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RESOLUTION NO. 2018-R_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, APPROVING GENERAL PLAN MAP AMENDMENT, NO. P2017-0021 AND A REDUCTION IN THE NUMBER OF REQUIRED PARKING SPACES THROUGH THE USE OF AN IN-LIEU FEE, FOR A PROPOSED 44 FOOT TO 56 FOOT, 3- TO 4-STORY, 155,986 SQUARE FOOT (SF) COMMERCIAL BUILDING (KNOWN AS THE BRICK AND THE MACHINE) WITH 75,467 SF OF SUBTERRANEAN PARKING AND 80,519 SF OF OFFICE AND RETAIL SPACE WHICH INCLUDES 13,598 SF OF GROUND FLOOR RETAIL AND RESTAURANT USES, AT 9735 WASHINGTON BOULEVARD IN THE COMMERCIAL GENERAL (CG) AND COMMERCIAL DOWNTOWN (CD) ZONES.

(General Plan Map Amendment, P2017-0021-GPMA
and Parking Reduction In-Lieu Fee)

WHEREAS, on January 27, 2017, Clarett West Development (the "Applicant") filed applications for an Administrative Modification, Administrative Use Permit, Site Plan Review, General Plan Map Amendment, and Zoning Code Map Amendment to allow the development of a new, 44 foot to 56 foot, 3- to 4-story, 155,986 Square Foot (SF) commercial building with 75,467 SF of subterranean parking and 80,519 SF of office and retail space which includes 13,598 SF of ground floor retail and restaurant uses (the "Project"). The Project Site is more specifically described by Los Angeles County Assessors Numbers 4207-002-014, 4207-002-024, and 4207-002-025 in the City of Culver City, County of Los Angeles, State of California; and,

WHEREAS, in order to implement the proposed Project, approval of the following applications and requests are required:

1 1. Site Plan Review: for the construction of the proposed office, retail, and
2 restaurant commercial building as described above, to ensure the Project complies with
3 all required standards and City ordinances, and to establish all onsite and offsite
4 conditions of approval necessary to address the site features and ensure compatibility of
5 the proposed Project with the development on adjoining properties and in the surrounding
6 neighborhood (approved by the Planning Commission on June 27, 2018);
7

8 2. Administrative Modification: for the reduction in parking space dimensions,
9 based on the finding that strict application of these standards creates an unnecessary,
10 involuntarily created hardship or unreasonable regulation which makes it impractical to
11 require compliance with the development standards (approved by the Planning
12 Commission on June 27, 2018);
13

14 3. Administrative Use Permit: for tandem parking spaces in the subterranean
15 parking level, to ensure that the tandem parking spaces for some of the Project's required
16 parking is in compliance with all required standards and City ordinances and establish
17 conditions of approval to ensure the uses are compatible with the Project site and
18 surrounding area (approved by the Planning Commission on June 27, 2018); and,
19

20 4. General Plan Map Amendment: for the change in the General Plan Land
21 Use designation for a portion of the site from Downtown to General Corridor, to ensure
22 the proposed change only affects a portion of the site's land use designation and that
23 such change is not detrimental to the public interest, health, safety, convenience or
24 welfare of the City, and is in compliance with the California Environmental Quality Act
25 (CEQA); and,
26

27 5. Zoning Code Map Amendment: for the change in the Zoning designation for
28 a portion of the site from CD to CG; to ensure consistency with the revised land use

1 designation; to ensure such change is not detrimental to the public interest, health, safety,
2 convenience or welfare of the City and is in compliance with CEQA; and to ensure the
3 site is physically suitable for the requested zoning designation and anticipated land use
4 development.

5
6 6. Reduction in Required Parking Spaces: for the reduction of required
7 parking spaces by twenty-four (24) spaces, through the use of an in-lieu fee, upon a
8 finding that Project site conditions preclude the provision of the number of required
9 parking spaces on the lot for which the parking is required.

10
11 **WHEREAS**, ongoing negotiations between the Applicant and the property
12 owner north of the Project site, which initially was opposed to the project and
13 subsequently rescinded said opposition, resulted in several Planning Commission
14 continuances of this item, the Project being scheduled for the following Planning
15 Commission Meetings: August 23, 2017, October 25, 2017, November 15, 2017;
16 February 28, 2018, June 13, 2018, and June 27, 2018; and,

17
18 **WHEREAS**, Pursuant to the California Environmental Quality Act (CEQA)
19 Guidelines, an Initial Study was prepared for this Project. The Initial Study determined
20 that the Project would not result in significant impacts on the environment provided certain
21 mitigation measures are required and a Mitigated Negative Declaration (MND) was
22 prepared as the required CEQA clearance documentation for the Project. The MND
23 determined that the Project will require mitigation measures to reduce "potentially
24 significant" impacts on the environment to a less than significant level. The mitigation
25 measures address items related to Biological Resources, Cultural Resources, Geology
26 and Soils, Hazards and Hazardous Materials, Hydrology/Water Quality, Noise, and Public
27 Services; and,
28

1 **WHEREAS**, on June 27, 2018, after conducting a duly noticed public
2 hearing on the subject applications, including full consideration of the applications, plans,
3 staff report, environmental information and all testimony presented, the Planning
4 Commission (i) by a vote of 5 to 0, adopted an MND and Mitigation Monitoring Program,
5 in accordance with CEQA, including findings required by CEQA; (ii) by a vote of 5 to 0,
6 conditionally approved Administrative Modification, Administrative Use Permit, and Site
7 Plan Review, Case No. P2017-0021; (iii) by a vote of 5 to 0, recommended to the City
8 Council approval of General Plan Map Amendment and Zoning Code Map Amendment,
9 Case No. P2017-0021; and (iv) by a vote of 5 to 0 recommended to the City Council
10 approval of a reduction in required parking spaces by twenty-four (24) parking spaces
11 through the use of an in-lieu fee; and,
12

13 **WHEREAS**, on July 23, 2018, after conducting a duly noticed public hearing
14 on the General Plan Map Amendment and request for a reduction in required parking
15 spaces by twenty-four (24) through the use of an in-lieu fee, fully considering the Planning
16 Commission's recommendation and all reports, testimony and environmental information
17 presented, the City Council (i) by a vote of ___ to ___, determined that the circumstances
18 under which the MND and Mitigation Monitoring Program were prepared and adopted by
19 the Planning Commission have not significantly changed, and no new significant
20 information has been found that would impact the Mitigated Negative Declaration;
21 therefore, no additional environmental analysis is required; (ii) by a vote of ___ to ___,
22 approved General Plan Map Amendment, Case No. P2017-0021, subject to Conditions
23 of Approval referenced herein below; and (iii) by a vote of ___ to ___, approved a
24 reduction in required parking spaces by twenty-four (24) through the use of an in-lieu fee,
25 subject to Conditions of Approval referenced herein below.
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1 NOW, THEREFORE, the City Council of the City of Culver City, California,
2 DOES HEREBY RESOLVE as follows:

3 **Section 1.** Pursuant to the foregoing recitations and the provisions of
4 Culver City Municipal Code (CCMC), the following findings are hereby made:

5
6 **General Plan Map Amendment:**

7
8 As outlined in CCMC Title 17, Section 17.620.030, the following required findings for a
9 General Plan Map are hereby made:

- 10 **1. The proposed amendment ensures and maintains internal consistency with**
11 **the goals, policies, and strategies of all elements of the General Plan and will**
12 **not create any inconsistencies with this Title, in the case of a Zoning Code**
13 **amendment.**

14 The Project is proposing a General Plan Map Amendment that will shift a portion
15 of the Project's General Corridor designated area approximately 16 feet to 23 feet
16 south towards Washington Boulevard with an accompanying Zone Change from
17 CD to CG through a separate ordinance. The current line dividing the Project's
18 General Corridor and Downtown land use designations and its CG and CD zoning
19 designations occurs at an angle within the Site boundaries. The shift will make the
20 division line between the Project's land use and zoning designations parallel with
21 the rear property line creating the ability to provide a more uniform and efficient
22 building division where height will increase from a maximum allowed 44 feet in the
23 CD Zone to a maximum allowed 56 feet in the CG Zone. The change in the land
24 use designation for a small portion of the site will necessitate the change in the
25 zoning designation for the same portion thereby maintaining land use and zoning
26 consistency. These minor map amendments will result in changing one type of
27 commercial designation for another type of commercial designation on a small
28 portion of a lot in the Downtown commercial area. Overall General Plan
commercial related goals, policies, and strategies will not be affected by this minor
shift in the Project's internal boundary between the two different commercial land
use and zoning designations. The Project's two separate components will include
office, retail, and restaurant uses which are allowed in both the CG and CD Zones.
The retail and restaurant uses will be required at the ground floor as stipulated in
the CD Zone. The differing heights will be consistent with the CG maximum
allowed 56 feet and the CD maximum allowed 44 feet and three stories. The
different heights will occur at the new internal boundary between the two different
commercial land use and zoning designations thereby assuring consistency with
the General Plan and Zoning Code.

1 **2. The proposed amendment would not be detrimental to the public interest,**
2 **health, safety, convenience or welfare of the City.**

3 The map amendment affecting the Project's internal boundary between two
4 different land use designations will only affect the Project site and no other
5 surrounding properties. Further the amendment results in changing a small portion
6 of the Project site from one commercial land use designation to another
7 commercial land use designation. The only significant result from this amendment
8 is that the Project's height limit of 56 feet in the CD Zoned portion of the Project
9 will be shifted a maximum of 23 feet south towards Washington Boulevard.
10 Allowed commercial land uses and CD ground floor restrictions will not be affected.
11 The majority of the site will maintain its General Plan Downtown designation which
12 is more restrictive compared to the Project's General Corridor designation which
13 will continue to be at the rear of the Project site. Therefore the proposed
14 amendment would not be detrimental to the public interest, health, safety,
15 convenience or welfare of the City.

16 **3. The proposed amendment is in compliance with the provisions of the**
17 **California Environmental Quality Act (CEQA).**

18 The proposed General Plan and Zoning Code Map Amendments are in compliance
19 with CEQA as more fully outlined in the Initial Study and Mitigated Negative
20 Declaration environmental finding and related documentation for this Project
21 including the Project's traffic study.

22 **Parking Reduction and In Lieu Fees**

23 As outlined in CCMC Title 17, Section 17.320.025, the following finding for the requested
24 reduction in required parking is hereby made:

25 **Conditions on the Project site preclude the provision of the number of**
26 **required parking spaces on the lot for which the parking is required and In**
27 **Lieu Fees established by the City Council are appropriate as an alternative**
28 **parking provision.**

Conditions on the Project site preclude the provision of the number of required
parking spaces on the lot. The site's offset property lines and required clearance
from the north and east facing property lines due to sewer and utility easements
result in a non-traditional floor plate shape. These offset property lines and
indentations into the property for easements noted above make it difficult to
provide all required parking spaces. CCMC Section 17.320.025.A (In Lieu Fees),
allows for a reduction in the number of parking spaces required by Section
17.320.020 (Number of Parking Spaces Required) if the City Council authorizes
the use of an in-lieu fee to be paid by the Applicant towards the development of
public parking facilities. As provided in Project Condition of Approval No. 18, the
Applicant is required to pay an in-lieu fee to offset the reduction of twenty four (24)
required parking spaces, which fee shall be reserved for the future development

1 of remote parking facilities outside of the immediate Downtown area or other
2 mobility measures as necessary to reduce vehicle trips and traffic congestion that
3 are associated with under parked older Downtown developments. Subject to
4 approval by City Council resolution, the amount of the in-lieu fee shall be based
5 upon \$2.00 per square foot of new development or \$136,006. Additionally, the
6 Applicant will offer 30 project off-peak parking spaces to the Downtown Business
7 Association valet parking service at no cost as a benefit to the downtown and which
8 will help in managing the downtown parking supply facilitating downtown business
9 operations. The parking offered at no charge to the DBA is estimated by the
10 Developer to result in \$73,000 in foregone parking revenues per year.

11 **SECTION 2.** Pursuant to the foregoing recitations and findings, the City
12 Council of the City of Culver City, California, hereby (i) approves General Plan Map
13 Amendment, P2017-0021-GPMA, thereby changing a portion of the Project Site's
14 Downtown Land Use Designation to General Corridor as shown in Exhibit A, attached
15 hereto and incorporated herein by reference, and (ii) approves the reduction of Project
16 required parking spaces by twenty-four (24), through the use of an in-lieu fee, subject to
17 the conditions of approval set forth in Exhibit A to Planning Commission Resolution No.
18 2017-P015.

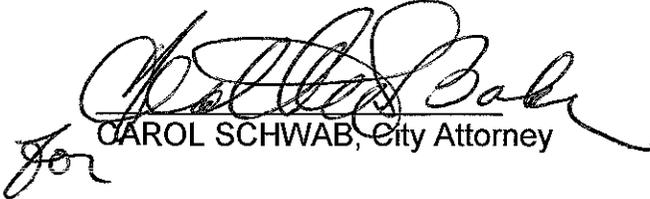
19 APPROVED and ADOPTED this 23rd day of July, 2018.

20
21
22 _____
23 THOMAS AUJERO SMALL, Mayor
24 City of Culver City, California

25 ATTESTED BY:

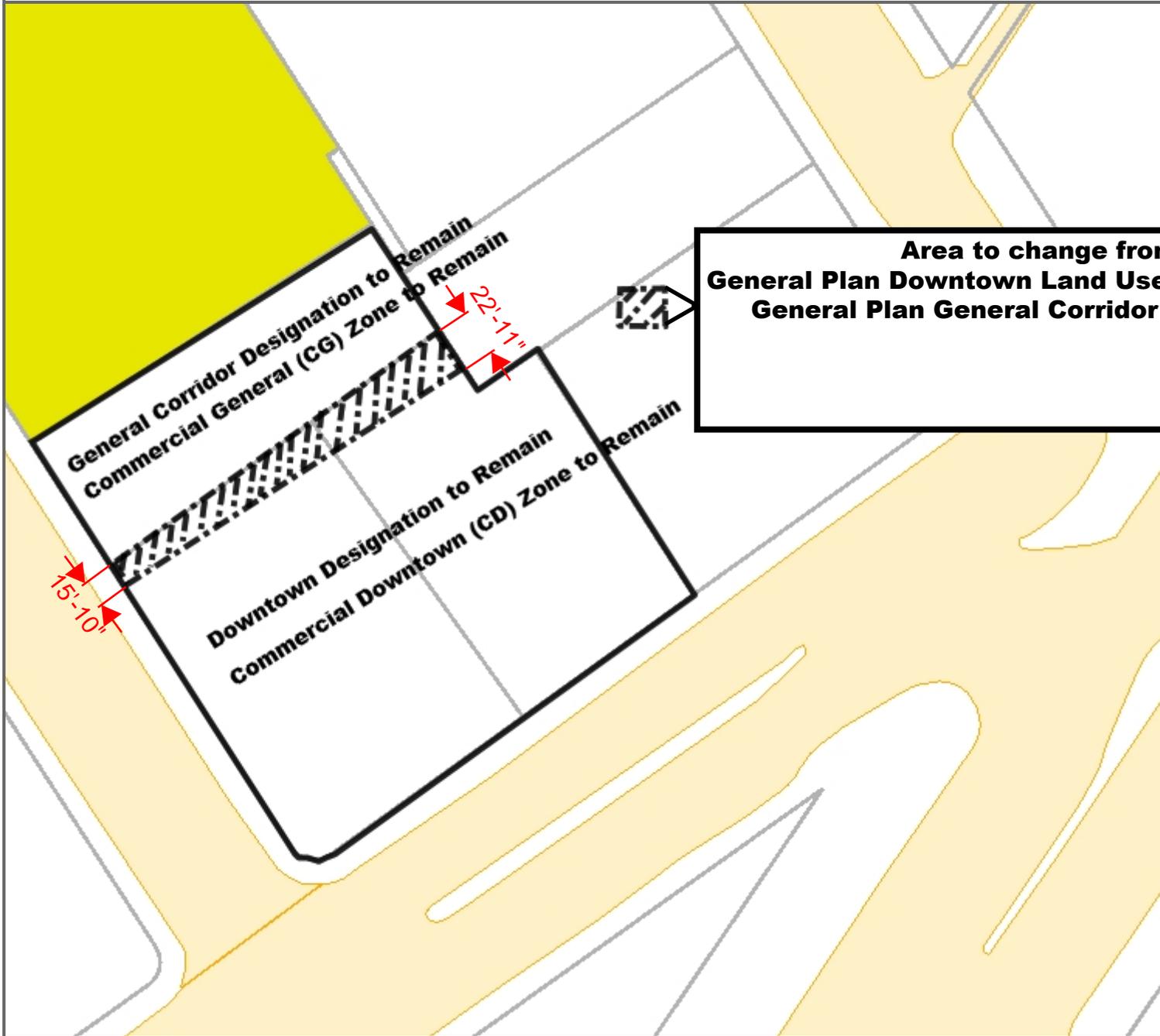
26 APPROVED AS TO FORM:

27 _____
28 JEREMY GREEN, City Clerk


CAROL SCHWAB, City Attorney

A18-00421

Exhibit A
General Plan Map Amendment, P2017-0021-GPMA



**Area to change from
General Plan Downtown Land Use Designation to
General Plan General Corridor Designation**



**THE CITY OF
CULVER CITY**



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