

SPECIAL MEETING OF THE
CITY COUNCIL
CULVER CITY HOUSING AUTHORITY BOARD
AND PLANNING COMMISSION
CULVER CITY, CALIFORNIA

November 16, 2015
6:00 p.m.

Call to Order & Roll Call

Mayor O'Leary called the meeting of the Culver City Housing Authority Board to order at 6:00 p.m. in the Mike Balkman Chambers at City Hall.

Present: Micheál O'Leary, Mayor
Andrew Weissman, Vice Mayor
Jim B. Clarke, Council Member
Jeffrey Cooper, Council Member
Meghan Sahli-Wells, Council Member

Note: The City Council also sits as Members of the other Legislative Bodies convened as part of the Meeting (except the Planning Commission).

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Closed Session

The Culver City Housing Authority Board recessed to Closed Session to consider the following item:

CS-1 HA - Conference with Real Property Negotiators
Re: 4044-4068 Globe Avenue
Agency Negotiators: John Nachbar, Executive Director; Sol Blumenfeld, Assistant Executive Director; Murray Kane, Housing Authority Special Counsel
Other Parties Negotiators: Habitat for Humanity of Greater Los Angeles
Under Negotiation: Both Terms and Price
Pursuant to Government Code Section 54956.8

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Reconvene

Mayor O'Leary reconvened the Culver City Housing Authority Board meeting at 7:00 p.m. and convened the City Council with all Members present.

Mayor O'Leary reported that Item PH-1 would be heard at a later date noting that anyone who wished to speak on the item would be able to be heard at that time.

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Invocation/Pledge of Allegiance

City Manager John Nachbar asked that instead of an invocation, a moment of silence be observed to honor those who lost their lives in Paris. The Pledge of Allegiance was led by Goran Eriksson.

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Report on Action Taken in Closed Session

Mayor O'Leary indicated nothing to report out of closed session.

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Community Announcements by City Council Members/ Information Items from Staff

Council Member Sahli-Wells discussed the events in Paris noting that it was a key moment not to react in hatred and to avoid feelings of racism or prejudice during a time of great sadness.

MOVED BY MAYOR O'LEARY, SECONDED BY COUNCIL MEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT WHEN THIS MEETING IS ADJOURNED, IT BE ADJOURNED IN MEMORY OF PAT EIGEL.

Lieutenant Sam Agaiby, Culver City Police Department, provided an overview of the Culver City Bike Patrol.

Discussion ensued between staff and Council Members regarding the Office of Traffic Safety program; enforcement of bicycle and pedestrian safety rules; and lighting standards for bicycle riding at night.

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Joint Public Comment - Items Not on the Agenda

Mayor O'Leary invited public comment.

The following members of the audience addressed the City Council:

Mona Williams expressed deep appreciation to the Culver City Police Department for their assistance with her son who is schizophrenic.

Mayor O'Leary expressed appreciation to Ms. Williams for her comments.

Elliot Heffler, Culver City Lions Club, invited everyone to attend the 40th Anniversary dinner of the Senior Citizens program held at the Senior Citizens Center on Thanksgiving Day; he noted that the Mayor was a long-time member; and he thanked Albert Vera, Jr. from Sorrento's for donating the turkey and Golden State Water for the monetary donation to the program.

Martin Cole, Assistant City Manager/City Clerk, read comments submitted by:

Eric Ernst

Eric Ernst expressed concern with a business operating at a former residential property at 10833-35 Washington Boulevard and its encroachment into alley space noting that he has attempted to resolve matters with staff.

Martin Cole, Assistant City Manager/City Clerk indicated that staff had contact information for Mr. Ernst and would get in touch with him.

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Receipt and Filing of Correspondence

MOVED BY VICE MAYOR WEISSMAN, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE.

Martin Cole, Assistant City Manager/City Clerk, reported that correspondence received before 4 P.M. had been made part of

the official City record with copies provided to the City Council and Planning Commissioners.

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Consent Calendar

MOVED BY VICE MAYOR WEISSMAN, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE ITEMS C-1 AND C-2.

Item C-1

CC - Adoption of Resolutions 1) Approving Salary Schedules for Police Safety Employees Effective August 1, 2015 and 2) Approving Salary Schedules for Fire Safety Employees Effective September 1, 2015

THAT THE CITY COUNCIL: ADOPT RESOLUTIONS APPROVING: (1) SALARY SCHEDULES FOR POLICE SAFETY EMPLOYEES EFFECTIVE AUGUST 1, 2015 AND (2) FIRE SAFETY EMPLOYEES EFFECTIVE SEPTEMBER 1, 2015.

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Item C-2

CC - Adoption of a Resolution Providing Notice of the City of Culver City's Intent to Withdraw from the Independent Cities Risk Management Authority

THAT THE CITY COUNCIL: ADOPT A RESOLUTION PROVIDING NOTICE OF THE CITY'S INTENT TO WITHDRAW FROM THE INDEPENDENT CITIES RISK MANAGEMENT AUTHORITY (ICRMA).

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Order of the Agenda

No changes were made.

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Public Hearing

Item PH-1

CC - Public Hearing: Adoption of a Resolution Establishing a Community Benefits District and Approving a Community Benefit for the Proposed Axis-Mundi Re II, LLC Mixed-Use Development Project at 12803-12823 Washington Boulevard

Mayor O'Leary invited public comment.

No cards were received and no speakers came forward.

Martin Cole, Assistant City Manager/City Clerk, reported that a date had not yet been arranged for the rescheduled Public Hearing but he noted that adequate notice would be provided once the meeting is scheduled.

The City Council took no action on this item.

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Joint Meeting with the Planning Commission

Planning Commissioners entered Council Chambers and roll call was taken with all Planning Commissioners present.

Present: Kevin Lachoff, Chair
David VonCannon, Vice Chair
Ed Ogosta, Commissioner
Dana Amy Sayles, Commissioner
Scott Wyant, Commissioner

MOVED BY COMMISSIONER WYANT, SECONDED BY VICE CHAIR VONCANNON AND UNANIMOUSLY CARRIED, THAT THE PLANNING COMMISSION APPOINT MARTIN COLE TO SERVE AS SECRETARY PRO TEMPORE OF THE PLANNING COMMISSION.

Martin Cole, Assistant City Manager/City Clerk, clarified procedures for the joint meeting.

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Action Item

Item A-1

CC:PC - City Council and Planning Commission Joint Study Session to Consider the Matter of Larger Single Family Development ("Mansionization")

Sol Blumenfeld, Community Development Director, provided a summary of the material of record; indicated that the purpose of the joint meeting was to continue the process of examining larger single family development in the City; provided background on the process; discussed next steps in the process; potential changes to codes; and Commission suggestions.

Commissioner Ogosta provided a presentation of some of the Planning Commission proposals to allow for a visual comparison; discussed existing average conditions; and the existing Zoning Code.

Sol Blumenfeld, Community Development Director, noted that the illustrations were the basis for discussion, not a definitive representation of something that has already been done.

Discussion ensued between Council Members, Commissioners, and staff regarding clarifications on the staff report; the five-foot step back; articulation; balconies and projections; whether the Floor Area Ratio (FAR) issue would disproportionately negatively impact small lots vs. larger lots; open issues; incentivization for using continuous driveways on the side yard; balcony encroachments; and concern with a "one size fits all" scenario.

Mayor O'Leary invited public comment.

Martin Cole, Assistant City Manager/City Clerk, discussed procedures for public speaking.

The following members of the audience addressed the City Council and Planning Commission:

Barbara Genicoff, Lindberg Park, expressed concern with being encroached upon and loss of privacy; discussed plans for a 3,400 square foot home near her house; and the incongruity of the proposed development.

Dan Hyslop expressed concern with loss of privacy; second story additions and set back; he felt that the proposed FAR of .6 would destroy the notion of the privacy provided by single family homes; he suggested requiring the preservation of single and side by side driveways during remodeling to provide natural setbacks; he described a remodel across the

street from him that reduced privacy and street parking; he discussed the presentation; original single family development in the City that averaged an FAR of .3 and the proposed doubling of home size; the addition to his own home; and double wide driveways that result in reductions to street parking.

Ross Hawkins observed that Culver City is the only city on the westside where homeowners outnumber renters; he expressed concern that development would change the balance; noted that in surrounding areas people are turning properties into rentals; he stated that he was not opposed to larger homes but he did oppose ripping up trees with development up to the curb without green space; he expressed concern with drought tolerant landscaping resulting in increased temperatures; and he asked that when the area across from the Culver Studios is developed, that something other than a shopping mall be built.

Ken Mand indicated that he lives in a single-family, low density neighborhood as designated in the General Plan that is zoned R-2; he felt that their neighborhood should be included in the current discussion; he expressed concern with a "one-size fits all" approach; discussed maintaining the character of the block; incentivizing the retention of the driveway separating each house; and he felt that additional study was necessary to find an appropriate solution.

Iain Gulin felt that an incomplete, incorrectly structured study process had taken place; asserted that the criteria was not present to make informed decisions; discussed the lack of Commission consensus on the issues; he expressed concern with the lack of follow up with experienced residents; he cited the need for examination of how other cities address similar issues; he questioned the assertion about the "typical 5,000 square foot lot"; felt that those with small lots would be punished by a wholesale approach; noted the need for an outside expert; the importance of listening to residents, recognizing prevailing conditions and drafting enduring zoning codes; and he asked that a new comprehensive, expertly guided study be conducted.

George Dougherty presented a video illustrating the experience of a Carlson Park family with a new development next door on Vinton Avenue that negatively impacts their privacy and light.

Sara Hartley expressed concern that the recommended changes were overly simplistic; she felt the process was flawed; she encouraged Planning staff and Commissioners to walk through neighborhoods to become familiar with the data being discussed; she asserted that more time was necessary to craft a proper zoning revision; felt a moratorium or an emergency ordinance was necessary as things are changing quickly; noted the need for a comprehensive plan by an unbiased, outside consultant; expressed concern with conflicts of interest; felt that there should be a neighborhood plan; discussed the quality of the neighborhoods; expressed support for recommendations made by Ann and Tim Lowe; and she encouraged interested parties to sign a petition on change.org about this issue.

Victoria Manley discussed a large development next door to her home; the resulting loss of light on the south side of her house; the large wall four feet from her property line; issues with heat and air circulation; loss of privacy; effects to the character of the entire neighborhood; existing homes south of Farragut without driveways; she expressed concern with the drawn out nature of the process; wanted to see a moratorium with an independent expert retained; expressed concern that basements would become underground parking garages; discussed the elimination of street parking resulting from front garages; notification; posts installed to illustrate the height of the proposed building; length of construction; the five-foot perimeter requirement; and consequences of the French drains.

James Klein expressed concern that the recommendations did not go far enough; discussed impacts of the large homes on the quality and structure of the neighborhood as well as the quality of life; he wanted to see the visual integrity and beauty of the neighborhood be preserved; and he urged the development of a more stringent and thorough set of recommendations with an outside expert.

Roger Fresh presented a picture of a large home; noted that 90% of the houses in his area have driveways with a detached garage in the back; expressed concern with affects to privacy and solar panels; diminished property values; and he expressed concern with the sale of the house next to him and potential new development noting that new permits are being pulled every day.

Philip Lelyveld requested that subject matter experts who happen to be residents be invited to make presentations to the City Council and engage in a dialogue rather than a sequential monologue; he noted that issues raised by citizens included the preservation of light, air circulation and privacy as development occurs in residential areas; discussed the need for a Good Neighbor Building Code to effectively balance the rights of neighbors to build what they want against the rights of neighbors to not have their rights unilaterally taken from them without due course; he discussed the term mansionization; noted that the focus should be on fair, balanced building codes; discussed changes that would address the issues; expressed concern with changes proposed by the Planning Commission that would result in 340 square feet of unbuildable land in every R-1 lot; noted changes since the 1995 General Plan was drafted; discussed the importance of public participation; the 2013-2021 Housing Element; and he asked that Culver City residents and subject matter experts be surveyed in an open, democratic process before the fabric of the community is irreversibly, negatively changed for residents.

Menik Seneviratne discussed her own remodel; requested that careful consideration be taken on something that has profound impacts on the City; she asked that an independent expert be involved; and she wanted neighborhoods involved noting that every neighborhood is unique.

Jennifer Trapnell felt that developers were coming in and manipulating the code; she did not want to see wedding cake architecture; and she felt that architects were absent from the buildings.

Jennifer Chen reported submission of a petition with signatures from neighbors in the R-2 and R-3 areas; she expressed opposition to the use of the word mansionization; she felt that R-2 and R-3 owners were not properly noticed and should be exempt from the process; discussed property values; reported that she moved to the City for the flexibility to accommodate her multi-generational family; discussed appropriate zoning; changes in the City; and the rights of individual community members.

Kevin Lachoff, Planning Commission Chair, discussed concerns previously voiced; the minority of opinions asking that the status quo be preserved; recurring themes of privacy and

massing; and the basis for the Planning Commission discussions.

Sol Blumenfeld, Community Development Director, discussed comments from prior study sessions; broad concerns; privacy, varying the standards by neighborhood, and avoiding a "one size fits all" approach; the pace of the process; concern with bias; issues with creating a set of standards; regulations of surrounding cities; economic effects possible with restrictions; conducting a study of economic impacts; addressing issues; perfecting recommendations; the comprehensive update of the zoning ordinance in 2005; continuous updates and amendments to zoning text to fit the times; whether to hire a consultant; the belief that recommendations are sufficient to deal with many of the issues; and the timeliness of the response.

Discussion ensued between Council Members and staff regarding average lot size; impacts of the .6 FAR; lot size; the relationship of the building to the lot; concern with enlarging the FAR three times more than the average home in the neighborhood; having the FAR vary by neighborhood based upon prevailing conditions; adding a maximum or minimum if the lot size varies greatly from the average; conducting a block by block survey; clarification that single family homes are not subject to a discretionary permit; additional administrative review; increased staffing; concern with fundamentally changing the neighborhoods; what is currently allowed; acknowledgement of the work done by the Planning Commission and staff; the FAR of the houses over 3,000 square feet; the impacts of what is on paper; appreciation for the 3-D modeling by Commissioner Ogosta; temperature differences caused by shadowing; the need to actually experience the impact of a large development by visiting properties; addressing concerns; the importance of investing in further study neighborhood by neighborhood; concern with being too restrictive; finding a healthy balance; addressing the issues of shade, shadow and solar panels; the Solar Bill of Rights; the 20 permit applications that have come in since June; concern with a permit pulled by a holding company; finding out what the FAR is for some of the proposed homes; whether the single family home classification changes after a certain size is reached; staking out the footprint of a building; construction notification; information included in notices; neighbor input to the development process; the 15-foot rear setback; establishing practical rules that allow flexibility but do not intrude on the neighbors; variances; pricing and

scope of work for an outside consultant; the need for additional study; the labor intensive nature of the process; roof slope; residual building area; trading building step back for setback; incentivizing driveways; the double driveway in front of homes; parking issues; the value of parkways; and the value of the urban forest.

Additional discussion ensued between staff, Planning Commissioners and Council Members regarding the charge of the Planning Commission; the work of staff and Commissioners; the recommendations; infill development; the evolutionary nature of zoning ordinances; data and information necessary to make recommendations; balcony setbacks; the average footprint of single family homes in Carlson Park; responsibility for knowledge of the existing zoning codes; prohibitions against installing landscaping that will reduce the effectiveness of solar panels; local ordinances; solar easements; clarification that solar issues are a civil matter; education of the public when pulling a permit for solar panels; zone checks; nuanced review; clerestory windows and privacy; State requirements; requirements of the Fire Code; egress and light and air requirements for sleeping rooms; ventilation requirements for bathrooms; limiting window installation; Green Building Standards; active permits submitted for R-1 projects; front setbacks of the second level; side walls; the assumption that the neighborhood character would remain the same; basements turned into underground garages; storm water run off; balancing the quality of life for the neighbor of the property being developed and property rights to develop the property; disincentivizing removal of the driveway; the Building Code cycle; cantilevering over a driveway; and maintaining open space over a driveway.

Further discussion ensued between staff, Commissioners and Council Members regarding concern that the attached garage actually penalizes people for a design choice; the side entry attached garage housing type; alley access; the side by side driveway; unique conditions that create space between houses; how massing responds to existing conditions; neighbors that have been vilified by the process; the need to provide a minimum amount of open space; the need for careful consideration of changes; solar protection; the creation of non-conforming conditions; Planning Commissioner experience; time spent studying the issues; moving forward with the current recommendations and adjusting as need be; impacts on the current development process; impacts to large construction; the 15 renovation or new construction projects

greater than 3,000 square feet since June; legislating good neighbors; making it less attractive to be a bad neighbor; rewarding being a good neighbor; common features of houses north of Farragut; consequences for everyone as residents of the City; appreciation for the professionalism of staff; the importance of the character of the street facades in the neighborhood; the side garage; the goal of creating a larger space between homes; the impact of the second floor; keeping the neighbors and the neighborhood in mind during development; opposition to a design review process that regulates aesthetics; studying each neighborhood to gain nuanced information; the current zoning page of rules; concern with adding too many layers of restrictions; concern that the allowable height is still too high; the computer model; items exempt from height restrictions under the building code; and older houses on raised foundations.

Additional discussion ensued between Commissioners and Council Members regarding similar issues in area cities; the current economy; the real estate cycle; a comparison of the FAR of comparable cities; maintaining options for people; concern with legislating the appearance of buildings; privacy issues created by roof decks and balconies; unintended consequences of any changes; loopholes; single family homes in R-2 zones; the notification process; different expectations when buying an R-2 property; the need to bring R-2 zoning up to date; information on the way other areas in Los Angeles County have addressed mansionization; Low Impact Development requirements; state requirements for single family homes; building code requirements; simple ways to divert storm water; the responsibility of the City; protecting solar investments; doing the process correctly rather than quickly; the lack of support for a moratorium; urgency; a request for information on the costs to retain a consultant for a comprehensive, careful study of the item; adopting a local ordinance to prevent shading; implementing conditions that the Planning Commission is in agreement on and continued consideration of other issues; continued discussion of the FAR; implications; additional consideration of the driveway and attached garage issue; next steps in the process; returning to the City Council with a draft ordinance for consideration; additional opportunity for public input; whether to move forward with partial recommendations and additional consideration for certain items or to move forward only when complete; adopting a body of work that would have impacted recent permits pulled; agreement that there is additional work to be done; concern with losing the momentum

of concentrating on the issue if parts are adopted piecemeal; Table 2-3; studying the neighborhoods; prevailing FAR and setbacks; impacted neighborhoods; establishing a priority for neighborhoods experiencing more development; gathering the data to address more nuanced requirements; reducing the percentage of Floor Area on the second floor; addressing issues of privacy and massing; requirements with an immediate effect; focusing on R-1 properties only; the number of notices issued; Neighborhood Design Guidelines; the wait of the downtown neighborhood for consideration; neighborhood surveys; staffing; priorities; the current workload; outside assistance; the importance of moving forward; further study of second stories; ways to reduce the scope of intrusion; concern with a .6 FAR; disincentivizing the removal of driveways; incentivizing the continuous driveway; lot consolidation; teardowns vs. remodels; the non-conforming ordinance; creating a different tier; consideration of a lower FAR; and preserving property rights while not intruding on neighbor rights.

Sol Blumenfeld, Community Development Director, summarized items that Council Members and Planning Commissioners agreed upon including setbacks for the side, rear and corner; basements; and standard noticing procedures.

Sol Blumenfeld, Community Development Director, summarized items that warrant further discussion including the second floor step back and reducing the effect of second floor intrusion; the .6 FAR; building height; flat vs. sloped roof; continuous driveways leading to a garage; windows facing the side yards; roof decks and balconies; creating a baseline; protection of adjacent property's building code change; scope of remodel; and content of the notification.

Additional discussion ensued between staff, Planning Commissioners and Council Members regarding the five-foot step back on the second floor; additional discussion on reducing the effect of second floor intrusion; abutting owners; content of the notification; staking out the outline of the proposed development; computer modeling; digital plans; idealized representations of the plans; clarification that single family home remodels are not subject to a discretionary review; and concern with over regulating.

MOVED BY COUNCIL MEMBER CLARKE, SECONDED BY VICE MAYOR WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL DIRECT STAFF TO RETURN WITH AN ORDINANCE CONTAINING THOSE

ITEMS THAT THE PLANNING COMMISSION AND CITY COUNCIL ARE IN AGREEMENT WITH AS OUTLINED ABOVE.

Mayor O'Leary thanked the Planning Commission and staff for their efforts.

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Public Comment - Items Not on the Agenda

Mayor O'Leary invited public comment.

No cards were received and no speakers came forward.

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Items from Members

None.

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Adjournment

There being no further business, at 10:51 p.m., the Planning Commission adjourned its meeting.


There being no further business, at 10:51 p.m., the City Council and Housing Authority Board adjourned its meeting in memory of Pat Eigel.

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Martin R. Cole
CITY CLERK of Culver City, California
EX-OFFICIO CLERK of the City Council and
SECRETARY of the Culver City Housing Authority Board and
SECRETARY PRO TEMPORE of the Culver City Planning
Commission
Culver City, California



KEVIN LACHOFF
CHAIR of the Planning Commission
Culver City, California



MICHEÁL O'LEARY
MAYOR of Culver City, California and CHAIR of the Culver
City Housing Authority Board
Culver City, California