

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 07/28/08		Item Number: <u>PH-2</u>	
AGENDA ITEM: PUBLIC HEARING: Consideration of Approval of Tentative Tract Map No. 69482, TTM P-2007182, to Create a Three (3) Lot Subdivision for Condominium Purposes in the Residential Two Family (R2) Zone at 4227 Ince Boulevard.			
Contact Person/Dept.: Joseph Montoya, Associate Planner		Phone Number: (310) 253-5736	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☐ No ☒	
Public Hearing: ☒		Action Item: ☒ Attachments: ☒	
Public Notification: Since the City Council continued this public hearing from the May 27, 2008, meeting to June 23, 2008, no further public notification is required. However, the project notification sign was modified to announce the continued City Council public hearing date. Master E-Mail Notification List (07/24/08)			
Department Approval: Sol Blumenfeld		City Attorney: Carol Schwab (by H. Baker) (07/23/08)	
Fiscal Impact: Jeff Muir (by M. Noller) (07/23/08)		City Manager Approval: Jerry B. Fulwood (07/23/08)	
<u>RECOMMENDATION:</u> Staff recommends the City Council approve Tentative Tract Map No. 69482, TTM P-2007182 ("TTM"), subject to the Recommended Conditions of Approval as stated in City Council Resolution No. 2008-R_____ (Attachment No. 1). <u>PROCEDURE FOR PUBLIC MEETING:</u> 1. Mayor calls on staff for a brief staff report and the City Council poses questions to staff as desired. 2. Mayor declares the public hearing reopen, providing the applicant the first opportunity to speak, followed by the general public. 3. Mayor seeks a motion to close the public hearing after all testimony has been presented. 4. City Council thoroughly discusses the matter and arrives at its decision. <u>BACKGROUND/DISCUSSION:</u> On May 27, 2008, the City Council opened the public hearing and, after taking all public testimony and completing its discussion, continued the item to this evening's meeting in order to obtain additional information regarding the specific responsibilities and authority of the City Council in the tentative tract map review process.			

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In response to the comments raised by the City Council concerning the physical suitability of the site for purposes of subdivision as it relates to the type and proposed density of development, Planning Division staff makes reference to the findings outlined in the proposed City Council resolution of approval [Attachment No. 1] for this TTM. These findings, as set forth in the Subdivision Map Act (specifically Government Code Section 66474) and reiterated in Culver City Municipal Code (CCMC) Section 15.10.265, are the only grounds for the City Council to deny the approval of a tentative map. The required findings focus primarily on four areas: 1) consistency with the City's General Plan (Findings A and B in the Resolution); 2) physical suitability of the site to support the type and density of development proposed for the site (Findings C and D in the Resolution); 3) whether the subdivision will cause harm to the environment or public health (Findings E and F in the Resolution); and 4) whether the subdivision will interfere with any easements (Finding G in the Resolution). As outlined in the proposed findings, the subdivision is physically suitable for the type and density of development in that the proposed development meets all applicable development standards listed in the CCMC for the R2 zone including number of units, minimum lot size, setbacks, height, parking and use. Further, as outlined in the findings, the subdivision is consistent with the General Plan, will not cause environmental damage, public health problems not interfere with any easement.

Nothing in the Subdivision Map Act or CCMC directly addresses the issue of compatibility or consistency with the character of a neighborhood in relation to the consideration of a subdivision. A finding that the proposed development associated with the subdivision be compatible with the neighborhood is considered by the Planning Commission during the site plan review process and is more subjective in nature as opposed to the objective findings of physical suitability required for the subdivision. The site plan review was approved by the Planning Commission and is not subject to review by the Council unless appealed. The appeal period for the site plan review expired on March 28, 2008. This process is governed by the CCMC and the duties and responsibilities vested in the Planning Commission.

Based on the foregoing, staff is recommending that the City Council affirm the Planning Commission's recommendation to approve the Tentative Tract Map and adopt the attached resolution.

FISCAL ANALYSIS:

There is no fiscal impact associated with this item.

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ATTACHMENTS:

Please refer to the May 27, 2008, City Council packet for the original submitted information regarding this project which included the following attachments. In addition a new attachment, the "Neighborhood Summary Table and Map" that corresponds to the neighborhood discussion in the March 26, 2008, Planning Commission staff report, is included with this report as Attachment No. 15.:

1. Draft City Council Resolution No. 2008-R____.
2. CEQA Categorical Exception.
3. Vicinity Map.
4. Aerial Photograph.
5. Project Summary Sheet.
6. March 12, 2008, Planning Commission Resolution No. P-2008001.
7. February 13, 2008, Planning Commission staff report.
8. February 13, 2008, Planning Commission minutes excerpt.
9. March 12, 2008, Planning Commission staff report.
10. March 12, 2008, Planning Commission minutes excerpt.
11. March 26, 2008, Planning Commission staff report.
12. March 26, 2008, Planning Commission minutes excerpt.
13. Tentative Tract Map No. 69482.
14. Preliminary Development Plans.
15. Neighborhood Summary [2 Pages] – ***New Attachment***.

MOTION:

That the City Council:

Adopt the Categorical Exemption and Resolution No. 2008-R _____ approving Tentative Tract Map No. 69482, TTM P-2007182, subject to the Recommended Conditions of Approval.