



Culver CITY

MIKE BALKMAN COUNCIL CHAMBERS
9770 CULVER BOULEVARD
CULVER CITY, CALIFORNIA 90232-0507
CITY HALL Tel. (310) 253-5710
FAX (310) 253-5721

PLANNING COMMISSION MEETING AGENDA WEDNESDAY, MARCH 12, 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, March 12, 2008
7:00 p.m.
Mike Balkman Council Chambers

CALL TO ORDER & ROLL CALL

Marcus Tiggs, Chair
David Rockwell, Vice Chair
John Kuechle, Commissioner
Andrew Weissman, Commissioner
Linda Smith Frost, Commissioner

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT – Items Not On The Agenda

PUBLIC HEARING

- PH-1** Site Plan Review and Tentative Tract Map for a new Six Unit Residential Condominium Project located at 4227 Ince Boulevard. (Staff Report: Joseph Montoya (310) 253-5736.) ***Continue to March 26, 2008.***
- PH-2** Conditional Use Permit for a Daycare Center and Administrative Use Permit for Shared Parking located at 4024 Wade Street. (Staff Report: Nancy Tahvili (310) 253-5751). ***Approve.***
- PH-3** Site Plan Review, Tentative Tract Map, Administrative Use Permit and Negative Declaration for a 4-story Mixed-Use Building with 26 Residential Condominium Units and 3,370 Square Ft. of Office Space located at 4043 Irving Place. (Staff Report: Paul Samaras (310) 253-5706). ***Continue to March 26, 2008.***

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.***

ITEMS FROM STAFF

ITEMS FROM PLANNING COMMISSION

ADJOURN

**Next Planning Commission Meeting
March 26, 2008
7:00 PM**

Upcoming Public Meeting Schedule –Tentative – 2008

Date	Day	Time	Location
<i>City Council</i>			
<i>March 24</i>	<i>Monday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>
<i>Redevelopment Agency</i>			
<i>March 17</i>	<i>Monday</i>	<i>7:00PM</i>	<i>Council Chambers</i>
<i>Civil Service Commission</i>			
<i>April 2</i>	<i>Wednesday</i>	<i>5:00PM</i>	<i>Council Chambers</i>
<i>Cultural Affairs Commission</i>			
<i>April 8</i>	<i>Tuesday</i>	<i>7:00P M</i>	<i>Council Chambers</i>
<i>Parks & Recreation Commission</i>			
<i>April 1</i>	<i>Wednesday</i>	<i>7:00PM</i>	<i>Patacchia Room</i>
<i>Planning Commission</i>			
<i>March 26</i>	<i>Wednesday</i>	<i>7:00 PM</i>	<i>Council Chambers</i>

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

RESOLUTION NO. 2008-P009

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO ALLOW A DAYCARE AT 4024 WADE STREET AND APPROVING AN ADMINISTRATIVE USE PERMIT FOR ESTABLISHING SHARED PARKING IN THE RESIDENTIAL LOW DENSITY MULTIPLE FAMILY (RLD) ZONE.

(CUP-P2008010 and AUP-P2008009)

WHEREAS, on January 10, 2008, Virginia Wikkramatillake filed an application for a Conditional Use Permit for a new daycare facility at a former duplex building located at 4024 Wade Street, being Lot 6 & 7 of Tract 5740 in the Residential Low Density Multiple Family (RLD) Zone; and

WHEREAS, on January 10, 2008, Virginia Wikkramatillake filed an application for a Administrative Use Permit for shared parking among four different properties located at 4024 Wade Street, 12668 Washington Boulevard, and 12676 Washington Boulevard, being Lots 1, 2,3, 5, 6 & 7 of Tract 5740 in the Residential Low Density Multiple Family (RLD) Zone; and

WHEREAS, in order to implement said proposed project, approval of a

Conditional Use Permit application for operation of a daycare facility is required; and

WHEREAS, in order to implement said proposed project, approval of a

Administrative Use Permit application for shared parking is required; and

WHEREAS, on March 12, 2008, the Planning Commission conducted a duly noticed public hearing on Conditional Use Permit, CUP P-2008010 and Administrative Use Permit, AUP P-2008009, fully considering the application, plans, staff reports, environmental information and all testimony presented; and

WHEREAS, in accordance with the California Environmental Quality Act, the it has been determined the applications to be Categorically Exempt (Class 3), because the project involves converting an existing small structure into a daycare facility; 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 Conditional Use Permit, CUP P-2008010 and Administrative Use Permit, AUP P-2008009, should be conditionally approved as set forth herein below; 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), CCMC Title 17, Section 17.530.020, Findings and Decision, 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 an Administrative Use Permit or Conditional Use Permit and complies with all other applicable provisions of this Title and the CCMC.**

Pursuant to CCMC Section 17.210.015 Residential Zoning District Land Uses and Permit Requirements, the proposed use – a child daycare center is allowed within the Residential Low Density Multiple Family (RLD) zoning designation with an approval of a Conditional Use Permit. In addition, shared parking is allowed regardless of zone between non-residential uses pursuant to CCMC Section 17.320.025. The project complies with all other applicable provisions of this title and the CCMC including adequate parking, an upgrade to landscaping, and trash enclosure.

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

The proposed use – a child daycare center is consistent with the goals, policies, and objectives of the General Plan. In accordance with Policy 16.D the zoning code has determined the appropriate range of uses for each Land Use designation. The Zoning Code includes allowing child daycare centers with an approval of a CUP within the RLD zone. The project is required to add two street trees which meet Policy 1.F to continue infill planting of street trees on residential streets. Furthermore, the shared parking use meets Policy 1.H that ensures adequate parking

within each neighborhood to meet parking demands of the church and the daycare facility located on the property.

C. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity of the subject site.

Surrounding existing land uses include multi-family buildings to the south and west, a motel to the east, and a church and an existing daycare center to the north. The proposed daycare use as conditioned will be compatible with existing uses and any future uses allowed in the zone. This includes an eight (8) foot high solid fence to be added to the south of the property between the two duplexes, along with landscaping that will provide security and privacy for both uses. Another fence will be added along the front.

The shared parking use ensures availability of parking for all uses onsite and ensures compatibility with the existing and future land uses in the vicinity of the subject site.

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 subject site and the existing duplex building are physically suitable for a small (1,371 square foot) daycare facility. Adequate parking and access is provided within the subject site. New fencing and landscaping will help to ensure compatibility with adjoining uses. There are no physical constraints that would impact the proposed use and all utilities are currently provided for.

The site is physically suitable to accommodate shared parking. The Church office hours are Monday, Thursday, and Friday from 9:30 A.M. - 4:30 P.M., which is concurrent with the hours of the daycare facility from 7:30 A.M. - 6:00 P.M. There is adequate number of parking spaces provided- 29 which are above the minimum required of nine (9) parking spaces for the daycare and church office use. Night prayers at the church begin after 7:00 P.M. Monday, Wednesday, and Thursdays, and weekend activities and services run from 8:30 A.M. – 7:00 P.M. during which all 29 spaces would be available for church use.

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 establishment, maintenance or operation of the proposed use – a daycare center 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. This is a small daycare center and adequate parking is provided. Given the number of net new students (13) and net new faculty (1) there is adequate room for circulation, and access to and from the daycare. Given the condition for an eight (8) foot high solid fence and landscaping in front of the fence, the outside play area is kept private and safe from the surrounding uses. In addition, the nature of a school use does not lend itself to hazardous operations.

The shared parking is required for the whole site and the AUP will legally establish shared parking for the daycare facility and the church. The daycare facility will not be permitted to operate during the church service hours as proposed. This will be in the public's interest, health, safety, and general welfare, and will not be injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located.

SECTION 3. Pursuant to the foregoing recitations and findings, the Planning Commission of the City of Culver City, California, hereby approves Conditional Use Permit, CUP P2008010, and Administrative Use Permit, AUP P2008009, subject to the following conditions:

Special Conditions in Bold Italics

GENERAL CONDITIONS

PLANNING

1. This Conditional Use Permit, CUP P-2008010, and Administrative Use Permit, AUP P2008009 will expire if not used within one year after the date they become effective, unless a written extension request with the required filing fee is submitted by the applicant prior to the expiration date and the Community Development Director or his/her designee grants said extension.
2. Approval of this Conditional Use Permit and Administrative Use Permit 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 and/or Administrative Use Permit. Should the use discontinue operations for at least a year after it has become operational, this Conditional Use Permit and Administrative Use Permit shall be null and void.

3. The resolution approving the Conditional Use Permit and Administrative Use Permit and the Conditions of Approval as stated herein shall be referenced on the cover sheet, and repeated in full on the cover sheet or attached additional sheets on any plans submitted for tenant improvements related to the school use.
4. 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.
5. 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 and Administrative Use Permit.
6. 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.
7. 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.
8. 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;

- 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.
- 9. 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.
 - 10. 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.
 - 12. The applicant and the property owner shall 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. Said indemnification shall be set forth in a written instrument acceptable to the City Attorney.
 - 13. ***The refuse containers assigned to the building is to be shared between the church and daycare and shall be stored on-site in the trash enclosure.***

14. *The daycares shall operate with no more than two (2) faculty at Building B - 12676 Washington Boulevard, and four (4) faculty at Building C - 4024 Wade Street, during the restricted hours of operation from 7:00 A.M. to 6:00 P.M. Monday through Friday, and both daycare buildings shall be closed on weekends.*
15. *No more than 13 students for Building B - 12676 Washington Boulevard and 26 students for Building C - 4024 Wade Street shall be enrolled at any one time.*
16. *External sound systems, including but not limited to school bells, public address systems, and radio, are prohibited. Communication between classrooms, staff, and students, shall be designed such that it does not project sound off-site onto adjacent properties.*
17. *An eight (8) foot high solid fence shall be added between the two duplex Buildings C and D to provide additional vertical safety screening for daycare facility playground, and to provide privacy screening for adjacent residential uses.*
18. *Ingress and Egress arrows shall be painted at the two driveways at the 12668 Washington Boulevard property as shown on plans dated February 13, 2008.*
19. *The existing garage behind the proposed daycare building shall not be used for a classroom or any other use unless approved by Building Safety, Planning, and all other applicable City departments.*

FIRE

20. The applicant shall provide a 13 D fire sprinkler system with off site reporting (Fire Dispatch) with audible/visual devices fire evacuation that includes full coverage smoke detection.
21. Plans for obtaining building permit shall have a "FIRE DEPARTMENT NOTES:" section which shall include the above notes and all other pertinent life safety notes.

ENGINEERING

22. *The applicant shall dedicate to the City of Culver City a six (6) foot strip of land along the Wade Street frontage (Lots 6 and 7 of Tract No. 5740) for street purposes. The existing improvements, and those improvements required for this approval, may remain within this six foot dedication. No other improvements shall be allowed. All improvements within this six foot area shall be*

removed at the time of the future widening of Wade Street. This restriction shall be placed on the street easement deed.

23. *The applicant shall install two street trees 24-inch box minimum size, one in front of Lot 6 and one in front of Lot 7. The street trees shall be planted in the front yard area behind the existing public sidewalk. Prior to planting, the species of the trees shall be submitted to the Engineering Division for approval.*

PRIOR TO THE ISSUANCE OF ANY DEMOLITION, GRADING, EXCAVATION AND/OR BUILDING PERMIT, THE APPLICANT SHALL BE REQUIRED TO COMPLY WITH THE FOLLOWING CONDITIONS

PLANNING

24. Prior to issuance of the building permit, 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. Said landscape and irrigation plans shall include the following item:
- A. Planters with bamboo planting or similar planting as approved by the Planning Manager shall be installed adjacent to the new eight (8) foot high fence separating the two duplexes (Building C and D).
25. The applicant shall provide the construction contractor(s) and each subcontractor related to the project a copy of the final project conditions of approval. The applicant and the City agree that these conditions shall be enforceable through all legal and equitable actions and any remedies, including the imposition of fines against each and every person who conducts any activity on behalf of the applicant on or near the project site. The applicant and general construction contractor are ultimately responsible for all actions or omissions of a subcontractor.

FIRE

26. Pursuant to approval of the Fire Prevention Department, the applicant shall indicate locations of all KNOX Key Boxes on the building permit plans.
27. The applicant must include a "Fire Department Notes" section noting all pertinent life safety notes as indicated in the conditions of approval for Fire.

DURING CONSTRUCTION:

PLANNING

28. During all phases of construction, information that includes contact names and telephone numbers of the applicant, 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 homeowners. During all phases of construction, the applicant shall, to the best of their ability, assure that all construction workers and contractors have the ability to park on-site or at designated off-site locations and not in the surrounding neighborhood.
29. During all phases of construction and once the development becomes operational, all graffiti shall be removed within 48 hours of its application.
30. All construction and permanent equipment shall be modified so as to insure the following noise standards:
 - A. Equipped with mufflers and sound control devices (i.e., intake silencers and noise shrouds) no less effective than those provided on the original equipment and no equipment shall be operated without an exhaust muffler;
 - B. Properly maintained to minimize noise emissions;
 - C. If serviced at a location onsite, the vehicle(s) shall be setback from any street so as to maintain the greatest distance from the public right-of-way;
 - 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 determined necessary 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.
31. During all phases of construction, the applicant and property owner shall use their best efforts to ensure that all construction workers and contractors park onsite or at designated offsite locations approved by the City and not in the surrounding neighborhood.
32. Hours of Construction shall be limited to 8:00 A.M. to 7:00 P.M. Monday to Friday, and 9:00 A.M. to 7:00 P.M. on Saturday, and 10:00 A.M. to 7:00 P.M. on Sunday.

**PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY (CO)
OR FINAL SIGN OFF ON CITY PERMITS:**

PLANNING

33. *A Title Report shall be submitted to the Planning Division prior to the issuance of Certificate of Occupancy or final sign off of City permits.*
34. *A covenant and agreement, paid for by the applicant shall be prepared by the Planning Division and signed by the owner of the subject site to hold all four parcels as one; 4231-024-024, 4231-024-044, 4231-024-047, and 4231-024-029. This covenant shall also include a Reciprocal Easement Agreement that burdens and benefits 4024 Wade Street, 12668 Washington Boulevard, and 12676 Washington Boulevard. This Covenant and Agreement shall be recorded with the Los Angeles County Clerk/Recorder's office prior to the issuance of Certificate of Occupancy or final sign off of City permits.*
35. *A shared parking covenant in favor of the City, paid for by the applicant, and prepared by the Planning Division, prior to the issuance of Certificate of Occupancy or final sign off of City permits shall be signed by the owner of the properties and recorded with the Los Angeles County Clerk/Recorder's office that reserves the following:*
- A. Two (2) parking spaces for the Daycare at Building B – 12676 Washington Boulevard, Monday through Friday, during the hours of 7:30 A.M. - 6:00 P.M.*
 - B. Two (2) parking spaces for the daytime church office at Building A – 12668 Washington Boulevard, Monday, Thursday, and Fridays, from 9:30 A.M. to 4:30 P.M.*
 - C. Five (5) spaces for the new daycare at Building C – 4024 Wade Street, Monday through Friday, during the hours of 7:30 A.M. - 6:00 P.M.*
 - D. And 29 spaces for church services Monday, Wednesday, and Thursday after 7:00 P.M., and weekends.*

This covenant shall be in effect for the life of the daycare use. At no time shall hours of operation overlap between the church services and daycare operations.

36. 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.

37. All planted areas shall be landscaped, irrigated and maintained pursuant to CCMC Title 17 – Chapter 17.310 Landscaping. All onsite and offsite landscaping and irrigation shall be completed to the satisfaction of the City prior to issuance of the Certificate of Occupancy or finaling of Building Permit.

FIRE

38. Final fire clearance must be obtained from the Culver City Fire Department prior to the issuance of the certificate of Occupancy and prior to commencement of the daycare.
39. An address for 4024 Wade Street shall be installed and viewable and legible from the public way prior to the certificate of Occupancy.

ENGINEERING

40. Due to the change of use, this project is subject to the City's Sewer Facility Charge. The fee shall be paid prior to occupancy.

APPROVED and ADOPTED this 12th day of March, 2008.

MARCUS TIGGS,
CHAIRPERSON
PLANNING COMMISSION
CITY OF CULVER CITY,
CALIFORNIA

Attested by:

Yvonne Hunt
Administrative Secretary

Meeting Date: March 12, 2008	Item Number: PH-2
AGENDA ITEM: A CONDITIONAL USE PERMIT (CUP) TO ALLOW A NEW DAYCARE CENTER AND AN ADMINISTRATIVE USE PERMIT (AUP) FOR ESTABLISHING SHARED PARKING AT 4024 WADE STREET.	
Contact Person/Dept.: Nancy Tahvili, Assistant Planner	Phone Number: (310) 253-5751
Public Hearing: [X]	Action Item: [] Attachments: [X]
Public Notification: On March 20, 2008, notices were mailed to all the property owners and occupants within a 300-foot radius of the site, extended to the end of City block and the notice was emailed to the Master Notification List.	
Planning Approval: Thomas Gorham, Planning Manager , 3/5/2008	

RECOMMENDATION:

That the Planning Commission:

1. Adopt a Class 3 Categorical Exemption for this project pursuant to the California Environmental Quality Act Section 15303 regarding New Construction or Conversion of Small Structures (Attachment No. 5); and,
2. Approve Conditional Use Permit, CUP P-2008010 subject to the Conditions of Approval as stated in Resolution No. 2008-P009 (Attachment No. 4); and,
3. Approve Administrative Use Permit, AUP P-2008009 subject to the Conditions of Approval as stated in Resolution No. 2008-P009 (Attachment No. 4).

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

On January 10, 2008 an application was submitted for a Conditional Use Permit to allow a daycare at 4024 Wade Street. This facility is an expansion of an existing daycare facility on the adjacent church property located at 12676 Washington Boulevard. The application also includes an Administrative Use Permit (AUP) for establishing shared parking between the two properties.

General Information

See Attachment No. 1, Project Summary

Existing Conditions

The entire project property consists of four different buildings within four different parcels; all owned by the church (see page A.8 of development plans Attachment No. 6). As a part of this Conditional Use Permit the lots will be covenanted to be held and function as one property.

Parcel 47 (APN 4231-024-047) includes the church building- 12676 Washington Boulevard (noted as Building A on the development plans). Parcel 44 (APN 4231-024-044) includes a classroom building (noted as Building B). Parcel 24 (APN 4231-024-024) includes a play area for the an existing daycare facility and a parking lot. Currently, the daycare uses one classroom in the church building, with 3 faculty members, and 13 students and one classroom in Building B that includes 13 students and 2 faculty members for an overall total of 26 students and 5 faculty members. Parcel 29 (APN 4231-024-029) contains two duplexes identified as Buildings C and Building D. This parcel also includes, a parking lot consisting of 12 spaces to the north of Building C, which is currently being used by the church for parking during church services (see page A.1 of development plans Attachment No. 6).

Project Data

As part of the proposal the daycare will vacate the classroom in the church (Building A), keep the classroom in Building B and expand the daycare center by converting the existing 1,371 square foot duplex (Building C) on the north side of Parcel 29 (4024 Wade Street) into two classrooms with 26 students, and 4 faculty members for daycare use. The other 1,571 square foot duplex (Building D) to the south will remain. The 12 space parking area to the north of the lot will remain and be used for the daycare facility during the day and by the church in some evenings and weekends during which the daycare is closed (see the Parking section of this report for more details regarding shared parking).

The proposal will result in a total of 3 classrooms- one existing to remain in Building B having 13 students and 2 faculty members and two new in Building C with a total of 26 students and 4 faculty members for an overall total of 39 students and 6 faculty members. The net new student population will be 13, and there will be one net new faculty (see project summary table on page A.2 of development plans attachment No. 6).

ANALYSIS:

Architectural Design/Site Plan

The proposed new daycare structure was built several years ago as a duplex and the will go through tenant improvements for the change into two classrooms, a staff office, and two restrooms. The exterior will painted to match the same color theme as the church building. In

addition, the existing garage will be used for storage, the 3 existing parking spaces in the rear will be removed and a new fence will block use of the driveway.

Parking

The new daycare classrooms at 4024 Wade Street (Building C) will require 5 parking spaces and 12 spaces will be available in the parking area directly to the north of the building, with 5 dedicated exclusively for the daycare. The other daycare classroom in Building B and the daytime church office both require two parking spaces each. There are 17 parking spaces available for these two uses in the north of the property. In all, nine (9) parking spaces are required for the three uses mentioned above, and 29 spaces are provided (see Project Summary Table on page A.2 of the Development Plans Attachment No. 6). The parking for the church (for services and other activities during evening and weekend hours) will be provided for with the 29 spaces on the combined sites.

Pursuant to Zoning Code Section 17.320.025 E an AUP for shared parking is required since there is sharing of parking occurring between the different uses on the site. As a condition of approval of the AUP, a covenant will be recorded with LA County Recorder legally establishing shared parking between the different uses mentioned along with operating hours.

The Church office hours are Monday, Thursday, and Friday from 9:30 A.M. - 4:30 P.M., which is concurrent with the hours of the daycare facility from 7:30 A.M. - 6:00 P.M. There is adequate number of parking spaces provided- 29 which are above the minimum required of nine (9) parking spaces. Night prayers at the church begin after 7:00 P.M. Monday, Wednesday, and Thursdays, and weekend activities and services run from 8:30 A.M. – 7:00 P.M. during which all 29 spaces would be available for church use.

Traffic and Circulation

The City's traffic engineers analyzed the potential traffic impacts based on 13 net new students and determined that the net new increase in vehicle trips is about 10 in the morning for drop-off and 11 in the afternoon for pick-up. Drop-off hours for the daycare center are spread between 7:30 A.M. - 10:30 A.M., and 12:00 P.M. -12:30 P.M, so the additional 10 vehicle trips are not expected to impact the morning peak hours between 7:00 A.M. and 9:00 A.M. Similarly, the pick up hours are spread between 2:30 P.M. - 3:30 P.M., and 5:30 P.M. - 6:00 P.M. and are not expected to have an impact on the afternoon peak hours between 4:00 P.M. and 6:00 P.M. As confirmed by the city's traffic engineer no traffic study is required because there are virtually no traffic impacts and the thresholds for a traffic study is not triggered.

The new classrooms at 4024 Wade Street will have 5 parking spaces exclusively dedicated including a new van accessible parking space, plus 7 additional parking spaces. At the time of drop-off parents will park and walk the child over to the preschool and are required to sign the child in. Since the parking is situated behind a fence parents and children will have to walk in through the new gate. Additionally since no public access is made available through the front of the property (through the proposed fence) it is more convenient to park inside and walk the child through the gate into the preschool. For the reasons stated above, parents will

be discouraged from parking on the street, and it is anticipated that no idling will occur. Drop-off and pick up for the classroom in Building B will continue to take place in the 17 space parking area on located on Parcels 24 and 44.

Access to the daycare parking on Parcel 29 is provided via an existing driveway on Parcel 47. Given this, a Covenant and Agreement will be drafted to tie all lots together. Furthermore, ingress and egress arrow will be required to be painted in the driveway, and as indicated on the development plans the driveway at 26'- 4 ¾" wide is adequate in width for two cars to enter and exit at the same time and not result in queuing on Wade Street and blocking traffic.

Neighborhood Compatibility

In order to insure compatibility with the remaining duplex and surrounding uses and to address any privacy and safety issues the project will be conditioned to include an eight (8) foot high solid fence to be added to the south of the property between the two duplexes, along with landscaping that will provide security and privacy for both uses. Another fence will be added along the front to further ensure safety and compatibility.

CONCLUSION:

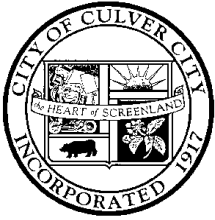
Based on the above analysis staff believes the findings for a Conditional Use Permit and Administrative Use Permit can be made and recommends the Planning Commission approve the project subject to the conditions of approval as outlined in Resolution No. 2008-P009 (Attachment No. 4).

ENVIRONMENTAL DETERMINATION:

Pursuant to the California Environmental Quality Act (CEQA) guidelines a Categorical Exemption (Class 3) has been prepared; because the project involves converting an existing small structure into a daycare facility. The existing structure is a duplex, totaling no more than four dwelling units, located in an urbanized area. Furthermore, the project is considered a change of use from one use to another where only minor modifications are made in the exterior of the structure. In this case only a handicap ramp and new paint is added to the building.

ATTACHMENTS:

1. Project Summary
2. Aerial Photo
3. Draft Resolution No. 2008-P009 (CUP P-2008010, and AUP P2008009)
4. Categorical Exemption
5. Development Plans Date Received February 13, 2008



THOMAS GORHAM
DEPUTY COMMUNITY
DEVELOPMENT DIRECTOR

Culver CITY

PLANNING DIVISION

9770 CULVER BOULEVARD, CULVER CITY, CALIFORNIA 90232-0507

(310) 253-5710
FAX (310) 253-5721

NOTICE OF EXEMPTION

DATE: March 12, 2008

☒ Los Angeles County Clerk
Planning and
Attention: Environmental Filing/Registration
12400 Imperial Highway, Suite 2001
121
Norwalk, CA 90650

☐ Governor's Office of
Research
1400 Tenth Street, Room
Sacramento, CA 95814

PROJECT:

Title and Case No.: Conditional Use Permit, CUP P2008010, for a new daycare facility and an Administrative Use Permit, AUP P2008009 for shared parking.

Address/Location: 4024 Wade Street, Culver City, CA 90066

Project Description: A Conditional Use Permit (CUP) to allow a new daycare center at 4024 Wade Street. This facility is an expansion of an existing daycare facility on the adjacent church property located at 12676 Washington Boulevard. The application also includes an Administrative Use Permit (AUP) for establishing shared parking between the two properties.

APPLICANT: Virginia Wikkramatillake, 4024 Wade Street, Culver City, CA 90066
CULVER CITY APPROVAL ACTION:

1. Planning Commission on March 12, 2008.

The decision making body, in approving the project described above, determined that the project is exempt from further environmental impact assessment per the City's and Agency's Guidelines and Regulations for the implementation of CEQA:

Type of Exemption: Categorical Exemption
CEQA Section: 15303
Class: 3

2. Reason why project is Exempt (brief): Pursuant to the California Environmental Quality Act (CEQA) guidelines a Categorical Exemption (Class 3) has been prepared; because the project involves converting an existing small structure into a daycare facility. The existing structure is a duplex, totaling no more than four dwelling units, located in an urbanized area. Furthermore, the project is considered a change of use from one use to another where only minor modifications are made in the exterior of the structure. In this case only a handicap ramp and new paint is added to the building.

Nancy Tahvili, Title: Assistant Planner