

REGULAR MEETING OF THE  
PLANNING COMMISSION  
CULVER CITY, CA

February 22, 2006  
7:00 p.m.  
Mike Balkman Council Chambers

MEMBERS PRESENT: Sheila Thomas, Chair  
Maureen Muranaka, Vice Chair  
Scott Malsin, Commissioner  
Marcus Tiggs, Commissioner  
David Rockwell, Commissioner

ADVISORY PRESENT: Thomas Gorham, Deputy Community Development Director  
Joseph Montoya, Associate Planner  
Jose Mendivil, Associate Planner  
Bryn Morley, Special Counsel  
David McCarthy, City Attorney

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CALL TO ORDER

Chair Thomas called the meeting to order at 7:02 p.m.  
The Pledge of Allegiance was led by Joseph Montoya.  
Roll Call. Thomas, Muranaka, Malsin, Tiggs, Rockwell.

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PUBLIC COMMENT

None.

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PUBLIC HEARING

**PH-1.** 12801-23 Washington Boulevard, West Culver Lofts; Site Plan Review, Tentative Tract Map.  
Motion to approve Affidavit of Mailing of Notices was moved by Commissioner  
Muranaka and seconded by Commissioner Tiggs.

*Joseph Montoya gave the staff report outlining the project. The project includes building twenty-four (24) condominium units (12 live/work and 12 residential) with fifty-seven (57) covered parking spaces on the first floor.*

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Commissioner Malsin

- Raised question about previous use and garage spaces of the eight residential units on this property exclusive of the Baldwin Hotel.

*John Fisanotti.*

*There were two 4-unit buildings; each building had two garages, double car garage size, one space per unit.*

Vice Chair Muranaka

- Inquired why the tandem parking and the decrease in parking spaces are being approved through an AUP rather than consolidated into the Planning Commission action.
- Cannot find the code reference made to tandem parking Section 17.32035

*Thomas Gorham*

*With the new code, the administrative review is handled at the staff level.*

Vice Chair Muranaka

- Would be more efficient if all were handled at the Planning Commission level. If the new code does not provide for that, there is a deficiency in the new coding.

*Thomas Gorham*

*The new code does allow us to bump it up; this provision came out late in the process.*

*Joseph Montoya*

*The bottom of page 37 lists subsection (b) tandem parking spaces; page 38 II states " within non-residential districts tandem parking may be provided for required parking spaces when authorized through an Administrative Use Permit".*

Vice Chair Muranaka

- Stated that this is not the section referenced in the staff report.
- Page 6 refers to section 17.320.035(c)(b)(II)

*Joseph Montoya*

*If you read the printed version you are correct that it is Section (B); if you refer to page 3-35, that's the first capital A and on page 3-36 should be "B"; page 337 what is listed as "B" should "C". The zoning code is incorrect due to a typographical error.*

Commissioner Tiggs

- Appears there will be less vehicle trips with the project than existing conditions.
- What is the basis for the calculation of 12 live/work units and 12 residential units?
- What is significance of statement regarding traffic "of special note is the proposed project is eliminating all use of the public alley and separates..."

*Joseph Montoya*

*Significantly less with the project; does not have the formula on hand; referred to the Engineering Division to do the standard formula calculations they use.*

*John Fisanotti*

*Introduced himself as Redevelopment Project Manager for the Redevelopment Agency.*

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*Stated that when the City Engineer did the analysis, I was asked for the existing use on the site which included the fifteen unit hotel, three-space commercial with the bar, market and restaurant as well as those eight residential units. That was the baseline the engineer was referring to.*

*Joseph Montoya*

*Looking at the existing block, the access to parking was dependent 100% through the alley; there is no vehicle access to the site at all through the alley. There will be some access through the alley but no where in the range that exists now. That justifies the City of Los Angeles' concern that there might be a need for alley reconstruction.*

Commissioner Rockwell

- Visited property over the weekend; observed that the site was somewhat similar to a project that came to the PC last September in that city boundary with Los Angeles was very close, and at that site people from Los Angeles complained that construction guidelines were not being followed and concern was expressed regarding the lack of parking spaces. Resident awareness should also be observed.

Chair Thomas

- Page 4 of staff report – raised the question regarding the number of parking spaces that will be available after construction.

*Joseph Montoya*

*Per the Engineering Division it will be dependent upon a proposed re-striping plan from the civil engineer.*

Commissioner Rockwell

There are seven (7) existing parking spaces and one driveway that appears to go into a wall.

*Joseph Montoya*

*I do not know what kind of plan the Engineering Division will support.*

Chair Thomas

- It appears we are looking in the 6 – 8 range.

*Joseph Montoya*

*Agreed but with hesitation due to the fact there has been no discussion regarding a fire hydrant that may be required which will take away from the available parking and the corner radius will be modified.*

Chair Thomas

- For anything requiring environmental approval, it would be handy to have the official closing date of the comment period for the circulation of the Mitigated Negative Declaration. Was it distributed for review on January 31<sup>st</sup>?

*Joseph Montoya*

*It was delivered the very next day, and is a twenty-one (21) day review period.*

Chair Thomas

- It would be a nice touch if somewhere in the staff report it would state what the review periods are for environmental items.

*Joseph Montoya*

*Refer to Attachment 1 (Project Summary) the Notice of Intent and the notice to the County includes that.*

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PUBLIC HEARING

Robert Little (Urban Equity Partners LLC)

- Sound transmission – Item #69 – very concerned about that issue and will make every effort to be in compliance.
- Parking and use of the alley – reducing use of the alley – residents will have assigned spaces.
- There are three spaces for eleven of the twelve live/work units; the extra three spaces could be utilized as guest parking.

Motion to close Public Hearing was moved by Commissioner Malsin and seconded by Commissioner Rockwell.

Commissioner Tiggs

- Supports project.
- The project has a pedestrian theme, attractive & creative design.

Vice Chair Muranaka

- Supports project.
- Will hopefully appeal to a market not served in that area.
- Concerned about comment from staff report regarding commission approved criteria for determining if a project requires a traffic impact study; the Planning Commission has never recommended that, rather has been told that this is what the Engineering Department has recommended and the Commission has acquiesced.

Commissioner Malsin

- Support project.
- At a meeting of Culver West Neighborhood Association approximately one year ago, there were no objections to the project.
- Very well designed structure.

Commissioner Rockwell

- Supports project.
- One of the buildings had a fire.
- Felt trees along the alleyway are a nice boundary.

Chair Thomas

- Supports the project.

**Resolution/Conditions of Approval**

Commissioner Malsin

- Page 9 – Condition #11 – Questioned whether it is standard practice for gates to remain open from 7:00 a.m. – 7:00 p.m.

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*Joseph Montoya*

*There is no standard practice for case and is done on a case-by-case basis. Engineering Division recommended that to ensure that Washington Boulevard is not impacted. We want to make sure those cars entering the site are not stacking waiting for the security gate to open and have cars backing up onto Washington Boulevard.*

Commissioner Malsin

- How would that work in practice with no on-site management?

*Joseph Montoya*

*They would have to figure out a system themselves as to how it is done either electronically or have on-site management.*

Commissioner Malsin

If it's fine with the applicant, it's fine with me.

Vice Chair Muranaka

- Concerned that Condition #31 and several other conditions are geared toward the issuance of a temporary Certificate of Occupancy.

*Joseph Montoya*

*Applicants continue to apply for them and the City continues to issue them; recognizing that it is best to have a condition referencing that issue.*

Chair Thomas

- Completely inappropriate to have a Temporary Certificate of Occupancy on a new building where if a resident moves in the building and does not meet the standard, you would be asking tenants to move out.

*Joseph Montoya*

*The temporary Certificate of Occupancy forms require the applicant to stipulate the expiration date of that temporary Certificate of Occupancy.*

Chair Thomas

- Would prefer that all references to "temporary" be stricken and the condition would simply read "Certificate of Occupancy" because of the nature of this type of development.

*Joseph Montoya*

*If the Commission chooses that route it would be advisable to add a stipulation at the beginning that there be no temporary Certificate of Occupancy's issued.*

Chair Thomas

- Would like to add condition to replace all "temporary Certificate of Occupancy" to "Final Certificate of Occupancy".
- Need to look at all the condominium projects to determine if there is an individual Certificate of Occupancy for each unit or for the entire project.
- Page 14 – should have a hazardous materials plan onsite and the pre-fire plan before any of the units would have a Certificate of Occupancy and that would be a final Certificate of Occupancy.

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- A temporary Certificate of Occupancy implies that you have a certain amount of time to complete something and a distinction should be made as to what should be completed.

Commissioner Rockwell

- Since there are two separate buildings, can we develop a stipulation stating that a TCO could only be granted for a building that is complete but not for the whole project?

Vice Chair Muranaka

- Would not approve conditions referring to temporary Certificate of Occupancy; sets a bad precedent.

Robert Little (Urban Partners)

- The project is not being phased, but rather finishing the building out.

Chair Thomas

- Page 11 – Item 31 – strike the word “temporary” prior to the issuance of any Certificate of Occupancy.
- Units can be given a Certificate of Occupancy on a unit for unit basis.
- Planning Commission would like to work out a method where you will collectively not allow the developer to not use the word “temporary” in reference to Occupancy.

*Joseph Montoya*

*We do not know if Building & Safety will issue a Certificate of Occupancy for each individual unit or collectively.*

Chair Thomas

- If after reviewing all of the conditions we find no need to issue a temporary Certificate of Occupancy, a condition should be added stating there would be no temporary Certificate of Occupancy.

Commissioner Malsin

- Page 11 – Condition 31 – is it referring to the art in public places?

*Joseph Montoya*

*The City requires these covenants executed, paid for and filed with the County to insure the public art process would be met.*

Chair Thomas

- Recommends striking the word “temporary”.

Vice Chair Muranaka

- Page 12 – Condition #34 – first word “all” be replaced with the “declaration of covenants, conditions and restrictions”; delete the word “and”, the homeowners bylaws, and if applicable the condominium plan shall be submitted to the City Attorney and approved.

Chair Thomas

- Item 39 - this area served by DWP?

Vice Chair Muranaka

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- Page 14 – Condition #56 – delete “temporary”.
- Condition 69 – insert the word ‘reasonably’ between the words ‘otherwise’ and approved by the building official.
- Condition 87 – is not a complete sentence; add at the beginning “the applicant shall”.

Chair Thomas

- Condition 89 – strike “T” and throughout the condition.
- Condition 90 – “prior to the issuance of a final Certificate of Occupancy for the entire project” should convey our intent.

Commissioner Tiggs

- Condition 87 – should put when the intention is.

Chair Thomas

- Conditions 92 and 97 – regarding landscaping; Condition 92 – the issue is street pockets not street tree wells.
- Condition #113 – because of the shared boundary, should we not coordinate the haul routes with the City of Los Angeles?

*Joseph Montoya*

*Coordination of haul routes is not necessary because the trucks should not be coming through any of the residential streets.*

Vice Chair Muranaka

- Condition #121 – delete “Temporary”.

Chair Thomas

- Appears that Condition #90 (final Certificate of Occupancy) which references only the “as-builts” for the onsite improvements, everything else required that would have been ascribed to a “temporary” Certificate of Occupancy are all in fact conditions that would be necessary for any level of occupancy.
- The only thing remaining for the applicant to do before the final approval is to surrender the “as-builts”.
- Do we need a condition stating that no temporary Certificate of Occupancy will be issued or not?

Commissioner Tiggs

- Does not believe we do.

Comments on Mitigated Negative Declaration

- None

Moved by Commissioner Malsin to adopt the Mitigated Negative Declaration and approve Site Plan SPR P-2205012 as amended as stated in Draft Resolution 2006-P005 and approve the Tentative Tract Map 65473-TTMP-2005014 subject to the conditions of approval as amended. Vice Chair Muranaka recommended approval by the City Council and seconded the Motion to approve. Vote was 5-0.

**PH-2. 9343 Culver Boulevard, 4-Story Office Building; Site Plan Review and Height Exception.**

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Motion to approve Affidavit of Mailing of Notices was moved by Commissioner Tiggs and seconded by Vice Chair Muranaka.

*Jose Mendivil gave a brief staff report on the project, which proposes to demolish a Single 4,000 sq. ft. single-story structure, construct a four-story 16,800 sq. ft. building that will House its current tenants provide additional office space, including ground floor retail restaurant patio space and rooftop special events area.*

Commissioner Tiggs

- Inquired whether the project site should tie into the adjacent historic site (Citizen Bank building) or should it be dramatically different from the historic site.

*Jose Mendivil*

*Per state historic law, you do not want to create a structure that looks like the historic structure, thus degrading the historic structure.*

PUBLIC HEARING

Mark Vighai (Architect)

- Requesting the height exception because it is the belief that Culver City will densify at this level
- Project is consistent in request with all other new developments
- Wants to act as a background building to the historic site

Speaker Card from Marta Zaragoza was read into the record.

Motion to close the public hearing was moved by Commissioner Malsin, seconded by Commissioner Tiggs.

Commissioner Rockwell

- Looks like a tall building compared to the other structures in the area
- If you remove one floor would the business plan fall apart or become more difficult
- Is there a real trend to build taller in downtown Culver City?

Mark Vighai (Architect)

- Plan would basically fall apart creating substandard floors which are not in demand
- Businesses are seeking at least a 19 foot floor to ceiling space
- Project designed at 13'6" which is average, plus at least 15 feet for retail business at the ground level

*Thomas Gorham*

- Fits into the design structure of downtown Culver City
- Not looking to allow blanket height exceptions for all projects – case-by-case basis
- On the north side of Culver Boulevard the height limit is 44 feet.

Commissioner Malsin

- The voter approved height limit was 56 feet
- The inconsistency between the height limit on the north side of Culver Boulevard is problematic



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- Favors the project

Vice Chair Muranaka

- Agrees there is a stark contrast in the massing of this project and the neighbors
- Concurs with the analysis about the Class A building and the ceiling requirements for the HVAC
- Is in favor of the project

Commissioner Tiggs

- Looks at project as a gateway
- Project will balance out the parking structure along with the Parcel B project
- Supports project

Chair Thomas

- Supports the project
- Finds it is not appropriate to classify the project as a 56 foot building; it is factually 59 ft. 6 inch building that has structures as high as 65 feet.
- Prepared to approve the overall structure height of 65 feet.

RESOLUTIONS

**Site Plan Review**

Chair Thomas

- Page 6 – more appropriate say “homeowners, owners and tenants” names and addresses will be available.

Commissioner Tiggs

- #21 – “the rooftop deck shall not be converted...” has been approved by the Planning Manager; was this area designed for special events? What is meaning of “assembly area”?

*Jose Mendivil*

*For example, the designated area would not be able to be converted to a rooftop restaurant.*

*Thomas Gorham*

*It should be specified that the area cannot be converted into a permanent assembly area.*

Vice Chair Muranaka

- Condition #73 - unnecessary to have the word “temporary” from Certificate of Occupancy throughout. Delete the word ‘temporary’.

**Height Exception**

Chair Thomas

- Reword to not being 56 feet – it is in fact a 65 foot building that includes a 3 ½ foot parapet wall and 9 feet of rooftop appurtenances

*Jose Mendivil*

*The Code measures height as distance from grade to roof deck and allows up to 13.5 feet for roof top structures*

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Motion to approve Resolution 2006-P003 and 2006-P004 was moved by Commissioner Tiggs and seconded by Commission Malsin. Vote was 5-0 in favor of the Motion.

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

Moved by Commissioner Malsin, second by Commissioner Tiggs, to approve Secretary's Report.

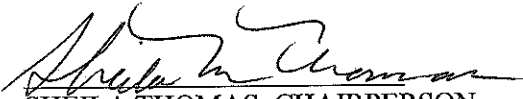
**ITEMS FROM STAFF**

*Thomas Gorham advised the Commission of upcoming meetings and agenda items, and gave an update on the Specific Plan proposed for Washington/National.*

*David McCarthy*

*There was a question as to whether the Planning Commission ever recommended a traffic study. On August 12, 1987 the Planning Commission recommended the study and the traffic study was approved by the Council on September 14, 1987.*

Motion to adjourn the meeting was moved by Commissioner Rockwell, seconded by Commissioner Tiggs and unanimously carried. The meeting was adjourned at 8:47 p.m. to March 8, 2006 at 7:00 p.m. in the Mike Balkman Chambers at City Hall.

  
SHEILA THOMAS, CHAIRPERSON  
PLANNING COMMISSION  
CITY OF CULVER CITY

ATTEST:

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YVONNE D. HUNT  
ADMINISTRATIVE SECRETARY