory structure that has a setback other than the primary setback (typically 4 feet on the side and 10 feet in the rear) would never be able to add a second story even if the second story met the code required setbacks and height requirements. The concern by one of the Commissioners is that an owner would not be able to build new two-story accessory structure with a lesser setback on the first floor than the second floor and that allowing a second floor addition to an existing accessory structure which did not meet

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the primary structure setbacks would circumvent this requirement. Other Commissioner's thought there was merit to allowing a second story addition if issues related to size, bulk and mass could be addressed. Staff has studied this issue and is recommending a compromise option that second story additions are permitted only to existing accessory structures used as garages and that the second story addition meet the primary setback requirements. This provision along with the other recommended option of limiting the size of accessory structures to 800 square feet will allow a very modest second story addition to an existing garage and addresses the concerns of large accessory structures and excessive bulk and mass. In addition, by limiting this provision to accessory garage structures only will reduce the impacts of having two stories of living space close to the abutting side and rear property lines. Staff has provided an illustration (Attachment No. 2) which shows how a second story addition to a typical 400 square foot garage would layout. The second story addition would have to meet the required 4 foot side and 10 foot rear primary setbacks and would result in an approximate 216 square foot addition to the garage structure. This should be an adequate amount of square footage to provide a home office, workout room, extra bedroom, or recreation room without significantly increasing the size of the accessory structure.

In addition, the recommendation to prohibit wet bars and only allow sink drains (other than those provided in a bathroom) in the garage of the accessory structure will make it more difficult to install a kitchen in the accessory structure in order to make it a separate unit. The Commission did recommend allowing a $\frac{3}{4}$ bath in accessory structures. The Commission may wish to consider allowing a full bath since some may argue that there is not a significant difference in allowing only a shower as opposed to allowing a bath tub and shower.

Although not part of the proposed text amendments, staff will also implement a process to require applicants who are proposing an addition to provide a courtesy notice to abutting properties prior to start of construction.

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CONCLUSIONS:

The intent of the draft regulations is to strike a balance between owners who wish to make additions to their legal nonconforming structures and residential accessory structures and those who are most immediately impacted by the property improvements due to view and privacy issues.

ATTACHMENTS:

- 1) October 12, 2011 Planning Commission Staff Report (w/o attachments)
- 2) Second Story Addition Illustration

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Meeting Date: October 12, 2011
 (Continued from August 24, 2011) Item Number: A-1

AGENDA ITEM: Study Session - Consideration of Zoning Code Text Amendments Affecting Residential Accessory Structures and Residential Non-Conforming Structures.

Contact Person/Dept.: Thomas Gorham Phone Number: (310) 253-5727.

Public Hearing: ☐ Action Item: ☒ Attachments: ☒

Public Notification: On August 4, 2011, Courtesy Notification Mailed to All Residential Property Owners, All homeowner associations, and Various Members of the Community Commenting on the 4213 Vinton Avenue Plan Check; Signs on Planning Counter Posted August 4, 2011; Published in the Culver City News on August 4, 2011; Master Notification List on August 4, 2011.

Planning Approval:
 Thomas Gorham, Planning Manager /
 Deputy Community Development Director

Department Approval:
 Sol Blumenfeld, Community Development
 Director

RECOMMENDATION:

Staff recommends the Culver City Planning Commission (the "Commission") discuss and provide input regarding draft amendments to the Zoning Code affecting Residential Accessory Structures and Residential Non-Conforming Structures and direct staff to proceed with text amendments modifying various Zoning Code Sections as noted below.

BACKGROUND:

In response to City Council direction, staff has prepared draft recommendations on amending the Zoning Ordinance related to residential accessory structures and legal non-conforming residential structures. The City Council direction was based upon a complaint from a property owner who expressed concerns about a building addition to a legal non-conforming accessory structure that abuts his property.¹ The building permit for the project was lawfully issued and the project is under construction. (Please see Attachment No. 1).

Some of the complainant's concerns were:

- The addition to the accessory structure is oversized for the lot,
- The accessory structure addition serves as a second dwelling unit in an R-1 zoned area that only allows one dwelling unit per lot,
- The neighborhood should have been notified of the building permit issuance.
- The project is out of character for the neighborhood, undermines the right to privacy, and is not consistent with the Zoning Code.

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Staff believes that many of the points raised above reflect broader policy issues that should be explored by Commission and Council. However, it is important to note that the current code reflects the policy decisions of the Council and Commission at the time and was the product of a lengthy and deliberate process. Further a significant amount of the housing stock is non-conforming to current codes and any changes may affect a large number of properties. The policy implications are:

- Additions to legal non-conforming structures increase overall non-conforming conditions which may negatively impact adjacent properties relative to views, privacy and other concerns.
- Accessory structures may become predestined code enforcement problems as they are easily converted to illegal second dwelling units,
- Accessory structure should be smaller than the primary dwelling unit on the lot on which they are located.
- By right additions to residential nonconforming structures and accessory structures may result in negative impacts to abutting properties since they are often located more closely to the property lines.

DISCUSSION:

This study session is intended to provide the Planning Commission with options to consider in revising the code to address the above policy issues. The Commission should decide which, if any, of the above policy issues should be addressed and then direct staff on potential code changes. The sections of the Zoning Code affected by the proposed amendments are Sections 17.610.020 – Nonconforming Structures and 17.400.100 – Accessory Residential Structures. Further, the purpose of these proposed amendments is to maintain the character of existing residential neighborhoods (Zoning Code Section 17.210.010 – Purpose of Residential Zoning Districts – A through F) while allowing for property improvements such as square footage additions.

Current Code Provisions

Section 17.610.020 - Nonconforming Structures – A.1 (Attachment No. 2)

The section provides standards for proposed additions to nonconforming structures and currently states:

“...The construction, enlargement, expansion, extension, or reconstruction of a nonconforming structure shall be subject to the following:

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to setbacks, height, distance between structures, architectural projections, staircase and landing area encroachments, and the requirements of the Uniform Building Code are met. New additions, replacement structures or alterations shall not increase existing nonconformities (e.g., the construction may comply with the existing nonconforming setbacks but shall not propose any further encroachment in the required setbacks)..."

Basically the legal nonconforming setback line can continue for an addition to a nonconforming structure provided that the existing nonconforming setback does not encroach further into required setbacks. Zoning Code Interpretation, ZCI 08-01 (Attachment No. 3) further clarifies that alterations or additions shall not increase the height of nonconforming setback nor encroach into any existing nonconforming setback or distance between buildings.

Zoning Code Section 17.400.100 – Accessory Residential Structures (Attachment No.4)

This section provides specific development standards for accessory residential structures that include maximum height and setbacks. This section currently states:

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Table 4-4
Maximum Heights for Residential Accessory Structures

Applicable Zoning District	Maximum Height
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<i>Low density Multiple-Residential (RLD), Medium Density Multiple-Residential (RMD) and High Density Multiple-Residential (RHD) zoning districts.</i>	30 ft

...The structure shall have a setback of at least 2 feet from every perimeter property line, except that the setback shall be the same as required for the primary dwelling in the zoning district in which the accessory structure is located whenever the accessory structure:

- i Exceeds 12 feet in height; or*

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ii. Is within a setback facing a public street right-of-way.

...If the structure is a carport or garage, it shall be set back from a public street right-of-way as necessary to conform with the requirements of Subsection 17.320.035.N. (Special Parking Requirements for Residential Uses).

...The following structures are exempt from the accessory structure setback requirements:

- i. Movable structures not exceeding 12 feet in height including children's play equipment, pet shelters, and similar structures may be placed within a required side or rear setback without limitation on location.*
- ii. Trash enclosures may be placed within a required rear or side setback without limitation on location.*

...Roofed accessory structures shall not occupy more than 50% of the required rear or side setbacks, provided that the Director may approve additional coverage where a replacement open area equivalent to the additional coverage over 50% is substituted elsewhere on the site, provided that:

- a. The Director determines that the usability and location of the substitute area is equally satisfactory.*
- b. The substitute area does not exceed a slope of 10%, and has no dimension less than 15 feet."*

Amendment Options

If the Commission determines that that a code amendment is warranted, it may want to consider the following options. The language is not in strike-out/underline format, because it is intended only for policy discussion purposes. Please also note that it is intended only to apply to residential properties.

Potential Amendments to Section 17.610.020 (Nonconforming Structures) include:

1. Eliminate current allowance to extend nonconforming setbacks for additions with all new construction following current code setback/height development standards.
2. Limit extent of any additions to structures with nonconforming setbacks to 50% of the structure's existing floor area.
3. Require Notification to abutting properties for residential building additions to legal nonconforming structures at Building Permit application submittal.

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4. Do not allow expansion or additions to nonconforming structures unless the nonconforming conditions are brought into code compliance.

Potential Amendments to Section 17.400.100 (Accessory Residential Structures) include:

1. Prohibit 2nd story additions on garages that do not meet the primary structure setbacks.
2. Prohibit full or ¾ baths in accessory structures.
3. Restrict maximum allowable size of accessory structures to 50% of the primary structure or 800 square feet whichever is less, to reduce bulk and mass adjacent to rear and side property lines.
4. Prohibit accessory structures from being used as bedrooms.
5. Prohibit wet bars in accessory structures.
6. Revise Covenant language required for accessory structures (to ensure rooms in accessory structures are not rented out as separate dwelling units) to be clear on use restrictions for accessory structures.

Outcomes of Potential Amendments

Each of these actions will affect to some degree the ability to expand and improve affected properties. Below is a summary of the pros and cons for each of the proposed amendments.

Potential Amendments to Section 17.610.020 (Nonconforming Structures)

1. Eliminate current allowance to extend nonconforming setbacks for additions with all new construction following current code setback/height development standards.

Pros:

- All new construction will follow current code.
- There will be no room for interpretation with the straight, forward application of the Zoning Code.
- Potential impacts to adjoining properties will be eliminated because all new construction will follow current Zoning Code development standards.

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Cons:

- Building jogs could prove problematic to engineer and create an added expense for property owners.
- There will be less flexibility for property owners in how they can design their additions.

2. Limit extent of any additions to structures with nonconforming setbacks to 50% of the structure's existing floor area.

Pros:

- All legal nonconforming structures will be limited in their expansion potential thereby limiting perception and reality that these structures are increasing their nonconformity.

Cons:

- If the code eliminates the allowance for nonconforming setback lines then this proposed amendment is not needed since all new construction will follow current code development standards.
 - Property owners will be less inclined to improve their properties because the economics may not work out for only a partial addition.
 - It is not equitable to prohibit property owners with legal nonconforming structures to add to their homes and at the same time allow other property owners to do the same amount of expansion simply because their homes are newer and/or conform to current code standards.
 - A significant amount of properties in Culver City have legal non-conforming setbacks and reducing potential property improvements could result in overall property value reductions.
3. Require Notification to abutting properties for residential building additions to legal nonconforming structures at Building Permit application submittal.

Pros:

- Provides notification to neighbors and a general awareness of construction activity in their neighborhood.

Cons:

- Staff cost will increase due to added notification procedures.
 - Notification requirements will be inconsistent for all additions because some properties will be conforming while others, legal nonconforming.
4. Do not allow expansion or additions to nonconforming structures unless the nonconforming conditions are brought into code compliance.

Pros:

- Eliminate potential for neighborhood scrutiny of expansions.
- May encourage non-conforming structures to be rebuilt.

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- Expansions of nonconforming structures will result in 100% conformity.

Cons:

- Neighbors have been living next to each other for years with existing nonconforming situations. If the 1st recommendation is approved the nonconforming situation will not be expanded.
- Overall property values may go down as a significant amount of properties in Culver City have at least one nonconforming development standard and property owners will be less inclined to improve their properties due to added cost.
- It is not equitable and more burdensome for property owners with legal nonconforming structures to make additions while property owners with conforming structures have an easier path to make a similar addition to their property.
- There will be an increased expense for simple additions.

Potential Amendments to Section 17.400.100 (Accessory Residential Structures)

1. Prohibit 2nd story additions on garages that do not meet the primary structure setbacks.

Pros

- Eliminates massing of accessory structures.
- Eliminates potential for creation of illegal units.
- May reduce privacy impact issues.
- Eliminates creation of non-conforming structures.

Cons

- May discourage improvements properties.
- May reduce open space because property owners will be forced to build at ground level.

2. Prohibit full or ¾ baths in accessory structures.

Pros

- Limits illegal conversions of accessory structures into dwelling units.
- Limits the owner's ability to rent out rooms.

Cons

- Does not allow flexibility for owners' ancillary activities requiring a shower (gym, car repair, etc.)
- Discourages improvements to properties.
- There will be an added burden to property owners who want to build accessory rooms and do not intend to rent room.

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3. Restrict maximum allowable size of accessory structures to 50% of the primary structure or 800 square feet whichever is less, to reduce bulk and mass adjacent to rear and side property lines.

Pros

- Limits size of accessory structures and makes accessory structures ancillary to primary structures.
- Reduces potential privacy issues.
- Reduces conflict with neighbors.
- Limits conversions of accessory structures to dwelling units.

Cons

- Limits options for property improvements.
- Does not allow flexibility for property owners wishing to improve their properties.

4. Prohibit accessory structures from being used as bedrooms.

Pros

- Limits illegal conversions of accessory structures to dwelling units.

Cons

- This will be difficult to enforce and will require an over reaching involvement by the City in the private lives of residents.
- This will be difficult to define; nothing in the Zoning Code limits where people can sleep in their homes.
- Does not allow flexibility for the property owner who best knows how to distribute bedrooms for his/her family.
- This will be an added burden on property owners who wish to add accessory structures but do not intend to rent rooms.

5. Prohibit wet bars in accessory structures.

Pros

- May discourage illegal conversions.

Cons

- Does not allow flexibility for property owners (some property owners wish to put a bar outside in the accessory structure).

6. Revise Covenant language to clarify use restrictions for accessory structures.

- This is not an amendment but a commitment by staff to work with City Attorney on language that is sound and enforceable.

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Staff Recommendations

The proposed amendments include several recommendations that may have collateral impacts such as deferred property maintenance that could affect neighborhood property values.

Based on the analysis above Staff recommends that the 1st proposed amendment to Zoning Code Section 17.610.020 (Nonconforming Structures) be adopted: Eliminate current allowance to extend nonconforming setbacks for additions with all new construction following current code setback/height development standards. This amendment will continue to allow property improvements while not creating onerous requirements for property owners of nonconforming structures. It will also ensure that all new additions follow current code requirements thereby reducing potential conflicts with neighbors.

With regard to Zoning Code Section 17.400.100 (Accessory Residential Structures) the following proposed amendments are recommended by staff:

- Prohibit 2nd story additions on garages that do not meet the primary structure setbacks.
- Prohibit full or ¾ baths in accessory structures.
- Restrict maximum allowable size of accessory structures to 50% of the primary structure or 800 square feet whichever is less, to reduce bulk and mass adjacent to rear and side property lines.

With these amendments in place accessory residential structures will quantifiably remain subordinate to the primary dwelling unit and the restroom restriction will make it difficult to illegally convert such structures to 2nd units. The second story restriction will be limiting for many properties but it will result in less bulk and massing for accessory structures located very near side and rear property lines. These amendments will also reduce potential conflicts between neighbors.

LEGAL NONCONFORMING DWELLING UNITS

In considering these various proposed amendments, staff wishes to communicate to the Commission that numerous residential properties have at least one non-conforming development standard. The City has been in existence since 1917 and has gone through various development phases with annexations and development of new tracts on raw land. Much of the residential areas of the City have been built-out since at least the 1960's when previous zoning standards were in place (dating back to 1917). These proposed changes will affect these numerous properties and their improvement capacity to some degree.

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FISCAL ANALYSIS:

As stated in the pros/cons analysis, there is potential that several amendments may lead to deferred property maintenance and property improvements thereby devaluing property. This will have a significant impact in the fiscal health of the City related to property tax revenue. With limited opportunities to improve properties, there may be a reduction in building permits issued for residential rehabilitation and tenant improvements resulting in decreased revenue to the City's General Fund. The staff recommended amendments are intended to limit nonconforming expansions and illegal conversions while allowing some flexibility to improve nonconforming properties and accessory structures

CONCLUSIONS:

In summary, the Planning Commission may wish to consider all or some of the proposed amendments but should balance new proposed restrictions with the need to allow property maintenance and not unduly constrain property improvements.

NOTES:

1. On March 3, 2011, a Building Permit for a Single Family Dwelling Alteration was issued for a 663 square foot second floor addition to an existing single story accessory structure that is located at the rear of the property (project site) that is developed as a single family residence. The existing single story accessory structure contained a two-car garage, recreation room, bathroom, and laundry room. With the second story addition to the accessory structure, the first story will maintain the two-car garage and the recreation room will be revised to include a restroom, closet, and staircase to the second story. The second story will contain an art studio, home office, a restroom, and closets. In conformance with staff's interpretation of the Zoning Code, the rooms in the accessory structure are considered to be bedrooms and part of the main dwelling unit. Per the Zoning Code, a single family house requires two covered parking spaces regardless of the number of bedrooms in the dwelling and the additional rooms in the accessory structure did not trigger additional parking since the project site already has a two-car garage.

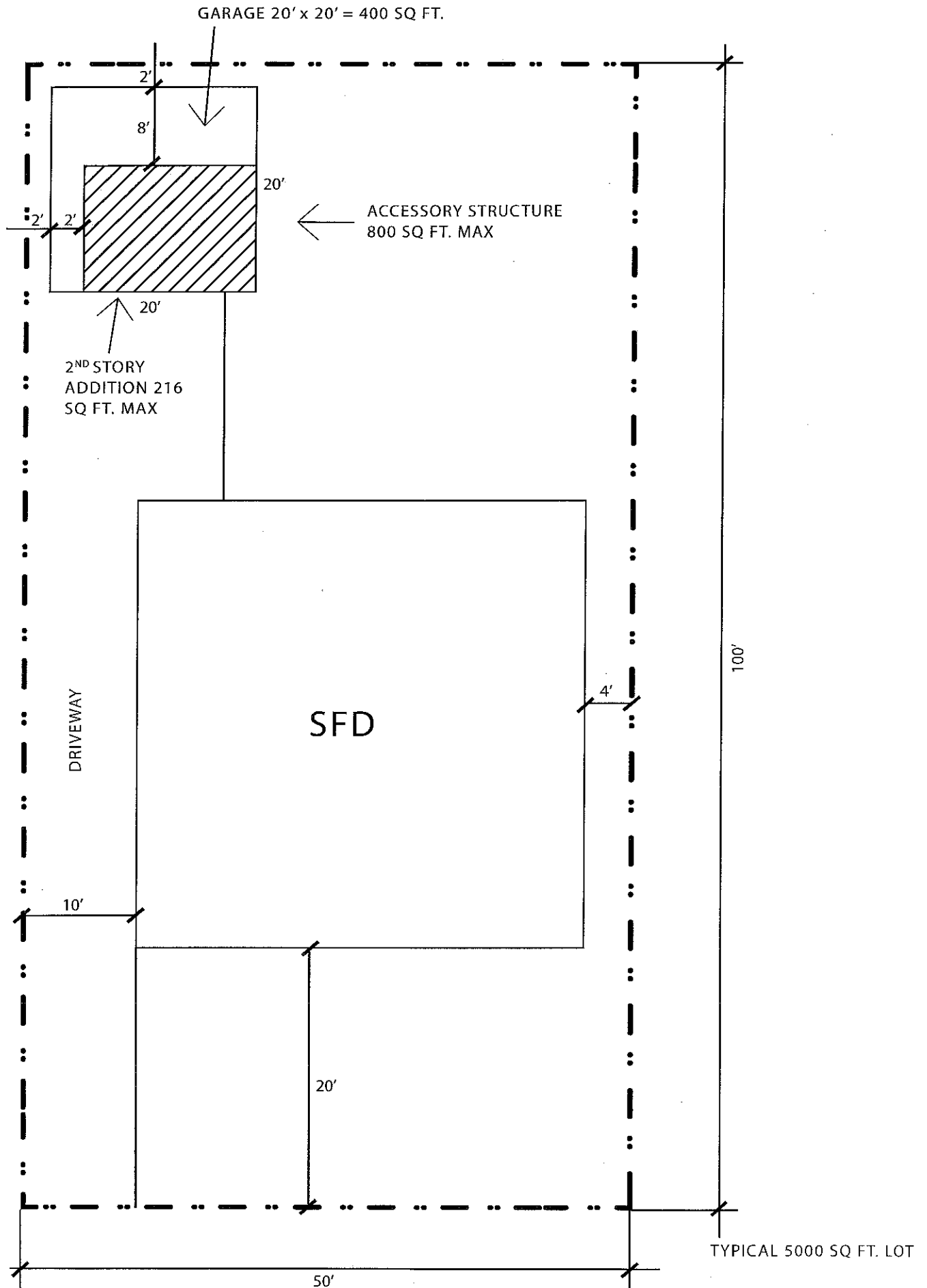
The existing one-story accessory structure had a height of approximately twelve feet and consequently was required to only have a 2-foot setback from the rear and side property lines. The existing accessory structure had a north facing side setback of 5-feet and a rear setback of 5.83-feet. At 1-foot, the south facing side setback is legal non-conforming. Accessory structures more than 12-feet in height but never exceeding a maximum limit of 26 feet in height are required to have setbacks that are at least as great as the setbacks for the primary structure (10 feet from the rear and 4 feet from the sides). The Zoning Code does not prohibit additions to legal non-conforming structures and the second story addition to the existing structure was allowed as long as it was setback at least 10 feet from the rear and 4 feet from the sides (as required by code). The second story addition is being built with a 10 foot rear setback, a 5 foot north facing side setback, and a 4 foot south facing side setback. The structure is approximately 20 feet in height, below the maximum allowed 26 foot height limit for accessory structures. The accessory

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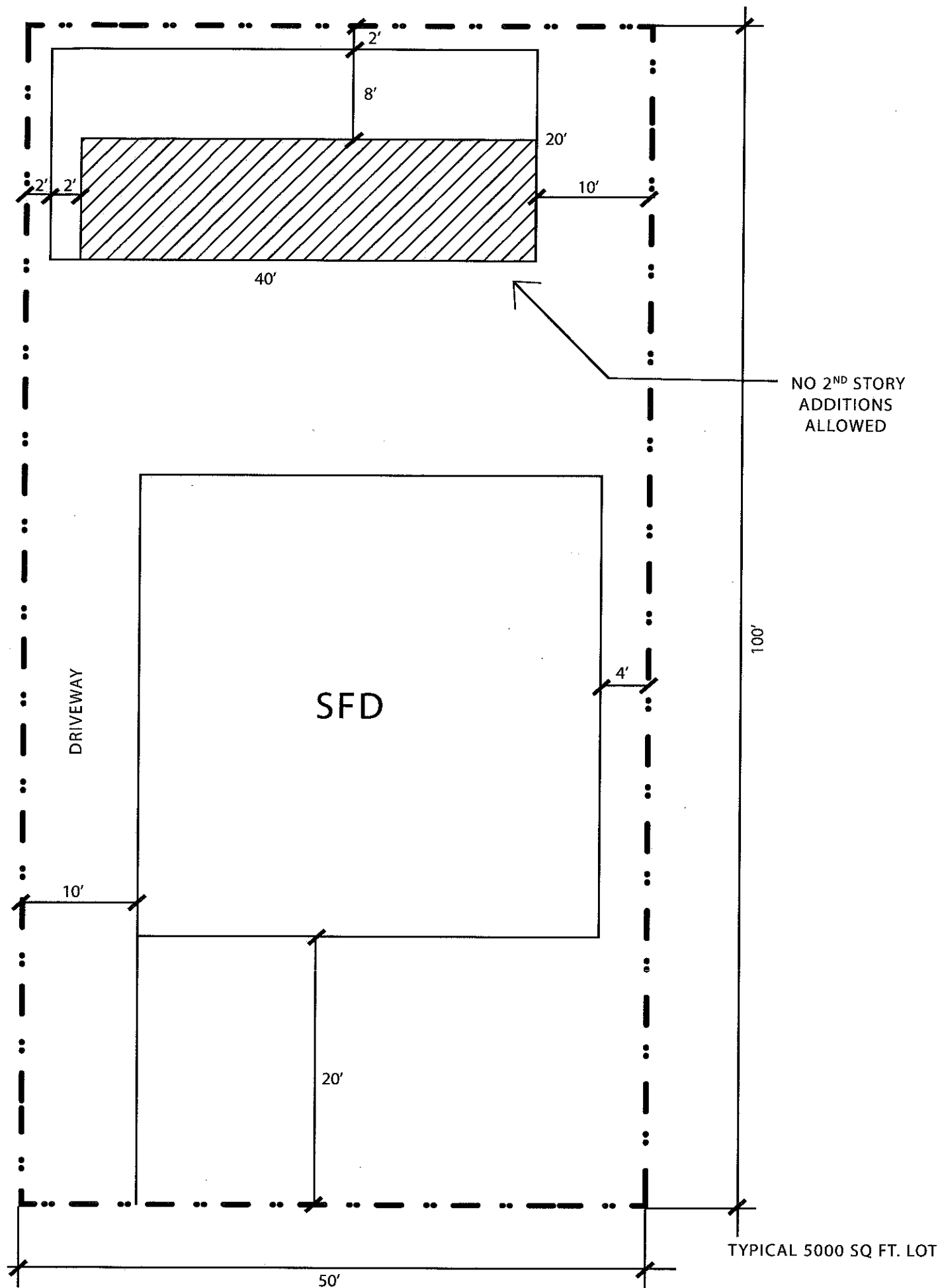
structure/ remains at least 9 feet from the primary dwelling unit (the Zoning Code requires a minimum 5 foot separation) and square footage of the existing house combined with the square footage of the accessory structure (excluding the garage area) is less than the maximum code allowed dwelling unit size. In summary, the addition is consistent with R-1 zone development standards. A covenant prohibiting the renting out of the accessory structure as a separate dwelling unit was also required.

ATTACHMENTS:

- 1) Legal Non-conforming /Accessory Structure Project Photos.
- 2) Section 17.610.020 - Nonconforming Structures – A.1
- 3) Zoning Code Interpretation, ZCI 08-01
- 4) Zoning Code Section 17.400.100 – Accessory Residential Structures



PROHIBIT NEW ACCESSORY STRUCTURES IN EXCESS OF 800 SQ. FT.



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Meeting Date: December 14, 2011		Item Number: PH-1	
AGENDA ITEM: Site Plan Review; Administrative Modification; Administrative Use Permit; and Tentative Tract Map to allow the development of a 3-story mixed use building with 8,682 square feet of commercial space and 30 residential units located at 11957 Washington Boulevard			
Contact Person/Dept.: Jose Mendivil, Associate Planner		Phone Number: (310) 253-5757	
Public Hearing: ☒		Action Item: ☐	
Attachments: ☒			
Public Notification: On November 23, 2011, a notice was mailed to all the property owners and occupants beyond a 500-foot radius of the site, posted on the site and emailed to the Master Notification List.			
Planning Approval: Thomas Gorham, Planning Manager		Department Approval: Sol Blumenfeld, Community Development Director	
<u>RECOMMENDATION:</u> That the Planning Commission: 1. Adopt a Mitigated Negative Declaration (MND) based on the Initial Study finding that the project will not have a significant adverse impact on the environment (Attachment No. 3); and 2. Approve Site Plan Review, SPR P-2011162; Administrative Modification, AM P-2011159; and Administrative Use Permit, AUP P-2011160; and Recommend Approval to the City Council of Tentative Tract Map, TTM P-2011163; subject to the Conditions of Approval as stated in Resolution No. 2011-P005 (Attachment No. 6). <u>PROCEDURES:</u> 1. Chair calls on staff for a staff report and Commission poses questions to staff as desired. 2. Chair opens the public hearing, providing the applicant the first opportunity to speak, followed by the general public. 3. Chair seeks a motion to close the public hearing after all testimony has been presented. 4. Commission discusses the matter and arrives at its decision.			

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BACKGROUND:

The proposed entitlement request is a Site Plan Review (SPR), to allow the development of a three story mixed use residential building with one level of subterranean parking; an Administrative Modification (AM) to reduce the parking drive aisle width required to accommodate a required landscaped setback at grade; an Administrative Use Permit (AUP) for residential tandem parking; and a Tentative Tract Map (TTM) to create a one lot subdivision for condominium purposes. Through the Site Plan Review an increase in the base density of 35 dwelling units per acre (du/a) to 50 du/a is being requested with the incorporation of a community benefit as allowed per City Council Resolution No. 2008-R015 (March 10, 2008). This resolution established a Community Benefit Incentive Program in connection with the Mixed Use Development Standards, which allows an increase in the density of a project from the base maximum of 35 du/a to a maximum of 50 du/a provided a community benefits district is created in and around the project area by City Council resolution and the applicant provides a community benefit as part of the project. Finally the applicant is requesting the partial vacation of Marcasel Avenue that will include various public right of way improvements incorporated into the Project design.

Previously, on September 23, 2009, the Planning Commission approved Site Plan Review, SPR- P2009128 (on this same site) to allow the construction of a 3-story, commercial and retail building with 41,999 square feet of office space, 8,850 square feet of retail space, and subterranean parking. The entitlements for this approved project are still active and the applicant for this older project (Kevin Read on behalf of Bastion Development) is the same applicant for the current project before the Commission. Should the Commission approve the current applications then SPR- P2009128 will become null and void. The same basic site plan, building footprint, street vacation, and public right of way improvements from the previous project are being proposed for this project except that this current project will have an additional community benefit (discussed below in the Analysis section).

General Information

See Attachment No. 1, Project Summary

Existing Conditions

The project site, comprised of three lots and a partial street vacation totaling approximately 26,885 square feet in area, is located on three contiguous parcels on the north side of Washington Boulevard, just east of Marcasel Avenue (see Area Map - Attachment No. 2); the site is in the Commercial General (CG) zone.

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The project site is surrounded by commercial retail uses to the south, east, and west in the CG zone, and single and multi-family residential uses to the north in the Culver City RMD zone and City of Los Angeles Single Family and Multiple Family Zones.

Two of the three lots (approximately 12,500 square feet) are developed with a multi-family apartment building on each parcel totaling approximately 4,000 square feet and the third lot (8,500 square feet) is vacant and void of any development or significant vegetation. The partial vacation area is approximately 6,500 square feet and includes existing sidewalk, curb and gutter, and asphalt paving.

Project Description

The proposed project consists of a new 55,019 square foot 3-story Mixed Use building with 8,682 square feet of ground floor commercial/retail space and two levels of dwelling units at 15 dwelling units per level for a total of 30 units. The project also includes one subterranean parking level and surface level parking. The total units proposed include a density increase from the base 35 du/ac or 21 units to 50 du/ac or 30 units (an increase of 9 units) as allowed with a Community Benefit pursuant to City Council Resolution No. 2008-R015 (see above). The project will provide a total of 90 on-site parking spaces; the Zoning Code requires 86 on-site parking spaces so the project will have 4 excess spaces. There will be 23 surface parking spaces and 12 spaces in a one-level subterranean garage for the commercial visitors, employees and residential guests. The remaining 55 spaces, located in the subterranean garage, will be for the residential tenants. The project will provide on-site amenities for residents including private balconies, a central courtyard on the first residential level, a central common balcony access area on the second residential level, private landscaped areas for each unit, outdoor balcony fire places for half of the units, and private laundry facilities for each unit.

The project will include offsite improvements including decorative sidewalk paving, benches, new street trees, and an extra wide pedestrian space (approximately 15 feet wide) created by the partial street vacation along the Marcase Avenue. This extra wide sidewalk includes 10 feet of public sidewalk and 5 feet of private outdoor area to be used as outdoor dining in connection with the ground level retail. The decorative sidewalk and new street trees will continue along the Washington Boulevard frontage. With the partial vacation of Marcase Avenue, the roadway will be narrowed to 24 feet and converted to a one-way, southbound street with a right turn only at Washington Boulevard. Other off-site improvements will include a left turn lane bordered with a raised concrete curb along Washington Boulevard at the intersection with Inglewood

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Boulevard, a double left turn lane along Washington Boulevard just east of the new concrete curbed left turn lane and parallel to the east end of the project site, and streetscape improvements consistent with the West Washington Area Improvement Plan (AIP). These streetscape improvements will provide a raised, curbed planted median that includes street trees, shrubs and ground covers. The improvements will be maintained by the developer for 30 years. The medians will include irrigation and lighting.

ANALYSIS:

Site Plan and Architectural Design

The project has been designed to conform to all applicable provisions of the Mixed Use Development Standards, Commercial General (CG) Zone, and all other applicable City development standards. The building mass and scale is modest compared to the base zoning height and setback allowances, has been designed to be compatible with surrounding commercial and residential uses, and provides pedestrian oriented frontage both along Washington Boulevard and Marcasel Avenue. The proposed building design is well articulated by incorporating varying roof lines and building heights, setbacks and varying materials. The project's mechanical equipment and refuse containers have been designed to be concealed from the street, public places and neighboring properties.

Height: The mixed use development standards require a 45 foot height limit for a building that is located on a lot that is less than 150 feet in depth and is adjacent to an RMD zoned area. The site has a depth of 125 feet and is adjacent to an RMD zoned lot. The proposed building will be 3 stories and 40 feet in height measured from the ground to the roof deck. The Zoning Code allows for architectural features up to a maximum of 13.5 feet above the roof deck and covering no more than 15% of the roof area. Nine tower- elements are located along the building frontage at a height of 7.5 feet above the roof deck (that is established at 40 feet above grade). The towers act as raised ceilings for the second level units facing Washington Boulevard and comprise approximately 12.2% of the roof area.

Setbacks: The building frontage at ground level along Washington Boulevard will have an approximate zero setback as required in the mixed use development standards. The Code allows for street level setbacks if the setback area incorporates pedestrian amenities such as landscaped planter areas, seating niches for tables and benches, and building canopies to provide for an enhanced pedestrian friendly street edge. The frontage along Marcasel Avenue will be setback at the ground level approximately 5 to 7 feet and will include decorative

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paving and a colonnade area that along with the public sidewalk portion of Marcasel Avenue, will serve as avenue for outdoor seating and dining.

Fifteen feet above grade, the portion of the building fronting Washington Boulevard is articulated with portions set a zero setback and other portions setback approximately 7 feet. This "in and out" affect provides for a more varied street wall. Similar articulation occurs along the Marcasel Avenue frontage above 15 feet with portions set at a zero setback and other portions setback approximately 3 to 5 feet. At the rear, adjacent to a residential zone, the Zoning Code requires a tiered structure after the first 15 feet of height and a setback of 10 feet. The tiered building must follow a 60 degree clear area at the 15 foot height limit with allowances for encroachments such as chimneys and architectural features. The structure at the rear and adjacent to an RMD zoned lot is compliant with this regulation. The tiered rear balconies between the second and third levels steps the building away from the residential area creating further architectural interest for the building.

Architectural Design: The proposed project has a contemporary design making use of a variety of building materials various types of glazing, glass store fronts, aluminum, metal canopies and trellises, wood siding, corrugated sheet metal, concrete, and stucco. The colors (and materials), a mix of earth and blue tones, will complement the commercial and residential neighborhoods. The building is well articulated with the use of stepbacks, canopies, private balconies for residential uses on the second and third floors, and substantial use of planter areas at the rear of the building and within the second level interior courtyard. These features will provide visual interest to all four sides of the building.

Sustainability/Green Building: An additional feature of the overall site design is the incorporation of environmentally friendly and energy efficient building design elements. The proposed project will incorporate building design standards that meet both the U.S. Green Building Council (USGBC's) Leadership in Energy and Environmental Design (LEED) green building standards and the California Office of the Attorney General's recommended measures to reduce GHG emissions. Some of these sustainable practices incorporated into the site design will include energy efficient measures such as LED lighting, CalGreen mechanical and plumbing fixtures. The subterranean parking will reduce the heat island affect and Solar Photovoltaics will address the recommended use of renewable energy and energy storage. Water efficient landscaping and water efficient showers and appliances will reduce water waist. As a mixed use project along a transit corridor serviced by several bus lines, the project complies with recommended smart growth principles.

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Landscaping & Landscaped Setback

Approximately 91% of the lot is covered by the site's structure and landscaping opportunities are minimal. However, there will be new street trees installed along Washington Boulevard and along Marcasel Avenue. Marcasel Avenue frontage and the reconfigured street will become a new pocket park for the area. Further, the interior residential courtyards on the second floor will contain planter areas in front of the residential units.

The project originally provided the minimum required 2-foot planter strip at the rear property line abutting the residential zone and uses to the north. This planter was located over the subterranean parking whose retaining wall was placed at the property line thereby only allowing for shallow root planting. In order to provide enhanced screening and privacy to the nearby residential areas behind the development, staff requested that the 2-foot planter strip be increased to 5 feet and that the subterranean parking retaining wall be moved 5 feet off of the rear property line in order to provide for significant planting of deep root columnar trees that have significant height and spread. The proposed planting will provide an enhanced privacy screen for the residential properties to the north. The widening of the landscape area reduces the garage width resulting in a reduction of the drive aisles width and parking stall lengths requiring an Administrative Modification pursuant to Section 17.550.010 A of the Zone Code.

Mixed Use Requirements

To reinforce the commercial use of the area, the project proposes 8,682 square feet of commercial space on the ground floor that meets the minimum depth and floor area as required by the mixed use development standards. The commercial storefronts face Washington Boulevard and Marcasel Avenue at the west corner with pedestrian access from the Washington Boulevard sidewalk and from the surface level parking area.

Access to the residential units is secured by an elevator located in the subterranean parking area that can be accessed off of both Marcasel Avenue and Washington Boulevard. Although this elevator will be shared by commercial users as there are commercial parking spaces in the subterranean parking area a key code system will be installed that does not allow commercial users to go above the 1st story either from the elevator or the stairs. Also the subterranean residential parking is separated by the commercial subterranean parking with a fence and gate.

As allowed by the Mixed Use Development Standards, both residential and commercial users will have common egress and ingress access off of

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Washington Boulevard and commercial users will have an egress only driveway off of Marcasel Avenue (this will be a left turn only exit because the portion of Marcasel Avenue fronting the driveway is restricted to one-way southbound only traffic). The common Washington Boulevard driveway leads to commercial surface level parking and subterranean parking that serves both residential users and commercial/residential guest users. A fence and security gate separates the residential from the non-residential parking. This comingled driveway and access will not significantly inconvenience residential users because the majority of commercial parking is on the surface and subterranean residential guest parking spaces will be used by individuals specifically going to meet with residences of the project. The orientation of vehicular access to the site avoids the creation of vehicular hazards and pedestrian hazards will not result from the design and layout of the proposed project.

Parking

A total of 90 on-site parking spaces are provided on site to meet the Zoning Code required parking for both the residential and commercial components of the project; the code requires 86 spaces and the project has 4 extra spaces. A total of 54 spaces are required for the 30 residential units - 1 each for the 6 one bedroom units that are less than 900 square feet in area and 2 each for the remaining 24 two bedroom units. Seven residential guest parking spaces and 25 commercial spaces are required for the commercial components of the project. The parking for the residential component will include 55 spaces (one extra) and 7 residential guest parking spaces in the subterranean garage. Of the 25 required commercial spaces, 23 will be located on the surface level parking behind the commercial tenant spaces. Handicap accessible parking is provided both at the surface level (2 spaces) and at the subterranean level (2 spaces). Bicycle parking is also provided on-site and will also be required along the sidewalk.

Administrative Use Permit: The applicant is requesting an Administrative Use Permit because twelve of the residential spaces will be in tandem pairs. Each tandem pair will be assigned to one unit each and these parking spaces will not be open to the general public because they will be located in the gated, secure residential parking area of the development.

Administrative Modification: An administrative modification is required for the following parking area dimensional adjustments resulting from staff's request move the subterranean parking structure retaining wall off of the property line in order to increase the landscape planter area at the rear of the property: 1) reduce the required parking aisle width of 27' by 1'-10" to 25'-2" at the surface level and; 2) reduce the required parking aisle width by 2'-6" to 24'-6" at the

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subterranean level; and reduce the required parking stall length of 18' by 1' to 17' in the subterranean level. This staff requested wider planter area narrows the parking area geometry and the ability to provide the code required 27 foot wide drive aisle at both the surface and subterranean parking levels while maintaining the code required number of parking spaces.

The requested modification is at or below the maximum allowed 10% adjustment as stated in Zoning Code Section 17.550 - Variances and Modifications. Additionally, the requested reduced backup and stall lengths noted above will be sufficient for automobiles to maneuver into and out of the surface and subterranean parking spaces and will not cause a negative impact to the projects vehicular circulation.

Traffic and Circulation

A traffic impact analysis prepared for the proposed project, dated November 22, 2011, by RBF Consulting, was reviewed and accepted by the City's Traffic Engineer (Attachment No. 4). The traffic analysis evaluated the existing (year 2011) and forecast future (year 2013) conditions at nine intersections in the vicinity of the project site during both the AM and PM peak hours. The traffic analysis estimated that the project would generate 590 new daily vehicle trips, including 27 trips during the AM peak hour, and 42 trips during the PM peak hour. The analysis compared these trip generation rates to trip generation rates for the previously approved office development; the traffic study for that project was approved by the City and trip counts and assumptions found in that study were reviewed and accepted by the Planning Commission. Comparison of the trip generation counts from the previously approved project with the proposed mixed use development indicate that this project will generate 50 less trips in the AM peak hour, 45 less trips in the PM peak hour, and 282 less total daily trips. Further the traffic analysis for the mixed use project concluded that the amount of trips generated as a result of the proposed development does not exceed the threshold for significance for levels of service (LOS).

The traffic study identified the future levels of service at the nine intersections for both "with" and "without" the new development. According to the traffic study the nine intersections will not experience a change in the morning peak hour and afternoon peak hour LOS with or without the development. Therefore, no significant impacts will result at the street intersections and as a result no off-site traffic mitigation measures are warranted for the project.

Access to the commercial surface parking lot will be provided through a two-way (entry and exit) driveway on Washington Boulevard. Access to the subterranean parking which will be both for residents and commercial/residential guest users

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via a two-way ramp accessed from the Washington Boulevard driveway and towards the rear of the surface level parking. And additional exit only driveway for commercial surface level parking only will be located off of Marcasel Avenue and will be regulated with a left turn only (towards Washington Boulevard). The proposed access locations are anticipated to operate adequately, with no external vehicular queuing on the fronting streets, and no significant internal queuing within the parking areas. Vehicles entering the site's driveway are provided with adequate visibility and maneuvering room both along the fronting street and within the site itself. Site distance and driver visibility of oncoming vehicles at the site exits are also acceptable. Any structure or fence at driveway locations will not exceed "eye height" of exiting drivers, and site lines will not be affected.

The loading area for the project is proposed to be on-site within the surface level parking area. Only a small loading space (which is a standard parking stall) is required for this project. Deliveries for this relatively small to medium retail space and residential uses are expected to be serviced by small to medium sized freight vehicles such as UPS type 2-axle delivery trucks and a standard stall is adequate.

Offsite/Streetscape Improvements

The project will include a 175 foot left-turn storage pocket on Washington Boulevard to accommodate the forecasted 174 PM peak hour westbound left-turn trips at the intersection of Inglewood and Washington Boulevards. This left-turn pocket will be delineated with a raised curb that will assist in preventing the unsafe maneuver currently observed of northbound Inglewood Boulevard traffic veering to northbound Marcasel Avenue crossing over several traffic lanes. Additionally a 25 foot left-turn pocket will be installed on Washington Boulevard to accommodate the forecasted 12 PM peak hour eastbound left-turn trips entering the project site via the eastern project driveway at Washington Boulevard. New street trees and public bicycle parking stalls will be installed along Washington Boulevard and Marcasel Avenue. The bicycle parking on the sidewalk will be augmented by on-site bicycle parking and together the on and off-site bicycle parking will make the project compliant with the City's Bicycle Master Plan.

As part of the partial street vacation of Marcasel Avenue, the portion of Marcasel Avenue fronting the project will be redesigned as a southbound one-way only street. This will have the added affect of not allowing project related traffic to drive north into the residential neighborhood north of the site. The partial vacation will also result in a 15 foot wide sidewalk (part public right-of-way and

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part private outdoor space) that will accommodate outdoor seating, dining, and decorative paving that will continue along the Washington Boulevard sidewalk.

Community Benefits and West Washington AIP Improvements

Further East along Washington Boulevard, beyond the left-turn lanes, the centerline of the street will be enhanced with a raised, curbed landscaped medium in conformance with Phase 6 of the West Washington Area Improvement Plan (AIP). As discussed above, on March 10, 2008, the City Council established a Community Benefit Incentive Program in connection with Section 17.400.065 of the Zoning Code – Mixed Use Development Standards. This Section of the Culver City Municipal Code (CCMC) allows mixed use developments on certain commercially zoned property at a base residential density of 35 du/ac, but allows the density to increase to 50 du/ac, and up to 65 du/a in a Transit Oriented Development Zone (TOD Zone), provided the project incorporates community benefits as established by the City Council.

A community benefit is defined in the Ordinance and related Community Benefit Resolution as a project amenity that achieves a particular community goal. The list of community benefits outlined in the Resolution includes, but is not limited to, the following:

- A. Streetscape Improvements as part of an Area Improvement Plan (AIP)
- B. Pocket Parks and Public Open Space (minimum 5,000 sq. ft.) in addition to park space otherwise required by the CCMC
- C. Metered On-Site Public Parking—in excess of code required project parking (Minimum 10 public parking spaces and applies only to project sites of 20,000 sq. ft. or greater).
- D. Utility Undergrounding as part of an Undergrounding District Plan.
- E. Other Community Benefits as approved by City Council.

The applicant proposes to increase the project's density from the base 35 du/ac or 21 units to 50 du/ac or 30 units (an increase of 9 units). The applicant's proposed community benefit is to provide median streetscape improvements, including maintenance cost for up to 35 years, for Phase 6 of the West Washington Area Improvement Plan (AIP). The AIP is comprised of streetscape improvements that include a centerline curbed, landscape medium of trees and ground cover that has been implemented by the Redevelopment Agency. To date, Phase I between Beethoven Street and Wade Avenue and Phase II between Boise Avenue and Centinela Avenue have been completed. Phase 6 is the block from Atlantic to Marcasel Avenues and is located in front the proposed development.

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The method for establishing the developer's contribution for Community Benefits is based on the proportional share of the developer's profit from those units permitted beyond the base density. The Community Benefit Value is defined as the total cost of providing the required Community Benefit and calculated as follows: a.) 50% of the Additional Base Density Value; and b.) Additional Base Density Benefit Value is the Additional Number of Dwelling Units Allowed x Market Value Sales Price x .15 (Developer's Assumed Profit).

The proposed streetscape improvements are estimated to cost \$103,593.** The City's financial analysis of the Community Benefit Contribution is \$268,000*** based upon the formula in the approved Community Benefit Ordinance. The contribution will fund up to 35 years of maintenance costs estimated for the project improvements* whereupon AIP Phase 6 will be incorporated in future AIP's streetscape and median districts.

On September 1, 2011, a community meeting was held to discuss the Community Benefit Incentive Program (as well as discuss the project in general including site design) and garner informal recommendations from residents, business and property owners as to what benefits may be beneficial to the area surrounding the proposed mixed use development. The meeting notice was mailed to more than 1,200 individuals. The majority of those noticed are City of Los Angeles residents, businesses, and occupants. The meeting was attended by eight people, two of which are Culver City residents; the rest are Los Angeles City residents. City staff reviewed the Community Benefits process that includes City Council approval of a community benefits area around the development and outlined the applicant's proposed streetscape improvement community benefit. Those in attendance at the meeting including the two Culver City residents present did not object to the proposed streetscape improvements community benefit or to the developer's proposed increase in density. Some of the attendees were concerned about potential parking impacts of the project, but were informed that the project would provide code compliant parking.

At the October 24, 2011 City Council meeting, the City Council adopted Resolution No. 2011-R086 establishing the boundaries for the project's Community Benefit District (District) which encompass the Washington Boulevard public right-of-way from Atlantic to Marcasel Avenues (Phase 6 of the AIP). Further the proposed Community Benefit as described above was approved by the Council. (Attachment No. 7)

The selected community benefits will provide a much needed amenity at little or no capital cost to the City. Since the mid 1990s Culver City has been built out for the most part except for a few large parcels. Commercial corridors

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have been built out for much longer which makes it very challenging and costly for the City to improve commercial public rights of way with updated streetscape features. Without taking advantage of programs such as a Community Benefit Incentive Program, full completion of the AIP could be delayed. This program will provide much needed streetscape improvements to a portion of the West Washington Boulevard commercial corridor while shifting the cost of building and maintaining this community benefit to the developer.

Regional Housing Needs Assessment (RHNA)

This project will address a portion of Culver City's share of the RHNA by constructing 30 market rate units. The City's allocation for the current planning period is 504 units as outlined in the General Plan Housing Element.

CONCLUSION:

Staff has worked closely with the applicant from the project inception to guide its design in order to meet Zoning Code requirements, address potential community concerns and create a mixed use residential development that promotes area redevelopment goals and is consistent good planning practice. Based on the analysis contained herein staff believes the findings for a Site Plan Review, Administrative Modification, Administrative Use Permit, and Tentative Tract Map, can be made as outlined in proposed Resolution No. 2011-P005 (Attachment No. 6) and recommends project approval.

ENVIRONMENTAL DETERMINATION:

Pursuant to the California Environmental Quality Act (CEQA) guidelines a Mitigated Negative Declaration (MND) has been prepared; the project has been determined to have less than significant impacts on the community (Attachment No. 3).

ALTERNATIVE OPTIONS:

The following alternative actions may be considered by the Planning Commission:

1. Approve the application with the recommended conditions of approval if the application is deemed to meet the required findings.

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2. Approve the application with additional or different conditions of approval, if deemed necessary to meet the required findings and mitigate any new project impacts identified at the meeting.
3. Disapprove the application if it does not meet the required findings.

ATTACHMENTS:

1. Project Summary
2. Area Map
3. Initial Study/Mitigated Negative Declaration dated November 23, 2011.
4. Traffic Impact Analysis prepared by RBF Consultants, dated November 22, 2011.
5. Written Comments or Correspondence Regarding the Project.
6. Draft Resolution No. 2011-P005 (AM P-2011159, AUP P-2011160, SPR P-2011162, and TTM P-2011163)
7. City Council Resolution No. 2011-R086 Establishing a Community Benefit District and Community Benefits Related to the Washington/Marcasel Residential and Retail Mixed Use Development.
8. Development Plans date stamped November 23, 2011.

Notes:

*** \$268,000	Community Benefit Contribution
**\$103,593	Community Benefit Construction. Estimate for construction based on linear foot (based on Phase I and Phase II) 900.81 per foot X 115 = \$103,593.
* \$164,407	Net Community Benefit Contribution after Construction Allocated to Maintenance/ \$4,600 per year = 35. Estimate for maintenance based on linear foot (" ") is \$40 per foot X 115 – \$4,600 per year.

PROJECT SUMMARY

APPLICATION TITLE & CASE NO:		
Site Plan Review, SPR P-2011162; Administrative Modification, AM P-2011159; Administrative Use Permit, AUP P-2011160; and Tentative Tract Map, TTM P-2011163; to allow the construction of a 3-story; 30 dwelling unit; 55,019 square foot Mixed Use project with 8,682 square feet of ground floor commercial/retail space; two levels of dwelling units at 15 dwelling units per level; and subterranean parking at 11957 Washington Boulevard in the Commercial General (CG) Zone.		
PROJECT ADDRESS/LOCATION:		APPLICANT INFORMATION:
11945, 11953, & 11955/57 Washington Boulevard Culver City, CA 90066		Kevin Read 586 30 th St. Manhattan Bch, CA 90266; (310)545-9898
PERMIT/APPLICATION TYPE:		
☒ Administrative Use Permit ☐ Conditional Use Permit ☐ Administrative Site Plan Review ☒ Site Plan Review ☒ Administrative Modification ☐ Variance ☐ Master Sign Program ☐ Certificate of Appropriateness ☐ Certificate of Exemption ☐ DOBI		☐ Tentative Parcel Map ☒ Tentative Tract Map ☐ Lot Line Adjustment ☐ Zoning Code Amendment - Text ☐ Zoning Code Amendment - Map ☐ General Plan Amendment - Text ☐ General Plan Amendment - Map ☐ Planned Unit Development ☐ Specific Plan ☒ Other: Partial Street Vacation
APPROVAL BODY: ☒ Public Hearing ☐ Public Meeting ☐ Administrative		
☐ Administrative ☒ Planning Commission ☒ City Council		☒ Redevelopment Agency ☐ Other:
ENVIRONMENTAL DETERMINATION AND NOTICING:		
CEQA Determination	☐ Categorical Exemption, Class 32 ☐ Negative Declaration or ☒ Mitigated Negative Declaration ☐ Environmental Impact Report, Type:	
CEQA Noticing	☐ Notice of Exemption (w/in 5 days of decision) ☒ Notice of Intent to Adopt (21 days prior to decision) ☐ Notice of Determination (w/in 5 days of decision) ☐ Fish & Game Certificate of Fee Exemption (w/in 5 days of decision) ☐ Notice of Preparation ☐ Notice of Availability ☐ Notice of Completeness	
PUBLIC NOTIFICATION:		
Mailing Date: 11/23/11	☒ Property Owners ☒ Occupants ☐ Adjacent Property Owners & Occupants	☐ w/in 500' foot radius ☒ w/in 500' foot radius / Extended ☐ Other: Beyond 500' radius
Posting Date: 11/23/11	☒ Onsite ☐ Offsite	☐ Other:
Publication Date: N/A	☐ Culver City News	☐ Other:
Courtesy Date: 11/23/11	☒ City Council ☐ Cable Crawler ☒ Commissions ☒ Master Notification List ☐ Culver City Website	☐ Press Release ☒ HOA /Neighborhood Groups ☐ Culver City Organizations ☒ Other: Chamber of Commerce
GENERAL INFORMATION:		
General Plan: General Corridor		Zoning: Commercial General (CG)
Redevelopment Plan: Area #4		Overlay Zone/District: 0-Setback Overlay (CZ) Zone
Legal Description Lots 1, 41, and 42 of Block B of Tract No. 3842		Existing Land Use A vacant lot; one apartment & one commercial/apt. building

PROJECT SUMMARY

ADJACENT ZONING AND LAND USES

<u>Location</u>	<u>Zoning</u>	<u>Land Use</u>
North:	RMD	15' high single family & 45' high townhome residential
South:	CG	Washington Blvd and beyond vacant lot, 15' high retail building w/ surface parking
East:	CG	16 foot high, two-story motel
West:	CG	Marcasel Ave and beyond, 15' high retail shoe store w/ surface parking

<u>Project Data</u>	<u>Existing</u>	<u>Proposed</u>	<u>Required/Allowed</u>
Lot Area	20,800 S.F.	26,885 S.F.	6,085 S.F. (street vacation)
Building Coverage:	4,016 S.F.	24,654 S.F.	N/A
Landscaped Area:	4,000 S.F.	2,615 S.F.	No min.

<u>Project Data</u>	<u>Existing</u>	<u>Proposed</u>	<u>Required/Allowed</u>
Parking:			
Retail	0	28	25
Residential (includes Guest)	0	62	61
Excess	0	4	n/a
Handicapped (Part of Total)	0	4	4
Total:	0	90	86
Building Height:	0'	40 ft	45 ft
Building Setbacks:			
Front	10' to 30'	0 – 3 ft	0' or setback with amenities
Rear	8' to 45'	As Required	10 ft then 60 degree clear zone after 15 ft of height
Side (East)	5'	0 ft	None Required
Side (West)	65' to 90'	0 – 7 ft	0' or setback with amenities

ESTIMATED FEES:

☒ New Development Impact: \$3,682 (Estimated)	☒ School District: <u>TBD</u>	☒ Plan Check: <u>TBD</u>
☒ In Lieu Parkland: <u>TBD</u>	☒ Art: <u>TBD</u>	☒ Sewer: <u>TBD</u>

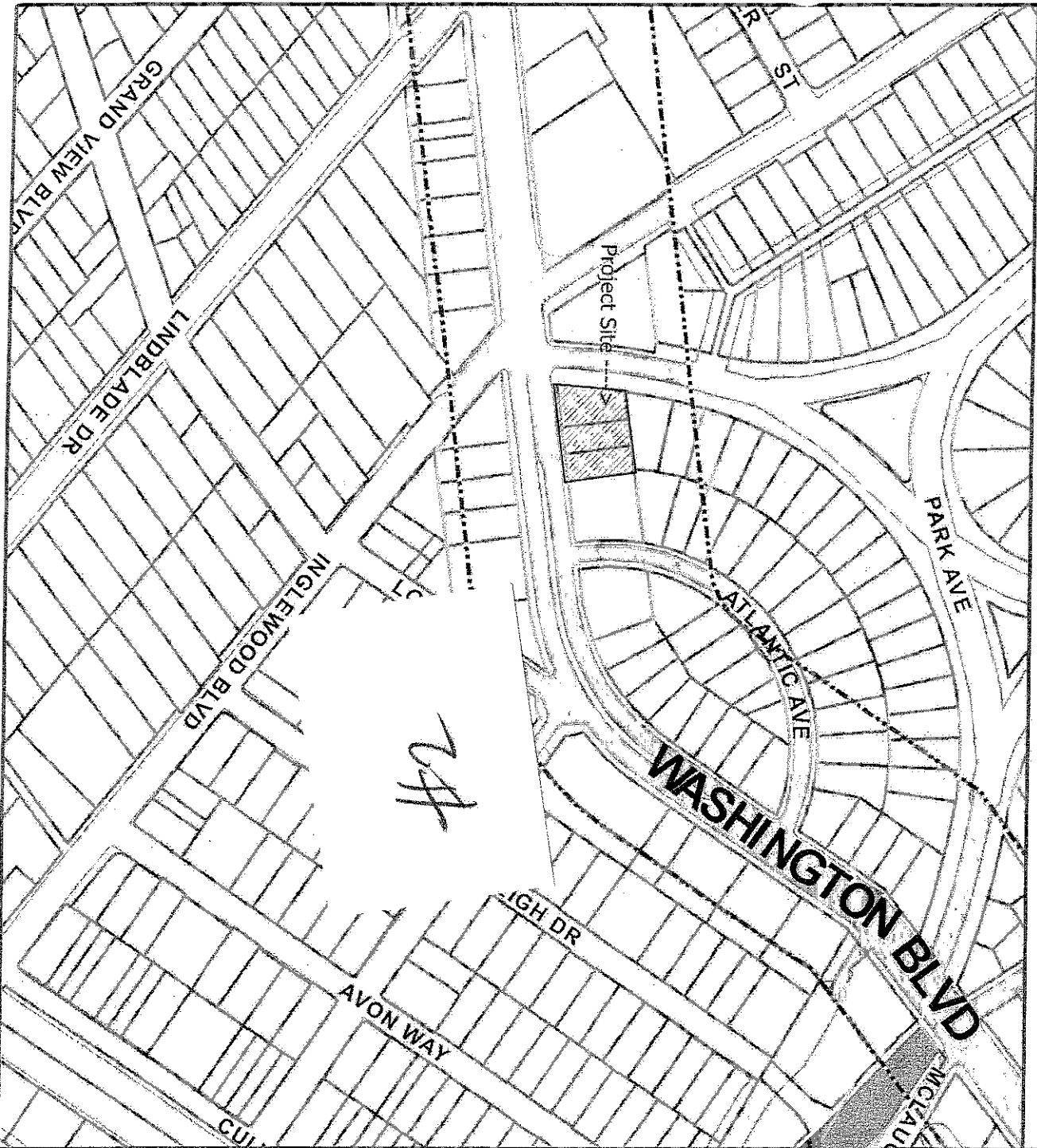
INTERDEPARTMENTAL REVIEW:

Planning, Engineering, Building & Safety, Fire Prevention, and Redevelopment Agency reviewed the project. Comments have been incorporated into the plans or where made part of the recommended conditions of approval.

ART IN PUBLIC PLACES:

Applies to Project -TBD

Marcasel Mixed Use Project 11957 Washington Boulevard



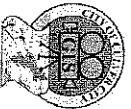
Culver
CITY

Source: Planning Division
Map Created: 11/22/2011
Meeting Date: December 14, 2011

Administrative Modification, AM
P-20111159
Administrative Use Permit, AUP
P-20111160
Site Plan Review, SPR P-20111162
Tentative Tract Map, TTM
P-20111163

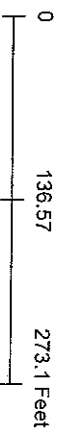


**THE CITY OF
CULVER CITY**



INFORMATION TECHNOLOGY DEPARTMENT
GEOGRAPHIC INFORMATION SYSTEMS
9770 CULVER BLVD
CULVER CITY, CA 90232
TEL: 310-253-5976

Scale: 1:3,278





Culver CITY

(310) 253-5710

FAX (310) 253-5721

PLANNING DIVISION

9770 CULVER BOULEVARD, CULVER CITY, CALIFORNIA 90232-0507

PROPOSED MITIGATED NEGATIVE DECLARATION

Project Title and File No.: Marcasel Mixed Use Project (Administrative Modification, AM P-2011159; Administrative Use Permit, AUP P-2011160; Site Plan Review, SPR P-2011162; Tentative Tract Map, TTM P-2011163; and Mitigated Negative Declaration, MND P-2011161)

Project Location: 11945, 11953, & 11955/57 Washington Boulevard

Project Sponsor: Kevin Read (Applicant) / Bastion Inglewood LLC (Owner)

Project Description: Proposed mixed use development consisting of 30 residential units and 8,682 square feet of ground floor retail space in a three story building totaling approximately 43,459 square feet with surface level commercial parking and one level of subterranean parking.

Environmental Determination:

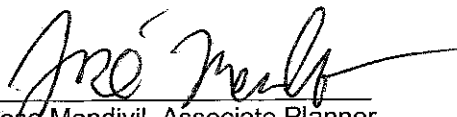
This is to advise that the City of Culver City, acting as the lead agency, has conducted an Initial Study to determine if the project may have a significant effect on the environment and is proposing this MITIGATED NEGATIVE DECLARATION based on the following finding:

- ☐ The Initial Study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or
- ☒ The Initial Study identified potentially significant effects, but:
1. Revisions in the project plans or proposals made by, or agreed to by the applicant before this proposed MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY was released for public review would avoid the effects or mitigate the effects or mitigate the effects to a point where clearly no significant effects would occur, and
 2. There is no substantial evidence before the agency that the project as revised may have a significant effect on the environment.

A copy of the Initial Study, and any applicable mitigation measure, and any other material which constitute the record of proceedings upon which the City based its decision to adopt this MITIGATED NEGATIVE DECLARATION may be obtained at:

City of Culver City, Planning Division
9770 Culver Boulevard, Culver City, CA 90232

The public is invited to comment on the proposed MITIGATED NEGATIVE DECLARATION during the review period, which ends **December 14, 2011.**


Jose Mendivil, Associate Planner

November 23, 2011



Culver CITY

(310) 253-5710
FAX (310) 253-5721

PLANNING DIVISION

9770 CULVER BOULEVARD, CULVER CITY, CALIFORNIA 90232-0507

INITIAL STUDY

ENVIRONMENTAL CHECKLIST FORM AND ENVIRONMENTAL DETERMINATION

Project Title/ Case Nos:	<u>Marcasel Mixed Use Residential & Retail Building</u> Administrative Modification, AM P-2011159; Administrative Use Permit, AUP P-2011160; Site Plan Review, SPR P-2011162; Tentative Tract Map, TTM P-2011163; and Mitigated Negative Declaration, MND P-2011161		
Lead Agency Name & Address:	City of Culver City, Planning Division 9770 Culver Blvd., Culver City, CA 90232		
Contact Person & Phone No.:	Jose Mendivil, Associate Planner (310) 253-5757		
Project Location/Address:	11945, 11953, & 11955/57 Washington Boulevard Culver City, CA 90066		
Nearest Cross Street:	Marcasel Avenue	APN:	4233-014-025, 4233-014-026, 4233-014-028
Project Sponsor's Name & Address:	Kevin Read 586 30 th Street Manhattan Beach, CA 90266 (310) 701-0282		
General Plan Designation:	General Corridor	Zoning:	Commercial General (CG)
Redevelopment Project Area:	Component Area No. 4		
Overlay Zone/Special District:	Commercial Zero Setback Overlay (CZ) Zone		
Project Description and Requested Action: <i>(Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary)</i> The project involves a new 3-story; 30 dwelling unit; 55,019 square foot Mixed Use project with 8,682 square feet of ground floor commercial/retail space and two levels of dwelling units at 15 dwelling units per level. The project also includes one subterranean parking level and surface level parking. The project requires a site plan review because three or more dwelling units are proposed and a tentative tract map because the applicant wishes to sell the dwelling units as individual properties. An Administrative Modification on the drive aisle width is needed because the project will include shortened drive aisle widths in order to accommodate full growth, deep root trees at the rear of the site. Some of the residential parking will be striped in tandem which requires an Administrative Use Permit. The project will involve the partial vacation of Marcasel Avenue. Various public right of way improvements will be incorporated into the Project design that include decorative sidewalk along Marcasel Avenue and Washington Boulevard, the narrowing of Marcasel Avenue to a one-way street at the intersection with Washington Boulevard, a raised concrete medium on Washington Boulevard at the intersection with Inglewood Boulevard, a double left turn lane along Washington Boulevard just east of the new concrete medium and parallel to the east end of the project site, and streetscape improvements consistent with the West Washington Area Improvement Plan. Currently the site is comprised of three properties; one property is vacant, another property contains a 5-unit apartment building, and the third property is developed with a commercial building. The residential and commercial properties will be demolished in order to construct the project as proposed.			

Existing Conditions of the Project Site:

Currently the site is comprised of three properties; one property is vacant, another property contains a 5-unit apartment building, and the third property is developed with a commercial building.

Surrounding Land Uses and Setting: *(Briefly describe the project's surrounding)*

West: Marcasel Avenue and beyond is a 15 foot high single-story commercial retail building (Payless Shoe Store) with surface parking.

East: 16 foot high, two-story Econo Lodge Motel.

North: 15 foot high single family residence and a 45 foot high town home style residential building.

South: Washington Boulevard and beyond a vacant lot and a 15 foot high commercial retail building with surface parking.

Other public agencies whose approval is required: *(e.g., permits, financing approval, or participation agreement)*

City of Culver City City Council and City of Culver City Redevelopment Agency

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

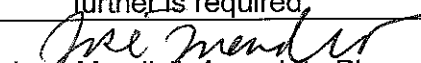
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a 'Potentially Significant Impact' as indicated by the checklist on the following pages:

- | | |
|---|---|
| ☐ Aesthetics | ☐ Land Use / Planning |
| ☐ Agriculture and Forestry Resources | ☐ Mineral Resources |
| ☐ Air Quality | ☐ Noise |
| ☐ Biological Resources | ☐ Population / Housing |
| ☐ Cultural Resources | ☐ Public Services |
| ☐ Geology /Soils | ☐ Recreation |
| ☐ Greenhouse Gas Emissions | ☐ Transportation/Traffic |
| ☐ Hazards & Hazardous Materials | ☐ Utilities / Service Systems |
| ☐ Hydrology / Water Quality | ☐ Mandatory Findings of Significance |

ENVIRONMENTAL DETERMINATION:

On the basis of this initial evaluation:

- ☐ I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ I find that the proposed project **MAY** have a 'potentially significant impact' or 'potentially significant unless mitigated' impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Jose Mendivil, Associate Planner

11/23/11
Date

EVALUATION OF ENVIRONMENTAL IMPACTS:		Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS – Would the project:					
a)	Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐
Responses:					
a) <u>Less than Significant Impact.</u> The project is located in an urbanized area, with commercial and residential buildings in the immediate vicinity. The topography surrounding the site is relatively flat with no substantial ocean or mountain views that can be considered scenic that will be affected by the project. No mitigation measures are necessary.					
b) <u>Less than Significant Impact.</u> There are no identified rock outcroppings or historic buildings within a state scenic highway on the site. The project site, comprised of three properties, currently includes one vacant parcel, another parcel that contains a 5-unit apartment building, and a third property that is developed with a commercial building. As a partially developed site within an urban setting, landscaping is either minimal or unkempt. The site is partially gated with a chain link security fence. Street trees are minimal and randomly placed along the project's street frontages. The proposed project will include enhanced street tree landscaping and decorative hardscape along the sidewalks fronting the project along Washington and Marcasele Avenues as well as large, deep root trees along the rear of the project site facing a residential use. Other streetscape enhancements in exchange for increased density will include median streetscape improvements, including maintenance cost for up to 35 years, for Phase VI of the West Washington Area Improvement Plan (AIP). The AIP is comprised of streetscape improvements that include a centerline curbed, landscape medium of trees and ground cover. Phase VI is the block from Atlantic to Marcasele Avenues and is located in front the proposed development. Additionally streetscape furniture such as new benches, new trash receptacles, and bike racks will provide for visual uniformity and enhancements to the project's streetscape. The proposed landscaping both onsite and offsite will reduce any potential impact to a level that is less than significant. No mitigation measures are necessary.					
c) <u>Less than Significant Impact.</u> Less than Significant Impact. There is minimal visual character or quality of the project site as it is a partially vacant lot and void of any significant landscaping. A chain link security fence surrounds a portion of the site and the developed portion of the site is dilapidated.					
The proposed project will improve the visual character and quality of the project site by constructing a new architecturally modern building making use of a variety of building materials including stucco, glass store fronts, synthetic wood paneling, metal storefront canopies, aluminum, galvanized sheet metal, and concrete masonry. In addition, the three-story mixed use building is consistent with the maximum height requirement as well as various building setback and stepback provisions of the Zoning Code resulting in a building that is compatible in size and scale with the existing single and multi-story commercial buildings surrounding the project site. The development will also incorporate sustainable design and construction features that comply with the Culver City Green Building Program, California Green Building Code and Leadership in Energy and Environmental Design (LEED). This includes the installation of a photovoltaic system, landscaping design with drought tolerant plants, inclusion of open space/courtyard areas onsite for residents and passive building design elements to maximize day lighting and natural ventilation.					

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
As mentioned in Section I.b. above, the project will result in enhanced and improved streetscape improvements with the addition of new street trees and landscaping along the public right of way. Furthermore, the proposed project once implemented will act as a catalyst to help redevelop the commercial area at this section of Washington Boulevard by creating an active and pedestrian friendly commercial streetscape. The building is setback five feet along Marcasel Avenue in order to include pedestrian amenities such as benches, awnings, and landscaped planters.				
In conclusion, the project will not degrade the visual character of the site and will be a significant improvement for the immediate area. No mitigation measures are necessary.				
d) <u>Less than Significant Impact</u>. The proposed project will bring new sources of light at nighttime from exterior lighting of the building and to a smaller extent, interior lighting of the building. However, the project is required to be built to City codes and all lighting is required to be shielded or recessed so that direct glare and reflections are confined to the boundaries of the site and do not shine or glare directly onto adjacent public and private properties. With implementation of these code requirements, this potential impact is reduced to a level that is less than significant. No mitigation measures are necessary.				
Mitigation Measure(s): None required				
II. AGRICULTURE RESOURCES AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

EVALUATION OF ENVIRONMENTAL IMPACTS:		Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Responses:					
a)- e) <u>No Impact</u> . The project site is not located on land identified, utilized, or zoned for agricultural purposes, and there is no known Williamson Act contract in effect on the project site. The site is located in an urban area and there is no forest land in the vicinity of the project site. No mitigation measures are necessary.					
Mitigation Measure(s): None required					
III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e)	Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐
Responses:					
a) <u>Less Than Significant Impact</u> . The project site is within the South Coast Air Basin (SCAB), which includes the non-desert portions of Los Angeles County and Orange, Riverside, and San Bernardino counties. Air quality conditions in the Basin are under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD and the Southern California Association of Governments (SCAG) are responsible for formulating and implementing an Air Quality Management Plan (AQMP) for the basin. The current AQMP was approved in 2007. Implementation of the AQMP is based on a series of control measures that vary by source type, such as stationary or mobile, as well as by the pollutant targeted. Since the AQMP is based on growth projections reflected in local general plans, only new or amended general plans or projects that exceed the level of development contemplated in the general plan have the potential to conflict with the AQMP. The proposed project does not require an amendment to the General Plan land use designation of General Corridor and is consistent with expected commercial and mixed use development potential build out along the Washington Boulevard commercial corridor and is consistent with the Commercial General (CG) Zoning. There is no conflict with the AQMP and no mitigation measures are necessary.					
b)-c) <u>Less Than Significant Impact</u> . Future new development in Culver City may contribute both at the project level and cumulatively to pollutant emissions over existing non-attainment conditions due to both construction and operation of individual projects. This project involves the demolition of two structures and construction of a 3-story, 30 dwelling unit, 55,019 square foot Mixed Use project with 8,682 square feet of ground floor commercial/retail space and 90 on-site parking spaces (ground level and subterranean). The project also includes various offsite streetscape improvements and streetscape and operational improvements along the center line of Washington Boulevard fronting the project site. During construction, air contaminant emissions would result from the use of construction equipment such as bulldozers, trucks, scrapers, loaders, graders, and backhoes, as well as construction workers that would be traveling to and from the project. Project related construction traffic would have a temporary effect on air quality in					

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
the vicinity of the project. Construction worker traffic and diesel powered equipment would emit nitrogen oxides, carbon monoxide, sulfur oxides, hydrocarbons, and particulates. These emissions would increase local concentrations temporarily but would not be expected to increase the frequency of violations of air quality standards because the project would be subject to limits on the construction hours contained in the Municipal Code. The project will be subject to standard conditions that will reduce construction related pollutant emissions and dust emissions. Operationally the project is also not expected to create significant air quality impacts. Based on the Traffic Impact Study prepared for the site, the proposed project will not generate significant traffic impacts at any of the studied intersections and roadway segments. Thus, emissions resulting from the number of vehicles related to the proposed project in the AM and PM peak hours are not expected to be significant as well. Overall, construction emissions would be short-term and limited only to the time period when construction activity is taking place. Therefore, construction emissions would not add to long-term air quality degradation. Further the proposed project will implement standard SCAGMD-approved construction procedures and will comply with applicable provisions of SCAGMD Rule 403. d) <u>Less Than Significant Impact</u>. Sensitive receptors include single and multi-family residential neighborhoods behind the project site at the rear of the site and patrons of a motel directly to the east of the site. Although the project site would cause emissions in close proximity to the existing homes during construction, it would be for a limited period of time and the construction would be subject to standard construction conditions. Operationally as a primary residential and commercial use, emissions would not be expected to be significant or above normal emissions from any existing residential or commercial uses in the project vicinity. Impacts are expected to be less than significant (see Section III. a., above). e) <u>Less Than Significant Impact</u>. Diesel-powered equipment used for construction could cause odors and emissions that may be offensive to sensitive persons. The closest sensitive uses to the project area are single and multi-family homes behind the site and motel users east of the site. This would be a temporary impact and would be mitigated by existing AQMD regulations requiring proper maintenance of vehicle engines and exhaust systems, and by standard construction conditions. Therefore, impacts are not expected to be significant. No mitigation measures are necessary. Mitigation Measure(s): None required				

IV. BIOLOGICAL RESOURCES -- Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☒	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☒	☐

Responses:

a)-f) Less Than Significant Impact. The project site is comprised of three lots and a partial street vacation totaling 26,885 square feet as well as adjacent offsite operational and streetscape enhancement and improvement areas. Two lots (approximately 12,500 square feet) are developed with a multi-family apartment building on each parcel totaling approximately 4,000 square feet and the third lot (8,500 square feet) is vacant and void of any development or significant vegetation. The partial vacation area is approximately 6,500 square feet and includes sidewalk, curb and gutter, and asphalt paving. The site is existing disturbed land as it is currently developed with multi-family apartment buildings and the vacant portion was previously developed with a small restaurant. One of the lots has been developed since 1927 and the other two lots have been developed since at least 1956. Since at least 1927 the vacation portion of the project site has been developed as public right-of-way with asphalt paving, curb, gutter, and sidewalk. In 2007, a demolition permit was issued to demolish a small restaurant that once occupied the current vacant lot. The site was cleared and now is bare dirt with no trees or significant vegetation. No sensitive native plants or wildlife are known to inhabit the site. There is no riparian habitat or other sensitive natural community on the site. The project site supports no federally-protected wetlands or waters of the United States as defined by Section 404 of the Clean Water Act. The project site is completely surrounded by development and within an urbanized area and has not been identified as part of a resident migratory wildlife corridor or wildlife nursery site. Development of the proposed project would result in impacts that are less than significant. No mitigation measures are necessary.

Mitigation Measure(s): None required

V. CULTURAL RESOURCES – Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	☐	☐	☒	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐
Responses: a) <u>Less than Significant Impact.</u> Information on existing conditions of the project site per City records and project application materials indicates that no identified historical resources exist on site and no significant adverse impacts relative to historical resources are associated with the project. The proposed project site includes a vacant lot that was previously developed and two lots with residential buildings that will be demolished. None of the three (3) lots have been identified as historic resources. No mitigation measures are necessary. Mitigation Measure(s): None required b) – d) <u>Less than Significant Impact.</u> The project site is developed and located in an urbanized area surrounded by existing disturbed land and development. At an excavation of at least thirteen (13) feet below grade for the subterranean parking, the potential does exist for fossil resources, burial sites, and other paleontological/archaeological resources to be unearthed during construction activities. Culver City is located in a region of western Los Angeles basin known to contain paleontological/archaeological resources and upon excavation for the subterranean level such resources could surface¹. This potential impact is considered significant without mitigation. A Phase 1 Archaeological/Paleontological Survey was required as part of the application materials – <u>Cultural Resources Record Search and Site Visit Results</u>, August 23, 2011, was prepared by Anderson Environmental. The Survey indicated that no Archaeological or Paleontological resources exist within the project area. No historic properties will be visually or physically affected by the project. Further no fossil resources have been recorded within a mile of the project site and the surface soils have a low paleontological sensitivity and therefore there is a low potential to adversely impact significant nonrenewable fossil resources. Implementation of the survey described below would reduce the significance of potential impacts to a less than significant level. No mitigation measures are necessary. If human remains are encountered during excavation, all work will stop and the County Coroner will be notified per Section 7050.5 of the California Health and Safety Code (CHSC). The Coroner will determine whether the remains are of forensic interest. If the remains are prehistoric, the Coroner will contact the Native American Heritage Commission (NAHC) who will be responsible for designating the most likely descendant (MLD). The MLD will be responsible for the ultimate disposition of the remains, as required by Section 5097.98 of the Public Resources Code. Mitigation Measure(s): None required				

VI. GEOLOGY AND SOILS -- Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐

¹ Culver City General Plan Program EIR, November 1995, page 226

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

Responses:

a) Less Than Significant Impact. The project site is located in an urbanized area surrounded by existing disturbed land and development. The project area is located in the seismically active southern California region and, therefore, could be subject to strong ground shaking in the event of an earthquake. The region is characterized by numerous active, potentially active, and inactive faults. The project site is not located within a currently established Alquist-Priolo Earthquake Fault Zone for surface rupture hazards. However, the site is located near the Charnock Fault. Compliance with all applicable City building standards and constructed to meet all Uniform Building Code requirements, including the building be reinforced to comply with City and state seismic standards, would reduce any potential impact to a level of less than significant. No mitigation measures are necessary.

b)-c) Less Than Significant Impact. The project site is developed with two structures and is surrounded by urban development. The two developed parcels do not currently contain top soil as they are surfaced with structures and asphalt parking. The vacant lot was once developed with a structure and although currently it contains dirt, it is not planned or zoned for agriculture use. Therefore the proposed project will not result in substantial soil erosion or the loss of topsoil where none exists now or where none is needed. The site is not within a liquefaction area and the probability of seismically-induced landslides occurring on the site is low due to the general lack of elevation difference slope geometry across or adjacent to the site. Compliance with all applicable City building standards and constructed to meet all Uniform Building Code requirements, including the building be reinforced to comply with City and state seismic standards, would reduce any potential impact to a level of less than significant. No mitigation measures are necessary.

d) Less Than Significant Impact. The soils at the project site are considered to be in the moderate to high range for measuring expansive soils. The Geotechnical Engineering Investigation prepared by Geotechnologies, Inc (October 17, 2011) indicated that no special considerations are required and provided recommendations on reinforcing at both foundation and slab on grade designs. Incorporating these recommended construction practices along with complying with all applicable City building standards and Uniform Building Code requirements, including the building be reinforced to comply with City and state seismic standards, would reduce any potential impact to a level of less than significant. No mitigation measures are necessary. Further, standard code requirements and conditions of approval requires the preparation of erosion/sediment control plans such as the Local Storm Water Pollution Prevention Plan (LSWPPP) and Standard Urban Storm Water Mitigation Plan (SUSMP), to regulate and control pollutant run-off by using Best Management Practices (BMP's) in accordance with National Pollutant Discharge Elimination System (NPDES). These plans shall show all temporary and permanent erosion control devices, effective planting of graded slopes, practical accessibility for maintenance purposes and proper precautions and fences to prevent public trespass on to certain areas where impounded water may create hazardous conditions. These plans would reduce this impact to a level that is less than significant.

e) No Impact. The project would not involve the use of septic tanks. All wastewater is proposed to be conveyed off-site via connections to the public sanitary sewer system. No mitigation measures are necessary.

EVALUATION OF ENVIRONMENTAL IMPACTS:		Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Mitigation Measure(s): None required					
VII. GREENHOUSE GAS EMISSIONS --Would the project:					
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐
Responses:					
a) <u>Less Than Significant Impact.</u> A Greenhouse Gas Assessment prepared by RBF Consulting (dated October 2011) noted that neither the California Air Resources Board of the South Coast Air Quality Management District have adopted green house gas (GHG) emissions thresholds for determining significant thresholds. The study instead relied on the Bay Area Air Quality Management District (BAAQMD) which has adopted thresholds of significance for project operations. That threshold was developed by identifying a project's level of emissions for which it would not be expected to substantially conflict with the existing California legislation adopted to reduce statewide GHG emissions needed to transition to climate stabilization. According to the BAAQMD, a project would result in operational GHG impacts if the project exceeds 1,100 Metric Tons of Carbon Dioxide Equivalents per year (MTCO₂eq/yr). The study determined that the total project related GHG emissions under a "business as usual" scenario would be 723.35 MTCO₂eq/yr. The project will incorporate several design features that are consistent with the California Office of the Attorney General's recommended measures to reduce GHG emissions. Some of these sustainable practices will include energy efficient measures such as LED lighting, CalGreen mechanical and plumbing fixtures, and subterranean parking to reduce the heat island affect. Solar Photovoltaics will address recommended use of renewable energy and energy storage. Water efficient landscaping and water efficient showers and appliances will reduce water waist. As a mixed use project along a transit corridor serviced by several bus lines, the project complies with the recommended smart growth principles. The "business as usual" emissions of 723.35 MTCO₂eq/yr is below the 1,100 MTCO₂eq/yr threshold and with incorporation of the above noted sustainability features, GHG emissions will be further reduced and no mitigations are necessary. b) <u>Less Than Significant Impact.</u> Although the City does not currently have a Climate Action Plan, the City does have standard code required conditions of approval to help reduce greenhouse gas emissions and the project will be subject to the City's Mandatory Green Building Program and Solar Photovoltaic Requirement. The project will also be required to meet the design standards equivalent to the U.S. Green Building Council (USGBC)'s and Leadership in Energy Environmental Design (LEED) standards. Incorporation of the California Office of the Attorney General's recommended measures to reduce GHG emissions will result in a LEED equivalent design.					
Mitigation Measure(s): None required					
VIII. HAZARDS AND HAZARDOUS MATERIALS --Would the project:					
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐

EVALUATION OF ENVIRONMENTAL IMPACTS:		Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☒	☐	☐
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☒	☐
f)	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☒	☐
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

Responses:

a) Less Than Significant Impact. Operationally as a mixed use residential and commercial development, the project is not expected to involve the routine use, transport or disposal of hazardous materials. During demolition and construction there will be hazardous materials either on-site or transported to and from the site.

A Phase I Environmental Site Assessment report was prepared by Envirodetics, Inc. for the project site (April 17, 2008). The assessment examined all current and historic structures/uses on the three parcels comprising the project site. The assessment report did not find any hazardous materials on-site that would be routinely transported or disposed of either during construction or operationally except for asbestos (see below for discussion and mitigation).

b)-c) Potentially Significant Impact Unless Mitigation Incorporated. Summit View School (12101 Washington Boulevard) and St. Gerard Majella School (4451 Inglewood Boulevard) are located to the west and south respectively of the project site within one-quarter mile. As a mixed use residential and commercial development, hazardous materials are not expected to be used in connection with the new project. However, during construction there is a potential for disturbance of asbestos or lead paints in building materials to occur during demolition as well as transport of hazardous materials during construction. The environmental site assessment reports indicated that asbestos and lead were likely to be found on and in the buildings and that qualified asbestos and lead based paint abatement personnel should be retained prior to demolition of the project site. Implementation of the recommended mitigation measure below would reduce the significance of potential impacts to a level that is less than significant.

d) Less Than Significant Impact. The Phase I report indicates that the site is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e)- f) <u>No Impact</u>. The nearest airports to the project site are the Los Angeles International Airport (LAX), located approximately three miles south of the project site and the Santa Monica Airport located approximately two miles northwest of the site. The Santa Monica Airport is a small local airport for small corporate and private airplanes and jets; its flight path does not intersect with the orientation of the project. Proximity to this airport is not expected to create a safety hazard for people residing or working in the project area. Therefore, impacts are expected to be less than significant. No mitigation measures are necessary. g) <u>Less Than Significant Impact</u>. The proposed project would have no long-term effect on any emergency response or emergency evacuation plan or procedures. Emergency evacuation routes could be affected during construction however, temporary street or lane closures will be required to meet standard City conditions to prepare and implement traffic control plans to ensure that construction does not obstruct emergency access. No mitigation measures are necessary. h) <u>Less Than Significant Impact</u>. The project site currently contains two buildings and a vacant lot and surrounding properties are located in an area with urban uses. There are no wildlands on the project site or in the immediate vicinity of the site. Furthermore, the proposed project would adhere to applicable fire suppression regulations. Therefore, the proposed project would not expose people or structures to a significant risk of loss, injury or death involving wildfires. No impact would occur. Mitigation Measure(s): HM 1: Prior to the issuance of a demolition permit, an asbestos and lead survey shall be submitted to the Planning Division and Building Safety Division for review. The survey shall indicate the requirements on remediating the site and precautions taken during demolition and transport of hazardous materials according to the state regulations and Asbestos Hazard Emergency Response Act (AHERA).				

IX. HYDROLOGY AND WATER QUALITY – Would the project:

a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

Responses:

a) Less Than Significant Impact. During excavation and construction, erosion and siltation could occur resulting in water pollution and a violation of Regional Water Quality Control Board standards if proper steps are not implemented. Standard code requirements and conditions of approval to the project requires the preparation of erosion/sediment control plans such as the Local Storm Water Pollution Prevention Plan (LSWPPP) and Standard Urban Storm Water Mitigation Plan (SUSMP), to regulate and control pollutant run-off by using Best Management Practices (BMP's) in accordance with National Pollutant Discharge Elimination System (NPDES). These plans shall show all temporary and permanent erosion control devices, effective planting of graded slopes, practical accessibility for maintenance purposes and proper precautions and fences to prevent public trespass on to certain areas where impounded water may create hazardous conditions. City and State standard code requirements and site design elements would reduce this potential impact to a level that is less than significant. No mitigation measures are necessary.

b) Less Than Significant Impact. Water service to the City is provided by the Golden State Water Company which contracts with the Metropolitan Water District for its supply. There are no water wells within the City and the project does not require the installation of wells for water service. The existing project site is comprised of a vacant lot and two commercial buildings. The amount of storm water runoff percolated on this site is insignificant. Development of the project will require the installation of landscaped areas that will percolate and filter the first ¾ inch of rain fall. Further the historic high groundwater tables have been measured at 20 to 40 feet below grade and this project proposes to excavate no more than 14 feet below grade. No mitigation measures are necessary.

c) Less Than Significant Impact. There are no streams or rivers in the vicinity of the project other than the concrete lined flood control channel of Ballona Creek that could be affected by any changes to the existing drainage pattern of the project site or project area. Grading in connection with the project would result in insignificant changes to existing drainage patterns. Grading and building plans will be reviewed by the City's Engineering Division to ensure that grading and drainage would be done in manner that does not cause substantial erosion, siltation or flooding. No mitigation measures are necessary.

d) Less Than Significant Impact. Standard code requirements and conditions of approval to the project requires the preparation of erosion/sediment control plans such as the Local Storm Water Pollution Prevention Plan (LSWPPP) and Standard Urban Storm Water Mitigation Plan (SUSMP), to regulate and control pollutant run-off by using Best Management Practices (BMP's) in accordance with National Pollutant Discharge Elimination System (NPDES). The construction of the proposed commercial development would not result in a significant increase in runoff during storm events. There are no streams or rivers on or adjacent to the site other than Ballona Creek (noted above). Standard City and State code requirements for stormwater runoff and drainage as described in the sections above would substantially reduce this impact to a level that is less than significant.

e)- f) Less Than Significant Impact. See Sections VIII. a)- d), above. The project would be expected to result in an insignificant increase in runoff, which would be conveyed to public storm drains by required drainage improvements. Also, there are no other known impacts to water quality. No mitigation measures are necessary.

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
g)- h) <u>No Impact</u>. The site is not within a 100-year flood hazard area. No mitigation measures are necessary. i) <u>Less Than Significant Impact</u>. The site is located within the Stone Canyon Dam Inundation zone however; this dam is continually monitored by the State of California Division of Safety of Dams and the U.S. Army Corps of Engineers to guard against the threat of dam failure. Design and construction practices are intended to ensure that all dams are capable of withstanding the maximum considered earthquake (MCE) for the site. Due to the distance of the project site from the Stone Canyon Dam and the extent of the intervening development, as well as early warning systems in place, impacts associated with exposing people or structures to significant risk as a result of dam failure are less than significant. j) <u>No Impact</u> Inundation by seiche, tsunami, or mudflow is highly unlikely as the site is not near any inland body of water, is far enough from the Pacific Ocean to make a tsunami threat less than significant, and is located in a relatively flat plane where mudflows would not occur. No mitigation measures are necessary. Mitigation Measure(s): None required				

X. LAND USE AND PLANNING - Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Physically divide an established community? | ☐ | ☐ | ☒ | ☐ |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | ☐ | ☐ | ☒ | ☐ |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | ☐ | ☐ | ☐ | ☒ |

Responses:

a) Less Than Significant Impact. The project would not physically divide an established community as the proposed residential, office and retail commercial uses are similar types of land uses to the existing adjacent commercial uses to the south, east and west and residential uses to the north of the project site.

b) Less Than Significant Impact. The General Plan Land Use Element designates the property as General Corridor which is a commercial designation and is located within the City's Redevelopment Project Component Area No. 4. As required by redevelopment law, the land uses designated in the Redevelopment Plan area must be consistent with those identified in the Culver City General Plan Land Use Element. The property is presently zoned General Commercial which permits the proposed mixed use development. The proposal is consistent with these designations and respects all provisions and development regulations of the Zoning Code, General Plan, and Redevelopment Plan. The application does not include any variance or request to amend the General Plan, Redevelopment Plan or Zoning designation other than an administrative modification for drive aisle widths that by code allows up to a 10% reduction to the code required 27 foot wide drive aisle. This drive aisle width is being reduced by no more than 10% in order to accommodate deep root trees in the rear that will enhance the project visually and lessen impacts to adjoin properties. The ground floor retail and decorative sidewalk with room for outdoor seating will encourage local pedestrian use of the site and the new retail space will encourage local patronage of project. This commercial activity along with the residential aspect of the mixed sue project is consistent with General Plan Land Use Objective 24 which calls for protection and enhancement of residential and business uses within the City's Western Sub-Area.

The proposed project includes an increased residential unit density in return for an applicant sponsored community benefit which includes payment of construction and maintenance for approximately 30 years of streetscape improvements consistent with the West Washington Area Improvement Plan. Per the March 10, 2008, Culver City City Council adopted resolution number 2008-R015 establishing a Community Benefit Incentive Program in connection with the Mixed Use Development Standards, an applicant is allowed to increase the density of their

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
project from the base minimum of 35 dwelling units per acre to 50 dwelling units per acre provide a community benefits district is created in and around the project area by City Council resolution and the applicant provides a community benefit as part of the project. Such benefits could include streetscape improvements, pocket parks or public open space, and metered public parking. On October 24, 2011, the City Council approved the creation of a community benefit district in relation to the Marcaseel Mixed Use development. As noted above the applicant will be responsible for providing construction and maintenance costs for a streetscapes community benefit that is consistent with the West Washington Area Improvement Plan (which includes planter mediums on raised curbs along the center of Washington Boulevard. The applicant will be responsible for Phase 6 of this plan which is essentially the center of Washington Boulevard between Inglewood Boulevard and Atlantic Avenue (the area fronting the length of the project). With this Council approved benefit the applicant is allowed to increase the project density to 50 dwelling units per acre or 30 units as the project is described. c) <u>No Impact</u>. The site is not located within a Natural Community Conservation Plan area or other habitat conservation plan area. No mitigation measures are required. Mitigation Measure(s): None required				
XI. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒
Responses: a)- b) <u>No Impact</u>. The project site and its surrounding area are currently developed with residential and commercial urban uses. Current site conditions indicate that there are no mineral resources on or within the project site and no locally important mineral resource recovery areas located in the project area. Therefore, project implementation would not result in impacts associated with the loss or availability of a known mineral resource that would be of value to the region and the residents of the state. No mitigation measures are necessary. Mitigation Measure(s): None required				
XII. NOISE --Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐
Responses:				
a)- d) <u>Less Than Significant Impact</u> . There are two potential sources of concern regarding noise: 1) noise generated that affects adjacent properties during construction and 2) noise impacts caused by the additional traffic generated by future occupants of the proposed project				
A short-term noise increase during construction would be expected to occur from the use and transport of heavy constructed equipment. However, pursuant to the City's standard condition of approval, construction shall be limited to the hours of 8:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. through 6:00 p.m. on Saturday and 10:00 a.m. through 6:00 p.m. on Sundays and national holidays. Dirt hauling and construction material deliveries or removal are prohibited during the peak traffic periods; morning (7:00 a.m. to 9:00 a.m.) and afternoon (4:00 p.m. to 6:00 p.m.). This condition of approval requirement limiting the hours on construction activity would reduce potential impact from construction noise to a level that is less than significant.				
A short-term increase in groundborne vibration and noise would be expected to occur during grading and construction. The size of the project and limitations on allowable hours of construction found in the City's Municipal Code as well as conditions of approval to the project would reduce this impact to a level that is less than significant.				
The marginal increases in traffic on surrounding streets would not generate a significant increase in noise levels. The project site is located in an area consisting of commercial and residential uses, a nearby freeway, and is located on a high traffic volume boulevard. The surrounding residential areas qualify as noise land uses and will potentially be exposed to noise generated by operational activities. Operational noise levels would result from vehicles entering and exiting the site and from noise normally generated by residential and commercial uses. These types of noise levels are consistent with existing surrounding ambient noise cause by existing residential and commercial uses and noise attributed to operational activities is not expected to be significant. No mitigation measures are necessary.				
e)- f) <u>No Impact</u> . The project site is located about two miles from Santa Monica Airport – a small airport that services small private airplanes and jets. The project is not with an airport land use plan boundary. Given the small nature of the Santa Monica Airport and the small aircraft it serves and the project being located outside of an airport land use plan boundary, the proposed project would not expose people working in the project area or people visiting the project site to excessive noise levels from airports. Further the orientation of the Santa Monica Airport runways indicate that approach and take off patterns will most likely avoid the project site. No impact would result, and no mitigation measures are required.				
Mitigation Measure(s): None required				
XIII. POPULATION AND HOUSING – Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐

EVALUATION OF ENVIRONMENTAL IMPACTS:		Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐

Responses:

a) Less Than Significant Impact. The project may result in a marginal increase in population however, the project is designed to be compatible with the scale and character of the adjacent neighborhood which is consistent with Objective 2 of the General Plan Housing Element to allow mixed use residential development and maintain opportunities for all types of housing while protecting the character of existing neighborhoods. The General Plan Land Use Element designation for the project site is General Corridor which allows mixed use residential development. The Zoning for this area is Commercial General which is consistent with the Land Use designation and provides development standards for mixed use residential development. Any population increase resulting from the project is no greater than what is anticipated for this land use designation and zoning.

Furthermore, the project will provide 30 new residential units to the City's housing stock furthering the intent of the Regional Housing Needs Assessment (RHNA) as prepared by the Southern California Association of Governments (SCAG) and the State of California Housing and Community Development Department (HCD), which call for an addition of 504 housing units in Culver City in the planning period ending in 2014. By addressing Culver City's share of new housing units as stipulated in the RHNA and the Housing Element, the new dwelling units is considered to be within the expected development threshold for the City during the current Housing Element cycle (2008 to 2014). Population increases due to the new units are also considered to be within this expected development threshold and impacts will be less than significant.

b)- c) Less Than Significant Impact. The project is comprised of three parcels. Two parcels are developed with residential buildings totaling 5 apartment units that will be demolished and the third parcel is vacant. However the Culver City Draft Housing Element reports in the Land Inventory analysis that there is a potential for 1,674 new units which more than offset the loss of 5 housing units. Further, the five units are not covenanted for affordability and are not on a list of affordable units that are at-risk of losing their affordability status. Therefore, implementation of the proposed project would not significantly displace a significant amount of dwelling units or residents. No impacts would occur. There will be a site plan review condition of approval that requires the applicant to provide some assistance to residents in relocating.

Mitigation Measure(s): None required

XIV. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☒	☐
Parks?	☐	☐	☒	☐
Other public facilities?	☐	☐	☐	☒

Responses:

a) & b) Fire and Police protection

Less Than Significant Impact. The Culver City Fire Department (CCFD) maintains three stations and the closest

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
station to the proposed site is Station No. 2 located approximately 0.5 miles east of the site. The proposed project will be conducted and operated in accordance with the latest CCFD codes and guidelines for construction, access, water, fire flows and hydrants. Including, standard conditions regarding street improvements require the preparation and implementation of traffic control plans to ensure that construction does not obstruct emergency access. The Culver City Police Department (CCPD) is located approximately 2.2 miles east of the project site. According to the CCPD, the emergency response time anywhere in the City for a top priority emergency is three minutes or less. Currently the project site is developed with 4,000 square feet of residential uses and a vacant lot that was previously developed with a small restaurant. Although the proposed uses will result in a total of 30 residential dwelling units and approximately 8,682 square feet of commercial space, the existing uses are currently generating Fire and Police services as needed. The change of use from a small residential use to 30 residential dwelling units and 8,682 square feet of commercial space is not expected to result in a substantial increase in Fire and Police services. Neither the Fire Department nor the Police Department during the internal review of the project identified impacts to their response times as noted above; further they did not identify impacts to their ability to provide adequate services. Implementation of standard Fire Department related requirements will address potential impacts and the inclusion of security measures such as gates separating the residential operations from the commercial operations and exterior lighting will assist in deterring potential criminal activity. Other on-site security measures such as video cameras and/or key code operated elevators for residences will further lessen the need for police protection. Additionally the project is within the expected development envelope for this commercial strip of Washington Boulevard and is no greater than what is anticipated for this land use. Fire and Police comments did not indicate that this project was beyond their scope of services as would be expected along this commercial strip. c) Schools <u>Less Than Significant Impact.</u> The use of existing neighboring schools is not expected to substantially increase with the addition of 30 dwelling units. The Culver City Unified School District (CCUSD), in accordance with California Government Code Section 53080 and 65995, collects statutory developer fees prior to the issuance of a building permit. CCUSD determines the use of these funds which can include construction or reconstruction of school facilities. The mixed use project will not result in significant adverse impacts relative to schools because it is not expected to generate a substantial population increase and payment of the school fees by the applicant, in accordance with State law, would offset impacts to school services. No mitigation measures are necessary. d) Parks <u>Less Than Significant Impact.</u> The use of the existing neighborhood and regional parks is not expected to substantially increase with the addition of 30 dwelling units and approximately 8,682 square feet of commercial space. The project will not require new construction or expansion of parks facilities as the project will include onsite open space areas and amenities such as an interior central courtyard on the second floor and an open central common balcony system on the third floor. Also the project's residential portion will require a standard code required in-lieu parkland fee which is will be used to maintain the City's park system. e) Other Public Facilities <u>No Impact.</u> Other facilities have not been identified that could be impacted by the project. No mitigation measures are necessary.				
<u>Mitigation Measure(s):</u> None required				

EVALUATION OF ENVIRONMENTAL IMPACTS:		Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. RECREATION --					
a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐
Responses:					
a)-b) <u>Less Than Significant Impact</u> . As stated above in Section XIV- Parks, the use of the existing neighborhood and regional parks is not expected to substantially increase with the addition of 30 dwelling units and approximately 8,682 square feet of commercial space. The project will not require new construction or expansion of parks or recreational facilities as the project will include onsite open space areas and amenities such as an interior central courtyard on the second floor and an open central common balcony system on the third floor. Also the project's residential portion will require a standard code required in-lieu parkland fee which is will be used to maintain the City's park system. Overall, the mixed use project will not result in significant adverse impacts relative to recreation because it is not expected to generate a substantial population increase. No mitigation measures are necessary.					
Mitigation Measure(s): None required					
XVI. TRANSPORTATION/TRAFFIC -- Would the project:					
a)	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulating system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐
b)	Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
e)	Result in inadequate emergency access?	☐	☐	☒	☐
f)	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Responses: a),b),d) <u>Less Than Significant Impact.</u> Level of Service (LOS) is a professional industry standard by which to measure the operating conditions of a given roadway segment or intersection. LOS is defined on a scale of A to F, where LOS A represents free flowing traffic conditions with no restrictions on maneuvering or operating speeds, low traffic volumes and high speeds; LOS B represents stable flow, more restrictions, operating speeds beginning to be affected by traffic volumes; LOS C represents stable flow, more restrictions, speed and maneuverability more closely controlled by higher traffic volumes; LOS D represents conditions approaching unstable flow, traffic volumes profoundly affect arterial flow; LOS E represents unstable flow and some stoppages; and LOS F represents forced flow, many stoppages and low operating speeds. A traffic impact analysis prepared for the proposed mixed-use project, dated November 22, 2011, by RBF Consulting, was reviewed and accepted by the City's Traffic Engineer. The traffic analysis evaluated the existing (year 2011) and forecast future (year 2013) conditions at nine intersections in the vicinity of the project site during both the AM and PM peak hours. The traffic analysis estimated that the project would generate 590 new daily vehicle trips, including 27 trips during the AM peak hour, and 42 trips during the PM peak hour. The analysis compared these trip generation rates to trip generation rates for a 2009 previously approved office development on the same site with site plan review entitlements currently active; the traffic study for that project was approved by the City and trip counts and assumptions found in that study were reviewed and accepted by the Planning Division. The general layout, building footprint, and street vacation from the previously approved office development are the same as this proposed mixed use development. Comparison of the trip generation counts from the previously approved project with the proposed mixed use development indicate that this project will generate 50 less trips in the AM peak hour, 45 less trips in the PM peak hour, and 282 less total daily trips. Further the traffic analysis for the mixed use project concluded that the amount of trips generated as a result of the proposed development does not exceed the threshold for significance for levels of service (LOS). The traffic study identified the future levels of service at the nine intersections for both "with" and "without" the new development. According to the traffic study the nine intersections will not experience a change in the morning peak hour and afternoon peak hour LOS with or without the development. Therefore, no significant impacts will result at the six street intersections. Although there are no identified traffic related impacts, the project will include a 175 foot left-turn storage pocket on Washington Boulevard to accommodate the forecasted 174 PM peak hour westbound left-turn trips at the intersection of Inglewood and Washington Boulevards. This left-turn pocket will be delineated with a raised curb that will assist in preventing the unsafe maneuver currently observed of northbound Inglewood Boulevard traffic veering to northbound Marcase Avenue crossing over several traffic lanes. Additionally a 25 foot left-turn pocket will be installed on Washington Boulevard to accommodate the forecasted 12 PM peak hour eastbound left-turn trips entering the project site via the eastern project driveway at Washington Boulevard. Further East the street median along Washington Boulevard beyond these left-turn lanes and adjacent to the project site will be enhanced with a raised curbed landscaped medium in conformance with Phase 6 of the West Washington Area Improvement Plan. As part of the partial street vacation of Marcase Avenue, the portion of Marcase Avenue fronting the project will be redesigned as a southbound one-way only street. This will have the added affect of not allowing project related traffic to drive north into the residential neighborhood north of the site. Overall these features make for an easier and safer flow of traffic in and around the project site and no mitigations are required as these are incorporated design features. Per the Zoning Code, the project is required to have 86 on-site parking spaces and the applicant is proposing 90 on-site parking spaces for total excess of 4 parking spaces. Parking is designed to code with appropriate aisle, parking space, and ramping dimensions. A zoning code allowed modification to the drive aisle width of not less than 10% of 27 feet will be permitted in order to allow full growth trees at the rear that will lessen the massing of the project for residences to the rear of the project. Therefore there would be no significant impacts in relation to parking capacity. c) <u>No Impact.</u> The project would have no effect on air traffic patterns.				

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e) <u>Less Than Significant Impact.</u> During construction inadequate emergency access could occur because of construction related street closures and traffic delays. A standard project condition of approval will require the applicant to submit a Construction Staging and Traffic Plan prior to issuance City permits. This plan will include information on staging and local haul routes; number of truck trips such as material evacuation, steel delivery, concrete pour and other deliveries; street/lance closures; pedestrian circulation and traffic control; duration of construction activities/hours of operation; construction parking plan; prohibition of on-street parking by construction workers; and a parking plan. This standard condition will reduce impacts to less than significant. f) <u>No Impact.</u> There are no policies that apply to the project related to alternative transportation. No mitigation measures are necessary. Mitigation Measure(s): None required				

XVII. UTILITIES AND SERVICE SYSTEMS –Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐

Responses:

a),b),&e) Less Than Significant Impact. Culver City maintains its own sewage collection facilities within the City limits and contracts with the City of Los Angeles for treatment and disposal service. Treatment occurs at the Hyperion Treatment Plant, located southwest of the City which has sufficient capacity to serve the needs of the proposed project. Expansion of the existing facilities is not necessary. The proposed project will have less than significant impact to the waste water system.

c) Less Than Significant Impact. The City is primarily served by the Los Angeles County Storm Drainage System. The City currently maintains some of its own storm drains that connect to the County systems. The combined system is adequate to serve the proposed project.

d) Less Than Significant Impact. Water service for this project site is provided by the Los Angeles Department of Water and Power. There are sufficient water supplies to the City to serve the proposed project. Expansion of the

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
existing services is not necessary. The proposed project will have less than significant impacts to the water system.				
f) <u>Less Than Significant Impact</u> . Solid waste from the proposed project area is disposed of at the Puente Hills landfill in the City of Industry. Other landfills available for City waste disposal include BKK Sanitary Landfill located in the City of West Covina and Bradley West Landfill located in the City of Sun Valley. The Municipal Code requires provision of trash containers for recyclable materials and yard waste to reduce solid waste generation. No mitigation measures are necessary.				
g) <u>Less Than Significant Impact</u> . See Section XVI.f, above. The project could generate solid waste during construction. Standard conditions requiring the contractor to remove and dispose of waste in accordance with applicable statues and regulations would reduce this impact to a level that is less than significant. No mitigation measures are necessary.				
Mitigation Measure(s): None required				

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE –

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | ☐ | ☐ | ☒ | ☐ |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ('Cumulatively considerable' means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | ☐ | ☐ | ☒ | ☐ |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | ☐ | ☐ | ☒ | ☐ |

Responses:

a) Less Than Significant Impact. The proposed project will improve the project site which currently contains a vacant parcel and two structures that will be demolished. The project site does not contain any threatened or endangered species or sensitive habitats. Therefore, the project will not degrade the quality of the environment or have any potential significant impacts to any plant or animal wildlife species.

b) Less Than Significant Impact. Any potential cumulative impacts will be substantially reduced due to standards City code requirements and conditions of approval to less than significant.

c) Less Than Significant Impact. The project will not result in significant environmental impacts from construction and operation of the project. Standard City code requirements will reduce any potential impacts to less than significant.

Mitigation Measure(s): None required

XVIII. EARLIER ANALYSES:

None

References Utilized:

1. Geotechnical Engineering Investigation prepared by Geotechnologies, Inc., October 17, 2011.
2. Greenhouse Gas Assessment prepared by RBF Consulting, October 31, 2011.
3. Phase I Environmental Site Assessment prepared by EnviroDetics, Inc., April 17, 2008.
4. Phase I Archeological and Paleontological Assessment prepared by Anderson Environmental, August 23, 2011.
5. Traffic Impact Analysis prepared by RBF Consulting, November 22, 2011.
6. Culver City Redevelopment Plan Amendment and Merger Program Subsequent Environmental Impact Report, November 16, 1998.
7. Culver City General Plan Update Program Environmental Impact Report, November 1995

MITIGATION MONITORING PROGRAM

The following environmental mitigation measures shall be incorporated into the project development as conditions of approval. The project applicant shall secure a signed verification for each of the mitigation measures which indicate that mitigation measures have been complied with and implemented, and fulfills the City environmental and other requirements (Public Resources Code Section 21081.6.). Final clearance shall require all applicable verification as included in the following table. The City of Culver City will have primary responsibility for monitoring and reporting the implementation of the mitigation measures unless otherwise indicated. The mitigation measures have been identified by impact category and numbered for ease of reference.

MITIGATION MONITORING PROGRAM				
Administrative Modification, AM P-2011159; Administrative Use Permit, AUP P-2011160; Site Plan Review, SPR P-2011162; Tentative Tract Map, TTM P-2011163; and Mitigated Negative Declaration, MND P-2011161 November 23, 2011				
MITIGATION MEASURE	Implementing Action, Condition or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
<u>Hazardous Materials</u> HM-1 Prior to the issuance of a demolition permit, an asbestos and lead survey shall be submitted to the Planning Division and Building Safety Division for review. The survey shall indicate the requirements on remediating the site and precautions taken during demolition and transport of hazardous materials according to the state regulations and Asbestos Hazard Emergency Response Act (AHERA).	Condition of Approval	Field Inspection	Prior to Issuance of a Demolition Permit	Building Safety Division and Building Safety Inspector

Attachment No. 4

City of Culver City, California Planning Commission Agenda Item Report

Meeting Date: December 14, 2011

Item Number: PH-1

AGENDA ITEM: Site Plan Review; Administrative Modification; Administrative Use Permit; and Tentative Tract Map to allow the development of a 3-story mixed use building with 8,682 square feet of commercial space and 30 residential units located at 11957 Washington Boulevard

Traffic Impact Analysis prepared by RBF
Consultants, dated November 22, 2011.

Available at the Planning Division Counter
City Hall

Apartment Rental Units #11729 & # 11741
Baldev K. Devgan, manager
11735 W. Washington Blvd #301
Los Angeles, CA 90066-5917
Telephone 310-390-9829 Fax 310-391-1290

December 5, 2011

To

The Planning Division

Culver City Hall

9770 Culver Blvd.

Culver City, CA 90232

Sent via Fax-310-253-5721. US Mail & E-Mail<jose.mendivil@culvercity.org>

Dear Sir/Madam:

Re: Mixed Use Development Project at 11957 Washington Blvd., Culver City, CA

Hearing Date: October 24, 2011 @ 5.30pm

I own the two apartment buildings at #11729 and 11741 Washington Blvd in Culver City comprising 10-units and representing almost 20 voting adults and many children. I am also the manager of these units and I am aware of the day to day problems due to traffic and parking.

All of us strongly **OPPOSE** this development on a variance permit for the proposed development. Please consider the following objections and stop this "monster" :-

1. I pay my full Property Taxes as well as Business Licenses for which Culver City gets its share
2. We have owned these properties since 1995 and have a vested interest to protect our personal, private property rights, granted under the Constitution of U.S.A.
3. I do not believe that CEQA was done properly or thoroughly by competent "neutral" professionals and it does not pass the "smell test" as evidenced by the same developer/lobbying agent showing up in most of the Culver City projects.
4. The real problem is the TRAFFIC jams we already experience in this section as the Washington Blvd., street curves around creating blind spots. We do not need more headaches.
5. There will be increased noise-pollution during the day as well as at night.

6. The creation of "landscape median": will further narrow the hazardous street and is a small fry in the community benefits.
7. This will bring in at least 30-new families and numerous retail customers.
8. Are they providing underground parking / or that has been exempted?
9. Providing Staff Report for viewing on the website on Oct.19,2011 is too short a notice for public comment on Oct. 24,11- only 2 or 3 Business days to view and comment, assuming it will be posted @ 8.0am On 10/19/11.

THIS ISA VIOLATION OF CEQA GUIDE LINES.

If I am able to come, I will do my best and I will ask other residents to attend .

Thank you for your time and consideration.

Respectfully submitted.

Sincerely,

Baldev K . Devgan

Mendivil, Jose

From: Gilda Strom [gstrom73@gmail.com]
Sent: Wednesday, October 19, 2011 10:40 AM
To: Mendivil, Jose
Subject: Property Owners/Residents Input on 11957 Washington Blvd. Development

Dear Sir:

We are property owners/residents in the area on Inglewood Blvd., and we'd like to express our unhappiness at allowing this development to expand its number of base dwellings from 35 to 50. Without the developer providing an extensive parking structure that would accomodate at least four (4) more parking spaces per additional unit (an extra 36 parking spaces), there will be a negative impact on the surrounding area by further shrinking the available on-street parking in the area and making a densely populated area more congested. There is little open space, extremely heavy traffic congestion (due to daily commuter overuse of residential streets), and over-development that contribute to a poor quality of life in the neighborhood. "Community Benefits District" or not, the City Council should NOT approve more density for this project, in our opinion.

By the way, how about making this developer pay to add a Left-Turn Arrow streetlight at the extremely dangerous corner of Washington Blvd. & Inglewood Blvd. that is constantly the site of car & pedestrian accidents? What good will this "Community Benefits District" be if no one can safely cross the streets? There are many disabled and elderly residents in this area who have an extremely difficult time avoiding the aggressive bus and car drivers who threaten their safety in the pedestrian crosswalks. What will approving this "Community Benefits District" do to address that?

Thank you for allowing us to express our viewpoints.

Regards,

-Bill and Gilda Strom
4252-56 Inglewood Blvd.

Mendivil, Jose

From: Bsaito4431 [bsaito4431@aol.com]
Sent: Sunday, October 23, 2011 3:48 PM
To: Mendivil, Jose
Subject: development marcasel and washington blvd.

Gentlemen:

We live on Marcasel Ave. which is a quiet and lovely neighborhood. This new project of 50 apartments seems to be crowding a space with more people and cars than is in this whole neighborhood. It's unfair to the new tenants as well as to the existing neighborhood, because overcrowding is known to breed high crime and chaos and disrupt quality of life.
sincerely betty

Mendivil, Jose

From: kerry cowden [kercowden@gmail.com]
Sent: Friday, October 28, 2011 2:14 PM
To: Mendivil, Jose
Subject: Recent meeting re: Wash.Inglwd

Dear Mr. Mendivil, I understand a meeting took place regarding the change possibility @ Wash.Blvd and Inglewood bl.

My family & I are raised in Culver City, class of 69',95,98,00,04- My parents also- At this time I reside just across the line on East Blvd.,MarVista. The proposed change ,while not actually impacting residents of CC proper, will impact our quiet , nice little neighborhood very much. Not being able to access our homes from that entrance will be a big problem-and will cause increased traffic issues on Ing.Bl, and McLaughlin, which are already too small to handle it. If any traffic is diverted into our Streets (Marcasel & East) it will be very disturbing and unsafe-

Why is it necessary to build such a building, there are so many vacant storefronts up and down Wash.Blvd.

This will be a very huge hardship-

I teach in the Inner city and return home down Inglewood Blvd.the cross over is sometimes dangerous as The STAY CLEAR signs need to be repainted by CC. just this week my husband's vehicle was hit, because there is neglect at that intersection.

This does not seem to be something that will benefit our neighborhood at all, and that is disturbing, suggesting that Culver City will make this kind of decision that will not hurt their immediate residents, but make a developer happy- We feel like the original Colonists that cried "Taxation without representation" we have no say because our address is 90066-

at the very least this is inconsiderate -at the very most it is not considering any kind of environmental impact study that would have included the people directly affected.

Thank you so much for listening, please let me know what is happening with this.

Thank you,

Kerry Cowden

310-839-0813,310-739-1200

RESOLUTION NO. 2011-P005

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, APPROVING SITE PLAN REVIEW, SPR P-2011162; ADMINISTRATIVE MODIFICATION, AM P-2011159; AND ADMINISTRATIVE USE PERMIT, AUP P-2011160 AND RECOMMENDING TO THE CITY COUNCIL APPROVAL OF TENTATIVE TRACT MAP, TTM P-2011163 FOR A THREE STORY MIXED USE DEVELOPMENT TOTALING 55,019 SQUARE FEET AT 11945, 11953, & 11955/57 WASHINGTON BOULEVARD IN THE COMMERCIAL GENERAL (CG) ZONE.

(Site Plan Review, SPR P-2011162)
(Administrative Modification, AM P-2011159)
(Administrative Use Permit, AUP P-2011160)
(Tentative Tract Map, TTM P-2011163; TTM No. 71799)

WHEREAS, on October 24, 2011, Bastion Development filed Site Plan Review, Administrative Modification, Administrative Use Permit, and Tentative Tract Map applications to construct a three-story, 40-foot high, 55,019 square foot mixed use development with 8,682 square feet of ground floor commercial space, and 30 residential dwelling units with 90 parking spaces. The project site is described more fully as Lots 1, 42, and 41 of Block B of Tract No 3842, in the City of Culver City, County of Los Angeles, State of California; and,

WHEREAS, in order to implement the proposed project, approval of the following applications is required:

1. Site Plan Review: To ensure compliance with the required standards and City ordinances and establish all onsite and offsite conditions of approval to reflect the site features and compatibility of the proposed project with the uses on adjoining properties; and,
2. Administrative Modification: For the reduction of the parking stall length and drive aisle width; and,
3. Administrative Use Permit: To allow tandem parking spaces for some of the project's residential parking; and ,

1 4. Tentative Tract Map: To allow the creation of a one-lot subdivision for condominium
2 purposes.

3 WHEREAS, on December 14, 2011, after conducting a duly noticed public hearing on
4 the subject applications, including full consideration of the application, plans, staff report,
5 environmental information and all testimony presented, the Planning Commission (i) by a
6 vote of __to __, adopted a Mitigated Negative Declaration, in accordance with the California
7 Environmental Quality Act (CEQA), finding the Project, as mitigated, will not result in
8 significant adverse environmental impacts; and (ii) by a vote of __to __, conditionally
9 approved Site Plan Review, SPR P-2011162, Administrative Modification, AM P-2011159,
10 and Administrative Use Permit, AUP P-2011160 as set forth herein below; and (iii) by a vote
11 of __to __, recommended to the City Council that Tentative Tract Map, TTM P-2011163
12 should be conditionally approved as set forth herein below.
13
14

15
16 NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CULVER
17 CITY, CALIFORNIA, RESOLVES AS FOLLOWS:

18 SECTION 1. Pursuant to the foregoing recitations and the provisions of Culver City
19 Municipal Code (CCMC), the following findings are hereby made:

20 **Site Plan Review:**

21
22 As outlined in CCMC Title 17, Section 17.540.020, the following required findings for a Site
23 Plan Review are hereby made:

24 **A. The general layout of the project, including orientation and location of buildings,**
25 **open space, vehicular and pedestrian access and circulation, parking and**
26 **loading facilities, building setbacks and heights, and other improvements on the**
27 **site, is consistent with the purpose and intent of this Chapter, the requirements**
28 **of the zoning district in which the site is located, and with all applicable**
29 **development standards and design guidelines.**

 The general layout of the project is consistent with the Commercial General (CG)
zoning district and the Mixed Use Development Standards. The project incorporates a

continuous store front of ground floor retail along Washington Boulevard to create a pedestrian friendly commercial streetscape including pedestrian amenities such as benches, awnings, and landscaped planters. The three-story, 40-foot high mixed use building is consistent with the code required 45 foot maximum height limit for a mixed use building adjacent to a Residential Medium Density Multiple (RMD) zone. The project meets the requirements of the Zoning Code's 60 degree clear zone ensuring that the building rear adjoining the RMD zoned neighborhood is further stepped back at the second and third levels. These height and step back requirements further the project's compatibility with the existing single and multi-story commercial buildings surrounding the site and serve to protect the residential neighborhood at the rear of the site.

The project provides a total of 90 on-site parking spaces to meet the Zoning Code required parking for both the residential and commercial components of the project. These required and excess parking spaces at the surface and subterranean levels provide sufficient parking for residents, guests, employees, and customers. Sufficient loading area is provided through an on-site standard parking space adjacent to the rear entrance of the project's ground floor retail frontage.

The proposed vehicular access locations are anticipated to operate adequately, with no external vehicular queuing on the fronting streets, and no significant internal queuing within the parking areas. The structure is well designed for pedestrian access to the ground floor retail spaces with street level storefronts along Washington Boulevard and wrapping around Marcasel Avenue, as well as from the surface level parking with direct access to the rear of the commercial tenant spaces. Adequate pedestrian residential access is achieved through both a surface level lobby off of Marcasel Avenue near Washington Boulevard and through a common commercial/residential elevator that has a secured key code access for the project's residential levels.

Compliant with minimum Code required residential open space standards, the project will include private balconies ranging in area from 91 square feet to 180 square feet and an interior central courtyard on the first residential level and an open central common balcony system on the second residential level.

B. The architectural design of the structure and the materials and colors are compatible with the scale and character of surrounding development and other improvements on the site and are consistent with the purpose and intent of this Chapter, the requirements of the zoning district in which the site is located, and with all applicable development standards and design guidelines.

The building is designed to be compatible with the adjacent residential uses to the north and to provide a pedestrian oriented streetscape along Washington Boulevard and Marcasel Avenue. The building is well articulated with the use of step backs, canopies, private balconies for residential uses on the second and third floors, and substantial use of planter areas at the rear of the building and within the second level

1 interior courtyard. These features will provide visual interest to all four sides of the
2 building.

3 More specifically, the proposed project is an architecturally modern building making
4 use of a variety of building materials including, various types of glazing, glass store
5 fronts, aluminum, metal canopies and trellises, wood siding and trellises, corrugated
6 sheet metal, concrete, and stucco. The colors (and materials), a mix of earth and sky
7 blue tones, will enhance rather than conflict with the character of the neighborhood
8 and will provide an interesting aesthetic view. The project will provide an enhanced
9 aesthetic view as compared to the site's current partially vacant character that
10 includes two apartment buildings with outdated designs lacking in articulation and
11 design features. The building will have a step-back design feature at the rear that will
12 lessen the visual massing of the new building thereby respecting the scale and size
13 with the existing multi-family residential building to the rear of the site.

14 The building frontage along Washington Boulevard will have a near zero setback and
15 turning the corner at Marcase, will have an enhanced pedestrian plaza area with a
16 ground level colonnade approximately 5 to 7 feet deep. This setback area along with
17 structural canopies and glass storefronts along Washington Boulevard will
18 accommodate pedestrian amenities such as landscaped planter areas, seating niches
19 for tables and benches, and building canopies to provide for a pedestrian friendly
20 street edge. This will further establish a pedestrian feature for future development and
21 redevelopment of surrounding commercial sites. Step backs at varying locations
22 along the second and third stories will accommodate balconies enhancing the
23 building's articulation. Roof top tower features fronting Washington Boulevard will
24 provide a sense of varying height while adhering to Zoning Code height limits and
25 allowed height projections for roof top architectural features. The project's mechanical
26 equipments and refuse containers have been designed to be concealed from the
27 street, public places and neighboring properties.

28 **C. The landscaping, including the location, type, size, color, texture, and coverage**
29 **of plant materials, provisions for irrigation, and protection of landscape**
30 **elements has been designed to create visual relief, complement structures, and**
31 **provide an attractive environment and is consistent with the purpose and intent**
32 **of this Chapter, the requirements of the zoning district in which the site is**
33 **located, and with all applicable development standards and design guidelines.**

34 The proposed landscaping meets all Zoning Code requirements and provides a visual
35 relief that also acts to compliment the use of the building's reddish/orange colored
36 stucco and wood sidings and trellises. Full growth deep root trees at the rear will
37 provide a buffer to the adjacent residential lot. These trees will also assist in
38 minimizing the sense of bulk for the adjacent residential property.

39 Off-site streetscape improvements will also include landscaping features that will
enhance the vicinity around the project and assist in creating a pedestrian and
environmentally friendly area for the portion of Washington Boulevard at the

1 intersection with Marcasel Avenue. Landscaping elements of the streetscape
2 improvements will include new street trees along Marcasel Avenue and Washington
3 Boulevard, sidewalk benches along Marcasel Avenue, and decorative hardscape
4 along the sidewalk. In addition, along Washington Boulevard, beyond the project's
5 east boundary, the centerline of Washington Boulevard will be enhanced with a
6 raised, curbed landscaped medium in conformance with Phase 6 of the West
7 Washington Area Improvement Plan (AIP). This will further enhance the project site
8 and its surroundings and will provide a visual aesthetic that helps to improve the
9 overall environment of the surrounding area making it more attractive to potential
10 customers of the project and surrounding businesses. Overall, the on-site and off-site
11 landscaping improvements will complement the modern style of architecture for this
12 site and soften that new style and the massing of the proposed building.

13 **D. The design and layout of the proposed project will not interfere with the use and**
14 **enjoyment of neighboring existing or future development, will not result in**
15 **vehicular or pedestrian hazards, and will be in the best interest of the public**
16 **health, safety, and general welfare.**

17 The proposed location of the mixed use project will not result in conflicts with uses in
18 the existing adjacent residential neighborhood and commercial area. The project has
19 been designed to conform to all applicable provisions of the Mixed Use Development
20 Standards, Commercial General (CG) Zone, and all other applicable City development
21 standards. The building mass and scale is modest compared to the base zoning
22 height and setback allowances and has been designed to be compatible with the
23 adjacent residential uses to the north and to provide a pedestrian oriented streetscape
24 along Washington Boulevard and Marcasel Avenue with the use of streetscape
25 improvements such as an extra wide sidewalk, decorative paving, street benches, bike
26 racks, and street trees. The proposed 8,682 square foot commercial space fronting
27 Washington Boulevard will reinforce and complement the existing commercial uses
28 along Washington Boulevard. This new commercial space along with the off-site
29 streetscape improvements noted above will encourage active use of the site by nearby
residential and commercial occupants. This will lessen potential conflicts with nearby
residential and commercial areas because the development will become an integral
component of the local community.

Both the driveway off of Washington Boulevard and the exit only driveway off of
Marcasel Avenue will minimize potential cut-through traffic via the residential area to
the north. The Marcasel Avenue exit is a left turn only leading to one-way southbound
Marcasel Avenue which in turn leads to Washington Boulevard (away from the
residential area). A two-way left turn middle lane provides access to and from the site
for Washington Boulevard traffic traveling in either direction. With these access
design features and the lack of an alley at the rear of the project cut through traffic and
impacts to the north are minimal or non-existent.

The proposed access locations are anticipated to operate adequately, with no external
vehicular queuing on the fronting streets, and no significant internal queuing within the

1 parking areas. Visibility for drivers entering or exiting the site driveways is not
2 anticipated to be a concern. Vehicles entering the site's driveway are provided with
3 adequate maneuvering room both along the fronting street and within the site itself.
4 Site distance and driver visibility of oncoming vehicles at the site exits are also
5 acceptable.

6 The subterranean garage parking has a secured gate and fence to segregate the few
7 commercial parking spaces and residential guest spaces from the parking for
8 residential tenants. These vehicle and pedestrian access features along with the
9 more than adequate on-site parking (4 extra commercial spaces) will lessen the
10 possibility of interference with the use and enjoyment of adjacent residential and
11 commercial areas and future development and will reduce the possibility of vehicular
12 or pedestrian hazards.

13 Mandatory mixed use performance standards that require walls, floors, and ceilings to
14 be insulated to protect the project's residential users from potential noise impacts
15 created by the ground floor commercial uses will further lessen the potential for project
16 created hazards. Other aspects of these performance standards will include cross
17 ventilation and high quality HVAC systems for residential units, illumination of parking
18 areas, residential protection from commercial loading areas, and adequate sidewalk
19 pedestrian lighting.

20 **E. The existing or proposed public facilities necessary to accommodate the**
21 **proposed project (e.g., fire protection devices, parkways, public utilities,**
22 **sewers, sidewalks, storm drains, street lights, traffic control devices, and the**
23 **width and pavement of adjoining streets and alleys) will be available to serve the**
24 **subject site.**

25 The existing and proposed public service facilities necessary to accommodate the
26 project such as: the width and pavement of the adjoining streets, traffic control
27 devices, sewers, storm drains, sidewalks, street lights, proposed street trees, fire
28 protection devices, and public utilities are provided for adequately as confirmed by the
29 City agencies that reviewed the project during the interdepartmental review process.

30 **F. The proposed project is consistent with the General Plan and any applicable**
31 **specific plan.**

32 The project is consistent with the General Plan General Corridor Land Use
33 designation. The project is located within the City's Redevelopment Project
34 Component Area No. 4 and as required by redevelopment law, the land uses
35 designated in the Redevelopment Plan area are consistent with those identified in the
36 Culver City General Plan Land Use Element. The project will provide for new
37 community serving commercial uses that will provide for the revitalization of a
38 commercial corridor through new development on a currently partially vacant lot, which
39 is consistent with Objective 6 of the General Plan Land Use Element. The ground
40 floor retail and decorative sidewalk with room for outdoor seating will encourage local

1 pedestrian use of the site and the new retail space will encourage local patronage of
2 project. This commercial activity along with the residential aspect of the mixed use
3 project is consistent with General Plan Land Use Objective 24 which calls for
4 protection and enhancement of residential and business uses within the City's
5 Western Sub-Area. The application does not include any variance or request to
6 amend the General Plan, Redevelopment Plan or Zoning designation other than an
7 administrative modification for drive aisle widths and parking stall lengths that by code
8 is allowed for up to a 10% reduction.

9 The proposed project includes an increased residential unit density from 35 dwelling
10 units per acre to 50 dwelling units per acre in return for an applicant sponsored
11 community benefit which includes payment of construction and maintenance for
12 approximately 30 years of streetscape improvements consistent with the West
13 Washington Area Improvement Plan. This allowed density increase is consistent with
14 the March 10, 2008, Culver City City Council adopted resolution number 2008-R015
15 establishing a Community Benefit Incentive Program in connection with the Mixed Use
16 Development Standards. This density increase is consistent with expected thresholds
17 of development and build out projections as delineated in the General Plan Land Use
18 Element.

19 The project as proposed will incorporate design features such as progressively
20 increased setbacks from the adjacent residential properties, a landscape buffer
21 between the site and the adjacent residential property at the rear, and building step-
22 backs to be in scale and size with the surrounding single and multi-story buildings.
23 These design features are consistent with General Plan Land Use Policy 16.C that
24 encourages compatible commercial uses adjacent to residential lots in areas of
25 Washington Boulevard. The glass storefront retail building frontage along Washington
26 Boulevard will be set back at near zero feet at the ground floor to encourage
27 pedestrian use of the commercial space. The project site will incorporate off-site
28 improvements such as new curb, gutter, sidewalk, street benches, and street trees as
29 well as West Washington Area Improvement Plan Phase 6 Landscape Medium
improvements. Such commercial frontage off-site improvements furthers the intent of
General Plan Land Use Policy 6.I that calls for the planning of streetscape
improvements such as street trees and landscaping and façade improvements along
commercial corridors.

This project is consistent with the General Plan Housing Element which calls for an
increase in the City's housing stock. All California cities and counties are subject to
the California State Regional Housing Needs Assessment (RHNA). The City's
allocation for the current RHNA cycle is 504 units and this project will address a
portion of Culver City's share of the RHNA by constructing 30 market rate units.

Administrative Modification:

As outlined in CCMC Title 17, Section 17.550.020, the following required findings for an
Administrative Modification are hereby made:

1 **A. The strict application of the applicable development standards creates an**
2 **unnecessary, involuntary created hardship or unreasonable regulation which**
3 **makes it obviously impractical to require compliance with the development**
4 **standards.**

5 The applicant is requesting an Administrative Modification to: reduce the required
6 parking aisle width of 27 feet by 1-foot, 10-inches and allowing for a width of 25-feet,
7 2-inches at the surface level; reduce the required parking aisle width by 2-feet, 6-
8 inches and allowing for a width of 24-feet, 6-inches at the subterranean level; and
9 reduce the required parking stall length of 18 feet by 1-foot and allowing for a length of
10 17 feet in the subterranean level. The project originally provided the minimum
11 required 2-foot planter strip at the rear of the development's frontage adjacent to a
12 residential zone (and use). In order to provide enhanced screening and privacy to the
13 nearby residential areas behind the development, staff requested that the 2 foot
14 landscape planter strip be increased to 5 to feet to provide for significant planting of
15 deep root trees that have significant height and spread. This staff requested
16 enhanced strip narrows the site's geometry and its ability to provide the code required
17 27 foot wide drive aisle at both the surface and subterranean parking levels.

18 The requested modification is at or below the maximum allowed 10% adjustment as
19 stated in Zoning Code Section 17.550 - Variances and Modifications. Additionally, the
20 requested reduced backup and stall lengths noted above will be sufficient for
21 automobiles to maneuver into and out of the surface and subterranean parking spaces
22 and will not cause a negative impact to the projects vehicular circulation.

23 **B. Approval of the Administrative Modification would not be detrimental to the**
24 **public health, interest, safety, or general welfare and would not be detrimental**
25 **or injurious to property or improvements in the vicinity and in the same zoning**
26 **district.**

27 Approval of the Administrative Modification will not be detrimental to the general
28 welfare or injurious to property in the vicinity. The required parking will be located on-
29 site and will provide a backup space and stall lengths as noted in Finding A which are
sufficient in providing adequate maneuvering. The modification will not have a direct
impact on the neighboring properties because the parking spaces will be located on-
site. Approval of the proposed modification will not prevent development or limit the
use of neighboring properties. Furthermore, approval of the Administrative
Modification will allow for an enhanced landscape strip that includes trees at the rear
of the site. This feature will act as a landscape buffer for the neighboring residential
area thereby improving the overall public health and general welfare of the project's
vicinity.

30 **C. The project is consistent with the General Plan and complies with all other**
31 **applicable provision of this title.**

32 The proposed design, location, and width of the on-site backup space and stall length

will not have an impact on adjacent uses and therefore is found to be compatible with the existing and future residential and commercial land uses in the vicinity of the subject site. The back-up space and stall lengths noted in Finding A above are sufficient to maneuver into and out of the surface and subterranean parking spaces. This Zoning Code allows this type of modification and by permitting the reduction in the drive aisle widths and stall lengths. The modification will not make the project inconsistent with the General Plan as all of the Site Plan Review required General findings will still be met.

Administrative Use Permit:

As outlined in CCMC Title 17, Section 17.530.020, the following required findings for an Administrative Use Permit are hereby made:

A. The proposed use is allowed within the subject zoning district with the approval of an Administrative Use Permit and complies with all applicable provision of this Title and CCMC.

The existing Commercial General (CG) zoning designation allows the proposed use of tandem parking subject to an Administrative Use Permit as outlined in CCMC Section 17.320.035.C.1.b, and the proposed tandem parking layout complies with all other applicable provisions regarding parking design and layout guidelines. Each stall is nine (9) feet in length and with a companion Administrative Modification, 34 feet in depth and a proper aisle width is provided.

B. The proposed use is consistent with the General Plan and any applicable Specific Plan.

The proposed use of tandem parking to facilitate in the development of the residential portion of a mixed use project is consistent with the "General Corridor" General Plan Land Use Designation. The General corridor designation encourages a range of uses including medium density housing compatible with adjacent residential neighborhoods. Each pair of tandem spaces will be assigned to one residential unit and the tandem parking will facilitate the full use of the residential condominiums.

C. The design, location, size and operating characteristics of the proposed use are compatible with the existing and future land use in the vicinity of the subject site.

The proposed use, design, location, size and operating characteristics of the tandem parking spaces will not have an impact on adjacent uses and are therefore found to be compatible with the existing and future residential and commercial land uses in the vicinity of the subject site. All tandem spaces will be located in a subterranean, secured residential parking area with each pair assigned to one tenant each. Further, each tandem pair is nine (9) feet in width by 34 feet in length, sufficient for two vehicles to maneuver into and out of said spaces. Overall the tandem parking

facilitates the residential portion of the mixed use project and helps to revitalize the site's semi vacant appearance. This revitalization and residential and commercial mix is compatible with potential future mixed use projects along Washington Boulevard.

D. The subject site is physically suitable for the type and intensity of use being proposed, including access, compatibility with adjoining land uses, shape, size, provision of utilities and the absence of physical constraints.

The generally flat configuration of the site, the vehicular access to the site from Washington Boulevard and the exiting of the site onto Washington Boulevard via southbound Marcasel Avenue, the adequate design of the ramp down into the subterranean parking where the tandem parking is located, and the proposed onsite parking configuration is physically suitable to accommodate tandem parking. The tandem parking is compatible with the adjoining commercial and residential uses because of its secured nature and the assignment of pairs to one unit each which will lessen parking impacts by the project on adjoining commercial and residential neighborhoods. The tandem parking will not impact any utilities and there are no physical constraints that would prevent the use of tandem parking.

E. The establishment, maintenance or operation of the proposed use will not be detrimental to the public interest, health, safety or general welfare or injurious to persons, property or improvements in the vicinity and zoning district in which the property is located.

The establishment of tandem parking on the site through this approval subject to the conditions of approval will not be detrimental to the public interest, health, safety or general welfare or injurious to persons, property or improvements in the surrounding commercial zoning district or vicinity since said tandem parking will not generate any onsite or offsite impacts.

Tentative Tract Map No. 71799:

As outlined in CCMC Title 15, Section 15.10.265, the following required findings for a Tentative Tract Map are hereby made:

A. The proposed map is consistent with the General Plan.

The proposed tentative tract map is consistent with the General Plan Land Use and Housing Elements in that the proposed commercial and residential "mixed use" subdivision shall provide new commercial and residential opportunities along a commercial corridor in the West Washington Boulevard area as encouraged by Objective 24 for the City's Western Sub-Area and Policy 24.B of the General Plan Land Use Element.

B. The design of the proposed subdivision is consistent with the General Plan.

The design of the proposed commercial and residential "mixed use" subdivision is consistent with the General Plan Land Use Element in that the design of the mixed use development provides an aesthetically pleasing location for commercial and residential users. Sufficient ground floor air space and residential air space along with balconies provide incentives for the use of the mixed use development furthering the goals of Objective 24 and Policy 24.B. The proposed uses are consistent with the objectives of the General Plan General Corridor land use designation that encourage new commercial and residential opportunities.

C. The site is physically suitable for the type of development.

The site is physically suitable for the proposed commercial and residential "mixed use" subdivision in that the project complies with all zoning standards and the proposed structures shall meet all applicable development standards [i.e., setback, height, parking and use].

D. The site is physically suitable for the proposed density of development.

The site is physically suitable for the density of the proposed residential portion of the "mixed use" subdivision in that the site allows for the number of housing units proposed and is consistent with code required residential density limits with the incorporation of a City Council approved community benefit. This project incorporates streetscape community benefits in return for an increase in the base density from 35 dwelling units per acre to 50 dwelling units per acre. The project's increased density to 50 dwelling units per acre is consistent with expected growth projections and thresholds of development for the City as delineated in the General Plan Land Use Element.

E. The design of the subdivision is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The proposed commercial and residential "mixed use" tentative tract map subdivision together with the onsite and offsite improvements shall not cause any known environmental damage and shall not damage any fish and/or wildlife habitats because such fish and/or wildlife habitats do not exist on or near the site.

F. The design of the subdivision is not likely to cause serious public health problems.

The proposed commercial and residential "mixed use" tentative tract map subdivision together with the onsite and offsite improvements shall not cause any known serious public health problems because all applicable zoning code development standards shall be met, and the applicant is required to meet all of the conditions of approval that the reviewing agencies of the City, such as the Fire Prevention Division, Planning

1 Division, Building and Safety Division and the Engineering Division have
2 recommended for the project. The uses proposed for this subdivision are consistent
3 with commercial corridor land uses as allowed in the Zoning Code.

4 **G. The design of the subdivision will not conflict with easements, acquired by the**
5 **public at large, for access through or use of, property within the proposed**
6 **subdivision.**

7 The proposed commercial and residential "mixed use" tentative tract map subdivision
8 and the onsite and offsite improvements shall not conflict with any existing and/or
9 proposed easements. The project will involve the partial street vacation of Marcasel
10 Avenue. Any reservation of utility easements and/or relocation of utilities along with
11 construction of new curb, gutter, and sidewalk will be required as part of the site plan
12 review and will be completed or bonded for prior to final recordation of the map that
13 incorporates the partial vacation. The narrowing of the Marcasel Avenue public right-
14 of-way and conversion of the street fronting the project to a one-way southbound
15 street will benefit the residential community to the north of the project by eliminating
16 cut through traffic.

17 SECTION 2. Pursuant to the foregoing recitations and findings, the Planning
18 Commission of the City of Culver City, California, hereby approves Site Plan Review, SPR P-
19 2011162; Administrative Modification, AM P-2011159; and Administrative Use Permit, AUP
20 P-2011160; and hereby recommends that the City Council approve Tentative Tract Map,
21 TTM P-2011163; subject to the conditions of approval set forth in Exhibit A attached hereto
22 and incorporated in herein by this reference.

23 APPROVED and ADOPTED this 14th day of December 2011.

24 _____
25 ANTHONY PLESKOW - CHAIRPERSON
26 PLANNING COMMISSION
27 CITY OF CULVER CITY, CALIFORNIA

28 Attested by:

29 _____
Yvonne Hunt
Administrative Secretary

EXHIBIT A
 RESOLUTION NO. 2011-P005
 Case Nos: Site Plan Review, SPR P-2011162;
 Administrative Modification, AM P-2011159;
 Administrative Use Permit, AUP P-2011160;
 Tentative Tract Map, TTM P-2011163 (TTM No. 71799)
 11945, 11953, & 11955/57 Washington Boulevard

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
1.	These Conditions of Approval are being imposed on three-story, 40-foot high, 55,019 square foot mixed use development with 8,682 square feet of ground floor commercial space, and 30 residential dwelling units with 90 parking spaces. (the "Project"), for the property located at 11945, 11953, & 11955/57 Washington Boulevard (the "Property").	All	Standard	
2.	A copy of the Resolution approving the Project, and a copy of these Conditions of Approval, shall be printed on the plans submitted as part of any building permit application for the Project.	Planning	Standard	
3.	All building permit applications for the Project shall include sufficient information and detail to clearly reflect compliance with all applicable requirements of the Culver City Municipal Code (the "CCMC") and with these Conditions of Approval.	Planning	Standard	
4.	The land use permit to which these Conditions of Approval apply (the "Land Use Permit") shall expire one year from the date of final approval of said Land Use Permit, if the use has not been exercised. As provided in CCMC Section 15.595.030 –"Time Limits and Extensions", an applicant may request an extension of said expiration date by filing a written request with the Planning Division prior to the expiration of the land use permit.	Planning	Standard	

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NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
5.	Pursuant to CCMC Section 17.630.010.C.4 – “Posted Notice”, the public notification sign(s) installed in accordance with the public notification requirements for the Land Use Permit shall be removed within ten days after the end of the appeal period or the final decision by the City Council on the Land Use Permit, whichever occurs last.	Planning	Standard	
6.	The Project shall be developed pursuant to CCMC Chapter 17.300 – “General Property Development and Use Standards”.	Planning	Standard	
7.	All planted areas on the Property shall be landscaped and irrigated pursuant to CCMC Chapter 17.310 - “Landscaping”.	Planning	Standard	
8.	All parking areas on the Property shall be developed pursuant to CCMC Chapter 17.320 - “Off-Street Parking and Loading”.	Planning	Standard	
9.	Signs proposed for the Project shall meet all applicable requirements of CCMC Chapter 17.330 - “Signs”. All signs require a separate permit and approval.	Planning	Standard	
10.	All permits and licenses required in connection with the development or use of the Project shall be applied for and obtained separately.	All	Standard	
11.	All work within the public right-of-way (including but not limited to curb, gutter, sidewalk, and driveways) shall be designed and completed to the satisfaction of the City Engineer.	Public Works	Standard	

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NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
12.	Drainage devices, concrete curbs and gutters, sidewalks, drive approaches, and roadway pavement shall be designed in conformity with all provisions of the latest edition of the American Public Works Association Standard Plans ("APWA Standards").	Public Works	Standard	
13.	At the sole cost and expense of the Property Owner, any broken or damaged curbs, gutters, sidewalks, and street pavement resulting from construction of the Project shall be repaired and reconstructed in conformity with APWA Standards.	Public Works	Standard	
14.	Trash enclosures shall be provided and shall each have a minimum inside dimension of 10 feet x 12 feet, a gated opening that is at least 8 feet wide, and a 6 inch high by 6 inch wide concrete curb along the inside perimeter wall. Each enclosure shall also have at least a 6 inch thick concrete slab that drains at a one percent gradient out of the enclosure. Final approval for the size, location, and type of equipment needed for the adequate storage and disposal of all solid and recyclable waste generated by the Project shall be obtained from the City's Environmental Programs and Operations Manager. A fire suppression sprinkler system shall be provided within any covered trash enclosure area as required by the Fire Marshal. All refuse containers assigned to or otherwise used by the Project shall be stored on-site in the trash enclosures.	Public Works/ Fire/ Planning	Standard	

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NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
15.	All Project related solid and recyclable waste material handling shall be in accordance with CCMC Section 5.01.010 – "Solid Waste Management", which outlines the Sanitation Division's exclusive franchise for this service.	Public Works	Standard	
16.	All buildings and structures to be constructed as part of the Project shall be designed and constructed in accordance with all applicable regulations and standards of the City's Building Code, Fire Code and any related codes as determined by the Building Official and Fire Marshal; and all other applicable provisions of the CCMC which are adopted and in effect at the time of issuance of a building permit.	Building/ Fire	Standard	
17.	Any new utilities shall be placed underground or enclosed within the building construction; no new overhead utilities shall be permitted.	Building/ Planning	Standard	
18.	The Project shall comply with all applicable requirement of the Culver City Green Building Program as set forth in CCMC Section 15.02.1100, et.seq.	Building	Standard	
19.	The Project shall comply with the all applicable requirements relating to solar photovoltaic requirements as set forth in CCMC Section 15.02.100, et. seq.	Building	Standard	
20.	Changes to the Project or use approved as part of the Land Use Permit may only be made in accordance with the provisions of CCMC Section 17.595.035 – "Changes to an Approved Project".	Planning	Standard	

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NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
21.	Separate Trash enclosures for both the commercial and residential components of the project shall be provided.	Public Works/ Planning	Special	
22.	All perimeter block walls shall be of decorative block and shall be approved by the Planning Division prior to installation; the perimeter wall at the rear or north elevation shall be enhanced with clinging vines that shall be reflected in the landscape and irrigation plans.	Planning	Special	
23.	The proposed drive approach on Washington Boulevard shall be designed to a high speed approach standard.	Public Works	Special	
24.	A new curb return shall be constructed at the northwesterly corner of Marcase! Avenue and Washington Boulevard with a ten feet minimum radius, to include a curb ramp per the latest edition of the American Public Works Association (APWA) Standard Plans with a City approved truncated dome.	Public Works	Special	

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NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
25.	Marcasel Avenue shall be narrowed to a distance of fourteen feet from curb face to curb face and be a one-way southbound street beginning at the project's northerly boundary. Traffic on Marcasel Avenue shall only be allowed to make a right turn onto Washington Boulevard. No parking shall be allowed on either side of Marcasel Avenue and red curbs shall be painted along the entire length of the one-way portion of the street. The proposed public sidewalk along the project's frontage with Marcasel Avenue shall be a minimum of ten feet in width. The reconstruction of Marcasel Avenue shall include all necessary striping, legends, and signage and any necessary relocation of utilities and street lights. The final design of this narrowing shall be to the satisfaction of the City Engineer and Planning Manager.	Public Works/ Planning	Special	
26.	Due to the closure of existing drive approaches and the installation of new drive approaches, the existing parking "T's" and meter(s) along Washington Boulevard shall be relocated to the satisfaction of the City's Traffic Manager; and subject to American Public Works Association (APWA) Standard Plans, and Manual on Uniform Traffic Control Devices.	Public Works	Special	

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NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
27.	A raised median in Washington Boulevard shall be installed to accommodate a left turn lane for west bound traffic on Washington Boulevard turning southbound on Inglewood Boulevard. A dual left turn lane shall be striped beginning at the east end of the new raised median to allow for left turn movements of east bound traffic into the project's driveway. This work shall include all striping, raised markers, legends, and signage. The existing crosswalk at the end of the proposed median shall be repainted. All painting shall be thermoplastic. The raised median shall be improved with landscaping, irrigation, and lighting in conformance with the West Washington Area Improvement Plan Phase 6 as the approved community benefit approved by the City Council in Resolution No. 2001-R086 adopted on October 24, 2011.	Public Works/ Planning	Special	
28.	Streetscape improvements including, but not limited to, street trees and other landscaping, decorative concrete sidewalks, and street furniture (benches, trash receptacles, and bike racks) shall be installed along the project's frontage with Washington Boulevard and Marcasel Avenue to the satisfaction of the City Engineer and Planning Manager.	Public Works/ Planning	Special	
29.	New induction streetlights shall be installed along Marcasel Avenue, to include City approved streetlight standards, pull boxes, and light fixtures per American Public Works Association (APWA) Standard Plans to the satisfaction of the City Engineer.	Public Works	Special	

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NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
30.	New induction streetlights shall be installed along Washington Boulevard, to include City approved streetlight standards, pull boxes, and light fixtures per American Public Works Association (APWA) Standard Plans to the satisfaction of the City Engineer.	Public Works	Special	
PRIOR TO BUILDING PERMIT ISSUANCE				
31.	A covenant and agreement, on a form provided by the Planning Division and in form and substance acceptable to the City Attorney, acknowledging and agreeing to comply with all terms and conditions established herein, shall be signed by the Property Owner and recorded in the County Recorder's Office. The covenant and agreement shall run with the land and shall be binding on any subsequent owners, and tenants or occupants of the Property. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Planning Division.	Planning/ City Attorney	Standard	
32.	The Applicant and Property Owner shall indemnify and agree to defend (at the Applicant's and Property Owner's sole expense, with legal counsel approved by the City) and hold harmless the City, and its elected and appointed officials, officers, employees, agents, contractors and consultants from and against any and all loss, damages, injuries, costs, expenses, liabilities, claims, demands, lawsuits, attorneys' fees and judgments, arising from or in any manner connected to any third party challenge to the City's approval of the Project. The obligations required by this Condition shall be set forth in a written instrument in form and substance acceptable to the City Attorney and signed by the Applicant and the Property Owner.	City Attorney	Standard	

EXHIBIT A
 RESOLUTION NO. 2011-P005
 Case Nos: Site Plan Review, SPR P-2011162;
 Administrative Modification, AM P-2011159;
 Administrative Use Permit, AUP P-2011160;
 Tentative Tract Map, TTM P-2011163 (TTM No. 71799)
 11945, 11953, & 11955/57 Washington Boulevard

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
PRIOR TO BUILDING PERMIT ISSUANCE				
33.	A minimum of three sets of final landscaping and irrigation plans (separate from the plans submitted for the building permit) shall be submitted to the Planning Division for review and approval.	Planning/ Parks & Rec.	Standard	
34.	Payment of New Development Impact Fees pursuant to CCMC Section 15.06.005 et. seq. shall be submitted.	Planning/ Building	Standard	
35.	A Construction Management Plan prepared by the construction contractor, which identifies the areas of construction staging, temporary power, portable toilet, and trash and material storage locations, shall be submitted to and approved by the Building Official. Prior to commencement of work the construction contractor shall advise the Public Works Inspector and the Building Inspector ("Inspectors") of the construction schedule and shall meet with the Inspectors.	Building/ Public Works	Standard	
36.	A Pedestrian Protection Plan shall be submitted to and approved by the Building Official. Such plan shall identify all areas of pedestrian protection and indicate the method of pedestrian protection or pedestrian diversion when required. When pedestrian diversion is required, the Pedestrian Protection Plan must also be approved by the Public Works Director.	Building/ Public Works	Standard	

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NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
PRIOR TO BUILDING PERMIT ISSUANCE				
37.	Plans submitted as part of the building permit application shall include a schedule of the special inspections anticipated, the firm proposed for the special inspections, and the resumes of all proposed special inspectors. The Building Official reserves the right to reject any special inspector at any time for the duration of the Project. All special inspection reports shall be made available to the Building Official and to any Culver City Building Safety inspector as required by the Building Official. No work shall be covered without a Culver City Building Safety inspection, whether or not a special inspection was performed on such work.	Building	Standard	
38.	A vector/pest control abatement plan prepared by a pest control specialist licensed or certified by the State of California shall be submitted for review and approval by the Planning Manager and the Building Official. Said plan shall outline all steps to be taken prior to the commencement of any demolition or construction activity in order to ensure that any and all pests (including	but not limited to	rodents	
39.	Prior to issuance of a building permit, notice of the Project construction schedule shall be provided to all abutting property owners and occupants. Evidence of such notification shall be provided to the Building Division. The notice shall identify the commencement date and proposed timing for all construction phases (demolition, grading, excavation/shoring, foundation, rough frame, plumbing, roofing, mechanical and electrical, and exterior finish).	Building	Standard	

EXHIBIT A

RESOLUTION NO. 2011-P005

Case Nos: Site Plan Review, SPR P-2011162;

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11945, 11953, & 11955/57 Washington Boulevard

40.	A Construction Traffic Management Plan shall be prepared by a traffic or civil engineer registered in the State of California. The Construction Traffic Management Plan shall be submitted to the City Engineer and Planning Manager for review and approval prior to the issuance of any Project demolition, grading, or excavation permit. The Construction Traffic Management Plan shall also be reviewed and approved by the City's Fire and Police Departments. The City Engineer and Planning Manager reserve the right to reject any engineer at any time and to require that the Plan be prepared by a different engineer. The Construction Traffic Management Plan shall contain, but not be limited to, the following: A. The name and telephone number of a contact person who can be reached 24 hours a day regarding construction traffic complaints or emergency situations. B. An up-to-date list of local police, fire, and emergency response organizations and procedures for the continuous coordination of construction activity, potential delays, and any alerts related to unanticipated road conditions or delays, with local police, fire, and emergency response agencies. Coordination shall include the assessment of any alternative access routes that might be required through the Property, and maps showing access to and within the Property and to adjacent properties. C. Procedures for the training and certification of the flag persons used in implementation of the Construction Traffic Management Plan. D. The location, times, and estimated duration of any roadway closures, traffic detours, use of protective devices, warning signs, and staging or queuing areas. E. The location and travel routes of off-site staging and parking locations.	Planning/ Public Works	Standard	
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 Case Nos: Site Plan Review, SPR P-2011162;
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NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
PRIOR TO BUILDING PERMIT ISSUANCE				
41.	Reasonable efforts shall be used to reuse and recycle construction and demolition debris, to use environmentally friendly materials, and to provide energy efficient buildings, equipment and systems. A Demolition Debris Recycling Plan that indicates where select demolition debris is to be sent shall be provided to the Building Official prior to the issuance of a demolition permit. The Plan shall list the material to be recycled and the name, address, and phone number of the facility of organization accepting the materials.	Building	Standard	
42.	The Community Benefit Contribution of \$268,000 for required streetscape improvements and maintenance shall be paid to the City Finance Department.	Planning	Special	
43.	Prior to the issuance of a demolition permit, an asbestos and lead survey shall be submitted to the Planning Division and Building Safety Division for review. The survey shall indicate the requirements on remediating the site and precautions taken during demolition and transport of hazardous materials according to the state regulations and Asbestos Hazard Emergency Response Act (AHERA).	Building	Special/ CEQA Mitigation	

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PRIOR TO BUILDING PERMIT ISSUANCE				
44.	Secure bicycle parking shall be provided to accommodate fourteen (14) bicycles. The bicycle parking shall be provided to accommodate eight (8) spaces for the use of the occupants of the residential units and at least six (6) short-term parking spaces. The long-term spaces shall be provide in individual bike lockers on the subterranean floor of the project's parking structure, in front parking space No. 17. Long-term bike parking lockers shall be made available to residents free of charge, and the lockers shall be managed by the property management staff. All the short-term spaces shall be provided on the public sidewalk along Washington Boulevard, using three (3) City approved "Inverted - U" Bicycle Racks. Bicycle Parking shall meet the minimum standards specified in the City's Bicycle and Pedestrian Master Plan Design Guide, Section 1.8. The compliance with these requirements and the final bicycle parking layout shall be approved by Public Works Administration staff, prior to issuance of any Public Works Department/Engineering Division Permit for the Project.	Public Works	Special	

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NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
DURING CONSTRUCTION				
45.	During all phases of construction, a "Construction Rules Sign" that includes contact names and telephone numbers of the Applicant, Property Owner, construction contractor(s), and the City, shall be posted on the Property in a location that is visible to the public. These names and telephone numbers shall also be made available to adjacent property owners and occupants to the satisfaction of the Planning Manager and Building Official.	Building/ Planning	Standard	
46.	The Property shall be maintained daily so that it is free of trash and litter.	Building	Standard	
47.	During construction, dust shall be controlled by regular watering or other methods as determined by the Building inspector.	Building	Standard	
48.	The Building Division may apply administrative assessments and/ or post general stop work notices for any violations of the Conditions of Approval for the Project, and any violations of the CCMC.	Building	Standard	
49.	During all phases of construction, best efforts shall be used to ensure that all construction workers, contractors and others involved with the Project park on the Property or at designated offsite locations approved by the City, and not in the surrounding neighborhood.	Building	Standard	
50.	When foundation shoring and/or foundation piles will be part of the Project, the engineer of record shall use noise dampening measures such as the drilling of shoring supports and piles as determined by the Building Official and Planning Manager.	Building/ Planning	Standard	

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DURING CONSTRUCTION				
51.	Prior to the commencement of any excavation, a temporary construction fence shall be installed around the site. The height and fence material is subject to approval by the City Engineer and the Planning Manager.	Building/ Planning/ Public Works	Standard	
52.	Hours of construction shall be limited to the following: 8:00 AM to 8:00 PM Monday through Friday; 9:00 AM to 7:00 PM Saturday; and 10:00 AM to 7:00 PM Sunday and National holidays. Dirt hauling and construction material deliveries or removal are prohibited during the morning (7:00 AM to 9:00 AM) and afternoon (4:00 PM to 6:00 PM) peak traffic periods. All construction workers shall be respectful of the surrounding neighborhood and keep non-construction related noise to a minimum prior to, during, and after permissible construction hours.	Building/ Public Works	Standard	
53.	All staging and storage of construction equipment and materials, including the construction dumpster, shall be on-site only. The Property Owner must obtain written permission from adjacent property owners for any construction staging occurring on adjacent property.	Building/ Public Works	Standard	

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DURING CONSTRUCTION				
54.	Compliance with the following noise standards shall be required with at all times: A. No construction equipment shall be operated without an exhaust muffler, and all such equipment shall have mufflers and sound control devices (i.e., intake silencers and noise shrouds) that are no less effective than those provided on the original equipment; B. All construction equipment shall be properly maintained to minimize noise emissions; C. If any construction vehicles are serviced at a location onsite, the vehicle(s) shall be setback from any street and other property lines so as to maintain the greatest distance from the public right-of-way and from Noise Sensitive Receptors; D. Noise impacts from stationary sources (i.e., mechanical equipment, ventilators, and air conditioning units) shall be minimized by proper selection of equipment and the installation of acoustical shielding as approved by the Planning Manager and the Building Official in order to comply with the City's Noise Regulations and Standards as set forth in CCMC Chapter 9.07; and E. Stationary source equipment (i.e., compressors) shall be located so as to maintain the greatest distance from the public right-of-way and from Noise Sensitive Receptors.	Building/ Planning	Standard	

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DURING CONSTRUCTION				
55.	In the event three citations are issued in connection with the Project for violations of these Conditions of Approval or for other violations of the CCMC, Project construction shall be stopped until such time that it is determined to the satisfaction of the Community Development Director, that causes of such violations have been eliminated or corrected and that the Project will be able to proceed in full compliance with these Conditions of Approval and the CCMC.	Building/ Planning	Standard	
56.	Flag persons with certified training shall be provided for work site traffic control to minimize impacts to traffic flow and to ensure the safe movement of vehicles into and out of the Property.	Building/ Public Works	Standard	
57.	During construction, trucks and other vehicles in loading and unloading queues must be parked with their engines off to reduce vehicle emissions. Construction deliveries shall be phased and scheduled to avoid emissions peaks as determined by the Building Official and discontinued during second-stage smog alerts.	Building	Standard	
58.	Construction vehicles shall not be permitted to stage or queue where they would interfere with vehicular and pedestrian traffic or block access to adjacent properties. Off-site staging shall be at locations approved by the City Engineer and shall be of sufficient length to accommodate large trucks without being unduly disruptive to traffic operations. The drivers of these trucks shall be in radio or phone communication with on-site personnel who shall advise the drivers when to proceed from the staging location to the Property. Construction-related vehicles shall not be permitted to park on public streets.	Building/ Public Works	Standard	

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NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
PRIOR TO CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION				
59.	All provisions, and requirements set forth in these Conditions of Approval, in the Resolution approving the project, in the CCMC, or in any applicable written comments as provided by City representatives on November 3, 2011 at the Project Review Committee meeting on the Land Use Permit application, shall be fulfilled and satisfied to the satisfaction of all City departments before the use may be established or the Project occupied.	All	Standard	
60.	All requirements of the City's Residential Development Park Dedication and In Lieu Parkland Fees, as set forth in CCMC Section 15.06.300, et. seq., shall be fully satisfied prior to the issuance of a certificate of occupancy; provided that if such requirements will be satisfied by the payment of the in-lieu parkland fee, the same shall be paid prior to the issuance of a building permit.	Planning/ Parks	Standard	
61.	All requirements of the City's Art in Public Places Program, as set forth in CCMC Section 15.06.100, et. seq., shall be fully satisfied prior to the issuance of a certificate of occupancy; provided that if such requirements will be satisfied by the payment of the public art in-lieu fee, the same shall be paid prior to the issuance of a building permit.	Cultural Affairs	Standard	

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NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
PRIOR TO CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION				
62.	All onsite and offsite improvements and all conditions of approval except those which are deferred pursuant to a bond or letter of credit as determined and approved by the Building Official, Fire Marshal, Planning Manager, and/or City Engineer shall be completed prior to issuance of any certificate of occupancy. Prior to issuance of any certificate of occupancy the following shall be provided to and approved by the City: A. Five full sets of as-built plans that shall include at a minimum the site plan, grading and utility plan, landscape and irrigation plan, floor plan for each level of the Project, parking structure plan, roof plan with all mechanical equipment identified as to purpose and source and all offsite improvements; and B. One set of as-built plans as described above in a digital format compatible with the City's computer system.	All	Standard	
63.	A certificate of occupancy for the approved project will be issued only upon completion of all required site improvements, satisfaction of all conditions of approval, and completion of all conditions of the Marcasel Avenue partial street vacation as may be required by the Public Works Department. The City Engineer may require at his/her discretion a bond for completion of any or all public right of way improvements associated with the street vacation.	Public Works/ Planning	Special	

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PRIOR TO CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION				
64.	The following items shall be submitted for review and/or approval by the Planning Manager and City Engineer/City Attorney (if applicable): a. A parking plan that designates assigned parking spaces for residents, guests, commercial uses and visitors to the sites; b. The declaration of covenants, conditions and restrictions (CC&R's), the homeowners' association bylaws and, if applicable, the condominium plan (Condo Plan) (submitted to the City Attorney for approval). Additionally, the applicant shall record, concurrently with the recordation of the final map, the City approved CC&R's and, if applicable, the Condo Plan. The CC&R's shall include, but not be limited to, language that requires to the extent possible, condominium residents and business owners to park on-site and not park on neighboring residential streets. c. A covenant and agreement executed in favor of the City outlining land use restrictions per CCMC Section 17.400.065 D(4) and filed with the Los Angeles County Recorder and paid for by the owner of each residential unit within the project.	Public Works/ City Attorney Planning	Special	
ON-GOING				
65.	The use and development of the Property shall be in substantial conformance with the plans and materials submitted with the application for the Land Use Permit as reviewed by the Planning Commission at its meeting on December 14, 2011 , excepted as modified by these Conditions of Approval.	Planning	Standard	

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ON-GOING				
66.	Pursuant to CCMC Section 17.650.020 - "Inspection", the Property Owner and Applicant shall allow authorized City officials, or their designees, access to the Property where there is reasonable cause to believe the Property is not in compliance with these Conditions of Approval or other requirements of the CCMC.	All	Standard	
67.	The use and development of the Property shall comply with these Conditions of Approval and all applicable local, special district or authority, county, state and federal statutes, codes, standards, and regulations including, but not limited to, Building Division, Fire Department, Planning Division and Public Works Department requirements, and shall comply with all applicable CCMC requirements and all comments made during the City's building permit plan check review process. Failure to comply with said Conditions, statutes, codes, standards, and regulations may result in reconstruction work, demolition, stop work orders, withholding of certificate of occupancy, revocation of land use permit approval and/or any other lawful action the City might deem reasonable and appropriate to bring about compliance.	All	Standard	
68.	All graffiti shall be removed from the Property within 48 hours of its application.	Building/ Public Works	Standard	
69.	The Property Owner shall maintain all street trees along the property frontage at his/her sole cost and expense.	Public Works	Standard	

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ON-GOING				
70.	All mitigation measures set forth in any environmental document relating to the Project (including any reports of the type contemplated by the California Environmental Quality Act) shall be completed as specified therein.	Planning	Standard	
71.	All tandem (blocked and unblocked) parking spaces shall be assigned to the same residential unit and tandem parking shall not be made available for non-residential uses.	Planning	Special	
72.	The property owner, and his or her successors, heirs and assigns, shall be responsible for all maintenance and costs associated with maintenance of the public right of way improvements along the Washington Boulevard and Marcasel sidewalks. Further, the property owner, and his or her successors, heirs and assigns, shall indemnify, defend and hold harmless the City and the City's elected and appointed officials, officers, employees, agents, contractors and consultants from and against any and all claims, demands, lawsuits, judgments, liability, injury or damage arising from or in any manner connected to the installation and maintenance of the Improvements. Said indemnification shall be set forth in a written instrument acceptable to the City Attorney, which shall be signed by the property owner prior to issuance of a Certificate of Occupancy.	Public Works/ Planning	Special	

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NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
TENTATIVE TRACT MAP CONDITIONS				
73.	The following conditions apply to Tentative Tract Map No. 71799, TTM P20111163: A. All required boundary monuments shall be installed prior to the recording of the final map. At a minimum, a spike and washer shall be set on the centerline of Marcasel Avenue at the intersection of the prolongation of the project's northerly boundary and on the centerline of Washington Boulevard with the intersection of the prolongation of the project's easterly boundary. Each monument shall be tied to at least three (3) points, with lead and tags, and centerline tie notes filed with the Engineering Division. B. If required, an improvement bond and agreement shall be filed with the City prior to the recording of the final map for those improvements awaiting completion and approved by the City Engineer to be bonded. The bond shall include, but not be limited to, labor and material and be based on estimated construction costs as provided by the City. C. The final map shall be submitted to the County of Los Angeles Department of Public Works for review, approval and recordation. After approval of the technical aspect of the map by Los Angeles County, and prior to recordation, the final map shall be approved by the City. A copy of the first plan check package as submitted to Los Angeles County shall also be submitted concurrently to the Culver City Engineering Division for review.	Public Works	Special	

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| <p>D. A copy of the final map in digital and mylar format shall be filed with the Engineering Division prior to final acceptance by the City.</p> <p>E. The final map shall be recorded prior to the issuance of any Certificate of Occupancy for any residential air space unit.</p> <p>F. The final map shall conform to the conditionally approved tentative map approved by the Planning Commission on December 14, 2011.</p> <p>G. The applicant shall show the partial street vacation of Marcasel Avenue and any required easements on the final map.</p> <p>H. The tentative tract map shall expire within three (3) years after the date it becomes effective unless the applicant submits an extension request in writing to the Planning Manager and is granted said extension by the Planning Manager or the Planning Commission or the City Council.</p> <p>I. A copy of the first plan check package as submitted to the Los Angeles County Department of Public Work shall also be submitted concurrently to the Culver City Engineering Division for review.</p> <p>J. The final map shall be prepared by a Land Surveyor or Civil Engineer licensed in the State of California.</p> <p>K. The project boundary shall be tied to at least one (1) City global positioning satellite (GPS) monument.</p> <p>L. The final map shall include a corner cut off at the northeast corner of Marcasel Avenue and Washington Boulevard to be dedicated for street purposes.</p> | | | |
|--|--|--|--|

RESOLUTION NO. 2011-R 086

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, ESTABLISHING A COMMUNITY BENEFIT DISTRICT AND ESTABLISHING COMMUNITY BENEFITS RELATED TO THE WASHINGTON/MARCASEL RESIDENTIAL AND RETAIL MIXED USE DEVELOPMENT IN CONNECTION WITH THE COMMUNITY BENEFIT INCENTIVE PROGRAM AND SECTION 17.400.065 OF THE ZONING CODE - MIXED USE DEVELOPMENT STANDARDS.

WHEREAS, On March 10, 2008, The Culver City City Council ("The Council") adopted resolution 2008-R015 establishing a Community Benefit Incentive Program in connection with the Mixed Use Development Standards; and,

WHEREAS, this resolution recognizes that with added development there are potentially added impacts to the community that can be mitigated, in whole or in part, through the benefits established for the community; and

WHEREAS, a community meeting was held on September 1, 2011, to discuss the benefits applicable to the area; and

WHEREAS, on October 24, 2011, the Council indentified a Community Benefit District related to the Washington/Marcasel Residential and Retail Mixed Use Development which boundaries are coterminous with Phase VI of the West Washington Area Improvement Plan, that is the City block from Atlantic to Marcasel Avenues, as indicated in Exhibit A.

NOW, THEREFORE, the City Council of the City of Culver City DOES HEREBY RESOLVE as follows:

....

....

1
2 1. That the prescribed Community Benefit for the Community Benefit
3 District related to the Washington/Marcasel Residential and Retail Mixed Use
4 Development shall be Streetscape Improvements (landscaped medians).

5 2. The Community Benefit noted above shall be established in
6 accordance with the requirements of Resolution 2008-R015.

7 APPROVED and ADOPTED this 24th day of October 2011.

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10 

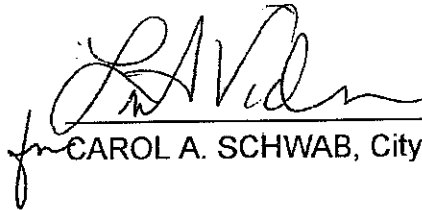
11 MICHEÁL O'LEARY, MAYOR
12 City of Culver City, California
13
14

15 ATTEST:

16 APPROVED AS TO FORM:

17
18 

19 MARTIN R. COLE, City Clerk

20 

21 CAROL A. SCHWAB, City Attorney
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23
24
25
26
27
28

A11-00712

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF CULVER CITY)

I, Ela Valladares, Deputy City Clerk of the City of Culver City, California,
do hereby certify that the foregoing Resolution No. 2011-R086 as duly and
regularly adopted, passed, and approved by the City Council of the City of
Culver City, California, at a regular meeting of said City Council held at the
regular meeting place thereof, on the 24th day of October 2011, by the
following Councilmember vote:

AYES: Cooper, Malsin, Weissman, O'Leary
NOES: Armenta
ABSTAIN: None
ABSENT: None

Dated this 25th day of October, 2011.



Ela Valladares
Deputy City Clerk and Ex-Officio Clerk of the City Council
City of Culver City, State of California



marcasel
a residential and retail building

a residential and retail building

11957 washington blvd.
culver city, california

RECEIVED

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**Culver City
Planning Division**



LOT APN NOS.
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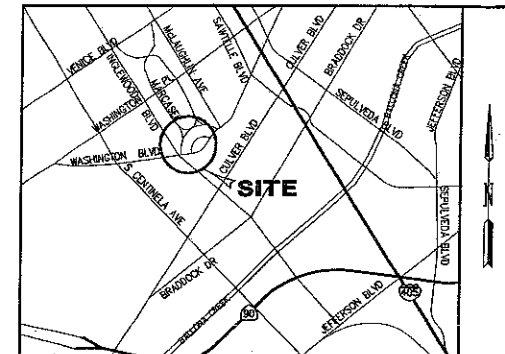
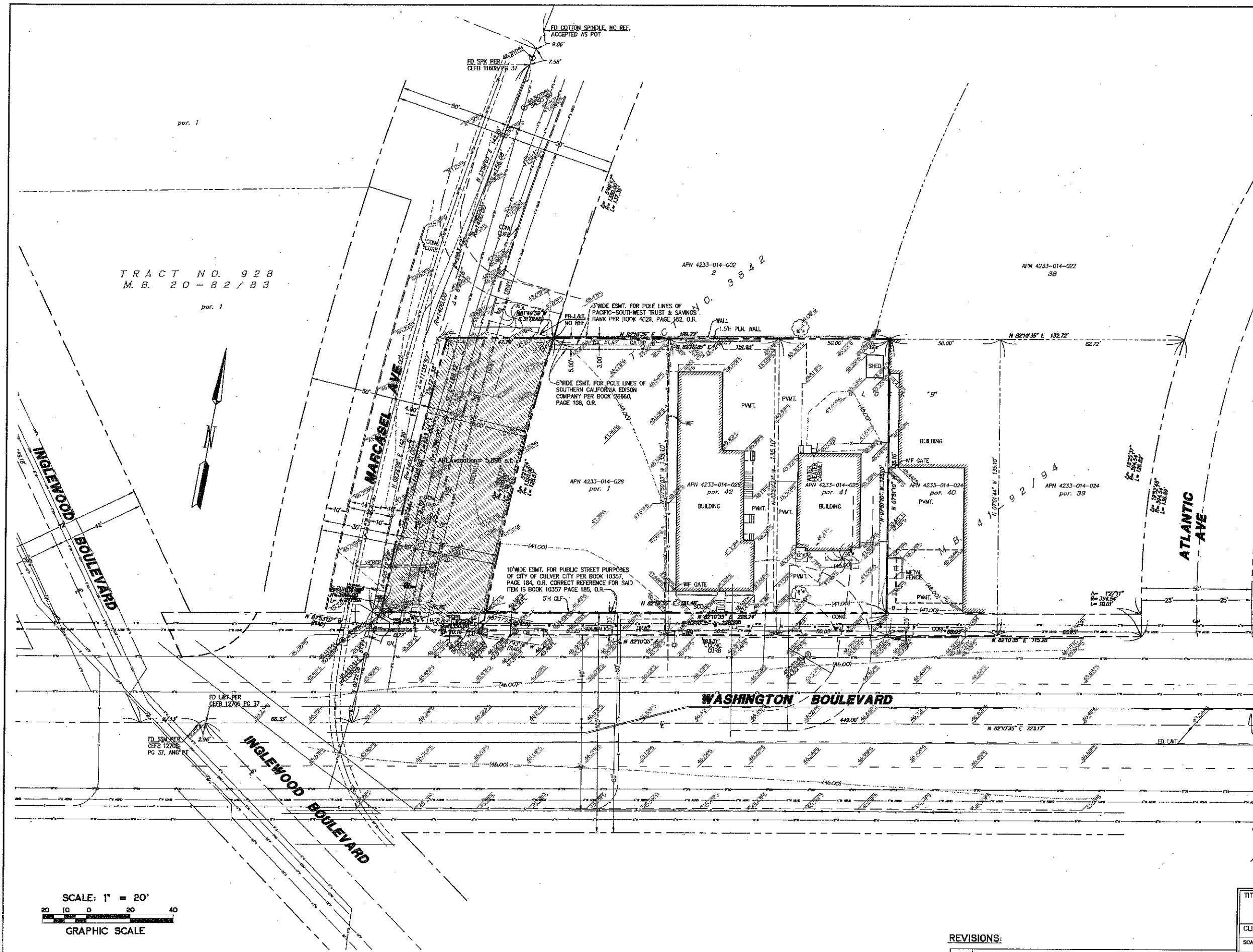
proposed site - aerial view:
scale: nts

marcasel
a residential and retail building
11957 washington blvd.
culver city, california



client review: 8-30-11
planning: 10-15-11
planning: 11-9-11

05-03-00
A0.0



VICINITY MAP
NOT TO SCALE

APN / PROPERTY ADDRESS:

APN 4233-014-025 - 11945 W WASHINGTON BLVD, CULVER CITY, CA 90066
APN 4233-014-026 - 11953 W WASHINGTON BLVD, CULVER CITY, CA 90066
APN 4233-014-028 - 11955 W WASHINGTON BLVD, CULVER CITY, CA 90066

BASIS OF BEARINGS:

THE BEARING NORTH 34° 12' 20" EAST OF THE CENTERLINE OF WASHINGTON BOULEVARD AS SHOWN ON TRACT NO. 3842, FILED IN MAP BOOK 41 PAGES 92, 93 AND 94, RECORDS OF LOS ANGELES COUNTY, WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY.

BENCHMARK:

BENCHMARK NO: 17-06032

DATUM: NAVD 1988

YEAR OF ADJUSTMENT: 2000
ELEVATION (FEET): 43.880 (ELEVATION USED IN THIS SURVEY)
DESCRIPTION: CITY OF L.A. SURV. PBM *STMPD 17-06032
1969* 2FT N OF N CURB LINE WASHINGTON BLVD; 69.5 FT
E OF P.L. CENTINELA AVE; E END CATCH BASIN

DATUM: NAVD 1928

YEAR OF ADJUSTMENT: 1985
ELEVATION (FEET): 41.483
DESCRIPTION: CITY OF L.A. SURV. PBM *STMPD 17-06032
1969* 2FT N OF N CURB LINE WASHINGTON BLVD; 69.5 FT
E OF P.L. CENTINELA AVE; E END CATCH BASIN

LEGEND:

AC - ASPHALT CONCRETE
ANG PT - ANGLE POINT
BW - BACK OF WALK
CEFB - CITY ENGINEER FIELD BOOK
C/L - CENTERLINE
CONC - CONCRETE
DRWY - DRIVEWAY
FD - FOUND
FG - FINISH GRADE
FS - FINISH SURFACE
H - HIGH
HOR - HANDICAP RAMP
INV - INVERT ELEVATION
LAT - LEAD AND TAG
PMT - PAVEMENT
PLN - PLANTER
SPK - SPIKE
SSM - STANDARD SURVEY MONUMENT
TC - TOP OF CURB
TW - TOP OF WALL
WF - WROUGHT IRON FENCE

SYMBOLS:

SP - SIGN POST
GP - GUARD POST
SL - STREET LIGHT
PP - POWER POLE
GA - GUY ANCHOR & WIRE
FH - FIRE HYDRANT
GM - GAS METER
GV - GAS VALVE
WV - WATER VALVE
SC - SEWER CLEANOUT
CB - CATCH BASIN
SLP - STREET LIGHT PULLBOX
TSB - TRAFFIC SIGNAL PULLBOX
SMH - SEWER MANHOLE
SDM - STORM DRAIN MANHOLE
T - TREE
P - PALM TREE
N - NUMBER OF MARKED PARKING SPOTS
H - HANDICAPPED SPACE
I - ITEM NO. PER TITLE REPORT

PROPERTY LINE (NET)
CENTERLINE
LOT LINE
BUILDING LINE
WALL (L, HIGH)
CHAIN LINK FENCE
WOOD FENCE
WROUGHT IRON FENCE

SCALE: 1" = 20'
GRAPHIC SCALE

REVISIONS:

NO.	DESCRIPTION	DATE

TITLE TOPOGRAPHIC SURVEY MARCASEL 11957 WASHINGTON BOULEVARD, CULVER CITY, CA	
CLIENT BASTION DEVELOPMENT	JOB NO. 11-58
SCALE 1"=20'	DATE 10/27/2011
SURVEY BY MB/NA	SHEET 2
PREPARED BY EP/NA	OF 1 SHEETS
CHECKED BY G.K.B.	BY <i>[Signature]</i> GEORGE K. BERNHARTH R.C.E. 13737



CITY OF CULVER CITY

SCALE: 1" = 20'



GRAPHIC SCALE

APH 4233-014-022
38

TRACT NO. 928
M.B. 20-82/83

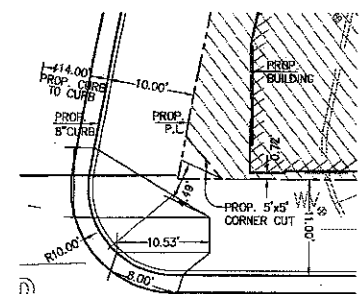
por. 1

APH 4233-014-002
2 38 A 2

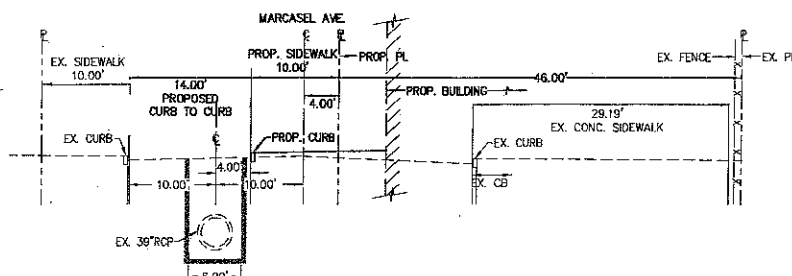
3' WIDE ESMT. FOR POLE LINES OF
PACIFIC-SOUTHWEST TRUST & SAVINGS
BANK PER BOOK 4023, PAGE 182, O.R.

5' WIDE ESMT. FOR POLE LINES OF
SOUTHERN CALIFORNIA EDISON
COMPANY PER BOOK 28860,
PAGE 108, O.R.

10' WIDE ESMT. FOR PUBLIC STREET PURPOSES
OF CITY OF CULVER CITY PER BOOK 10357,
PAGE 184, O.R. CORRECT REFERENCE FOR SHD
ITEM IS BOOK 10357 PAGE 185, O.R.



HCR DETAIL
(CASE C)
SCALE 1"=10'



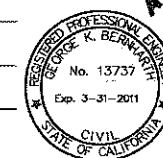
SECTION A-A
SCALE 1"=10'

ATLANTIC AVE

WASHINGTON BOULEVARD

INGLEWOOD BOULEVARD

LOUISE AVENUE

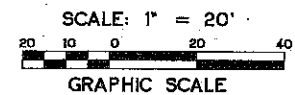
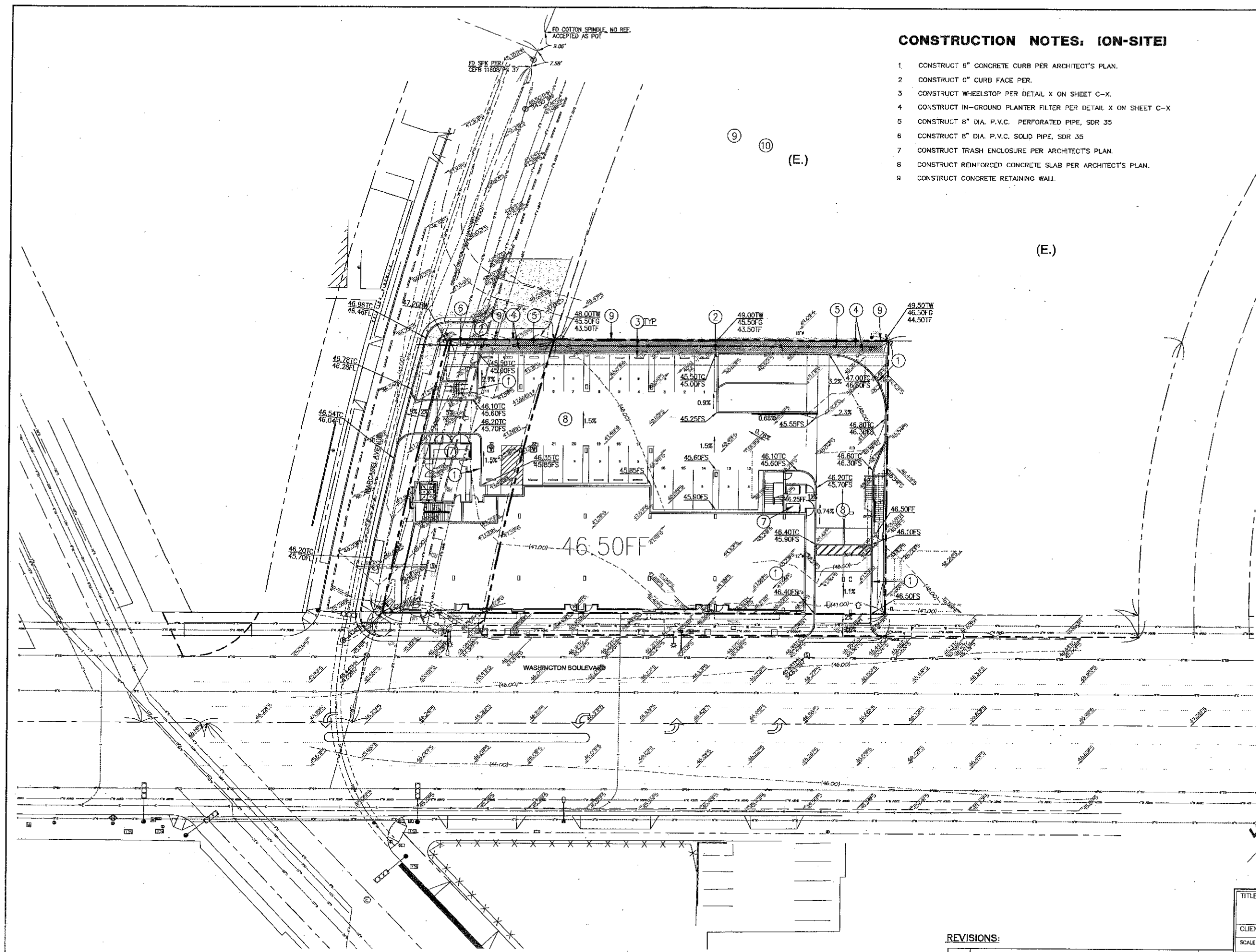


TITLE			
VACATION MAP MARCASEL			
11945, 11953 & 11955 WASHINGTON BOULEVARD, CULVER CITY, CA 90066			
CLIENT			
BASTION DEVELOPMENT			
SCALE 1"=20'			
SEABOARD ENGINEERING CO.			
SURVEY BY			
1100 S. BEVERLY DRIVE, STE 201 LOS ANGELES, CALIFORNIA 90035			
PREPARED BY/MA			
TOL (310) 277-7337 FAX (310) 277-7339 SEABOARD@SEABOARDENGINEERING.COM			
CHECKED BY/G.K.B.			
BY <i>George K. Bernhardt</i> R.C.E. 13737			
JOB NO. 11-58		DATE 08/30/2011	
SHEET 3		OF SHEETS	

MARCASEL.dwg

CONSTRUCTION NOTES: (ON-SITE)

1. CONSTRUCT 6" CONCRETE CURB PER ARCHITECT'S PLAN.
2. CONSTRUCT 0" CURB FACE PER.
3. CONSTRUCT WHEELSTOP PER DETAIL X ON SHEET C-X.
4. CONSTRUCT IN-GROUND PLANTER FILTER PER DETAIL X ON SHEET C-X.
5. CONSTRUCT 8" DIA. P.V.C. PERFORATED PIPE, SDR 35
6. CONSTRUCT 8" DIA. P.V.C. SOLID PIPE, SDR 35
7. CONSTRUCT TRASH ENCLOSURE PER ARCHITECT'S PLAN.
8. CONSTRUCT REINFORCED CONCRETE SLAB PER ARCHITECT'S PLAN.
9. CONSTRUCT CONCRETE RETAINING WALL.

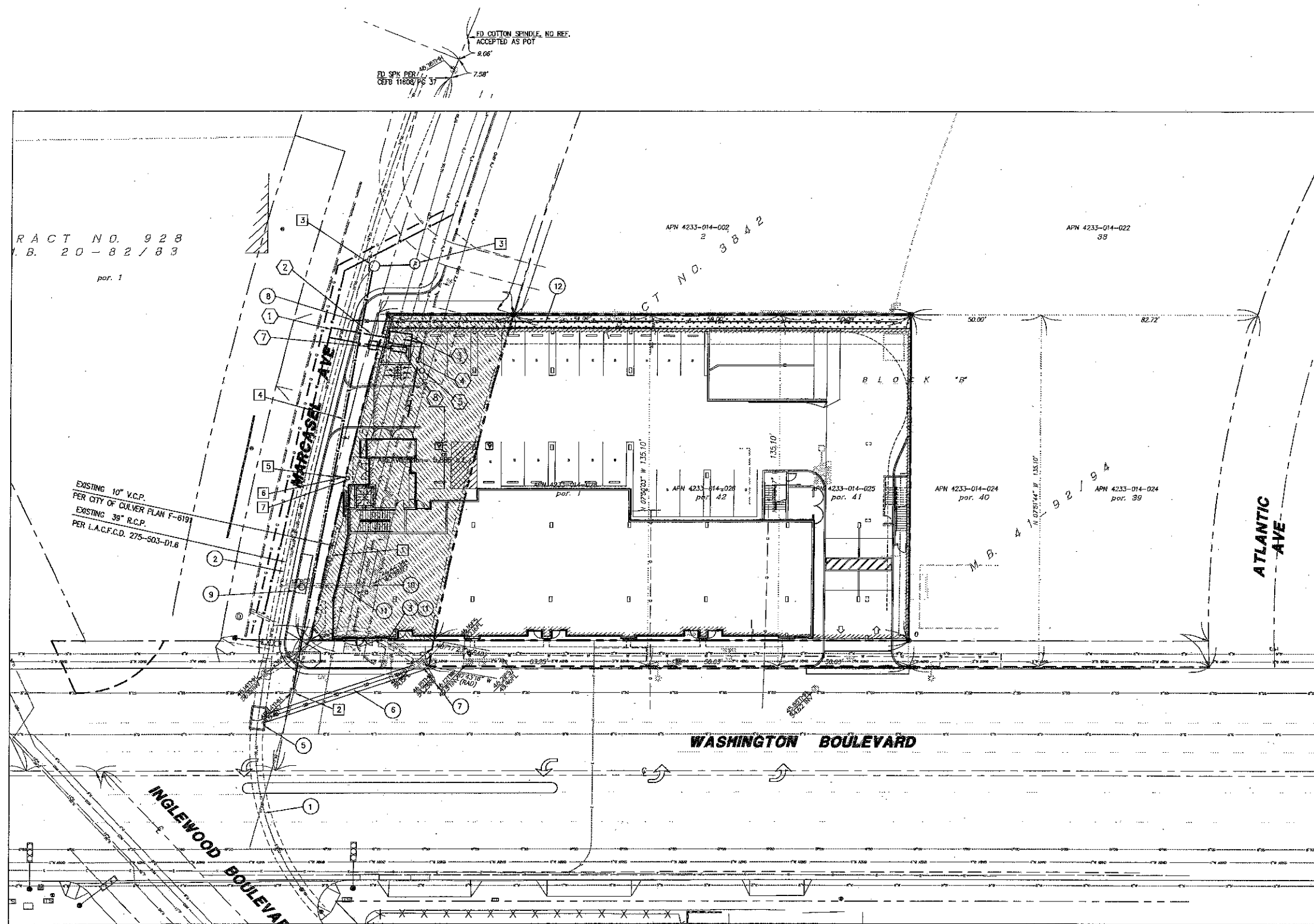


LOUISE AVENUE

REVISIONS:

NO.	DESCRIPTION	DATE

TITLE PRELIMINARY GRADING PLAN MARCASEL 11957 WASHINGTON BOULEVARD, CULVER CITY, CA	
CLIENT BASTION DEVELOPMENT	JOB NO. 11-58
SCALE 1"=20'	DATE 19/27/2011
SURVEY BY MB/NA	SHEET 1
PREPARED BY EP/MA	OF SHEETS
CHECKED BY G.K.B.	
SEABOARD ENGINEERING CO. 1100 S. BEVERLY DRIVE, STE 201 LOS ANGELES, CALIFORNIA 90035 TEL (310) 277-7337 FAX (310) 277-7338 SEABOARD@SEABOARDENGINEERING.COM	



LEGEND / SYMBOLS :

AC	ASPHALT CONCRETE	CB	CATCH BASIN
A.P.N.	ASSESSOR'S PARCEL NUMBER	DRN	DRAIN
BW	BACK OF WALK	FH	FIRE HYDRANT
CB	CATCH BASIN	GM	GAS METER
CBNT	CABINET	GA	GUY ANCHOR
CBW	CONCRETE BLOCK WALL	MW	MONITORING WELL
C	CENTERLINE	PLR	PILLAR
C.E.F.B.	CITY ENGINEER'S FIELD BOOK	PP	POST
CF	CURB FACE	PP	POWER POLE
CLF	CHAIN LINK FENCE	SMH	SEWER MANHOLE
CLR	CLEAR/CLEARANCE	SP	SIGN POST
CONC	CONCRETE	SDMH	STORM DRAIN MANHOLE
COR.	CORNER	SLPB	STREET LIGHT
DRN	DRAIN	SLPB	STREET LIGHT PULL BOX
DRWY	DRIVEWAY	T.M.H.	TELEPHONE MANHOLE
EG	EDGE OF CUTTER	E.M.H.	ELECTRIC MANHOLE
EL	ELEVATION	TS	TRAFFIC SIGNAL
ELEC	ELECTRIC	TSB	TRAFFIC SIGNAL PULL BOX
EMH	ELECTRIC MANHOLE	UB	UTILITY BOX
ENCR.	ENCROACHING	WPB	WATER PULL BOX
EP	EDGE OF PAVEMENT	WM	WATER METER
FD	FIND	WV	WATER VALVE
FF	FINISHED FLOOR		
FH	FIRE HYDRANT	T8	TREE
FS	FINISHED SURFACE	T8PA	PALM TREE
FG	FINISHED GRADE		
FTG	FOOTING	12	NO. OF PARKING SPACE
GA	GUY ANCHOR	R	REGULAR
GP	GUARD POST	C	COMPACT
HCR	HANDICAP RAMP	H	HANDICAP
INV	INVERT	5	ITEM NO. PER TITLE REPORT
L & T	LEAD & TAG	1	ENCROACHMENT ITEM NO.
L.S.	LAND SURVEYOR	6	HANDICAP SYMBOL
M.B.	MAP BOOK		
M.H.	MANHOLE		
M.R.	MISCELLANEOUS RECORDS		
OH	OVERHANG		
O.R.	OFFICIAL RECORDS		
PL	PROPERTY LINE		
P.M.	PUNCHED MARKS		
PP	POWER POLE		
P.R.C.	POINT OF REVERSE CURVE		
R.C.E.	REGISTERED CIVIL ENGINEER		
R.W.L.	RETAINING WALL		
S.M.F.	SEARCHED, NOT FOUND		
TC	TOP OF CURB		
TG	TOP OF GRADE		
TP	TOP OF PIPE		
TRW	TREE WELL		
TW	TOP OF WALL		
W.F.	WOOD FENCE		
WF	WROUGHT IRON FENCE		
W	WALL		

---	NET BOUNDARY LINE (EXISTING)
---	CENTERLINE
---	FEE TITLE BOUNDARY LINE
---	FUTURE BOUNDARY LINE
---	PARCEL LINE
---	BUILDING LINE
---	CONC BLOCK WALL
---	CONCRETE
---	LANDSCAPE/LAWN
---	EDGE OF PAVEMENT
---	WROUGHT IRON FENCE
---	CHAIN LINK FENCE
---	WOOD FENCE
---	BUILDING OVERHANG
---	OVERHEAD POLE LINE
---	PROPOSED SEWER LINE
---	PROPOSED WATER LINE
---	PROPOSED GAS LINE

CONSTRUCTION NOTES:

- EXISTING 10" SEWER LINE TO BE REMOVED
- EXISTING MANHOLE TO REMAIN
- CONSTRUCT NEW CONCRETE SEWER MANHOLE
- CONSTRUCT NEW 10" P.V.C. SEWER, SDR 35
- CONSTRUCT SEWER WYE
- CONSTRUCT 6" P.V.C. LATERAL, SDR 35
- CONSTRUCT SEWER CLEANOUT

CONSTRUCTION NOTES:

- CONSTRUCT 6" x 4" TEE OR HOT TAP WITH TAPPING SLEEVE AND VALVE.
- CONSTRUCT 4" FIRE SERVICE.
- CONSTRUCT 4" DOUBLE CHECK DETECTOR ASSEMBLY ON CONCRETE PAD
- INSTALL 4" POST INDICATOR VALVE.
- INSTALL 4" FIRE DEPARTMENT CONNECTION.
- CONSTRUCT 4" WATER LINE.
- CONSTRUCT 2" DOMESTIC WATER SERVICE WITH 2" WATER METER.
- CONSTRUCT 2" R.P. BACKFLOW PREVENTER DEVICE ON CONCRETE PAD.
- CONSTRUCT 2" WATER LINE.
- CONSTRUCT 1 1/2" DOMESTIC IRRIGATION SERVICE WITH 1 1/2" METER
- CONSTRUCT 1 1/2" R.P. BACKFLOW PREVENTER DEVICE ON CONCRETE PAD.

CONSTRUCTION NOTES:

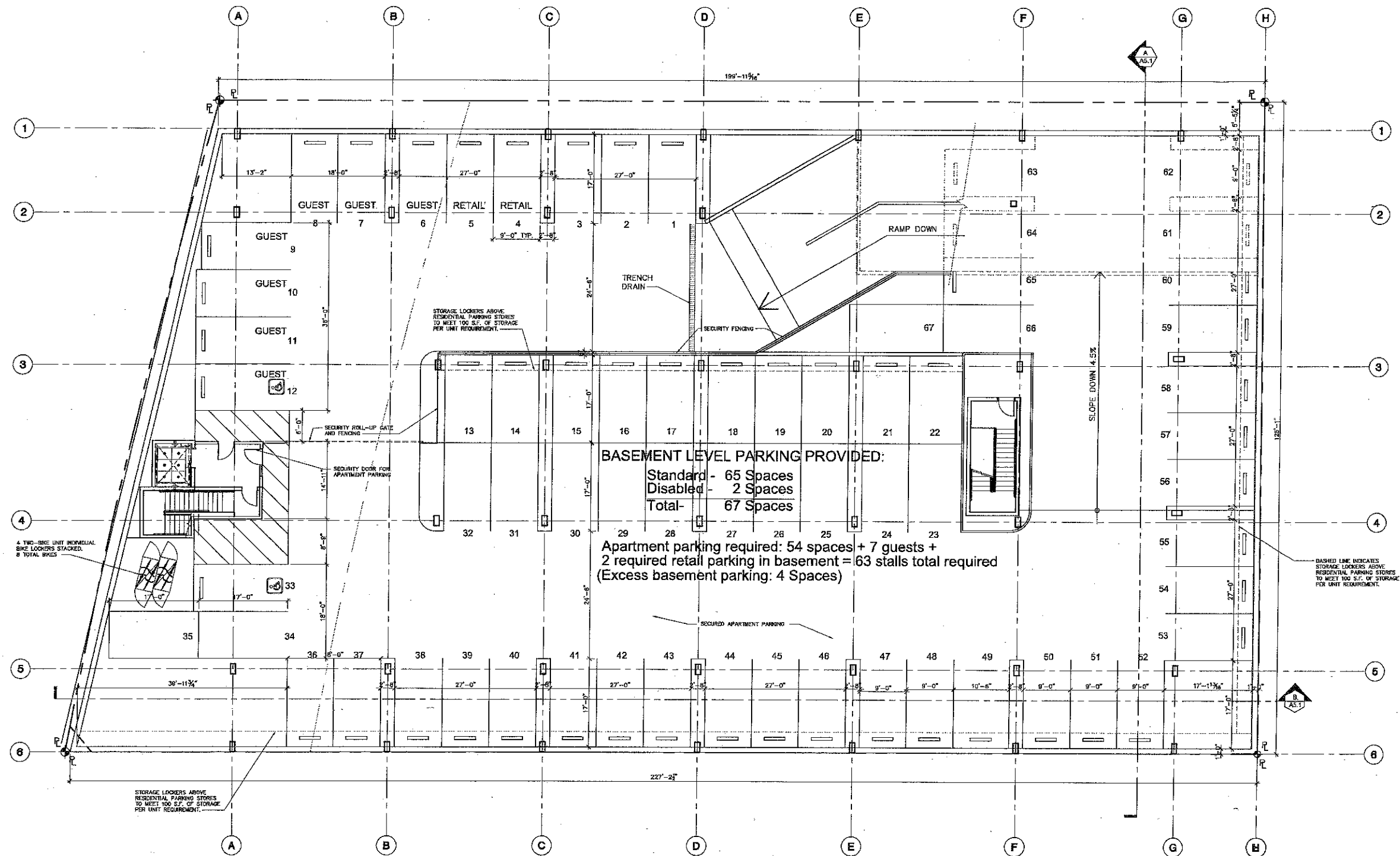
- EXISTING 57" R.C.P. PER L.A.C.F.C.D. NO. 275-503-D1.6
- EXISTING 39" R.C.P. PER L.A.C.F.C.D. NO. 275-503-D1.6
- EXISTING 36" R.C.P. PER L.A.C.F.C.D. NO. 275-503-D1.6
- EXISTING CATCH BASIN
- CONSTRUCT MANHOLE PER SPPWC STD. 322-2
- CONSTRUCT 36" REINFORCED CONCRETE PIPE
- CONSTRUCT PIPE CONNECTION TO EXISTING CATCH BASIN
- CONSTRUCT JUNCTION STRUCTURE - PIPE TO PIPE PER SPPWC STD. 331-3
- CONSTRUCT CATCH BASIN PER SPPWC STD. 300-3 W=10'
- REMOVE EXISTING CATCH BASIN
- REMOVE EXISTING LATERAL
- CONSTRUCT 8" P.V.C. PIPE

REVISIONS:

NO.	DESCRIPTION	DATE

PRELIMINARY

TITLE WATER, SEWER AND STORM DRAIN MARCASSEL 11957 WASHINGTON BOULEVARD, CULVER CITY, CA			
CLIENT BASTION DEVELOPMENT		JOB NO. 11-58	
SCALE 1"=20'	SEABOARD ENGINEERING CO. 1100 S. BEVERLY DRIVE, STE 201 LOS ANGELES, CALIFORNIA 90035 TEL (310) 277-7337 FAX (310) 277-7339 SEABOARDENGINEERINGCO.COM		DATE 10/14/2011
SURVEY BY MB/NA	PREPARED BY EP/MA		SHEET 3
CHECKED BY G.K.B.	BY [Signature] GEORGE K. BERNHARTH R.C.E. 13737		OF 3 SHEETS



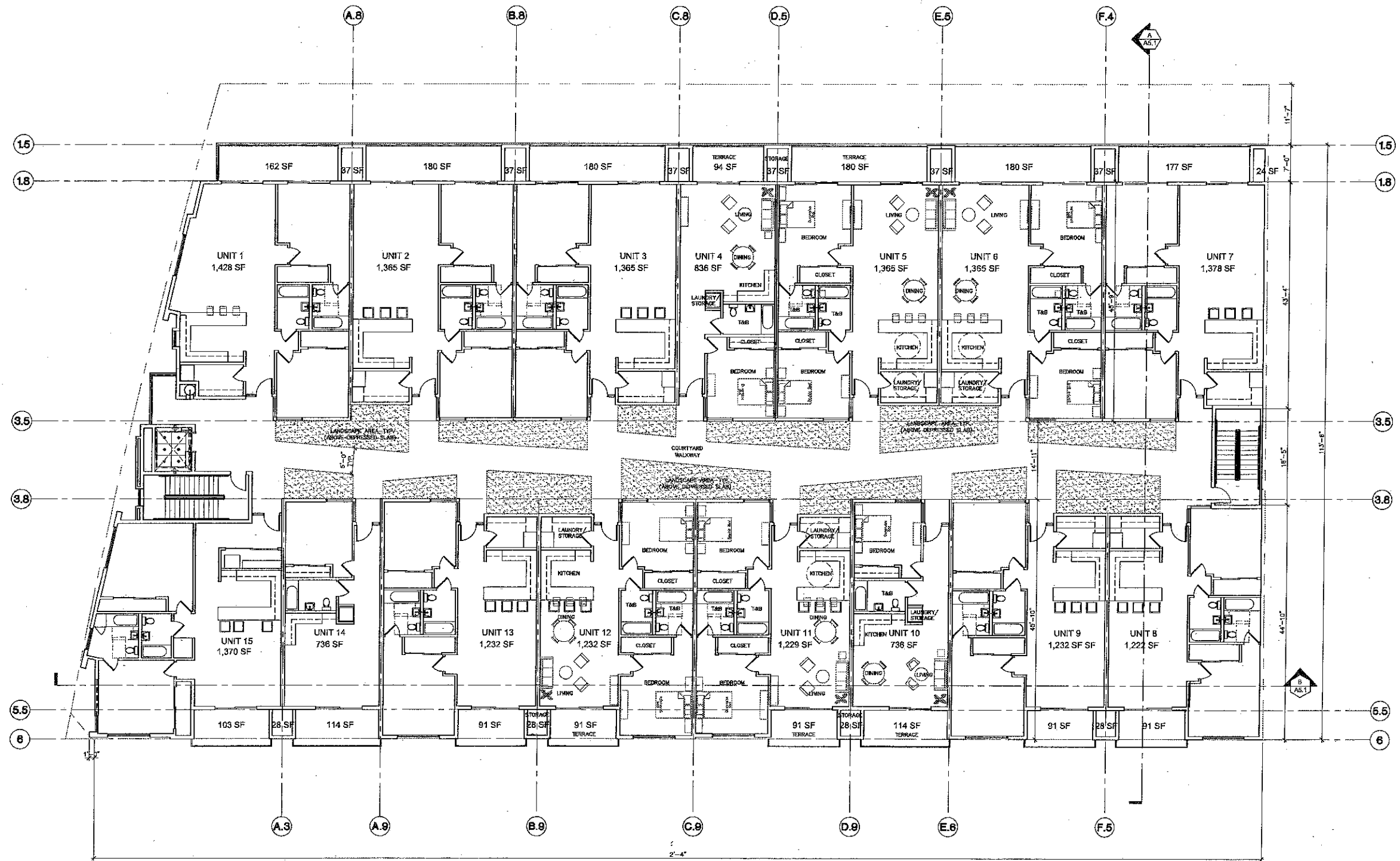
client review: 7-20-11
planning: 10-10-11
planning: 1-4-11



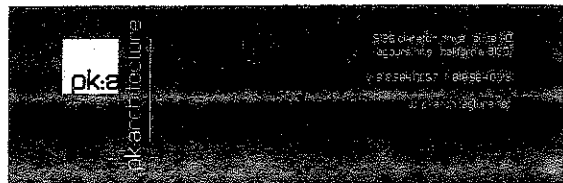
basement parking plan:
scale: 1/8" = 1'-0"

marcasel.
a residential and retail building
11957 washington blvd.
culver city, california

0.26

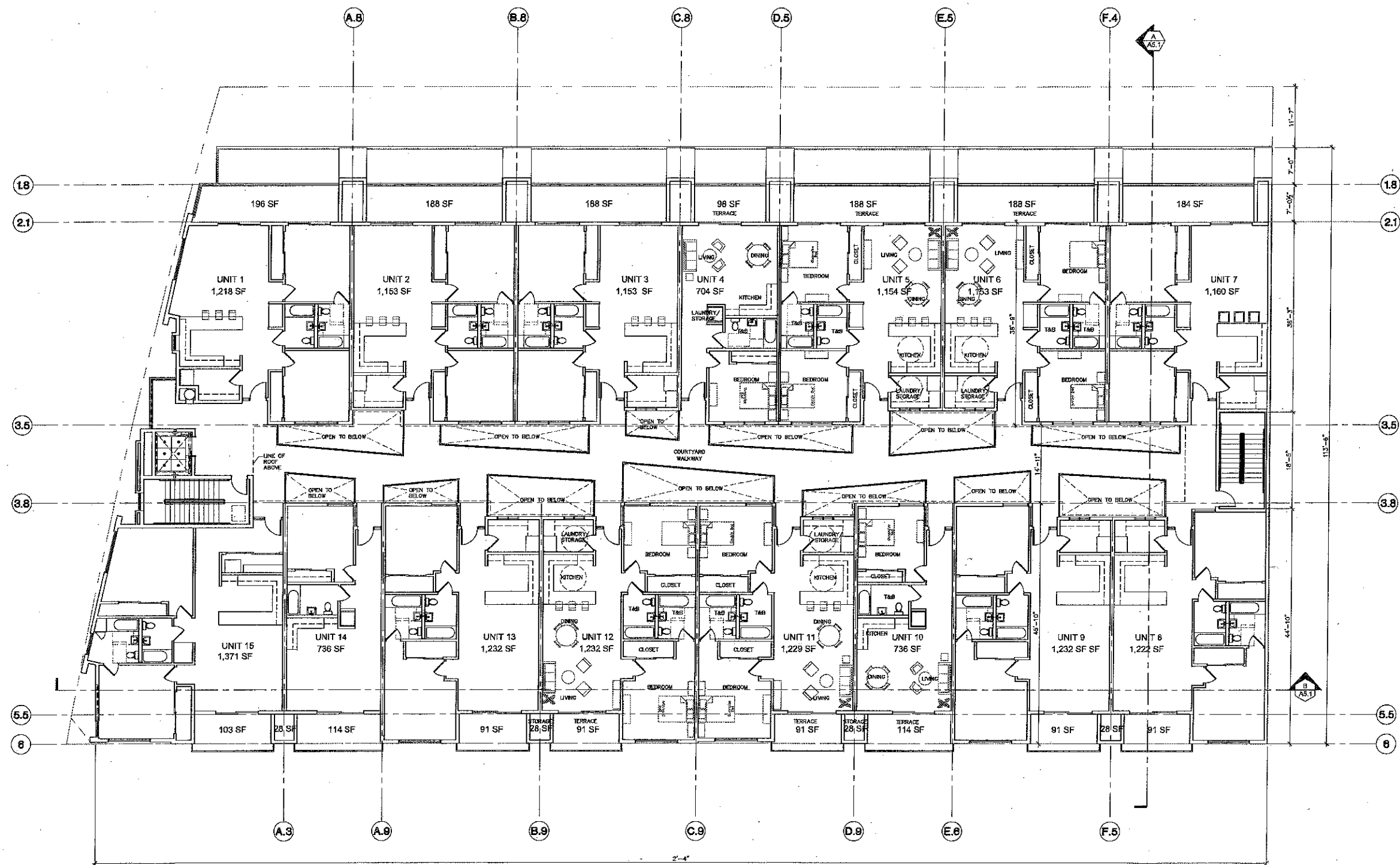


client review: 7/20/11
 client review: 8/30/11
 planning: 10/18/11
 planning: 11/8/11



second floor plan:
 scale: 1/8" = 1'-0"

marcasel •
 a residential and retail building
 11957 Washington Blvd.
 Culver City, California

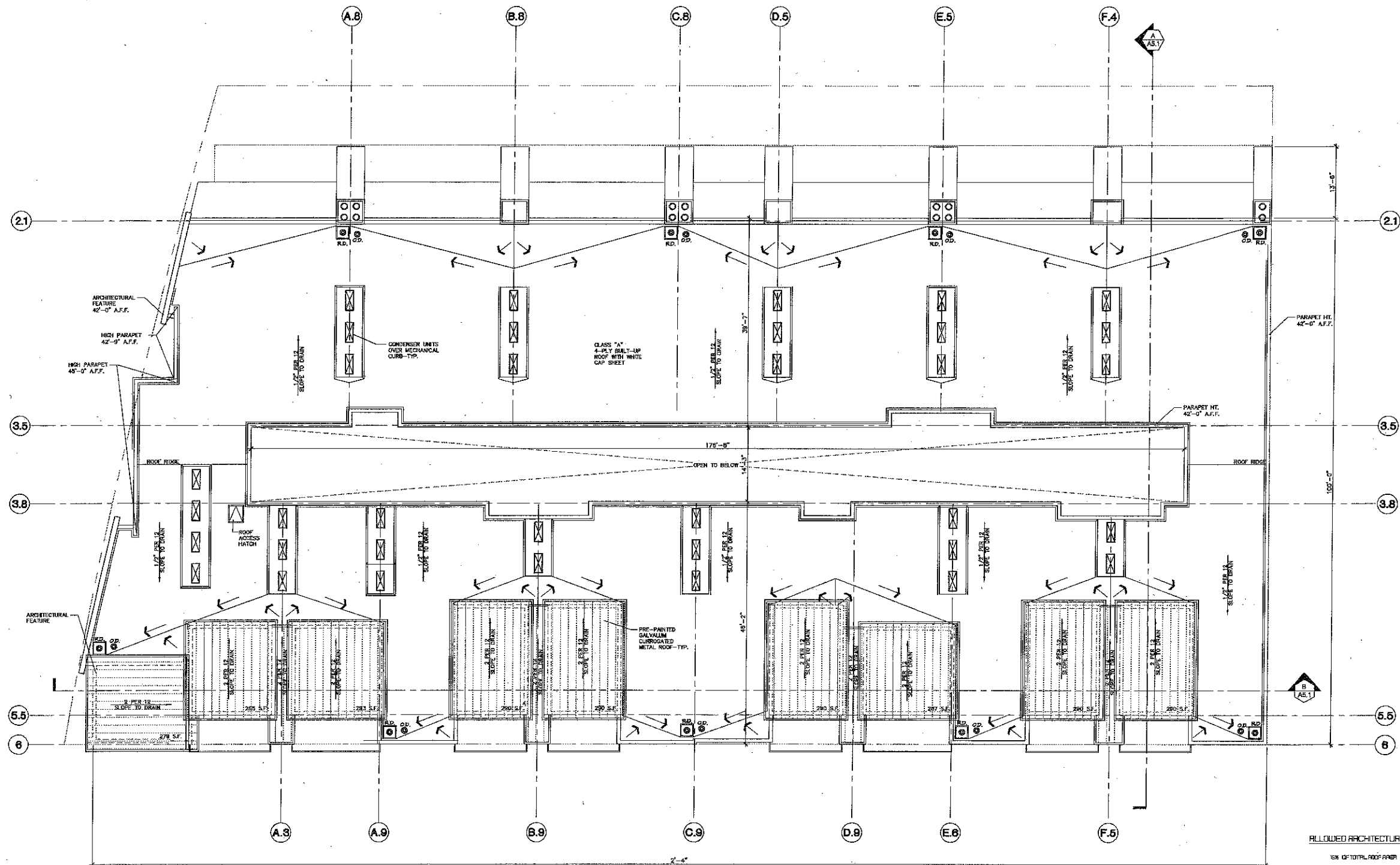


client review: 7-20-11
 client review: 8-30-11
 planning: 10-16-11
 planning: 1-14-11



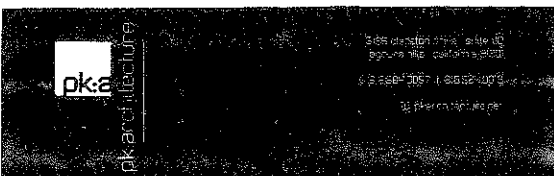
third floor plan:
 scale: 1/8" = 1'-0"

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 11557 washington blvd.
 culver city, california



ALLOWED ARCHITECTURAL FEATURE COVERAGE

15% OF TOTAL ROOF AREA	
TOTAL ROOF AREA	2,038 SF
15% OF TOTAL ROOF AREA	306 SF
TOTAL ARCHITECTURAL FEATURE	254 SF OK



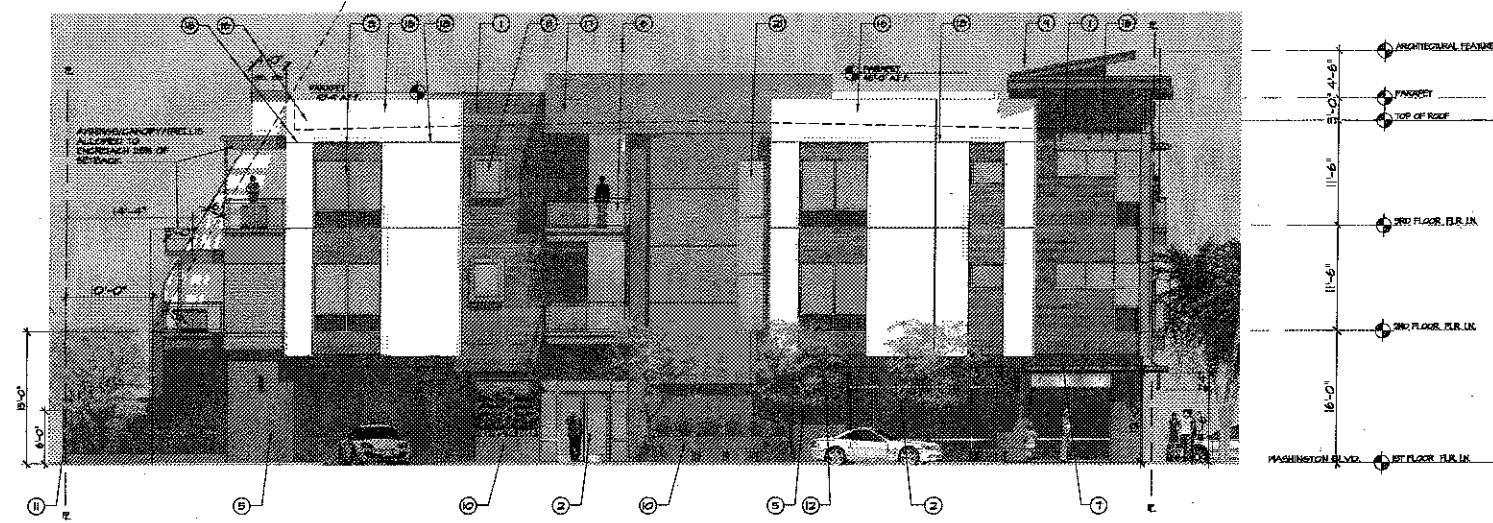
roof plan:
scale: 1/8" = 1'-0"

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a residential and retail building
11957 washington blvd.
culver city, california

client review: 7-20-11
client review: 8-30-11
planning: 10-16-11
planning: 11-9-11

09-033-00

73.1



A west elevation
1/8" = 1'-0"

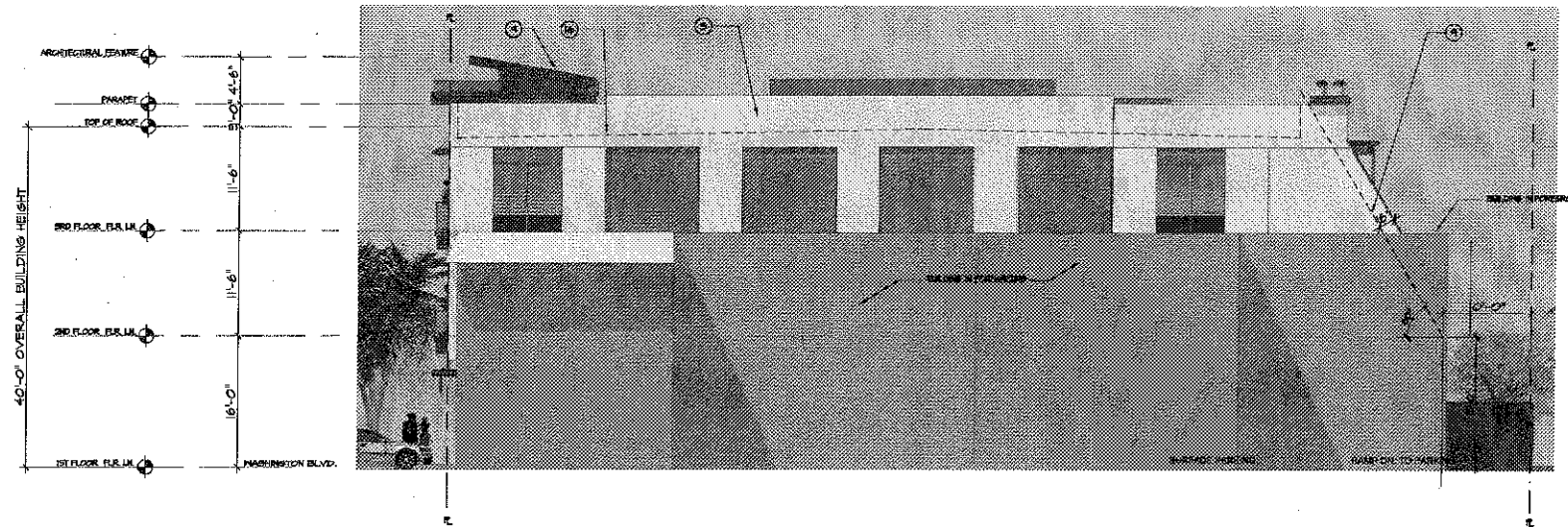
finish notes:

- ① SYNTHETIC WOOD WALL PANELING
- ② ALUMINUM STOREFRONT SYSTEM WITH CLEAR TEMPERED GLASS FOR RETAIL SPACES
- ③ ALUMINUM BREAK METAL
- ④ NON-REFLECTIVE TINTED GLASS - TYP.
- ⑤ PRECISION CONCRETE MASONRY UNIT WALL SOLDIER COURSE PAINTED.
- ⑥ GALVANIZED STEEL GUARDRAIL WITH TEMPERED GLASS INSERTS
- ⑦ PAINTED ALUMINUM AWNING
- ⑧ OPERABLE ALUMINUM SLIDING WINDOWS AT APARTMENT UNITS
- ⑨ PRE-PAINTED GALVALUM CORRUGATED SHEET METAL ROOF
- ⑩ 36" HIGH PLANTER-PRECISION MASONRY BLOCK WITH SMOOTH STUCCO FINISH
- ⑪ PERIMETER WALL-PRECISION COLORED CONCRETE MASONRY UNITS. COLOR TO COMPLEMENT BUILDING BASE WALL
- ⑫ WALL SCONCE LIGHT FIXTURE- BESA 6623, TYPICAL.
- ⑬ 14" HIGH ADDRESS NUMBERS
- ⑭ STAINLESS STEEL CUT OUT NUMBERS - STREET ADDRESS
- ⑮ ALUMINUM TENANT SIGNAGE ON CANOPY
- ⑯ PAINTED STUCCO WALL WITH HARD TROMPELLED SMOOTH FINISH
- ⑰ PAINTED STUCCO WALL WITH MEDIUM DASHED TROMPELLED FINISH
- ⑱ PAINTED VERTICAL AND HORIZONTAL STUCCO EXPANSION JOINTS.
- ⑲ ALUMINUM FRAMED TEMPERED GLASS SLIDING DOOR.
- ⑳ CHIMNEY FLUE
- ㉑ ALUMINUM FRAMED TINTED TEMPERED GLAZED WINDOWS



B south elevation
1/8" = 1'-0"

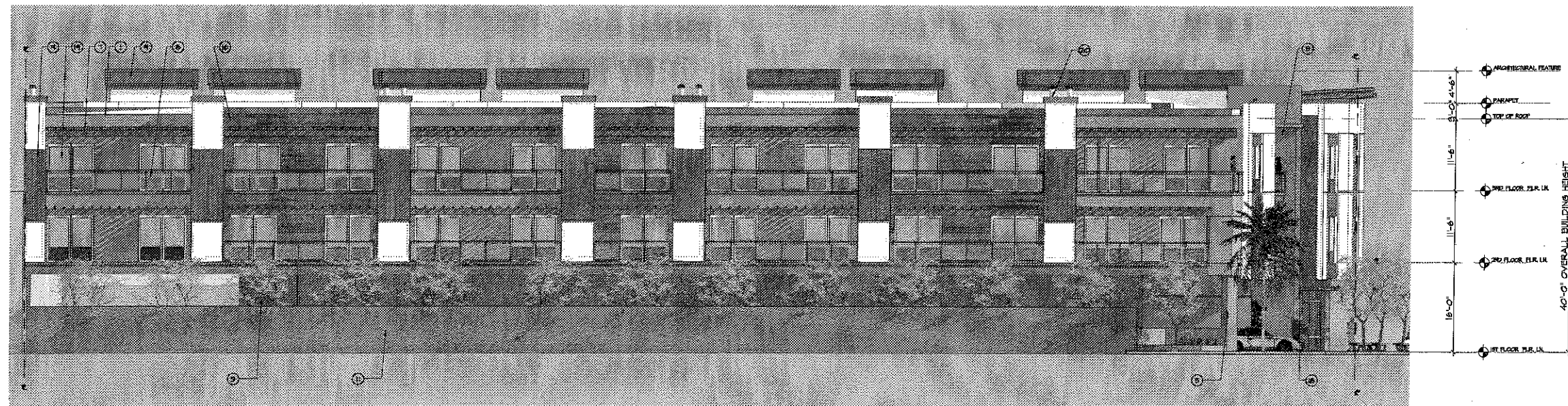
client review: 7-20-11
client review: 8-30-11
planning: 10-15-11
planning: 11-8-11



C east elevation
1/8" = 1'-0"

finish notes:

- ① SYNTHETIC WOOD WALL PANELING
- ② ALUMINUM STOREFRONT SYSTEM WITH CLEAR TEMPERED GLASS FOR RETAIL SPACES
- ③ ALUMINUM BREAK METAL
- ④ NON-REFLECTIVE TINTED GLASS - TYP.
- ⑤ PRECISION CONCRETE MASONRY UNIT WALL SOLDIER COURSE PAINTED
- ⑥ GALVANIZED STEEL GUARDRAIL WITH TEMPERED GLASS INSERTS
- ⑦ PAINTED ALUMINUM AWNINGS
- ⑧ OPERABLE ALUMINUM SLIDING WINDOWS AT APARTMENT UNITS
- ⑨ PRE-PAINTED GALVALUM CORRUGATED SHEET METAL ROOF
- ⑩ 36" HIGH PLANTER-PRECISION MASONRY BLOCK WITH SMOOTH STUCCO FINISH
- ⑪ PERIMETER WALL-PRECISION COLORED CONCRETE MASONRY UNITS. COLOR TO COMPLEMENT BUILDING BASE WALL
- ⑫ WALL SCONCE LIGHT FIXTURE- DESA 6623, TYPICAL
- ⑬ 14" HIGH ADDRESS NUMBERS
- ⑭ STAINLESS STEEL CUT OUT NUMBERS - STREET ADDRESS
- ⑮ ALUMINUM TENANT SIGNAGE ON CANOPY
- ⑯ PAINTED STUCCO WALL WITH HARD TROMPELLED SMOOTH FINISH
- ⑰ PAINTED STUCCO WALL WITH MEDIUM DASHED TROMPELLED FINISH
- ⑱ PAINTED VERTICAL AND HORIZONTAL STUCCO EXPANSION JOINTS
- ⑲ ALUMINUM FRAMED TEMPERED GLASS SLIDING DOOR
- ⑳ CHIMNEY FLUE
- ㉑ ALUMINUM FRAMED TINTED TEMPERED GLAZED WINDOWS



D north elevation
1/8" = 1'-0"

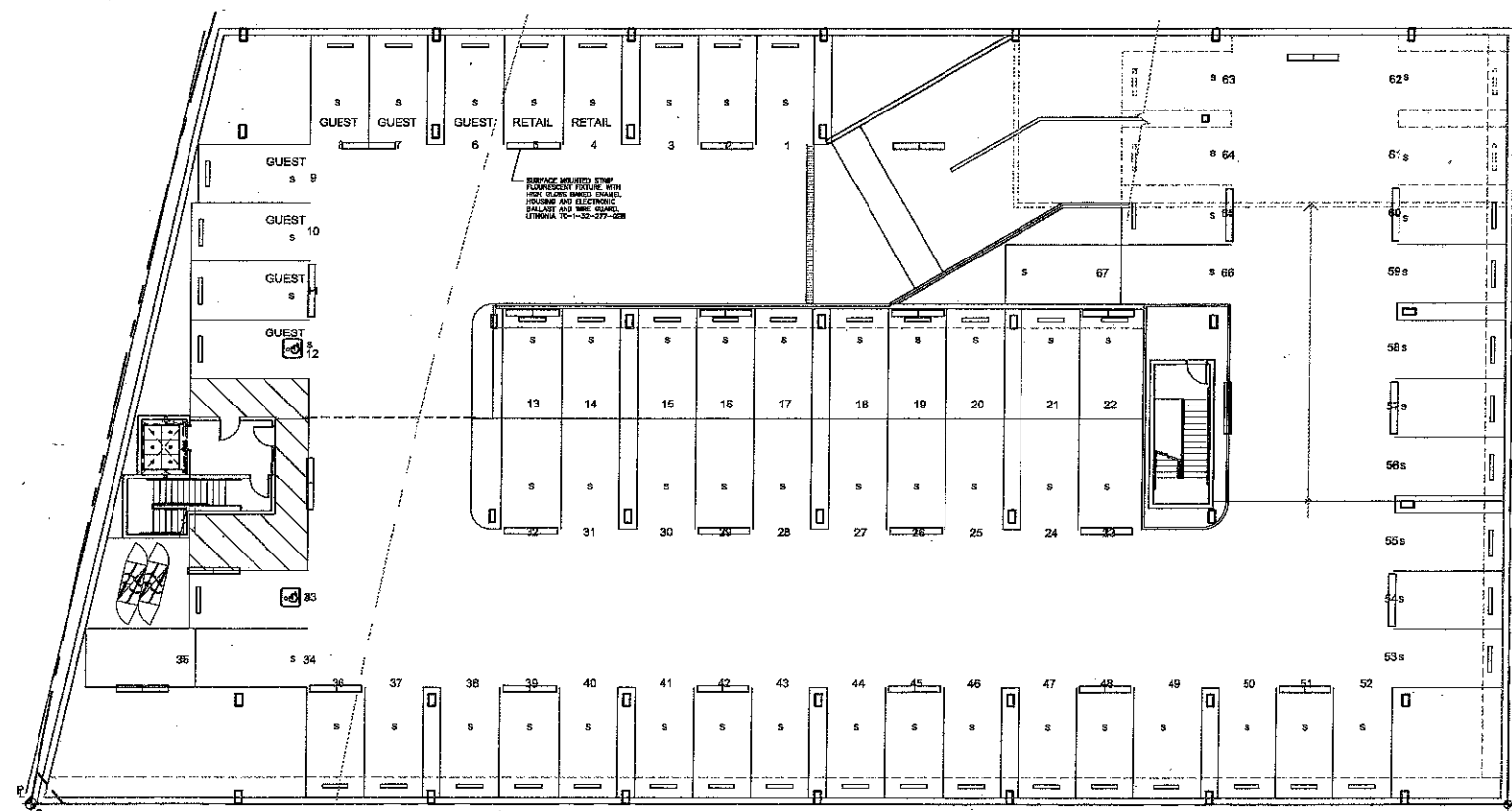
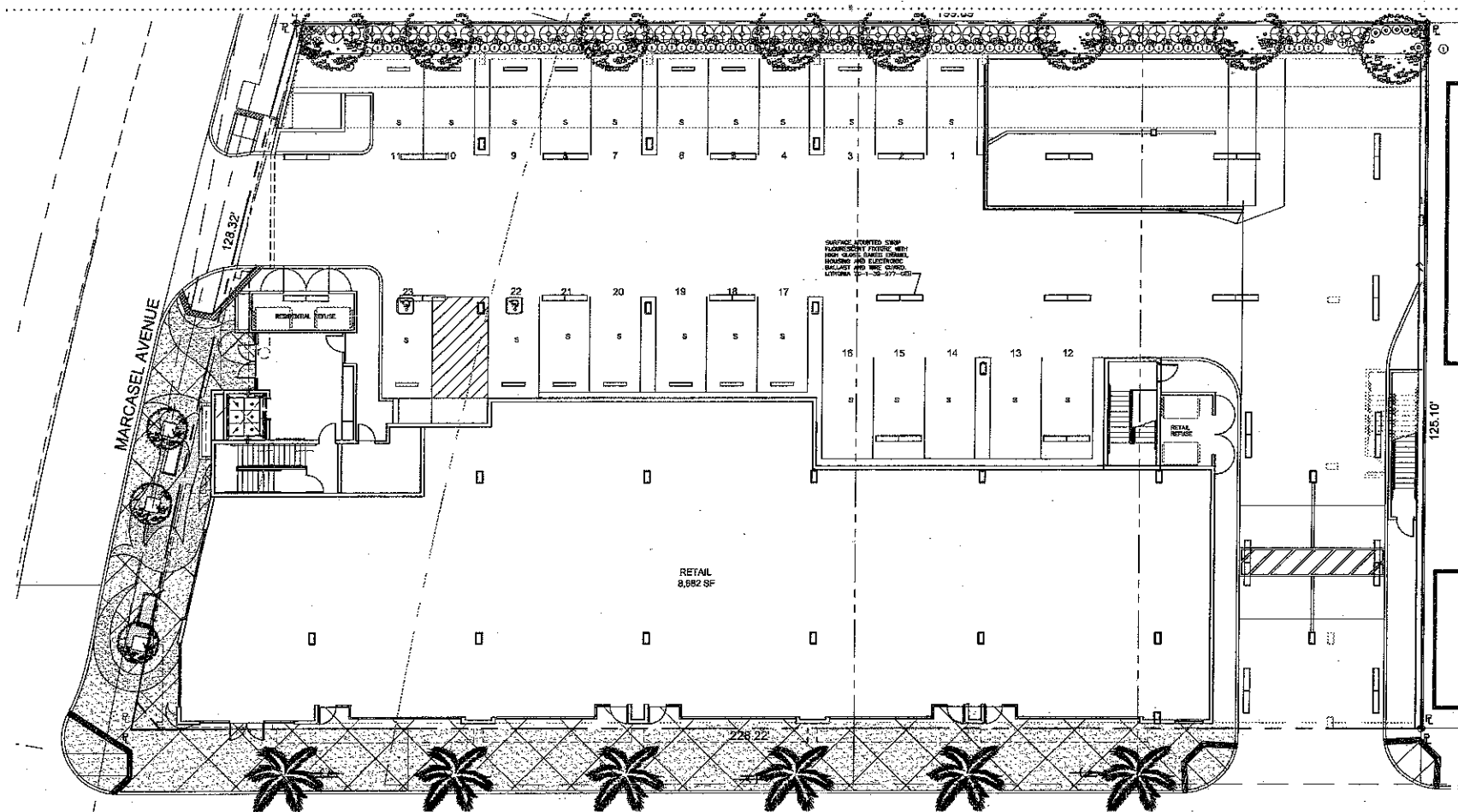
exterior elevations:
scale 1/8" = 1'-0"

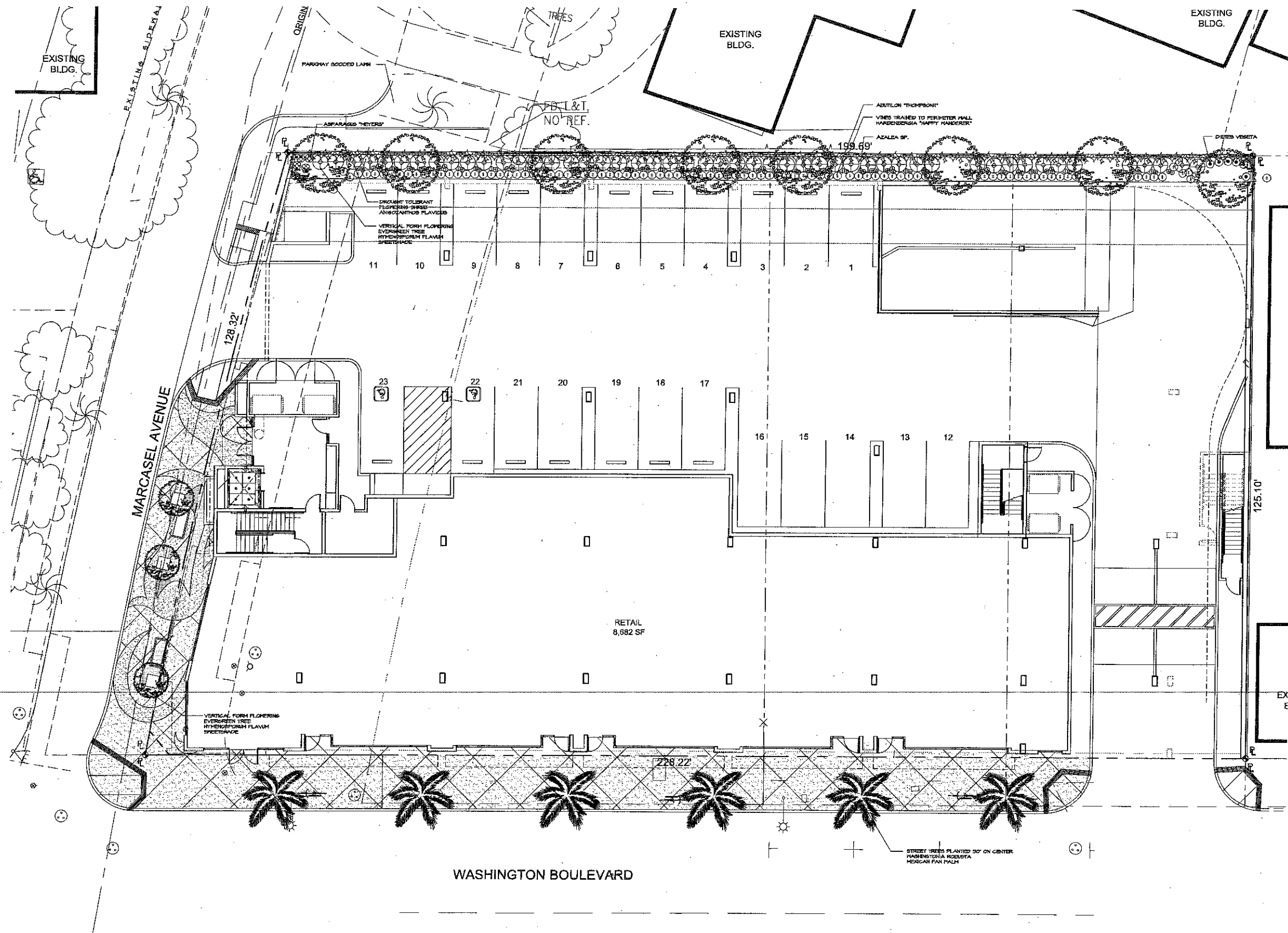
marcasel.
a residential and retail building
11957 washington blvd.
culver city, california

client review: 7-23-11
client review: 8-30-11
planning: 10-18-11
planning: 11-13-11

09-025100

2142





WATER MANAGEMENT CALCULATION

LRATIC 12-10 F GUIDELINES 0

POINTS REQUIRED:		
TOTAL SITE AREA: 28,800 SF		300 POINTS
POINTS REQUIRED PER GUIDELINES 0		
POINTS ACHIEVED:		
1. AUTOMATIC IRRIGATION CONTROLLER WITH CYCLING CAPACITY AND WITH WATERING SCHEDULE		5 POINTS
2. PLANTS THAT WILL, IN THE DESIGNATED LOCATION AND PROPERLY ESTABLISHED FOR 3 YEARS, PROVIDE A GOOD HEALTHY LUSH AND MORE THAN 100% OF THE WATERING IN SUITABLE	125 PLANTS	250 POINTS
PLANTING WITH 100% REEF	30	
LANDSCAPE "SPRINGING SUNSET"	30	
DIPTERIS VESICATA	30	
HYDRANGEA PAVONIA	30	
HYDRANGEA PAVONIA	30	
TOTAL POINTS ACHIEVED:		255 POINTS

LANDSCAPE POINTS SYSTEM

LRATIC 12-10 F GUIDELINES 0

POINTS REQUIRED:		
TOTAL SITE AREA: 28,800 SF		300 POINTS
POINTS REQUIRED PER GUIDELINES 0		
POINTS ACHIEVED:		
1. TREES NOT FOUND WITHIN 1000 FT. RADIUS OF SITE (5 POINTS/TREE)	1 TREE	5 POINTS
2. FREE FLOWING VINES ON FENCES (2 POINTS/50 LF. OF FENCE)	150 LF. OF FENCE	6 POINTS
TOTAL POINTS ACHIEVED:		11 POINTS

AIR QUALITY ENHANCEMENT CALCULATION

LRATIC 12-10 F GUIDELINES 0

TREES REQUIRED:		
TOTAL SITE LANDSCAPED AREA: 1007 SF		2 TREES
4 TREES/500 SF. OF LANDSCAPED AREA		
TREES PROVIDED:		
HYDRANGEA PAVONIA	9 TREES	9 TREES
TOTAL POINTS ACHIEVED:		9 TREES



landscape:
scale: 1/8" = 1'-0"

marcasel
a residential and retail building
1157 WASHINGTON BLVD.
CULVER CITY, CALIFORNIA



0.17

City of Culver City, California
Planning Commission Agenda Item Report

Meeting Date: December 14, 2011		Item Number: PH-2
AGENDA ITEM: Zoning Code Amendment, ZCA P-201170, to add "Food Retail" to the list of permitted uses in the Commercial and Industrial Zones; to establish parking requirements for "Food Retail" uses; and to add a definition for "Food Retail".		
Contact Person/Dept.: Thomas Gorham, Planning Manager		Phone Number: (310) 253-5710
Public Hearing: ☒	Action Item: ☐	Attachments: ☒
Public Notification: Publication in Culver City News (December 1, 2011). Emailed to the Master Notification List (December 1, 2011)		
Planning Approval: Thomas Gorham 12/5/11	Department Approval: Sol Blumenfeld 12/5/11	

RECOMMENDATION:

That the Planning Commission adopt Resolution No. 2011-P006 recommending to the City Council approval of Zoning Code Amendment, ZCA P-201170 (Attachment No. 1) regarding "Food Retail" uses.

PROCEDURES:

1. Chair calls on staff for a brief staff report and Commission poses questions to staff as desired.
2. Chair opens the public hearing, providing the general public the opportunity to speak.
3. Chair seeks a motion to close the public hearing after all testimony has been presented.
4. Commission discusses the matter and arrives at its decision.

BACKGROUND:

The purpose of this proposed Zoning Code Amendment (ZCA) is to create a distinct land use designation for "Food Retail" uses that clearly differentiates those uses from sit-down or counter service restaurants in order to properly allocate parking requirements for such uses.

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Examples of food retail uses include the following:

- Juice stores
- Yogurt stores
- Coffee and tea shops
- Donut shops
- Ice Cream shops
- Bakeries and bagel shops such as Noah's, Rockenwagner, etc...
- Cookie and Candy shops

These uses are distinguished from a restaurant as they do not serve full meals or have a kitchen capable of serving meals but instead serves snacks or beverages for consumption on the premises or for take-out and they do not include wait service. These uses typically are 1500 square feet or less in area and have limited service area relative to gross floor area and limited seating capacity result in less parking demand than for a restaurant use. (See Attachment No. 3).

In 2009, the City Council adopted a Zoning Code Amendment creating more restrictive parking requirements for restaurants in the downtown and the proposed ZCA will help implement that Code amendment. Currently, if a retail food use vacates a space, the retail parking requirement should apply. However, since the Zoning Code does not currently distinguish between Retail Food Use and restaurant uses, a restaurant may be permitted to tenant a formerly retail space without providing additional parking.

DISCUSSION

Definition

Currently uses described above as "Food Retail" uses would fall under the restaurant land use classification as outlined below:

Restaurant, Counter Service. A retail business where customers are served prepared food and/or beverages from a walk-up ordering counter for either on- or off-premise consumption, which may include fast-food and take-out restaurants. A restaurant with drive-up or drive-through service is instead included under the definition of "Drive-in and Drive-Thru Facilities."

Restaurant, Table Service. A retail business selling food and beverages prepared on the site, where most customers are served food at tables for on-premise consumption. These restaurants may also provide food on a take-out basis and live entertainment that is clearly secondary to table service.

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To distinguish "Food Retail" uses from restaurant uses the following land use definition is proposed:

Food Retail. A retail establishment where less than 750 square feet is utilized for on-site consumption of any food and/or beverage, including seating, counter space, or other eating arrangement, where the number of seats does not exceed 25 and is distinguished from a restaurant as it does not have a kitchen capable of serving meals, does not include wait service and serves food and non-alcoholic beverages for consumption on the premises or for take-out and limited to bakeries, bagel shops, donut shops, cookie and candy shops, juice stores, coffee and tea shops, ice cream and yogurt shops, and other similar uses as determined by the Director.

Permitted Zones

"Food Retail" uses are proposed to be permitted in all zones that currently permit restaurant uses. These are the following commercial zones and industrial zones: Commercial Neighborhood (CN); Commercial General (CG); Commercial Community (CC); Commercial Downtown (CD); Commercial Regional Retail (CRR); Commercial Regional Business Park (CRB); Light Industrial (IL); General Industrial (IG); and East Washington Overlay (EWO).

Parking

The parking requirement for "Food Retail" uses is proposed to be the same as those for general retail uses, 1 space per 350 square feet (s.f.) of floor area (1:350). This will differentiate them from restaurants which have the following parking requirements:

- 1:350 for a table service restaurant use 1,500 s.f. or less
- 1:100 for a table service restaurant over 1500 s.f.
- 1:75 for a counter service restaurant with tables
- 1:250 for counter service restaurants without tables

Each of these types of restaurant uses has a higher parking requirement than the proposed "Food Retail" uses except for table service restaurants 1,500 s.f. or less. Restaurants wishing to occupy an existing or former "Food Retail" uses space would need to provide parking for the difference between that required for the "Food Retail" uses and that required for the restaurant use. For example, a 2,800 s.f. "Food Retail" use space has a parking requirement of 8 spaces (2800/350). A table service restaurant going into that space would be required 28 parking spaces (2800/100); therefore a net new 20 parking spaces would need to be provided for the new restaurant use.

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The proposed ZCA will amend Section 17.220.0015, Table 2-5; Section 17.230.015, Table 2-8; Section 17.260.035, Table 2-11 to add "Food Retail" to the list of permitted uses in the Commercial and Industrial Zones; Section 17.320.020H, Table 3-3B to establish parking requirements for "Food Retail"; and Section 17.700.010 of the Zoning Code, to add a definition for "Food Retail". The proposed text changes are outlined in strikethrough/underline format in Attachment No. 2.

ENVIRONMENTAL DETERMINATION:

Pursuant to Sections 15162 and 15168 of the California Environmental Quality Act (CEQA), the Zoning Code Amendment (ZCA P201170) is within the scope of the Culver City General Plan Update Program EIR approved on September 24, 1996 (PEIR 1) and the Culver City Redevelopment Plan Amendment and Merger Program Subsequent EIR approved on November 16, 1998 (PEIR 2), the circumstances under which PEIR 1 and PEIR 2 were prepared have not significantly changed and no new significant information has been found that would impact either PEIR 1 or PEIR 2. Therefore no new environmental analysis is required.

SUMMARY

"Food Retail" uses are distinguished from restaurants in several ways. First, "Food Retail" uses have limited or no kitchen facilities which makes them incapable of preparing full meals; and second that there is no waiter or waitress service. "Food Retail" uses also tend to be more self service and typically without a large full-time staff other than cashiers or clerks and are usually a business that one uses as part of other activities, where one picks up the food or beverage and leaves the establishment and where seating is typically limited. A restaurant is a use that tends to be more of a destination where one sits down for an extended period for a meal. Restaurants have a higher parking demand as patrons sit down for a meal and monopolize parking either on-street or on-site for an extended period. The proposed ZCA creates a distinct land use designation for "Food Retail" uses that clearly differentiates those uses from sit-down or counter service restaurants.

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ALTERNATIVE OPTIONS:

The following alternative actions may be considered by the Planning Commission:

1. Recommend that the City Council approve the proposed amendment if the required findings for a Zoning Code Amendment can be made.
2. Recommend that the City Council approve the proposed amendment with additional or different amendment language if deemed necessary to meet the required findings for a Zoning Code Amendment.
3. Disapprove the amendment request if it does not meet the required findings.

ATTACHMENTS:

1. Resolution No. 2011-P006
2. Exhibit A – Proposed Text Changes in “strikethrough/underline” format
3. Example floor plans

RESOLUTION NO. 2011-P006

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, RECOMMENDING APPROVAL TO THE CITY COUNCIL OF ZONING CODE AMENDMENT, ZCA P-201170 AMENDING TITLE 17, ZONING, OF THE CULVER CITY MUNICIPAL CODE (CCMC), SECTION 17.220.0015, TABLE 2-5; SECTION 17.230.015, TABLE 2-8; SECTION 17.260.035, TABLE 2-11 TO ADD "FOOD RETAIL" TO THE LIST OF PERMITTED USES IN THE COMMERCIAL AND INDUSTRIAL ZONES; SECTION 17.320.020H; TABLE 3-3B TO ESTABLISH PARKING REQUIREMENTS FOR "FOOD RETAIL"; AND SECTION 17.700.010 OF THE ZONING CODE, TO ADD A DEFINITION FOR "FOOD RETAIL" AS SET FORTH IN EXHIBIT "A" ATTACHED HERETO.

(Zoning Code Amendment P-201170)

WHEREAS, on December 14, 2011 the Planning Commission conducted a duly noticed public hearing on City-initiated Zoning Code Amendment, ZCA P-201170 fully considering all reports, studies, testimony, and environmental information presented; and

WHEREAS, following conclusion of the public discussion and thorough deliberation of the subject matter, the Planning Commission determined by a vote of ___ to ___ that Zoning Code Amendment, ZCA P-201170 should be recommended for approval to the City Council as set forth herein below.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, RESOLVES AS FOLLOWS:

SECTION 1. Pursuant to the foregoing, the following findings are hereby made:

1. ZCA P-201170 ensures and maintains internal consistency with the goals, policies, and strategies of the General Plan and will not create any inconsistencies with the Zoning Code.

2. ZCA P-201170 is not detrimental to the public interest, health, safety, convenience and welfare of the City. Food Retail land uses are distinguished from

1 restaurants in several ways. Food Retail uses have limited or no kitchen facilities which
2 makes them incapable of preparing full meals; and second that there is no waiter or
3 waitress service. Food retail uses also tend to be more self service and typically without a
4 large full-time staff other than cashiers or clerks and are usually a business that one uses
5 as part of other activities, where one picks up the food or beverage and leaves the
6 establishment and where seating is typically limited. A restaurant is a use that tends to be
7 more of a destination where one sits down for an extended period for a meal.
8 Restaurants have a higher parking demand as patrons sit down for a meal and
9 monopolize parking either on-street or on-site for an extended period. The proposed ZCA
10 creates a distinct land use designation for Food Retail uses that clearly differentiates
11 those uses from sit-down or counter service restaurants.
12
13

14 3. Pursuant to Sections 15162 and 15168 of the California
15 Environmental Quality Act (CEQA), the Zoning Code Amendment (ZCA P20170) is within
16 the scope of the Culver City General Plan Update Program EIR approved on September
17 24, 1996 (PEIR 1) and the Culver City Redevelopment Plan Amendment and Merger
18 Program Subsequent EIR approved on November 16, 1998 (PEIR 2), the circumstances
19 under which PEIR 1 and PEIR 2 were prepared have not significantly changed and no
20 new significant information has been found that would impact either PEIR 1 or PEIR 2.
21 Therefore no new environmental analysis is required.
22
23

24 **SECTION 2.** Pursuant to the foregoing recitations and findings, the
25 Planning Commission of the City of Culver City, California, hereby recommends approval
26 of Zoning Code Amendment (ZCA P-201170) to the City Council as set forth in Exhibit A
27 attached hereto and made a part thereof.
28

29 APPROVED and ADOPTED this 28th day of November, 2007.

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3 ANTHONY PLESKOW, CHAIRPERSON
4 PLANNING COMMISSION
5 CITY OF CULVER CITY, CALIFORNIA
6

7 Attested by:

8
9 Yvonne Hunt
10 Administrative Secretary
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Commercial Zoning Districts

17.220

TABLE 2-5 Allowed Uses and Permit Requirements for Commercial Zoning Districts	P Permitted Use CUP Conditional Use Permit required AUP Administrative Use Permit Required - Use not allowed						
	PERMIT REQUIREMENT BY DISTRICT						See Specific Use Regulations:
LAND USE(1)	CN	CG	CC	CD	CRR	CRB	

RETAIL TRADE (cont.)

Auto and vehicle sales/rental (2)	-	P	P	-	AUP	-	
Auto parts sales, retail	P	P	P	-	P	P	
Bars, night clubs (3)	-	CUP	CUP	CUP	CUP	CUP	
Building material stores	-	P	P	-	P	-	
Convenience stores (3)	P	P	P	-	P	P	
Firearms sales	-	CUP	CUP	-	CUP	CUP	
Food Retail	P	P	P	P	P	P	
General retail stores (3)	P	P	P	P	P	P	
Internet Cafe	AUP	P	P	P	P	P	
Mobile home and RV sales	-	CUP	-	-	-	CUP	
Outdoor retail sales and display (4)	AUP	AUP	AUP	AUP	AUP	AUP	17.400.075
Pawnshops	-	CUP	-	-	-	-	17.400.085
Pet Shop	P	P	P	P	P(5)	P	
Plant nurseries, retail	P	P	P	P	P	P	17.400.080
Restaurants, counter service (3)	AUP	P	P	P	P	P	
Restaurants, table service (3)	P	P	P	P	P	P	
Restaurants, outdoor dining (3)	AUP	AUP	AUP	AUP	AUP	AUP	17.400.070
Second hand stores	P	P	-	-	-	-	
Shopping center	P	P	P	-	P	-	
Warehouse retail stores	-	-	-	-	CUP	-	

SERVICE

Adult day care facilities	CUP	CUP	CUP	-	-	CUP	
Automated teller machines (ATMs)	P	P	P	P	P	P	17.400.025
Banks and financial services	P	P	P	P	P	P	
Business and consumer support services	P	P	P	P(6)	P	P	
Catering services	P	P	P	P(6)	P	P	
Check cashing businesses	-	CUP	CUP	-	CUP	CUP	17.400.030
Child day care centers	CUP	CUP	CUP	CUP	-	CUP	
Child day care, Large family day care homes	AUP	AUP	-	-	-	-	17.400.035
Child day care, Small family day care homes	P	P	-	-	-	-	

Notes:

- (1) See Article 7 for definitions of the land uses listed.
- (2) Auto sales establishments selling used vehicles exclusively are subject to approval of a Conditional Use Permit (see Chapter 17.530).
- (3) For permit requirements related to the sale of Alcoholic Beverages see Section 17.400.015
- (4) Ancillary to a primary retail use.
- (5) Only one pet shop shall be permitted within any one shopping center. The tenant space shall be located so as to share no more than one common wall with any other tenant.
- (6) Subject to ground floor restrictions; see Section 17.220.035 (CD District Requirements)

Continues on next page.

TABLE 2-8 Allowed Uses and Permit Requirements for Industrial and Special Purpose Zoning Districts	P	Permitted Use	
	CUP	Conditional Use Permit Required	
	AUP	Administrative Use Permit Required	
	-	Use not allowed	
LAND USE(1)	PERMIT REQUIREMENTS BY DISTRICT		See specific use regulations
	IL	IG	
RETAIL TRADE			
Accessory retail uses	P	P	
Adult entertainment businesses	P(2)	P(2)	
Artisan Shops	P	P	
Auto and vehicle sales/rental	CUP	CUP	
Building material stores	P	P	
Construction equipment sales	P	P	
Convenience stores (3)	P	P	
Food Retail	P	P	
General retail stores (3)	P	P	
Mobile home and RV sales	CUP	CUP	
Outdoor retail sales and display	AUP	AUP	17.400.075
Plant nurseries	P	P	
Restaurants, counter service (3)	P	P	
Restaurants, table service (3)	P	P	
Warehouse retail stores	P	P	

SERVICE

Animal boarding and kennels	P(4)	P	17.400.020
Business and consumer support services	P	P	
Catering Services	P	P	
Child day care centers (4)	CUP	CUP	
Contractor's storage yard	P(5)	P	
Drive-thru facilities or services	CUP	CUP	17.400.045
Offices	P	P	
Public safety facilities	P	P	
Public utility facilities	P	P	
Storage facilities, personal storage	CUP (6)	CUP (6)	
Storage, outdoor	P	P	17.400.080
Vehicle services-Accessories installation	P	P	17.400.125
Vehicle services-Fueling stations	P	P	17.400.120
Vehicle services-Fueling, incidental repair	CUP	CUP	17.400.125
Vehicle services-Impounding/storage	CUP	CUP	17.400.125
Vehicle services-Maintenance/repair	CUP	CUP	17.400.125
Vehicle services-Paint/body	P (5)	P (5)	17.400.125
Vehicle services-Towing, no storage	P	P	17.400.125
Veterinary clinics and animal hospitals	P	P	17.400.020

TRANSPORTATION & COMMUNICATIONS

Broadcast studios	P	P	
Heliports	CUP	CUP	
Parking facilities	P	P	17.320.
Pipelines and utility lines	P	P	
Telecommunications facilities, cellular	AUP	AUP	17.400.110
Telecommunications facilities, dish antenna	See Section 17.400.110 for permit requirements		

Notes: (1) See Article 7 for definitions of land uses listed.

(2) Use only allowed subject to approval of an Adult Use Development Permit (see CCMC Chapter 11.13).

(3) For permit requirements related to the sale of Alcoholic Beverages see Section 17.400.015

(4) Ancillary to a primary use only.

(5) Use only allowed indoors.

(6) Modifications and/or expansion of existing facilities only.

Exhibit A

TABLE 2-11 Allowed Uses and Permit Requirements for the East Washington Boulevard Overlay (-EW)	P Permitted Use CUP Conditional Use Permit required AUP Administrative Use Permit Required - Use not allowed
LAND USE (1)	Permit Requirement See Specific Use Regulations:

INDUSTRY, MANUFACTURING, & PROCESSING

Fabric products manufacturing, 5,000 sq.ft. or less	AUP	
Fabric products manufacturing, 5,001 to 10,000 sq.ft.	CUP	
Food and beverage manufacturing, 5,000 sq.ft. or less (2)	AUP	
Food and beverage manufacturing, 5,001 to 10,000 sq.ft (2)	CUP	
Furniture/fixtures manufacturing, 5,000 sq.ft. or less (3)	AUP	
Furniture/fixtures manufacturing, 5,001 to 10,000 sq.ft. (3)	CUP	
Handcraft industries, 5,000 sq.ft. or less (3)	AUP	
Printing and publishing, 10 employees maximum	P	
Recycling facility - Incidental small collection	AUP	17.400.090
Recycling facility - Large collection (4)	CUP	17.400.090
Recycling facility - Small collection	CUP	17.400.090
Second hand stores	AUP	

RECREATION, EDUCATION, & PUBLIC ASSEMBLY

Clubs, lodges, and private meeting halls	AUP	
Health/fitness facilities	P	
Indoor amusement/entertainment facilities	AUP	
Religious places of worship	P	
Private Schools (5)	CUP	
Public Schools	P	
Studios – Art, dance, music, photography, etc.	P	
Theaters	P	

RESIDENTIAL

Live/work units	CUP	17.400.060
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RETAIL TRADE

Auto and vehicle sales/rental (6)(7)	P	
Auto parts sales, retail	P	
Convenience stores (8)	P	
Food Retail	P	
General retail stores (8)	P	
Internet café	P	

Notes:

- (1) See Article 7 for definitions of the land uses listed.
- (2) Includes packaging, processing, and wholesaling.
- (3) Includes assembly, restoration, and wholesaling.
- (4) Use only allowed on a site located a minimum of 300 ft from any residential zone.
- (5) AUP required for schools up to 1,500 sq.ft. in area.
- (6) All business activities with no outdoor display, storage or repair areas permitted shall be conducted wholly within completely enclosed buildings.
- (7) Used vehicles sales and service shall only be allowed incidental to new vehicle sales.
- (8) For permit requirements related to the sale of Alcoholic Beverages, see Section 17.400.015.

Table continues on next page

Exhibit A

2. Commercial uses.

Table 3-3B

Land Use Type: Commercial Uses (1)	Vehicle Spaces Required
Accessory Food Service	Same as primary use.
Accessory Retail Use	Same as primary use.
Animal boarding and kennels	1 space per 350 sf. of indoor use area; plus 1 space for 1000 sf of outdoor use area.
Auto and Vehicle Sales	1 space per 350 sf of indoor use area; plus 1 space for 1000 sf of outdoor use area.
Banks and financial services	1 space per 250 sf.
Bars and nightclubs	1 space per 100 sf, plus one space for every 30 sf of dance floor.
Convenience stores	1 space per 225 sf, with a minimum of 8 spaces.
Day care facilities	
Child or Adult Day Care Centers	1 space per 300 sf of floor area.
Large family day care home	1 space per employee, in addition to required residential spaces.
Small family day care home	As required for the single-family dwelling (see parking requirement for residential uses).
Food Retail	1 space per 350 sf.
Hotels and Motels	1 space for each guest room; plus 1 space for each 20 guest rooms; plus retail, restaurant and conference uses calculated at 1 space per 100 sf.
Medical services	
Hospitals	1 space for each 1.5 patient beds, plus required spaces for accessory uses as determined by the Director.
Medical/dental offices, clinics and labs	1 space per 350 sf.
Offices, administrative, corporate, professional	1 space per 350 sf.
Plant Nurseries	1 space per 350 sf of indoor use area; plus 1 space for 1000 sf of outdoor use area.
Restaurants	
General (Table Service) 1,500 sf or less.	1 space per 350 sf. with a minimum of 3 spaces.
Greater than 1,500 sf.	1 space per 100 sf.
Takeout (Counter Service), with customer tables	1 space per 75 sf, with a minimum of 8 spaces.
Takeout (Counter Service - 750 sf or less), no tables	1 space per 250 sf, with a minimum of 3 spaces.
Located in shopping centers: Less than 25% of floor area of center for all restaurants.	Parking requirement covered under the general requirement for shopping center.
25% or greater of floor area of center for all restaurants.	Portion of restaurant(s) exceeding 25% of shopping center's floor area shall use the same parking requirement for general restaurants, above.

Exhibit A

Continuation of Definitions, "R".

Research and Development. Indoor facilities for scientific research, and the design, development and testing of electrical, electronic, magnetic, optical and mechanical components in advance of product manufacturing, that are not associated with a manufacturing facility on the same site. Includes chemical and biotechnology research and development. Does not include computer software companies (see "Offices - Production"), soils and other materials testing laboratories (see "Business Support Services"), or medical laboratories (see "Medical Services - Offices/Clinics").

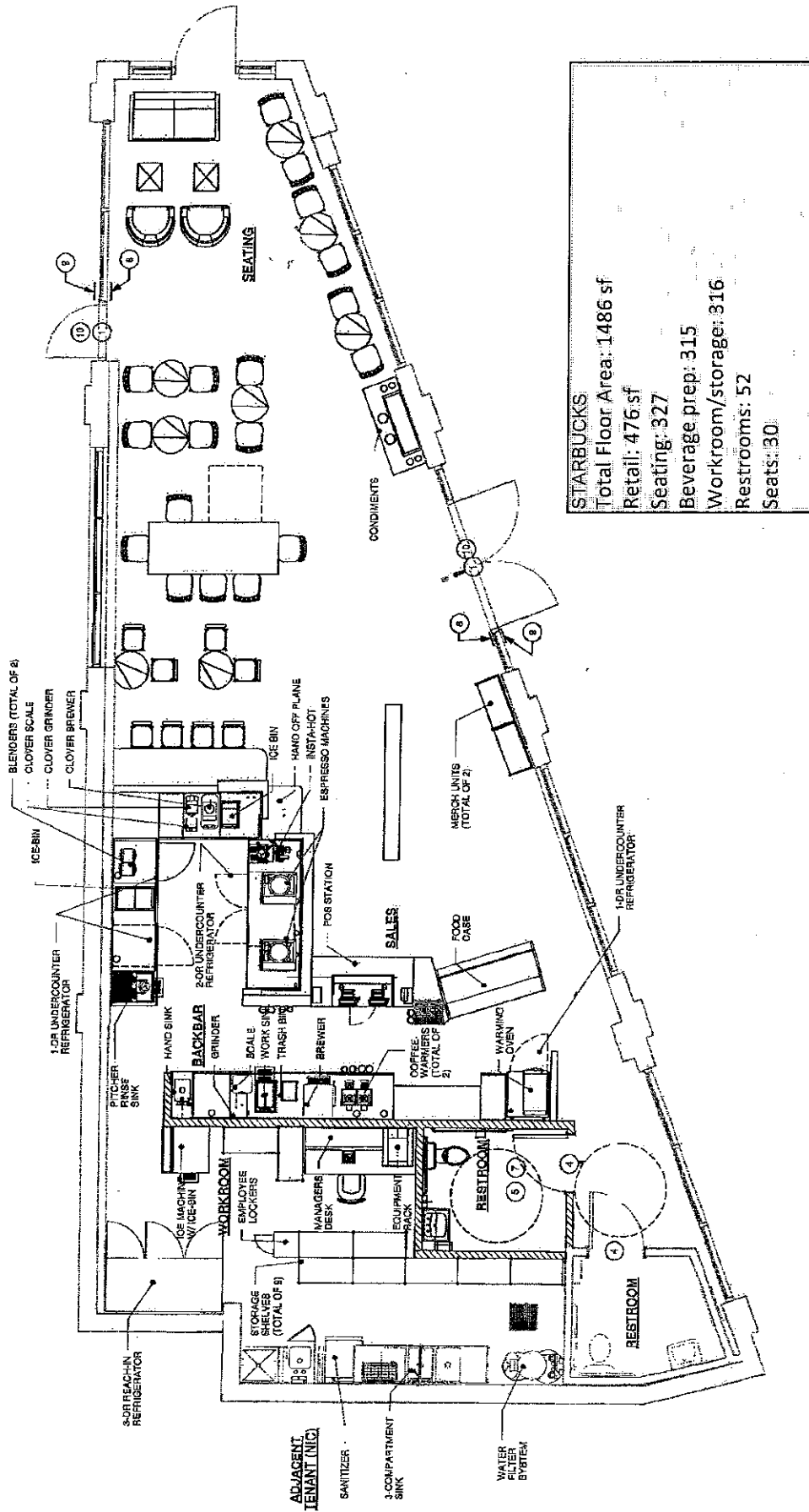
Residential Care Facility. Facilities providing 24 hour residential, assisted living, social and personal care for children, the elderly, and people with limited ability for self-care. Varying levels of care and supervision are provided. Residential care facilities may include basic services and community space.

*Includes: board and care homes; children's homes; transitional houses; orphanages; rehabilitation centers; convalescent homes, nursing home and similar facilities. Excludes facilities for persons requiring surgical or other primary medical treatment.

Retail:

1. **Artisan Shops.** Retail stores selling art glass, ceramics, jewelry, and other handcrafted items, where the facility includes an area for the crafting of the items being sold.
2. **Building Material Stores.** Retail establishments selling lumber and other large building materials, where most display and sales occur indoors. Includes paint, wallpaper, glass, tile, fixtures, nursery stock, lawn and garden supplies. Includes all these stores selling to the general public, even if contractor sales account for a major proportion of total sales. Includes incidental retail ready-mix concrete operations, except where excluded by a specific zoning district. Establishments primarily selling electrical, plumbing, heating, and air conditioning equipment and supplies to the trade are classified in "Wholesaling and Distribution." Hardware stores are listed in the definition of "General Retail Stores," even if they sell some building materials.
3. **Construction Equipment Sales.** Retail establishments selling or renting heavy construction equipment, including cranes, earth-moving equipment, heavy trucks, etc.
4. **Convenience Stores.** Retail stores of 3,500 square feet or less in gross floor area, which carry a range of merchandise oriented to convenience and travelers' shopping needs. These stores may be part of a service station or an independent facility.
5. **Food Retail.** A retail establishment where less than 750 square feet is utilized for on-site consumption of any food and/or beverage, including seating, counter space, or other eating arrangement, where the number of seats does not exceed 30 and is distinguished from a restaurant as it does not have a kitchen capable of serving meals, does not include wait service and serves food and non-alcoholic beverages for consumption on the premises or for take-out and limited to bakeries, bagel shops, donut shops, cookie and candy shops, juice stores, coffee and tea shops, ice cream and yogurt shops, and other similar uses as determined by the Director.

(Definition continues on next page.)



STARBUCKS
 Total Floor Area: 1486 sf
 Retail: 476 sf
 Seating: 327
 Beverage prep: 315
 Workroom/storage: 316
 Restrooms: 52
 Seats: 30

③ Furniture, Fixtures and Equipment Plan
 Scale: 1/4" = 1'-0"

