



Culver CITY

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PLANNING COMMISSION MEETING AGENDA WEDNESDAY, SEPTEMBER 24, 2008

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.

MEETING INFORMATION

Planning Commission meetings are regularly scheduled for the second and fourth Wednesdays of every month. Planning Commission Agenda information is available 72 hours before each Planning Commission meeting via a tape recorded message by calling 310-253-5741.

City Council/Agency/Commission meetings can be viewed live on Channel 35 by Comcast subscribers. Meetings are also broadcast on the City's Radio Station AM 1690. To view the Planning Commission meetings on line please visit <http://www.culvercity.org/citygov/netcast.asp>.

ALD

Assisted Listening Devices are available through the Secretary.



Culver

CITY

Agendas are available on the web at:
www.culvercity.org

AGENDA
Planning Commission
Wednesday, September 24, 2008
7:00 p.m.
Mike Balkman Council Chambers

CALL TO ORDER & ROLL CALL

David Rockwell, Chair
John Kuechle, Vice Chair
Linda Smith Frost, Commissioner
Marcus Tiggs, Commissioner
Anthony Pleskow, Commissioner

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT – Items Not On The Agenda

DISCUSSION ITEM

- D-1 Discussion of Study Regarding Multi-family Neighborhood Design Compatibility Issues and Draft Multi-family Design Guidelines.

PUBLIC HEARING

- PH-1 Conditional Use Permit (CUP), and Negative Declaration for the construction of a new vehicle repair shop with repair area, two service bays and 191 square feet of office located at 11167 Washington Place.
Staff Report: Nancy Tahvili (310) 253-5751. **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. Approve Minutes of August 7, 2008 and September 10, 2008.

ITEMS FROM STAFF

ITEMS FROM PLANNING COMMISSION

ADJOURN

**Next Planning Commission Meeting
October 8, 2008
7:00 PM**

Upcoming Public Meeting Schedule –Tentative – 2008

Date	Day	Time	Location
<i>City Council</i>			
<i>October 13</i>	<i>Monday</i>	<i>7:00PM</i>	<i>Council Chambers</i>
<i>Redevelopment Agency</i>			
<i>October 6</i>	<i>Monday</i>	<i>7:00PM</i>	<i>Council Chambers</i>
<i>Civil Service Commission</i>			
<i>October 1</i>	<i>Wednesday</i>	<i>7:00PM</i>	<i>Council Chambers</i>
<i>Cultural Affairs Commission</i>			
<i>October 14</i>	<i>Tuesday</i>	<i>7:00PM</i>	<i>Council Chambers</i>
<i>Parks & Recreation Commission</i>			
<i>October 7</i>	<i>Wednesday</i>	<i>7:00PM</i>	<i>Patacchia Room</i>
<i>Planning Commission</i>			
<i>October 8</i>	<i>Wednesday</i>	<i>7:00PM</i>	<i>Council Chambers</i>

- Meetings may be added or changed.
- Times and date may be changed.

Meeting Date: September 24, 2008	Item Number: D-1
AGENDA ITEM: Discussion of Study Regarding Multi-Family Neighborhood Design Compatibility Issues and Draft Multi-Family Design Guidelines.	
Contact Person/Dept.: Thomas Gorham Sol Blumenfeld	Phone Number: (310) 253-5727
Public Hearing: []	Discussion Item: [X] Attachments: []
Public Notification: Emailed to the Master Notification List.	
Department Approval: Sol Blumenfeld, Director	

RECOMMENDATION:

That the Planning Commission:

Review the draft preliminary Study and direct staff to return with a final report for review and consideration by the Commission

BACKGROUND:

Over the last year the Planning Commission and City Council have received numerous complaints at project hearings concerning the incongruity of new multi-family developments with the surrounding neighborhood. Many residents feel that new development projects are too large, too dense and inappropriate to the neighborhood.

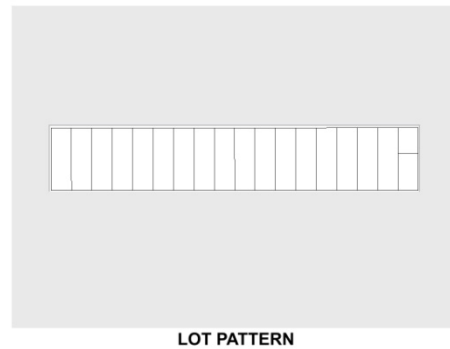
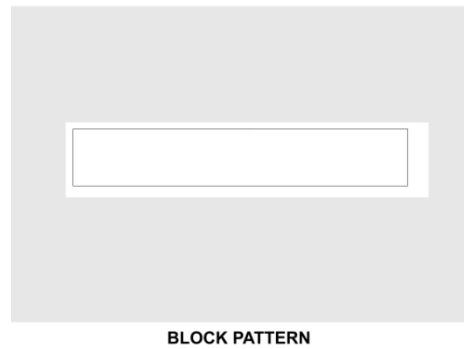
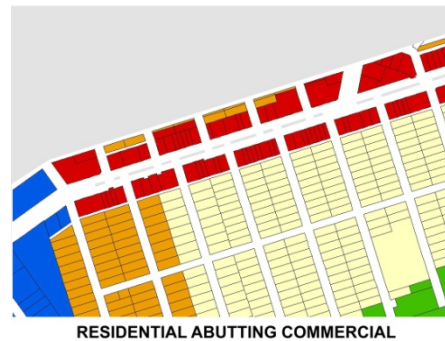
The Zone Code sets minimum standards that are intended to address neighborhood consistency issues relative to setback, building height, lot coverage, density and other development requirements. However, these standards generally take the "one-size fits all" approach and fail to account for the nuances that occur at the block or neighborhood level. As a result, many new projects may look out of place but otherwise comport with zoning requirements. For example residents have complained about projects that are considered too dense or too tall, yet the projects are below the density prescribed for the zone and fully compliant with building height standards. Since zoning standards are minimum standards, it may be useful to look at built conditions on the block relative to new projects, in order create a better fit with the surrounding neighborhood. The purpose of the Study is to develop an efficient survey method using building "typologies" in order to develop guidelines which the Commission or Council may consider relative to new projects and neighborhood consistency. As the survey indicates, the most observable changes to the neighborhood with new development generally involve lot coverage, setbacks, building height and parking. The Study does not prescribe new zoning since land use and zoning will be evaluated on a citywide basis in the upcoming General Plan Update. Instead, it can provide guidelines for evaluating projects in multifamily neighborhoods relative to current zoning, in order to modify project design where appropriate. Planning staff can use the typologies to evaluate projects during Preliminary Plan Review (PPR) and Commission and Council can use the typology system during multifamily project hearing deliberations.

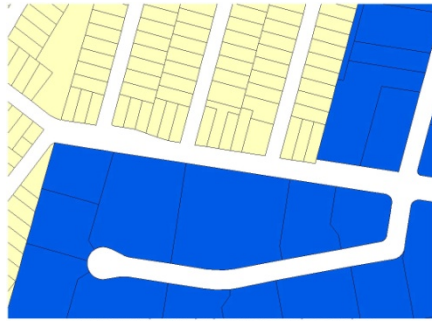
ANALYSIS:

GIS Survey and Building Typology:

The Study utilizes aerial photography and Geographic Information Systems (GIS) to document existing built conditions of the neighborhood and the concept of building typology to identify

neighborhood characteristics. A typology is a system for classification used in the Study to identify neighborhood development patterns. GIS uses computer generated aerial images to plot the location of buildings, setbacks, open space and lot cover on a block. By moving a computer cursor over the aerial photo it is possible to quickly identify a building's location on a lot and understand the development patterns on a block or an entire neighborhood. These computer aerial images can be used to generate calculations of building setback and coverage but must be field checked to ensure accuracy and resolve the problems of structures covered by trees or vegetation. The characteristics of a neighborhood can be understood as typologies identifying block patterns, buildings, lot patterns, and the street framework of a neighborhood.





RESIDENTIAL ABUTTING INDUSTRIAL



RESIDENTIAL ABUTTING PARK

Building Typology Components:

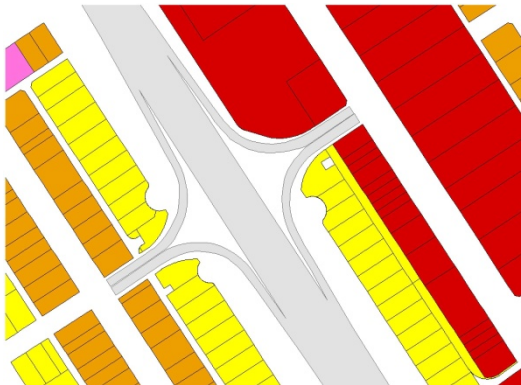
The GIS images can also be used to describe the differences between neighborhoods, the differences between zoning districts and related potential conflicts between neighborhoods.



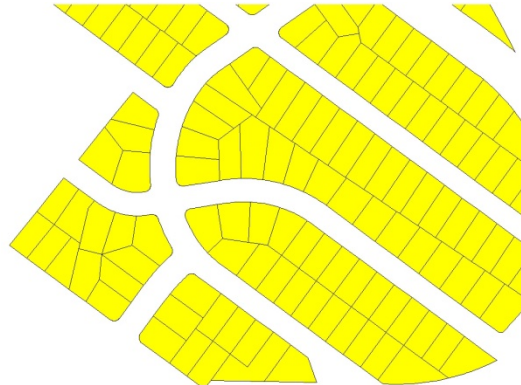
SMALLER LOTS



REVERSE LOTS (HIGUERA ST)



ODD SHAPE LOTS ABUTTING FREEWAY



ODD SHAPE LOTS CONFORM TO STREET PATTERN

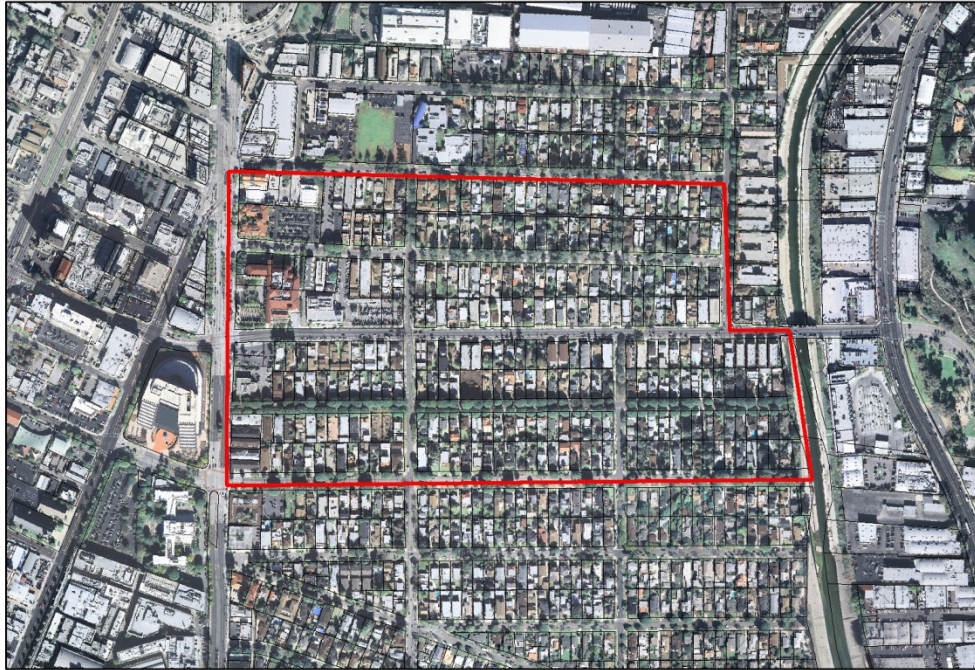


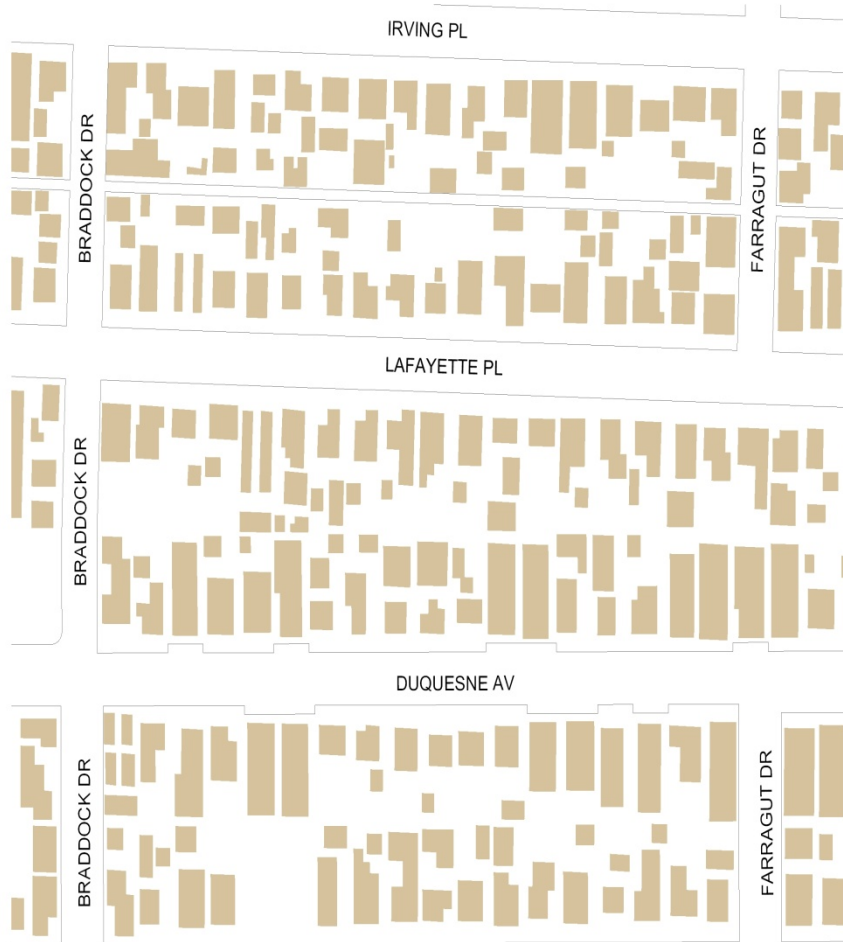
LOT PATTERN (MACHADO LN)



ODD SHAPE LOTS

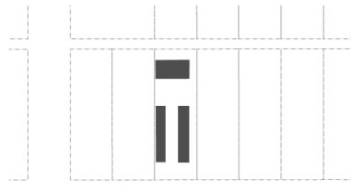
Using the aerial photo, it is possible to discern the building footprint and un-built portions of each lot in the neighborhood. The aerial photo is then converted to a halftone image to enhance the clarity of the building images.



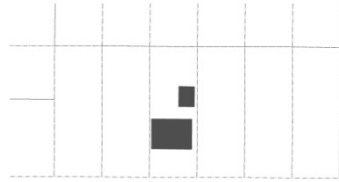


With the building footprints clearly identified as halftone images, it is possible to identify the locations of buildings, number of buildings, building size and relative amount of built to un-built space on a lot at the block level.

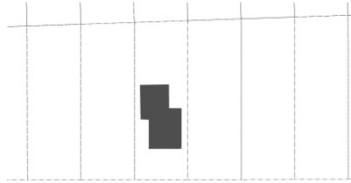
At the parcel level it is possible to identify the prevailing building pattern along a block or a neighborhood.



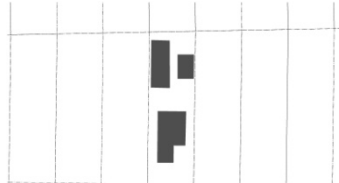
LAFAYETTE PL
COURTYARD APARTMENTS



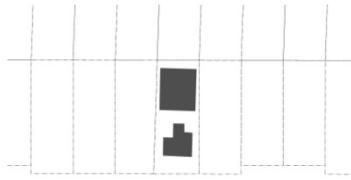
LINCOLN AVE
SINGLE FAMILY HOME W/ADDITIONS



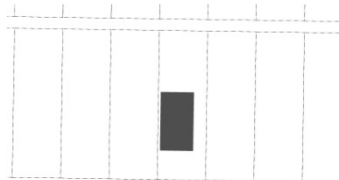
LINCOLN AVE
SINGLE FAMILY HOME



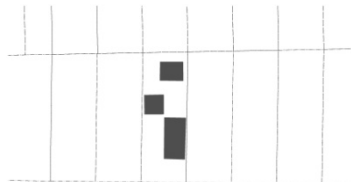
LAFAYETTE PL
3 OR MORE BUILDINGS PER LOT



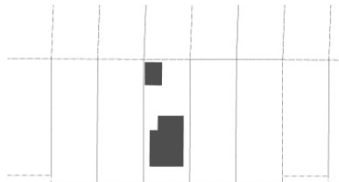
DUQUESNE AVE
2 BUILDINGS PER LOT



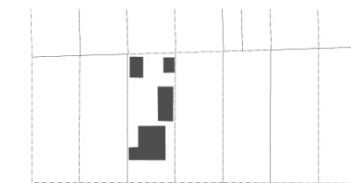
LAFAYETTE PL
SINGLE FAMILY HOME



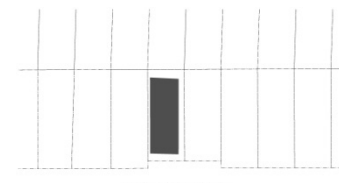
LAFAYETTE PL
3 OR MORE BUILDINGS PER LOT



DUQUESNE AVE
SINGLE FAMILY HOME W/ ADDITIONS



LAFAYETTE PL
4 BUILDINGS PER LOT



DUQUESNE AVE
NEW APARTMENTS

Using an enlarged aerial photo, it is possible to more clearly identify the separation between buildings and building setbacks and note parking, parkway curb cuts and street widths.



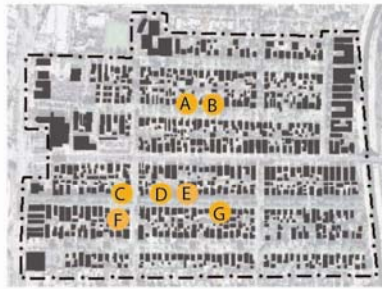
As a prototype for the Study, staff surveyed the Gateway neighborhood, roughly bounded by Duquesne Ave., La Ballona Creek, Madison Ave. and Culver Blvd.; and the Downtown neighborhood area roughly bounded by Duquesne Ave., Lucerne Ave., Irving Place and Culver Blvd.

Some consistent development patterns found are described below.

Neighborhood Changes Under Current Zoning:

Older multifamily neighborhoods slowly change with each new development. These neighborhoods are primarily made up of a mix of larger 4-8 unit buildings and one and two family housing or small court yard apartments with up to six units arranged around an interior court and significant amounts of landscaping. Lots with single family or two family housing in these neighborhoods largely remain underdeveloped under current zoning standards. The dominant building pattern of the neighborhood -- extensive landscape, open courtyards and larger front yards are valued by residents. Newer large multi-family projects do not reflect these development patterns since they tend to be larger buildings covering most of the lot and are located as close to the street edge as the zoning permits. The changes that occur with each new project can be dramatic and not fit with the neighborhood built pattern.

COMMON HOUSING TYPOLOGIES



Though the effect on the street may be dramatic, the changes from new development in the City are not widespread and have occurred slowly. The attached map charts new development over the last 10 years and illustrates the slow rate of change from lower density one and two family development to projects of up between 4 – 12 units per lot.

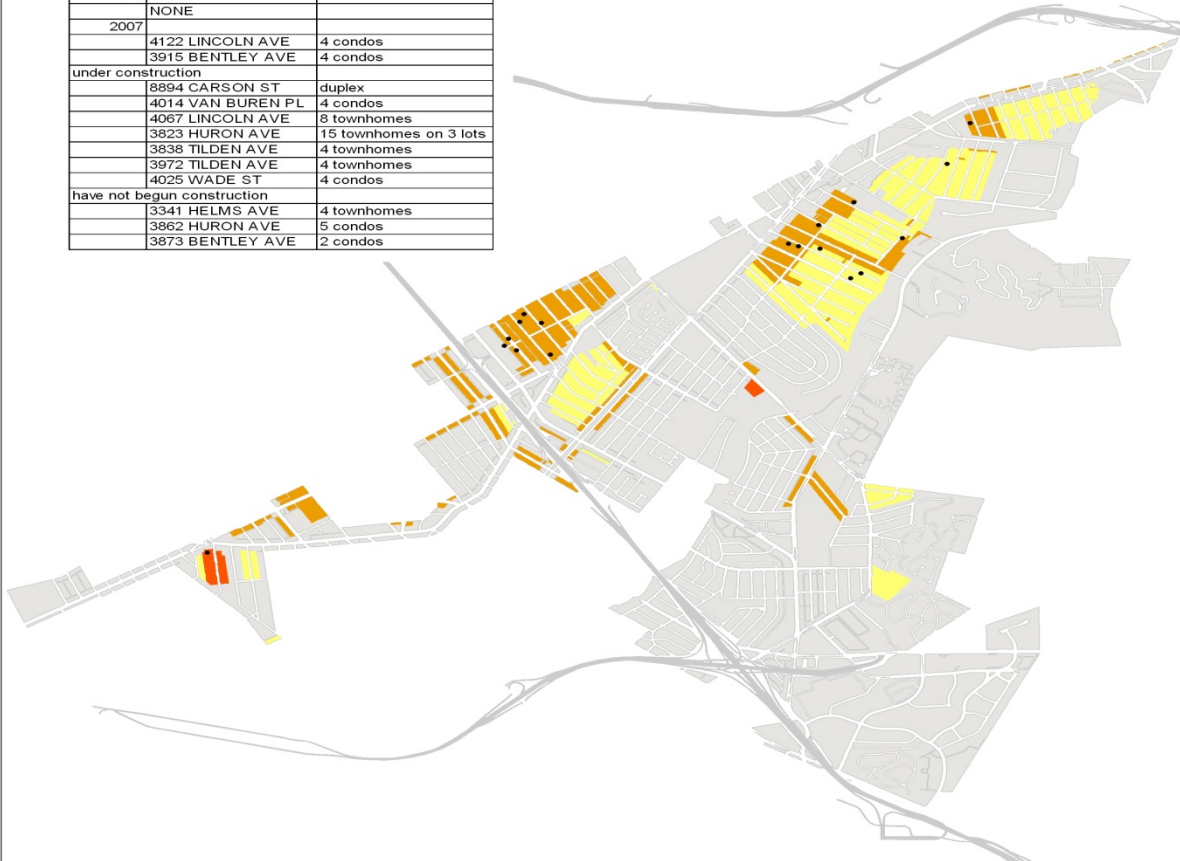
Multi Family Developments During 1998-2008
(average rate of development is 1.5 to 2 per year)

YEAR	ADDRESS	UNITS
2002	9516 LUCERNE AVE	6 townhomes
2003	4235 LINCOLN AVE	2 apartments
2004	4071 LA FAYETTE PL	4 condos
	3863 BENTLEY AVE	3 apartments
2005	4047 LINCOLN AVE	4 condos
	4224 MADISON AVE	duplex
2006	NONE	
2007	4122 LINCOLN AVE	4 condos
	3915 BENTLEY AVE	4 condos
under construction	8894 CARSON ST	duplex
	4014 VAN BUREN PL	4 condos
	4067 LINCOLN AVE	8 townhomes
	3823 HURON AVE	15 townhomes on 3 lots
	3838 TILDEN AVE	4 townhomes
	3972 TILDEN AVE	4 townhomes
	4025 WADE ST	4 condos
have not begun construction	3341 HELMS AVE	4 townhomes
	3862 HURON AVE	5 condos
	3873 BENTLEY AVE	2 condos

Legend

Zoning

- R2 Residential Two Family
- RMD Residential Medium Density Multiple
- RLD Residential Low Density Multiple



Over the last ten years between 1.5 and 2 new multifamily projects have been constructed annually in the City, which by most measures is an extremely slow rate of development.

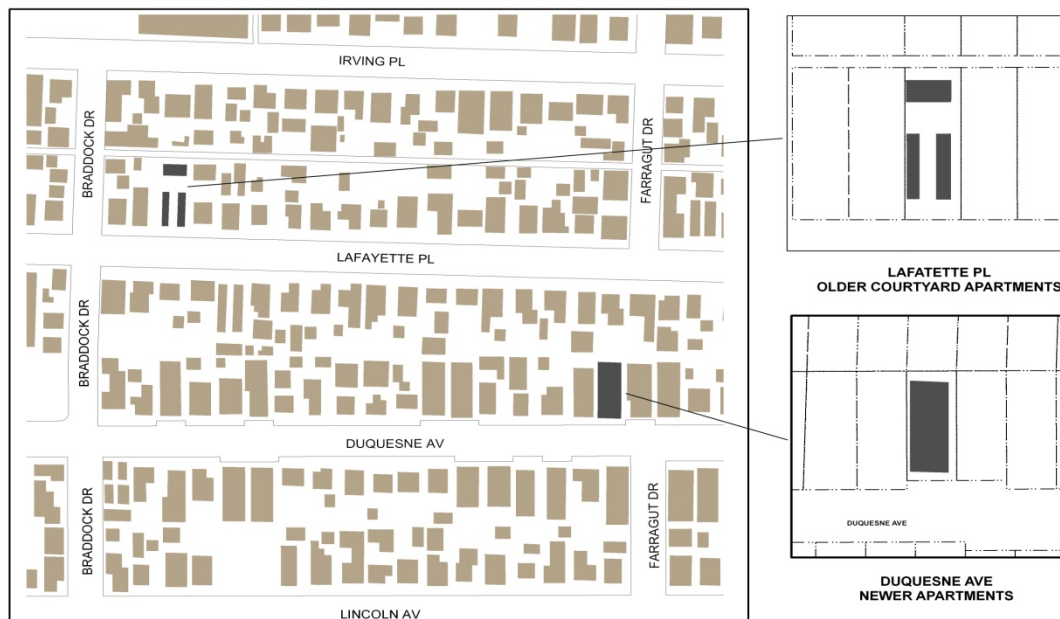
Gateway and Downtown Neighborhood Survey:

Using the survey method described above, staff examined the Gateway and Downtown neighborhoods. Like many of the City's multi-family neighborhoods, portions of these neighborhoods are zoned RMD. This zoning allows one unit per 1,500 sq. ft of lot area. Over time the look of these neighborhoods may evolve from broad, extensively landscaped setbacks and front yards and uninterrupted landscaped parkways to reduced landscaped setbacks and less open space as a consequence of zoning that allows a building line (front setback) at the street of 10 feet to 15 feet depending on building height and no limit

on building coverage other than the required front setback, side setbacks (4 feet) and rear setback (10 feet).

Building Coverage & Open Space

Most new multi-family development in the city are two stories and up to 30 feet in height as allowed by the Zoning Code, maximizes lot coverage, and are built parallel to the street frontage, providing little at grade open space that is visually connected to the neighborhood. These projects also provide little common open space which can be used by residents. Unlike older developments with large central landscaped courtyards, the private open space in most current development does little visually for the neighborhood since it is usually located on balconies or enclosed patios, supplying the code minimum of 100 sq. ft. per unit. In contrast, in the Gateway and Downtown neighborhoods, many of the lots contain smaller structures with on grade open space.



Built as close to the street edge and lot lines as permissible under the Zoning Code, these projects provide little common open space which accounts for the lack of openness in newer multifamily developments and the visual imposition the projects create relative to other buildings in the neighborhood. Not incidentally, the location of new buildings on the lot and relative to adjacent buildings makes it more difficult to encourage good site planning that maximizes the opportunity for natural lighting, heating and cooling. Newer buildings are often unarticulated rectangular forms that preclude sunlight and air to filter through the building.

Setbacks:

Along many streets in the neighborhood, the setbacks often range from 16 to 20 feet in depth. This is distinguished from the newer projects which typically conform to the setback requirement of 15 feet in the RMD zone.



Parking

Undersupply of parking is detrimental to a neighborhood and many older structures have inadequate (non-code complying) parking. Therefore new developments that have code complying parking should be a welcome neighborhood benefit. However, there are aesthetic consequences that result from code complying parking, when the extra parking is visible from the street and sidewalk.



Thought it seems counter intuitive, as more land is dedicated to tuck-under and subterranean parking garages in new developments, there is less open space that is visually accessible to the neighborhood

since the driveway leading to the garage or tuck-under parking consumes 20% of the building frontage and is often located in the center of the lot.

MULTIFAMILY GENERAL DESIGN PRINCIPLES

Based upon the findings of the survey, some general conclusions may be drawn regarding multifamily residential design and neighborhood compatibility. These general principles can be used to develop detailed guidelines.

- A. Beyond meeting the Zoning Ordinance's minimum standards, new multifamily residential development should reflect the abutting development patterns relative to prevailing lot size and lot orientation.
- B. Multifamily projects should respect the character of the abutting neighborhood relative to the prevailing building setbacks, yards, open space and lot coverage.
- C. Multifamily residential development should recognize abutting less densely developed residential zoning and development patterns by employing building setbacks at grade and step backs on the floors above.
- D. Projects should harmonize with the surrounding neighborhood in terms of scale, building orientation to the street and front yards and minimize disruptions to parkways and street frontage.
- E. The privacy of abutting existing residential should be protected with attention to building orientation, landscaping and screening.
- F. Existing parkways and existing mature landscaping should be protected to maintain the character of the neighborhood.

SUMMARY:

The Study which relies on GIS and building typologies provides useful survey information for understanding development patterns in a neighborhood. The survey methods can be applied on a citywide basis to generate a data base for neighborhoods that are subject to change given existing development conditions and zoning. This data base can be used to create multifamily development guidelines on a neighborhood by neighborhood basis. The Commission and Council may employ the guidelines eventually generated from the survey to help create a better fit between new development and the surrounding neighborhood.

If the Commission is interested in completing the Study, staff will finalize the survey for the Gateway and Downtown neighborhoods, provide ample notice to the neighborhoods inviting them to participate in the Study and hearings and return with draft design guidelines for the Commission to consider.

City of Culver City, California PI
Planning Commission Agenda Item Report

Meeting Date: September 24, 2008 Item Number: PH-1

AGENDA ITEM: Conditional Use Permit, CUP P2008068, and Negative Declaration ND P2008069 for the construction of a new vehicle repair shop with 1,196 square feet of repair area with two service bays and 191 square feet of office located at 11167 Washington Place.

Contact Person/Dept.: Nancy Tahvili Phone Number: (310) 253-5751

Public Hearing: ☒ Action Item: ☐ Attachments: ☒

Public Notification: On September 3, 2008, notices were mailed to all the property owners and occupants within a 500-foot radius of the site, extended to the end of City block and the notice was emailed to the Master Notification List.

Planning Review:
Thomas Gorham, Planning Manager 09/15/08

RECOMMENDATION:

That the Planning Commission:

1. Adopt a Negative Declaration based on the Initial Study finding that the project will not have a significant adverse impact on the environment (Attachment No. 3);
2. Approve Conditional Use Permit, CUP P-2008068, subject to the Conditions of Approval as stated in Resolution No. 2008-P011 (Attachment No. 5);

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 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.

BACKGROUND:

Request

The proposed request is a Conditional Use Permit for a new vehicle repair shop consisting of a 1,196 square foot one-story building with two service bays and 191 square feet of office on a 5,000 square foot lot.

General Information

See Attachment No. 2, Project Summary

Existing Conditions

The project site consists of a 5,000 square foot property with access off Washington Place and the alley in the rear. The site is currently vacant and was previously occupied by another car repair use. The property has a *General Corridor* General Plan designation and a Commercial General (CG) zoning designation.

The project site is situated between a gas station to the west and a cocktail bar to the east. To the north of the site is an alley and beyond the alley are one and two-story multi-family buildings with garages. To the south, across Washington Place is a three-story motel with a diner on the ground floor level.

Project Description

The proposed project consists of a 1,196 square foot building, approximately 14 feet in height. The building includes an approximate 700 square foot work area which includes two service bays with floor lifts and a 191 square foot office. The remainder of the building is occupied with two restrooms and an enclosed trash and recycling room. There are seven surface parking spaces on site which includes one handicapped parking space. The site will include approximately 559 square feet of landscaping with shade trees and several other types of plants including a new street tree in the parkway fronting the subject lot. The trash enclosure room is provided with the opening facing the alley for easy access and trash pickup by the City. An existing six foot high solid masonry wall will remain along the west property line and a new six foot high solid masonry wall will be installed along the east property line. A wrought-iron gate and fence will be located in the front of the property (facing Washington Place) placed towards the back of the new landscape planters.

ANALYSIS:

Land Use and Zoning

The Land Use Element of the General Plan designates this site as “General Corridor.” This designation “is intended to support desirable existing and future neighborhood and community serving commercial uses.” The *Commercial General* (CG) zoning district is the zoning designation which implements and is

City of Culver City, California Planning Commission Agenda Item Report

consistent with this General Plan designation. The zoning code requires a Conditional Use Permit for vehicle repair shops in the CG zone.

Architectural Design

As originally proposed by the applicant at the Preliminary Project Review (PPR) submittal, the building was a plain concrete masonry unit (CMU) building with little architectural detail. Staff asked the project architect to provide some design and articulation to the building on all four sides. As a result, the architect redesigned the building elevations by providing a concrete textured split face blocked finish as the primary design feature along the base and middle sections of the facade and stucco finish with wall moldings and raised trim along the top parts of the façade on all four sides of the building. In addition, decorative exterior lighting on the front and rear elevations of the building have been added. The front of the building includes two decorative windows and one pedestrian and two roll-up doors. The doors are accented with stucco trim on top to match the other stucco building trim. These

details are illustrated on sheets A4 and A4 of the proposed development plans (Attachment No. 6).

Landscaping

The project includes approximately 559 square feet of landscaping, consisting of four shade trees lining the parking spaces as well as shrubs, other plants, and a new street tree (*Washingtonia Robusta*) in the parkway fronting the subject lot. In addition, a planter will be placed in the rear two foot setback area behind the proposed building facing the alley.

Parking

The code requires three parking spaces for each service bay and one space for each 350 square feet of office area. The project provides 6 parking spaces for the two bays and one parking space for the office area. The project includes a total of seven parking spaces which includes one handicapped accessible parking space. The parking spaces also meet the required dimensions for 90 degree parking spaces and the drive isle width is adequate.

Traffic and Circulation

Access to the site will be provided via a two-way driveway on Washington Place. Car access will not be available from the alley which will provide added protection for the residence beyond the alley.

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Circulation on the site will be provided via a 28'-6" wide drive aisle that is wider than the required 27-foot wide drive aisle, which will allow vehicles to maneuver adequately in and out of parking spaces.

Noise

The proposed project is not expected to generate significant noise levels during operations. The prevailing noise in the operation of the vehicle repair shop will be the air compressor, which based on the information provided by the applicant will produce a sound level of 72 dB for a few seconds at a time. This will meet the stationary noise sources requirement of the Noise Element that states 70 dBs can be exceeded for the duration of one minute. In addition, Table N-4 of the Noise Element notes that automobile service stations are interpreted to be compatible at a level of 70-75 with noise insulation features in the design. As part of the project design this project will have acoustical ceiling installation in the work area of the vehicle repair shop and the entire building will be made of textured concrete which will control noise further. There will not be any openings to the alley which will further reduce noise from the vehicle repair operations. There is only a small exit door to the alley that will be conditioned to be kept closed when not being used to exit and re-enter. All noise attenuating methods will be reviewed and approved during the building permit process to ensure compliance with the City's noise regulations.

Compliance with Zoning Code Standards

The project will be required to comply with CCMC Section 17.400.125 – Vehicle Repair Shops (Attachment No. 8) which include operational and development standards, and site maintenance requirements intended to reduce and mitigate any potential adverse impacts from the use.

CONCLUSION:

The project is consistent with applicable development standards of the Commercial General (CG) zoning district and as designed and conditioned will be compatible with the surrounding uses. Therefore, based on the analysis contained herein staff believes the findings for a Conditional Use Permit can be made as outlined in proposed Resolution No. 2008-P011 (Attachment No. 5).

City of Culver City, California Planning Commission Agenda Item Report

ENVIRONMENTAL DETERMINATION:

Pursuant to the California Environmental Quality Act (CEQA) an Initial Study (Attachment No. 4) was prepared for this project and it has been determined that the project could not have a significant effect on the environment and a Negative Declaration has been prepared (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.
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. Vicinity/ Aerial Map
2. Project Summary
3. Draft Negative Declaration
4. Initial Study
5. Resolution No. 2008-P011 (CUP P-2008069)
6. Development Plans Date Received July 8, 2008
7. Written Public Comment
8. 500' Public Notice Boundary Map
9. Copy of CCMC Section 17.400.125 – Vehicle Repair Shops

RESOLUTION NO. 2008-P011

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT, CUP P2008068 FOR THE CONSTRUCTION OF A NEW VEHICLE REPAIR SHOP AT 11167 WASHINGTON PLACE IN THE COMMERCIAL GENERAL (CG) ZONE.

(Conditional Use Permit, CUP P2008068)

WHEREAS, on May 20, 2008, Jay Baruch, as the applicant of 11167 Washington Place, submitted a Conditional Use Permit application to construct a new vehicle repair shop consisting of a 1,196 square foot one-story building with two service bays, and 191 square feet of office area, on the project site described more fully as Lot 36 of Tract No. 10356, in the City of Culver City, and,

WHEREAS, in order to implement said proposed project, approval of Conditional Use Permit for a new vehicle repair shop is required:

WHEREAS, on September 24, 2008, the Planning Commission conducted a duly noticed public hearing on these applications, fully considering the application, plans, staff report, environmental information and all testimony presented; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), the Planning Commission has determined the project will not have significant impacts on the environment, and that a Negative Declaration finding is appropriate; 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 the project would not result in significant adverse environmental impacts, that a Negative Declaration finding was appropriate and that Conditional Use Permit should be conditionally approved and recommended to the City Council for approval 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 recitations and the provisions of Culver City Municipal Code (CCMC), the following findings are hereby made:

Conditional Use Permit:

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

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

The Commercial General (CG) zoning designation allows the proposed use of vehicle repair shop subject to a Conditional Use Permit as outlined in CCMC Section 17.530. Pursuant to CCMC Section 17.400.125, the project is conditioned to meet all operational and development standards including site maintenance.

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

The Land Use Element of the General Plan designates this site as "General Corridor." This designation "is intended to support desirable existing and future neighborhood and community serving commercial uses." The Commercial General (CG) zoning district is the zoning designation which implements and is consistent with this General Plan designation. The zoning code allows a vehicle repair shop subject to a Conditional Use Permit.

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 vehicle repair shop building features detailed architectural elements and sufficient landscaping which are compatible with existing and future land uses in the vicinity. The project will be required to comply with all operating, maintenance, and development standards of CCMC Section 17.400.125 relating to vehicle repair shops to ensure the use will be compatible with surrounding land uses.

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 5,000 square foot lot can accommodate the 1,196 square foot building and seven parking spaces with no physical constraints. Vehicular access to the site is from Washington Place and there is adequate backup in the aisle for maneuvering of vehicles. The Vehicle repair shop will not impact any utilities as they are existing and available.

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 maintenance and operation of the proposed vehicle repair shop 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 the project will required to meet all applicable noise standards of the City's General Plan Noise Element and all operational, development and site maintenance requirements of CCMC Section 17.400.125.

SECTION 2. Pursuant to the foregoing recitations and findings, the Planning Commission of the City of Culver City, California, hereby approves Conditional Use Permit, CUP P2008068, subject to the following conditions:

GENERAL CONDITIONS

Planning Division:

1. The final working drawings shall conform to the development plans presented to and reviewed and approved by the Planning Commission at its meeting on September 24, 2008, except as noted below.
2. The resolution approving Conditional Use Permit CUP P-2008068 and the Conditions of Approval shall be referenced on the cover sheet, and repeated in full on attached additional sheets of the final working drawings.
3. The applicant or the property owner shall provide the construction contractor(s) and each subcontractor related to the Project a copy of the final project Conditions of Approval. These conditions shall be enforceable through all legal and equitable remedies, including the imposition of fines against each and every person who conducts any activity on behalf of the property owner or the applicant on or near the Project site. The applicant, property owner, and general construction contractor are ultimately responsible for all actions or omissions of a subcontractor.

4. Conditions of approval herein shall apply to the applicant, the contractor/builder of the project, the property owner, and any successor property owner that may legally assume benefit of this Conditional Use Permit.

5. The City reserves the right to periodically inspect the premises without prior notification, to ensure ongoing compliance with all conditions of approval.

6. This Conditional Use Permit, CUP P-2008068, shall expire unless:

A. Actual construction, in accordance with a valid City-issued building permit, is commenced on the site within one (1) year after the effective date of the Conditional Use Permit; or

B. Prior to the Conditional Use Permit expiration date, or any previously granted extension to that expiration date, a written request for an extension, accompanied by any and all required fees, has been satisfactorily filed by or on behalf of the applicant/property owner and, thereafter, an extension is granted by the Community Development Director, or designee, or the Planning Manager.

During the period any extension request has been satisfactorily and timely filed and any decision regarding that request has been made by the City, this Conditional Use Permit approval shall be suspended.

7. A certificate of occupancy for the approved project will be issued only upon completion of all required site improvements and satisfaction of all conditions of approval.

8. The applicant, property owner and contractors shall use all reasonable efforts to reuse and recycle construction and demolition debris, to use environmentally friendly materials, and to provide energy efficient buildings, equipment and systems.

9. Any new sign(s) shall comply with the provisions of CCMC Title 17 - Chapter 17.330 Signs. A Sign Permit shall be approved by the Planning Department prior to installation of any new signage.

10. All operational, maintenance, and development standards of CCMC Section 17.400.125 Vehicle Repair Shops shall be complied with.

11. By taking any benefit of this approval, the applicant and the property owner jointly and severally hereby agrees to 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 which may result from or arise in connection with third party challenges to the City's approval of the project.

12. All planted areas shall be landscaped, irrigated and maintained pursuant to Culver City Municipal Code (CCMC) Title 17 – Chapter 17.310 Landscaping. As part of the building permit filing process, a minimum of three (3) sets of detailed landscape and irrigation plans - separate from the final working drawings shall be submitted to the Planning Division for review and approval.

13. The new street tree shall be supplied irrigation water from the overall site irrigation system which shall include a timer and a rain sensor. All new (and existing) street trees, landscaping, and irrigation shall be indicated on the overall site landscaping/ irrigation plan. The property owner shall maintain all street trees adjacent to the subject property.

14. In addition to the screening requirements for onsite parking areas including loading areas, refuse storage / trash compacter facilities, and Fire Department connections, the following items shall be screened from surrounding and nearby public and private properties in a manner consistent with City standards and suitable to the subject development as approved by the Planning Manager. In general, the height of any required screening device shall be no lower on any side than the height of the highest feature requiring screening and:

A. All exteriors of the proposed buildings shall be free of all un-aesthetically treated, exposed elements (i.e., plumbing pipes, electrical conduits, and National Pollution Discharge Elimination System (NPDES) elements) which shall be placed within the exterior walls. Where exposed wall-mounted features or equipment may be necessary (i.e., ventilators and utility meters), recessed wall mounted cabinets or other similar devices shall be constructed within the wall, whenever possible, to accommodate such features and equipment so that they are flush with and do not project out from the main exterior wall plane. With or without recesses, the exposed portions of such features or equipment shall be of a color to blend, not contrast, with the adjoining finished building color, subject to the approval of the Planning Manager; and

B. All roof-mounted mechanical equipment, duct vents and the like shall not project above the horizontal plane of the building's lowest primary opaque architectural feature(s) (i.e., parapet walls, penthouse structures or screening walls); and

C. All ground-mounted equipment (i.e., transformers and air conditioners) shall be located within the building or in underground vaults if the equipment is located within a street facing setback, or it shall be screened with walls and/or landscaping if not located within a street facing setback. Ground-mounted equipment shall not be located in the landscaped areas fronting any public right-of-way.

15. The public notification signs installed in accordance with the CCMC public notification requirements for this review process shall be removed within ten (10) days of the end of the appeal period or the final decision of the City Council (if applicable), whichever occurs last.

16. All refuse containers assigned to or otherwise used by the project shall be stored on-site in the trash enclosures.

17. The project and its operations shall comply with all applicable local, special district or authority, county and federal statutes, codes, standards, and regulations including, but not limited to, Building Safety Division, Fire Department, Planning Division and Public Works Department code requirements and it shall comply with all applicable comments and code requirements as determined during the City's building permit review process.

18. The parking areas shall be developed pursuant to CCMC Title 17 - Chapter 17.320, Off-Street Parking and Loading. All vehicle surfaces shall be provided with an anti-squeal finish.

19. To protect the residents in the rear from repair shop noise, the exit door at the rear of the building accessing the repair area shall be closed at all time other than when used to exit and re-enter the room

Fire Department:

20. The applicant shall provide Offsite reporting per the 2007 California Fire Code.

Building Safety Division:

21. The Culver City Building Safety Division requires separate permits for building, electrical, plumbing, and mechanical work.

22. The Culver City Building Safety Division requires five (5) sets of architectural and two (2) sets of each of the structural drawings and calculations, geotechnical report, and the mechanical, electrical, and plumbing permit applications.

23. All utilities shall be undergrounded or enclosed in the building construction. No overhead utilities are permits.

24. The building codes the project will be reviewed under shall be the 2007 California Building Codes.

25. The overall construction permit application drawings shall indicate any construction staging areas proposed. The Culver City Engineering Division may require a separate permit for the temporary use of any City right of way.

PRIOR TO THE ISSUANCE OF ANY DEMOLITION, GRADING, EXCAVATION, AND/OR BUILDING PERMIT

Planning Division:

26. Submit to the Planning Manager for approval:

- A. An exterior light fixture and illumination plan. Said exterior lighting shall be developed pursuant to CCMC Section 17.300, General Property Development and Use Standards. The plan shall identify the location and type of all exterior light fixtures. All lighting shall be directed onsite and light sources shall be shielded so as not to be intrusive to surrounding properties; and

Cultural Affairs Division:

25. The project will be subject to the City's Art in Public Places requirement per CCMC Title 15, Section 15.06.100 only if the valuation of the development exceeds the required threshold. The valuation will be calculation at the time of the building permit application submission.

Public Works/ Engineering:

26. Prior to the issuance of any building permits, two (2) sets of on and off-site improvement/grading plans prepared by a civil engineer registered in the State of California, shall be submitted to the Engineering Division for review, approval, and permitting. Among other things, the site improvement/grading plan shall include detailed drainage and grading of the site indicated by topographical lines and spot elevations, and indicate all proposed and existing utilities. An initial plan check fee in the mount of \$750.00 will be due upon first submittal.

27. Concurrent with the submittal of the site improvement plan/ grading plan, a Local Standard Urban Stormwater Mitigation Plan (SUSMP) or a site-specific mitigation package prepared by a registered Civil Engineer shall be submitted for review and implemented in accordance with the requirements of the following:

The SUSMP shall be developed and implemented in accordance with the requirements of:

- A. The Los Angeles County Municipal Stormwater NPDES Permit No. CAS614001 (Order No. 01-182).
- B. The SUSMP shall provide BMPs that adequately address the pollutants generated during the post-construction stage.
- C. The site improvement plans shall note that the contractor shall comply with the "California Stormwater Best Management Practice Handbooks".

D. The Site Improvement Plans shall not be accepted for review unless the SUSMP is included in the submittal package, including the plan check fee associated with the SUSMP.

28. The Plan check fee for the SUSMP shall be paid at the time of the initial submittal, per the most current fee schedule established by City Council.

29. Prior to the issuance of any demolition, grading, excavation and/or building permit, the applicant shall submit the Local Storm Water Pollution Prevention Plan (LSWPPP) for review and approval by the City Engineer. Prior to the start of design of these plans and of necessary reports, the applicant's Civil Engineer shall meet with the City's Stormwater Program Manager to obtain information on the City-specific and LSWPPP requirements. The LSWPPP package shall be submitted to the attention of the Storm Water Program Manager.

30. The LSWPPP shall be developed and implemented in accordance with the requirements of the current Los Angeles county Municipal Stormwater NPDES Permit No. CAS614001 and the CCMC Section 5.05.035. Prior to the issuance of any demolition, grading, excavation, and /or building permit, the applicant shall have a LSWPPP package approved by the City Engineer.

31. The LSWPPP package shall include all of the individual items listed in the Engineering Division's Requirements for Local Storm Water Pollution Prevention Plan handout, which may be obtained from the Engineering counter. If the LSWPPP package fails to contain all required items, the package will not be accepted.

32. The scope of the information shown on the site plans must be limited to NPDES-relevant information (i.e. turn off utility, architectural, or other features not relevant to the NPDES requirements). Please contact city's Stormwater Consultant, at (310) 253-5600 for any questions and to obtain instructions and handouts required for a complete submittal and associated plan check fees. Prior to the start of design of these plans and of necessary reports, the applicant's civil Engineer shall meet with the City's Stormwater Consultant to obtain information on the City-specific LSWPPP requirements.

33. The BMPs identified in the LSWPPP shall appropriately and effectively be implemented and to the Maximum Extent Practicable (MEP) both the volume of storm water leaving the site as well as the amount of sediments and other pollutants in the storm water and the non-storm water discharges shall be reduced.

34. Drainage devices, concrete curb and gutter, sidewalk, drive approach, and roadway pavement shall be designed to the latest edition of the American Public Works Association (APWA) Standard Plans.

35. Prior to the commencement of any excavation, the applicant shall install a temporary construction fence around the site. The height and fence material is subject to approval by the City Engineer.

36. This project is subject to the City's Sewer Facility Charge and shall be paid prior to the issuance of any permit.

37. The existing driveway approach located on Washington Place shall be reconstructed per Culver City standards and to the satisfaction of the City Engineer. Due to the reduction of the width of the new driveway approach, the remaining section of the existing driveway approach shall be reconstructed into a sidewalk, curb, and gutter in its place per AWP standards.

38. The full width of the alley pavement adjacent to the property shall be reconstructed from property line to property line, to include the concrete longitudinal gutter per APWA Standards and to the satisfaction of the City Engineer or his/her designee. The pavement shall be grinded two inches and paved with two inches of new asphalt concrete and pavement. All pavement failures shall be reconstructed prior to new paving.

39. All public utility services shall be permanently placed underground from the utility source to the terminations facility on private property per CCMC Section 5.04.065. The applicant shall be responsible for all coordination for the installation of the utility with the respective utility company and its necessary construction.

40. Trash enclosures shall be provided with minimum inside dimension of 10' x 12'. However, the location and required number of bins for the proposed development must be approved by the Public Works/Sanitation Division Manager, (310) 253-6400. Separate trash bins for recyclable waste and regular solid waste material shall be provided. The proposed trash enclosure shall include a minimum eight feet wide clear opening, six inch concrete curb along the perimeter wall of the trash enclosure, and a gate.

41. One (1) new street tree, Mexican Fan (Washintonia Rousta) Palm, with 14 foot minimum brown skin trunk shall be planted along Washington Place. The new street tree shall be planted in a tree well per APWA Standards, and irrigated to the satisfaction of the City's Street Tree Maintenance Supervisor.

Fire Department:

42. A NFPA 13 Fire Sprinkler system shall be provided throughout the building.

43. The applicant must provide a double detector check assembly (DDCA) shall be provided and the Fire Department connection (FDC) flush mount device installed per Fire Prevention specification on a concrete pad four feet wide by three feet deep.

44. The backflow device shall be screened per Planning and Fire Prevention requirements.

45. The project shall meet the Fire Department requirements for Duct Smoke Detectors.

46. A pre-fire plan shall be provided to the Fire Department for review and approval prior to request for final inspection or use.

47. All plans shall have "Fire Department Notes:" to include all life safety requirements.

DURING CONSTRUCTION

Planning Division:

48. During all phases of construction, information that includes contact names and telephone numbers of the applicant, property owner, construction contractor(s), and City, shall be posted at the project site so as to be visible to the public. These names and telephone numbers shall be made available to adjacent property owners and residents.

49. During all phases of construction, all construction workers and contractors shall park onsite or at designated offsite locations approved by the City and not in the surrounding residential neighborhood.

50. Hours of Construction shall be limited to 8:00 A.M. to 6:00 P.M. Monday to Friday, and 9:00 A.M. to 6:00 P.M. on Saturday. Construction shall be prohibited on Sundays and National Holidays.

51. All graffiti shall be removed within 48 hours of its application and said removal standards shall continue once the development becomes operational.

52. The following noise standards shall be complied 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 that compliance with the CCMC Noise Regulations and Standards is achieved; 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.

Public Works Department – Engineering Division:

- 53. The construction contractor shall advise the Public Works inspector of the schedule and shall meet with the inspector prior to commencement of work.
- 54. Dirt hauling and construction material deliveries or removal are prohibited during the morning (7:00 A.M. to 9:00 A.M.) and afternoon (4:00 P.M. to 6:00 P.M.) peak traffic periods.
- 55. During construction, dust shall be controlled by regular watering and as directed by the Public Works Department City inspector.
- 56. All staging and storage of construction equipment and materials, including the construction dumpster and storage containers shall be on-site only. Prior written permission shall be obtained from adjacent property owners for any construction staging occurring on adjacent property.
- 57. A copy of the Local SWPPP, inspection logs, SUSMP/Site specific plan and training records shall be kept on site and available for inspection at all times during construction.

PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY (CO)

Planning Division:

- 58. All onsite and offsite landscaping and irrigation shall be completed to the satisfaction of the Planning Manager.

59. The project shall comply with all provisions of the City's solar photovoltaic power ordinance.

60. All applicable conditions of approval and required onsite and offsite improvements shall be completed to the satisfaction of the Planning Manager.

Public Works – Engineering Division:

61. The applicant or property owner shall at his or her expense repair or replacement of any damage to the public right-of-way caused by the construction of the proposed project. Such repair or replacement is to be completed to the satisfaction of the City Engineer.

62. All conditions of approval shall be completed to the satisfactory of the City Engineer.

63. Prior to issuance of the Certificate of Occupancy, the operators and/or owners shall construct all the stormwater pollution control BMPs and structural treatment control BMPs shown on the approved SUSMP or site-specific mitigation plan and submit a stormwater observation report (may obtain form from the City's Stormwater Program Manager), which shall include a wet-signed and stamped certification statement by the engineer, who prepared the SUSMP site plans, confirming that the SUSMP BMPs have been built as designed.

64. The applicant shall submit to the City Stormwater Program Manager a notarized Master Covenant and Agreement (regarding on-site BMP maintenance) to be recorded by the County Recorder of Los Angeles County. Prior to getting the Agreement notarized, the applicant's civil engineer shall contact the City's Stormwater Program Manager for review of the Agreement and for information on other requirements associated with the recording process.

65. After the construction of the SUSMP-related BMPs, the applicant shall submit to the City Stormwater Program Manager a completed Stormwater Observation Report Form (stamped and signed by the civil engineer. or architect responsible for the SUSMP design) to certify, based on their observations, that all SUSMP-related BMPs have been constructed per the specifications and drawings.

66. All Public Works Department Conditions of Approval shall be completed to the satisfaction of the City Engineer.

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Fire Department:

67. The applicant shall provide a KNOX key box for the building and a KNOX key switch for the security doors and motorized gate.

APPROVED and ADOPTED this 24th day of September 2008.

DAVID ROCKWELL, CHAIRPERSON

PLANNING COMMISSION

CITY OF CULVER CITY, CALIFORNIA

Attested by:

Yvonne Hunt
Administrative Secretary

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