

DRAFT JULY 13, 2022 PC MINUTES

REGULAR MEETING OF THE
CULVER CITY
PLANNING COMMISSION
CULVER CITY, CALIFORNIA

July 13, 2022
7:00 p.m.

Call to Order & Roll Call

Vice Chair Barba called the regular meeting of the Culver City Planning Commission to order at 7:05 p.m. in Council Chambers and via Webex.

Present: Nancy Barba, Vice Chair
Jennifer Carter, Commissioner
Stephen Jones, Commissioner
Ed Ogosta, Commissioner

Absent: Andrew Reilman, Commissioner

Vice Chair Barba discussed ground rules for the meeting and procedures for participation.

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Pledge of Allegiance

Commissioner Jones led the Pledge of Allegiance.

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Public Comment - Items NOT on the Agenda

Vice Chair Barba invited public comment.

The following member of the audience addressed the Commission:

Carolyn Libuser expressed hope that the Commission would not dismiss opinions and input from older residents; discussed concern with exclusionary options put in place; she wanted to

see the disabled and elderly taken into consideration; and she noted that not everyone was able to ride bicycles.

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Receipt of Correspondence

Ruth Martin del Campo, Administrative Secretary, indicated that correspondence had been routed to Commissioners and staff prior to the meeting.

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Consent Calendar

Item C-1

Approval of Draft Planning Commission Meeting Minutes for June 8, 2022

MOVED BY COMMISSIONER OGOSTA AND SECONDED BY COMMISSIONER CARTER THAT THE PLANNING COMMISSION APPROVE THE DRAFT PLANNING COMMISSION MEETING MINUTES FOR JUNE 8, 2022.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BARBA, CARTER, OGOSTA
NOES: NONE
ABSENT: REILMAN
ABSTAIN: JONES

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Order of the Agenda

Item A-1 was heard before and after the Public Hearings.

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Action Items

Item A-1
(Out of Sequence)

PC - (1) Selection of the Chair and Vice Chair; and (2) Selection of the Committee Members

Member Carter nominated Vice Chair Barba to serve as Chair and Member Jones seconded the nomination.

MOVED BY MEMBER OGOSTA AND SECONDED BY VICE CHAIR BARBA THAT THE PLANNING COMMISSION APPOINT NANCY BARBA TO SERVE AS CHAIR AND ED OGOSTA TO SERVE AS VICE CHAIR OF THE PLANNING COMMISSION FOR FISCAL YEAR 2022-2023.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BARBA, CARTER, JONES, OGOSTA
NOES: NONE
ABSENT: REILMAN

Selection of Committee members was deferred to the after the Public Hearings.

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Public Hearing Item

Item PH-1

PC - Consideration of a Conditional Use Permit to allow a Cannabis Retailer-Storefront business in a new 3,824 square foot building at 3800 Sepulveda Boulevard (Project)

Jose Mendivil, Associate Planner, provided a summary of the material of record.

Commissioner Carter received clarification regarding the soil management plan and removal of on-site gas tanks.

MOVED BY CHAIR BARBA AND SECONDED BY COMMISSIONER JONES THAT THE PLANNING COMMISSION OPEN THE PUBLIC HEARING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BARBA, CARTER, JONES, OGOSTA
NOES: NONE
ABSENT: REILMAN

Chair Barba invited public input.

The following member of the public addressed the Commission:

Trent Woloveck, TGS CC Ventures, LLC, provided a presentation on the project; discussed the project timeline; core principles; their promise to Culver City; compliance; public safety; operational excellence; transparency; and he introduced the team working on the project.

Brendon Lynch, Retail Operations, provided an overview of the exterior and interior design; discussed parking; lighting; the garden inspired design; the floor plan; the site plan; and environmental sustainability.

Ken Mand, Beyond Hello, discussed length of the process; community engagement; diversity; local hiring practices; participation in local events since 2018; membership in the Tellefson Park Neighborhood Association and the Chamber of Commerce; community partnerships; and annual money committed to a community engagement fund to support Culver City based organizations, projects, and non-profits.

Discussion ensued between project representatives and Commissioners regarding the roof plan; building materials; the skylight; providing the appearance of a greenhouse; PV (photovoltaic) panels; the modern take on a gabled building; LEED (Leadership in Energy and Environmental Design) certification; the sculpture garden; the canopy; clarification regarding the gap; and security vs. surveillance.

Chair Barba invited public comment.

The following member of the public addressed the Commission:

David Voncannon, Tellefson Park Neighborhood Association and Chamber of Commerce, discussed applicant presentations; security; building siting; visibility; lighting; parking; activation of the vacant corner; and he expressed support for the project.

Lisa Marie Parker Desai provided background on herself and asked the Commission to approve the project.

Cesar Moya provided background on himself and expressed support for the well-thought-out project that he felt would add value to the community.

MOVED BY COMMISSIONER JONES AND SECONDED BY VICE CHAIR OGOSTA THAT THE PLANNING COMMISSION CLOSE THE PUBLIC HEARING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BARBA, CARTER, JONES, OGOSTA
NOES: NONE
ABSENT: REILMAN

Discussion ensued between staff and Commissioners regarding support for the project; minimum density; identification of sites that could accommodate housing; sites along the commercial corridor that can accommodate mixed-use; compliance with the General Plan; the Housing Element; acting as a good steward for the area; concern with use of City resources; meeting conditions; and correction to a spelling error in the staff report.

MOVED BY COMMISSIONER CARTER AND SECONDED BY CHAIR BARBA THAT THE PLANNING COMMISSION ADOPT A RESOLUTION ADOPTING A MITIGATED NEGATIVE DECLARATION AND APPROVING CONDITIONAL USE PERMIT P2021-0276-CUP SUBJECT TO CONDITIONS OF APPROVAL.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BARBA, CARTER, JONES, OGOSTA
NOES: NONE
ABSENT: REILMAN

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Item PH-2

PC - Consideration of a Site Plan Review and Administrative Use Permit to allow demolition of an existing office and light industrial building and construction of a 244,000 square foot creative office building and 3 subterranean parking levels with tandem parking, at 8631 - 8635 Hayden Place (Project)

Jose Mendivil, Associate Planner, provided a summary of the material of record.

Discussion ensued between staff and Commissioners regarding the letter challenging CEQA (California Environmental Quality Act); traffic impacts; state law; Level of Service vs. Vehicle Miles Travelled (VMT); thresholds adopted by the City Council; Transit Priority Areas; and clarification that the project meets the VMT threshold.

MOVED BY COMMISSIONER JONES AND SECONDED BY COMMISSIONER CARTER THAT THE PLANNING COMMISSION OPEN THE PUBLIC HEARING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BARBA, CARTER, JONES, OGOSTA
NOES: NONE
ABSENT: REILMAN

Chair Barba invited public input.

The following members of the public addressed the Commission:

Michael Hackman, Hackman Capital Partners, provided background on himself; discussed co-located jobs, services and housing; efforts to reduce time spent in cars and improve quality of life; being a good corporate citizen; community outreach; restricted access from Higuera; access from Hayden Place; and he expressed appreciation for the work of staff and Commissioners.

David Saeta, IDS Real Estate Group, thanked staff for their presentation; presented slides on the project; discussed location; ingress and egress; limited parking provided; setbacks; architectural design; environmental and sustainability; easements; emergency vehicle access; the RideShare portal; pickup and drop off locations; bicycle parking; scooter share; landscaping; the mobility plan; tenant and employee amenities; parking; and the interior courtyard.

John Bowman, Elkins Kalt, discussed a letter sent challenging the Class 32 categorical exemption for infill development; lack of merit in claims made; project design features vs. mitigations; flawed technical issues raised based on outdated and generic information; and he felt that the concerns raised were without merit.

Responding to inquiry, Alan Sako, ESA Environmental, indicated that claims regarding emissions relied on default values; he discussed use of specific data by ESA; the determination that air quality impacts would be less than significant; and the inaccurate representation of the project made in the letter.

Discussion ensued between project representatives, staff, and Commissioners regarding changes to current use; architecture setbacks; the intent to maintain the trees; collaboration with an arborist; scope of work; the site plan; separation; the property line; vegetation growing up from the garage; ventilation; PV; lighting; height limitations; significant floor to ceiling heights; and elimination of parking to accommodate the setback.

Benjamin Squire, CBP Industrial, provided background himself and on the neighboring property; indicated that he was not opposed to the project; discussed the changing neighborhood; planned ingress and egress; traffic generated; use of the shared driveway and easement; industrial access and loading; concerns with mixing office traffic with trucking activities; safety; liability; and he asked that the developer consider relocating the ingress and egress.

Brian Flynn, Supporters Alliance for Environmental Responsibility (SAFER), asked the Commission to find that the project does not qualify for the CEQA infill exemption and that an EIR (Environmental Impact Report) or Negative Declaration is required; he discussed mitigated exemptions under CEQA; mitigation measures for noise labelled as design features; noise barriers; significant impacts on air quality; emissions; the indoor air quality analysis; exposure to increased cancer risks in excess of the threshold; significant noise levels for nearby residents; written comments submitted to the Commission; and he asserted that the Commission should not approve the project and instead direct staff to require a full environmental review under CEQA and prepare an EIR prior to any further action.

Joel Albers expressed support for the project.

Russell Monkmarsh provided background on himself and expressed support for the project.

Eric Brown expressed support for the project; discussed parties involved in the process; the transformation of the City; and compliance with the code.

Tibor Lody, Lane Associates, provided background on himself; expressed support for those involved in the process; and he urged the Commission to support for the project.

David Voncannon, Chamber of Commerce, discussed Hackman Capital; length of the process; changes made to accommodate neighbors; commitment to the City; solutions for concerns with vegetation and parking intrusion; the commitment of Hackman Capital; and he expressed support for the project.

Kevin Hoover indicated living adjacent to the project; expressed appreciation for the decision to remove access via Higuera; discussed cut through traffic; what is considered a significant increase in traffic; and he thanked the Commission for their efforts.

Kimberly Fontaine discussed addressing community concerns; the work of Hackman Capital; and she asked the Commission to support the project.

Jim Clarke provided background on himself; discussed pent up demand for creative office space in the City; traffic in the Hayden Tract; parking; community engagement; architecture; TDM (Transportation Demand Management); support given to the City's mobility and affordable housing funds; and he asked the Commission to approve the project.

James Terry discussed employment opportunities in the City; conversion of the industrial building into creative office space; responsiveness to community concerns; retaining exclusive access to and from the site on Hayden Place; high quality projects developed by Hackman Capital Partners and IDS Real Estate; and he urged support for the project.

Simon Horwitz provided background on himself; expressed support for the project and appreciation for responsiveness to community concerns; discussed increased traffic on Higuera; and he hoped that a cul-de-sac would be created to block off the residential area from the commercial area noting increased traffic with new developments in the area.

Beth Lane reported a lack of feedback from residents in opposition to the project; discussed concerns with ingress

and egress; past experience with Hackman Capital providing funds to the City for the Rancho Higuera NTMP (Neighborhood Traffic Management Plan) Phase 1; humps and the bike path on Ince; traffic flow; providing for better mobility; concern with losing traction with funding initially provided but not fully used; and she thanked Hackman Capital for their contributions to the City and for the community outreach.

Jack Walter provided background on himself; discussed the unique project; attracting larger users; and he expressed support for the project.

Darrell Menthe, Downtown Business Improvement District, provided background on himself; expressed support for the project and for the team behind it; discussed community outreach; and he urged the Commission to support the project.

Keith Fielding discussed modernizing and improving the area and he expressed support for the project.

Ruth Martin del Campo, Administrative Secretary, read comments from Kevin Lachoff in support of the project.

Donna LeBlanc provided background on herself; discussed responsiveness of Hackman Capital; improvements made; ethics and honesty; lack of maintenance of the eucalyptus trees; traffic; support for a cul-de-sac; and she expressed support for the project.

MOVED BY VICE CHAIR OGOSTA AND SECONDED BY CHAIR BARBA, THAT THE PLANNING COMMISSION CLOSE THE PUBLIC HEARING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BARBA, CARTER, JONES, OGOSTA
NOES: NONE
ABSENT: REILMAN

Discussion ensued between project representatives, staff, and Commissioners regarding SAFER; the letter received; history of the law firm in promoting organized labor for projects; and encouragement of project labor agreements.

Additional discussion ensued between staff and Commissioners regarding appreciation for the proactive features and community outreach; other projects by Hackman Capital; the need for more attention on the document received from SAFER;

air quality concerns; level of support for the project; appreciation for the public comment and participation; context; respect for the architecture and for the site; feedback from absent Commissioner Reilman including support for the project and improvements made; street trees; a suggestion to add a Condition of Approval requiring an arborist to assess the trees prior to and during construction regarding viability for preservation; the Culver Studios entitlements; requiring an analysis of the health of the street trees at the time of permit with recommendations for excavation and shoring to ensure the trees are protected; adding language in the condition that the consultation from the arborist and the arborist report inform the setback; preservation of the trees on the Culver Studios project; appreciation for TDM measures and responsiveness to neighborhood concerns; the amount of parking provided; removal of parking minimums; proximity to two train stations, new housing developments, MOVE Culver City, and the bike paths; design layout; consideration of potential interference with neighboring, existing, or future development; the importance of creative office space; developer history in the City; financial feasibility; the traffic study; net-new in-bound trips vs. parking; tenants that need more parking; the ability to lease parking from other buildings in the area; parking vacancies in the Hayden Tract; parking costs; harms to the climate from automobile use; scarcity of parking in the Hayden Tract; the land use study; the parking shortfall; mobility; inadequate parking supply in the area; and trip calculations.

Emily Wong, Gibson Transportation Consultants; discussed trip generation estimates; peak commuter periods; industry standards; and ITE (Institute of Transportation Engineers) Trip Generation rates.

Further discussion ensued between staff and Committee Members regarding the study on parking in the Hayden Tract; concern with building more parking than is required; proximity of the project to trees; ensuring that necessary steps are being taken to preserve the trees if possible; tree replacement; written comments received; concern with inviting more cars into the community by creating more parking; construction sound; the proposed sound wall; mitigation; and potential disruption to a neighboring recording studio.

Chair Barba indicated that she had spoken with the applicant team prior to the meeting.

Eric Shabsis, project representative, indicated that they had not heard from the neighbor regarding noise concerns; discussed being on call 24/7 for neighbor complaints; the experience of the Culver Studios construction project; addressing noise and vibration for sensitive uses; commitment to the neighbors; efforts to minimize impacts to livelihoods and quality of life for both residents and businesses; and, responding to inquiry he discussed problem solving, anticipating issues that do not materialize, previous work to address issues that are not covered in the Conditions of Approval, and he indicated that his personal cell phone number had been, and would again be provided to the public.

Additional discussion ensued between staff and Commissioners regarding Commission support for the Condition introduced by Vice Chair Ogosta regarding the arborist; size of replacement trees; parking; the need to apply the current standards; and the ability to request that the applicant remove parking spaces in excess of the code.

Michael Hackman, Hackman Capital, indicated willingness to comply with the request; felt the 54 spaces would be valuable; discussed their track record; and asked the Commission to trust their judgement and experience.

Further discussion ensued between staff and Commissioners regarding concern with restricting the existing process; the analysis that indicates the parking is necessary for the economic success of the project; other projects reviewed by the applicant; track record; the fact that the project meets the current code; inability to disapprove the project for non-compliance; reducing parking in proximity to the trees in order to allow them more room to grow; the arborist report; and draft wording for consideration: "In order to ensure the health of the street trees along Hayden Avenue, the developer shall retain an arborist to confirm with an arborist report the existing health of the trees and provide any necessary recommendations regarding shoring and excavation in order to maintain them, and shall replace any trees damaged during construction on a one for one basis with a 72 inch box tree."

Additional discussion ensued between staff and Commissioners regarding box size; approximating existing tree size; consultation with the City's arborist; a suggestion to add that the City's arborist shall review the report; making accommodations to protect healthy trees; clarification that the street with the trees being considered is Higuera; changes

to the proposed draft language regarding trees; CEQA concerns; issues raised by the letter submitted; mitigation measures vs. product design features; and air quality concerns.

Responding to inquiry, Alan Sako, ESA Environmental, discussed the incorrect analysis in the letter; flawed conclusions regarding emissions due to use of information that is not specific to the project and not an accurate representation of the project; the analysis indicating less-than significant air quality impacts; comments regarding formaldehyde; outdated information cited in the letter submitted; compliance with current building standards; State of California Air Resources Board Standards; and the determination that concerns stated in the letter do not have merit.

The Commission agreed that final wording for the new condition should indicate: "In order to ensure the health of the street trees along Higuera, the developer shall retain an arborist to confirm with an arborist report which shall be reviewed and approved by the City's arborist, the existing health of the trees and provide any necessary recommendations regarding shoring and excavation in order to maintain them, and shall replace any trees damaged during construction on a one for one basis with 84 inch box trees."

MOVED BY VICE CHAIR OGOSTA AND SECONDED BY COMMISSIONER CARTER THAT THE PLANNING COMMISSION ADOPT A RESOLUTION ADOPTING A CATEGORICAL EXEMPTION AND APPROVING SITE PLAN REVIEW AND ADMINISTRATIVE USE PERMIT, P2022-0056-SPR/AUP, SUBJECT TO CONDITIONS OF APPROVAL INCLUDING THE NEW CONDITION ADDED ABOUT THE TREES.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BARBA, CARTER, OGOSTA
NOES: JONES
ABSENT: REILMAN

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**PC - (1) Selection of the Chair and Vice Chair; and (2)
Selection of the Committee Members**

Discussion ensued between staff and Commissioners regarding Committee appointments; the desire of Commissioner Reilman to serve on the Board of Zoning Adjustment; frequency of meetings of the Community Development Block Grant Committee; and Commissioner willingness to serve.

MOVED BY COMMISSIONER JONES AND SECONDED BY CHAIR BARBA THAT THE PLANNING COMMISSION APPOINT COMMISSIONERS JONES AND REILMAN TO THE BOARD OF ZONING ADJUSTMENT AND COMMISSIONER CARTER TO THE COMMUNITY DEVELOPMENT BLACK GRANT ADVISORY COMMITTEE WITH CHAIR BARBA SERVING AS ALTERNATE.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BARBA, CARTER, JONES, OGOSTA
NOES: NONE
ABSENT: REILMAN

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Public Comment - Items NOT on the Agenda (Continued)

Chair Barba invited public comment.

Staff indicated that no public comment had been received.

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Items from Planning Commissioners/Staff

Discussion ensued between staff and Commissioners regarding upcoming agenda items and meeting schedule.

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Adjournment

There being no further business, at 10:39 p.m., the Culver City Planning Commission adjourned to a regular meeting to be held on August 10, 2022.

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RUTH MARTIN DEL CAMPO
SECRETARY of the CULVER CITY PLANNING COMMISSION

APPROVED _____

NANCY BARBA
CHAIR of the CULVER CITY PLANNING COMMISSION
Culver City, California

I declare under penalty of perjury under the laws of the State of California that, on the date below written, these minutes were filed in the Office of the City Clerk, Culver City, California and constitute the Official Minutes of said meeting.

Jeremy Bocchino
CITY CLERK

Date