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

June 20, 2012
7:00 p.m.

Call to Order & Roll Call

The meeting of the Planning Commission was called to order at 7:01 p.m.

Present: Anthony Pleskow, Chair (via teleconference)
Scott Wyant, Vice Chair
John Kuechle, Commissioner
Linda Smith Frost, Commissioner
Marcus Tiggs, Commissioner

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Pledge of Allegiance

Thomas Gorham, Planning Manager, led the Pledge of Allegiance.

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Comments for Items NOT on the Agenda

Heather Baker, Assistant City Attorney, discussed Brown Act issues noting that all requirements had been met; she clarified that the hearing had been continued; and she discussed proper public hearing noticing procedures.

Commissioner Kuechle received clarification regarding notice regarding the continuation of the meeting.

Vice Chair Wyant invited public participation.

No cards were received and no speakers came forward.

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Public Hearing

Item PH-1

Reconsideration of Denial of Conditional Use Permit Modification (CUP/M 2011-175) - to permit the addition of 200 students to an existing private school located at 12095-12101 Washington Boulevard

Thomas Gorham, Planning Manager, provided a brief summary of the material of record.

Discussion ensued between staff and Commissioners regarding annual payments and adjustments; reimbursement for the cost of police and fire calls; and lost property and business tax revenue.

Vice Chair Wyant opened the public hearing and invited public comment.

Thomas Gorham, Planning Manager, read a written statement submitted by Alan Corlin.

The following member of the audience addressed the Commission:

Carlene Brown provided background on herself and expressed support for The Help Group.

Dr. Barbara Firestone, The Help Group, expressed appreciation to the Commission for its reconsideration of the item; summarized proposed mitigations; and noted that the student population would be gradually increased.

MOVED BY COMMISSIONER KUECHLE, SECONDED BY COMMISSIONER TIGGS AND UNANIMOUSLY CARRIED, THAT THE PLANNING COMMISSION CLOSE THE PUBLIC HEARING.

Discussion ensued between staff and Commissioners regarding a belief that the project should go before the City Council for their consideration; best interests of the City; negative impacts of numerous schools in the City that consume resources but do not pay property taxes; analyzing relevant policy issues; the offer of annual payments to offset certain losses; the last minute offer by The Help Group; careful consideration of proposals; whether the estimate of tax losses is adequate; clarification that the site is zoned for commercial use; clarification that the tax reimbursement figure is only for the additional students; the need for a full and complete legal analysis; power of the Commission; legal risks of imposing a property tax recovery fee; the Emerald Estates lawsuit; whether the Commission can make the findings called for by the zoning code; the sound study; noise levels of the outdoor graduation ceremonies; noise impacts of the project after mitigation; the noise element of the Culver City General Plan; the true traffic impact of the project; incremental increases; clarification that The Help Group studied only the increase rather than the entire project; language regarding conflicts between vehicles; original concerns; concern that The Help Group obscures facts to give their project a better chance; The Help Group assertion that they would waive any future right to increase the number of students; appearing to give concessions without doing so; the purchase of adjacent property for future expansion; and a suggestion to adopt the denial resolution and add language regarding noise concerns.

Additional discussion between Commissioners and staff ensued regarding rumors; making the necessary findings; appreciation to the Help Group for their concessions; City Council changes regarding non-profits; support for the project; the Emerald Estates matter; public parking spaces; the established land use; time necessary to consider the issues; the need for long-term planning; traffic and parking concerns; the five on-street parking spaces; reevaluation of the flow of traffic and parking; the need to observe the situation; additional mitigation measures; street impacts; the City threshold for significant impact; the location of waiting vehicles; alerting parents that they are not to arrive more than 10 minutes early for pick up; students picked up by other than parents; and regulating pick up procedures.

Discussion continued between Commissioners, staff and Help Group representatives regarding where buses and cabs wait for pick up; space within campus to accommodate all vehicles; clarification that buses and cabs currently wait all over the neighborhood; concern with getting the cars in and out in an efficient manner; a previous condition that cabs and buses not park in metered parking; the current plan vs. the future plan; the three story parking structure; and when the new parking plan would be implemented.

Further discussion ensued between staff and Commissioners regarding concern that the decision is a City Council level decision but Commissioners are being called upon to decide anyway; concern with causing undue burden for the Help Group; the importance of the matter; concern with being asked to make a judgment without being able to ask all the questions; concern with setting a precedent; policy issues vs. the specific project; concern with denying the project to make a broader point; the response of the Help Group to mitigate issues; imposition of fees vs. voluntary agreement; concern with legal issues; and the 6-month and 12-month evaluation periods for circulation.

MOVED BY COMMISSIONER TIGGS AND SECONDED BY CHAIR PLESKOW THAT THE PLANNING COMMISSION APPROVE THE CUP/M P-2011175 TO ALLOW FOR A 600-STUDENT PRIVATE SCHOOL FOR SPECIAL NEEDS STUDENTS AT 12095-12101 WASHINGTON BOULEVARD IN THE COMMERCIAL GENERAL (CG) ZONE SUBJECT TO THE CONDITIONS OF APPROVAL SET FORTH IN EXHIBIT A, AND APPROVAL OF THE NEGATIVE DECLARATION. THE MOTION FAILED BY THE FOLLOWING ROLL CALL VOTE:

AYES:	PLESKOW, TIGGS
NOES:	KUECHLE, SMITH FROST, WYANT
ABSENT:	NONE
ABSTAIN:	NONE

Commissioner Kuechle added language regarding being unable to make the findings with regard to noise for the Denial Resolution which included: on page 3 of the resolution on the first line where it says 'related to traffic' inserting the words 'noise on abutting residential neighborhoods and' before the word traffic; and in the second line of the finding in paragraph E add 'and increased noise' after 'increased traffic around the school site'.

MOVED BY COMMISSIONER KUECHLE AND SECONDED BY VICE CHAIR WYANT TO ADOPT RESOLUTION 2012-P0015 WITH THE CHANGES DESCRIBED ABOVE.

AYES:	KUECHLE, SMITH FROST, WYANT
NOES:	PLESKOW, TIGGS
ABSENT:	NONE
ABSTAIN:	NONE

Thomas Gorham, Planning Manager, explained appeal procedures.

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Consent Calendar

Item C-1

Secretary's Report

Thomas Gorham, Planning Manager, read the Secretary's Report and noted that it was no longer required that the Planning Commission receive and file them anymore.

MOVED BY COMMISSIONER TIGGS, SECONDED BY VICE CHAIR WYANT AND UNANIMOUSLY CARRIED, THAT THE PLANNING COMMISSION RECEIVE AND FILE THE REPORT OF THE SECRETARY REGARDING THE POSTING OF THE AGENDA FOR THIS MEETING.

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Item C-2

Meeting Minutes – May 9, 2012 and May 23, 2012

A discussion ensued between staff and Commissioners regarding a statement in the May 23, 2012 meeting minutes ~~indicating that a portion of the meeting was inaudible;~~ whether a recording of that portion of the meeting exists; providing coverage in the minutes for that portion of the meeting; and agreement to bring back revised minutes with the missing portion of the meeting included.

MOVED BY COMMISSIONER SMITH FROST, SECONDED BY COMMISSIONER TIGGS AND UNANIMOUSLY CARRIED, THAT THE PLANNING COMMISSION APPROVE THE MINUTES OF MAY 9, 2012.

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Items from Staff

Thomas Gorham, Planning Manager, discussed upcoming meetings and agenda items.

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Items from Planning Commissioners

Commissioners thanked fellow Commissioner Tiggs for his service to the Commission as this was his last meeting.

Commissioner Tiggs thanked his fellow Commissioners, staff and the City Council for the chance to serve.

Thomas Gorham, Planning Manager indicated plans to honor Commissioner Tiggs before the July 11, 2012 Commission meeting.

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Adjournment

There being no further business, at 8:24 p.m. the Culver City Planning Commission adjourned to the next regular meeting on Wednesday, July 11, 2012, at 7:00 p.m. in the Mike Balkman Council Chambers.

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YVONNE D. HUNT
SECRETARY of the CULVER CITY PLANNING COMMISSION

APPROVED 8-8-12

SCOTT WYANT
VICE CHAIR of the CULVER CITY PLANNING COMMISSION
City of 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, City of Culver City, California and constitute the Official Minutes of said meeting.

Martin R. Cole

Martin R. Cole
CITY CLERK

28 AUG 2012
Date