



# City of Culver City

## ATTACHMENT NO. 4

City Hall  
9770 Culver Blvd.  
Culver City, CA 90232  
(310) 253-5851

### Staff Report

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File #: 18-0912, Version: 1

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**PC: Administrative Modification, Administrative Use Permit, Site Plan Review, General Plan Map Amendment, and Zoning Code Map Amendment, Case No. P2017-0021 for the Development of a 3 to 4 Story Office Building with Ground Floor Retail and Restaurant at 9735 Washington Boulevard, and Request for Reduction in the Number of Required Parking Spaces.**

**Contact Person/Dept:** Jose Mendivil, Associate Planner / CDD  
Michael Allen, Current Planning Manager / CDD

**Phone Number:** (310) 253-5757 / (310) 253-5727

**Fiscal Impact:** Yes ☐ No ☒

**General Fund:** Yes ☐ No ☒

**Public Hearing:** ☒ **Action Item:** ☐ **Attachments:** ☒

**Public Notification:** (Mailed) Property owners and occupants within a 500 foot radius of the Project Site (2/7/18); (Sign) Posted on the Site (2/7/18); (E-Mail) Meetings and Agendas - Planning Commission (2/7/18); (Posted) City Website (2/7/18); (Published) Culver City News (2/8/18).

**Department Approval:** Sol Blumenfeld, Community Development Director (2/20/2018)

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### **RECOMMENDATION:**

Staff recommends that the Planning Commission 1) Adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program based on the Initial Study finding that the Project, with mitigation measures incorporated, will not have a significant adverse impact on the environment (Attachment No. 4); 2) Approve an Administrative Modification, Administrative Use Permit, and Site Plan Review, Case No. P2017-0021, subject to the Conditions of Approval as stated in Resolution No. 2017-P015 (Attachment No. 1); 3) Recommend to the City Council approval of General Plan Map Amendment and Zoning Code Map Amendment (Attachment No. 5); and 4) Recommend to the City Council approval of a reduction in required parking spaces by twenty-four (24) parking spaces through the use of an in-lieu fee.

### **PROCEDURES:**

1. Chair calls on staff for a brief staff report and Planning 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.

## **CONTINUATION OF MEETING TO A DATE CERTAIN:**

At the request of the applicant the scheduled hearing for this item at the October 25, 2017, Planning Commission meeting was continued by the Planning Commission to the November 15, 2017, Planning Commission meeting. At the November 15, 2017 meeting the applicant requested another continuance.

## **BACKGROUND:**

### Request

On January 27, 2017, Clarett West Development (Applicant/Property Owner) submitted an application for an Administrative Modification, Administrative Use Permit, Site Plan Review, General Plan Map Amendment, and Zoning Code Map Amendment to allow the development of an office, retail, and restaurant Project, and a request to reduce the number of required parking spaces by twenty-four (24) parking spaces.

### Opposition and Response

On August 21, 2017, the attorney representing Prospect Medical Holdings, Inc. ("Prospect") which is the owner of the Southern California Hospital at Culver City ("SCH-CC" or "Hospital") submitted a letter of opposition (Attachment No. 12) based upon the project environmental review. The project was scheduled for the August 23, 2017 Planning Commission meeting but was continued at the request of the applicant (Attachment No. 13). On September 28, 2017, ESA PCR, environmental consultants for the applicant who assisted in drafting the Mitigated Negative Declaration (MND), provided a response to the opposition letter. An updated response with an updated vibration noise study and groundborne noise study was submitted to the City on February 14, 2018. Attachment No. 14 contains the February 14<sup>th</sup> updated response, September 28<sup>th</sup> original response, the vibration study, and the groundborne study.

In summary, the opposition letter states the MND is inadequate as an overall environmental document, pursuant to the California Environmental Quality Act (CEQA); and more specifically in the areas covering Geological and Soil/Seismic Safety, Traffic, Noise, and Public Services. The opposition letter concludes that the Project Entitlements are not supported by the required findings and requests that the City prepare an Environmental Impact Report (EIR). ESA PCR, in consultation with the various consultants who prepared individual technical studies (soils, traffic, and noise) and with the City's Traffic Engineering consultant, provided responses to each topic addressed in the opposition letter. The response letter summarizes each issue and provides a corresponding response.

The City has concluded that the MND is adequate and there is no need to prepare an EIR. The MND analysis and mitigations as originally prepared are sufficient to reduce impacts to a less than significant level; a detailed response to each issue is included in Attachment No. 14. Further, analysis of the opposition letter did not result in identification of new impacts necessitating new mitigations. The City's reply, as noted in the response letter, proposes revised or replacement Noise Mitigations which are more effective than the Noise Mitigations as originally drafted. They are included in Strike Out/Underline in the response (Attachment No. 14) and in Attachment No. 15 (the Mitigation Monitoring and Reporting Program, or MMRP).

In the September 28, 2017 original response, Mitigation Measures NOISE 1, 3 and 5 were updated upon consideration of the August 21, 2017 opposition letter. Since that time, additional analyses of the noise and vibration impacts to the adjacent sensitive receptors (hospital and residential uses) have been conducted to further ensure impacts to these receptors have been appropriately analyzed (see Attachments B-C to February 14<sup>th</sup> updated response). The conclusion is that the impact conclusions in the MND remain the same. No new mitigations have been identified, however, Mitigation Measures NOISE 1, 3 and 5 have been

further refined as stated in the February 14<sup>th</sup> updated response to address noise/vibration impacts. The revised Noise mitigations are meant to further reduce potential construction related noise impacts affecting the hospital and a nearby apartment building than the originally drafted noise mitigations, as follows:

- Mitigation Measure NOISE-1 has been modified to explicitly require that noise control devices such as muffler systems, be employed during construction to achieve a noise level reduction consistent with the Federal Highway Administration (FHWA) standards. The original mitigation did not have this FHWA standard.
- Mitigation Measure NOISE-3 has been modified to prohibit operating more than one piece of motorized equipment simultaneously within 15 feet of adjacent sensitive receptors nearest building facades (the hospital and a nearby apartment building) during construction and demolition activities. The revision further requires that should one piece of motorized equipment be operational within 15 feet of the nearest building wall façade of the hospital and the apartment building, all other motorized equipment must be operated at a minimum of 120 feet, measured from the same point of the receiving location. The original noise mitigation did not have this degree of specificity on distance of motorized equipment to sensitive receptors and was not as definitive in controlling for simultaneously generated noise as noted in the revised mitigation.
- Mitigation Measure NOISE-5 has been modified to require construction contractors to use low-impact construction technologies, and avoid the use of heavy vibrating equipment. Further, any heavy-duty construction equipment operating within 20 feet of the Project Site boundary shall have rubber tires to the extent that such equipment is available and feasible. Two continuously operational automated vibrational monitors within the hospital basement and adjacent to the residential building will be required. If vibrations reach near a certain threshold, steps will be taken to reduce vibratory levels, including but not limited to halting/staggering concurrent activities, utilizing lower-vibratory techniques, and slowing the speed of the auger drill rig used during excavation. Further, in the event of excessive vibrations, work in the vicinity will be halted and potential adjustments to the construction program will be assessed to ensure vibration thresholds are not exceeded. In the event that the structural damage threshold is exceeded, the adjacent hospital and residential buildings shall be inspected for damage, as applicable. In the event damage occurs due to construction vibration, repairs will be arranged by the project contractor in consultation with the hospital and/or residential apartment and the Building Official. The original mitigation did not have a monitoring requirement nor did it specify proximity of heavy duty equipment to be used. Finally revised Noise Mitigation Measures will require that the Building Official, or designated representative, conduct periodic site visits to ensure compliance with noise related requirements. Vibration monitoring data will be collected and reported to the Building Safety Division on a weekly basis. This was not in the original Noise Mitigations.

Per CEQA Guidelines Section 15073.5 (c) recirculation of the MND is not required if mitigation measures are replaced with equivalent or more effective mitigation measures. The revised Noise Mitigations are more effective than the previous noise mitigations and no new impacts have been identified that would necessitate new mitigations. Further per CEQA 15074.1 (b)(2), the City is required to make a finding that the replacement mitigation measures are equivalent or more effective in mitigating or avoiding potential significant effects impacts and that the replacement measures themselves will not cause any potentially significant effect on the environment. As noted, the revised Noise Mitigations will more effectively reduce noise impacts to the Hospital and nearby apartment; and, with a reduction in noise and vibrations generated by construction equipment, the revised mitigation measures themselves would not cause any potentially significant effect on the environment. The Planning Commission Resolution and attached Conditions (Attachment No. 1) are revised to add the above noted finding and the revised Noise Mitigations in the Conditions of Approval.

In order to further address the concerns of the Hospital, staff suggested that a meeting between the Developer and the Hospital be conducted at City Hall. The meeting occurred on October 16, 2017 and several issues

were discussed including construction schedule, construction operations, methods and monitoring of construction activities related to shoring, excavation, demolition and hauling and potential State jurisdiction related to the Project. The two sides agreed to meet again to try to work through the various issues. Since the October 16, 2017 meeting the Hospital and the applicant met several times and the applicant requested the additional continuances due to ongoing negotiations. On January 31, 2018 the Applicant's attorney asked staff to schedule the hearing for the February 28, 2018 Planning Commission meeting. The attorney further stated that the project scope remained the same. As noted above Noise Mitigations were made more effective as a result of these meetings and no further details on the outcome of negotiations with the Hospital or on meeting dates and details were provided.

### Existing Conditions

The Project Site is located at 9735 Washington Boulevard, on the northeast corner of the Washington Boulevard and Delmas Terrace in downtown Culver City (See Attachment No. 2 - Vicinity Map). The Project Site is comprised of three lots with one lot perpendicular to and facing Delmas Terrace and the other two lots perpendicular to and facing Washington Boulevard. It currently contains a two-story bank building with a mezzanine formerly occupied by "Bank of the West" and associated asphalt-paved surface parking lot, walkways, and landscaped areas. The existing building footprint is approximately 8,871 SF with an approximate 7,208 SF second floor for a total building size of approximately 16,079 SF. The associated asphalt-paved surface parking lot is approximately 18,981 SF with 500 SF of walkways and 350 SF of landscaped areas. The total Site area is approximately 28,785 SF (or 0.66 acres). Ingress and egress to the Project Site is through one driveway located on Delmas Terrace; and one ingress only driveway and one ingress/egress driveway along Washington Boulevard. The Site is flat, with approximate dimensions of 163 FT along Washington Boulevard and 176 FT along Delmas Terrace. All structures on the Site are proposed to be demolished.

### Project Description

The Project consists of a building that varies in height from 3 to 4 stories and has a maximum building height of 56 feet. The Site is zoned Commercial Downtown (CD) and Commercial General (CG). The 3-story building is located in the CD zoned portion of the Site while the 4 story portion is located in the CG zone. The ground level will include approximately 9,187 SF of retail uses and approximately 5,209 SF of restaurant uses. The ground level will also include an approximate 1,022 SF main office lobby. Levels 2 through 4 will include approximately 60,065 SF of office uses with an additional 2,000 SF of outdoor dining for the ground level restaurant on the Level 4 outdoor deck above the Level 3 roof. Parking for the proposed uses will be provided on the ground level and within a 3-level subterranean parking structure. On the ground level there will be 7 pairs of double stacked parking spaces for a total of 14 spaces and in the subterranean parking levels there will be tandem parking. The Site will be valet attended with no self-parking. Vehicular ingress/egress to the Project Site will be provided from Delmas Terrace. Attachment 3 provides a Project Summary and the Preliminary Development Plans are included in Attachment No. 8.

### Surrounding Area/General Plan/Zoning

The Project Site is located in Downtown Culver City and is surrounded by a mix of hospital, medical office, retail, restaurant, and office uses and some residential uses. The lot facing Delmas Terrace has a General Plan Land Use Element designation of General Corridor and is zoned Commercial General. The lots facing Washington Boulevard have a General Plan Land Use Element designation of Downtown and are zoned Commercial Downtown. Surrounding zoning and existing land uses are outlined below (Washington Boulevard is considered east/west orientated):

| Location | Zoning  | Land Use                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| West     | CD & CG | Delmas Terrace and beyond, a 2-story bank building (Chase Bank) and surface parking. Along the western side of Delmas Terrace north of the Chase Bank Building is a mix of one- to seven story hospital and medical-office related buildings.                                                                                                                                                                  |
| East     | CD      | A single-story retail and commercial building (i.e., former Alandales Men's Clothing, Sportswear & Hair Studio, Goda Yoga Studio, The Wellness Spa, and a State Farm Insurance office) immediately east of the Project Site along Washington Boulevard; north of the retail/commercial building is a 2-story multi-family residential apartment building with surface parking, accessible from Watseka Avenue. |
| North    | CG      | The 7-story Southern California Hospital Culver City with associated medical offices/facilities and surface parking lots.                                                                                                                                                                                                                                                                                      |
| South    | CD      | Washington Boulevard and beyond, the 2-story Washington Building which includes office and retail uses (i.e., Starbucks, Kelton Global, Art Machine, Lundeen's).                                                                                                                                                                                                                                               |

## **ANALYSIS/DISCUSSION:**

The Commercial General (CG) and Commercial Downtown (CD) Zones allow mixed commercial and office use developments with ground floor retail and restaurant uses required in the CD Zone. As illustrated in the Project Summary (Attachment No. 3), the proposed development conforms to all regulations of the CG and CD Zones.

## **Site Plan Review**

### **Architectural Design**

The Project's architect, Abramson Teiger Architects, has named this Project 'The Brick and the Machine' to illustrate its two separate components that are meant to be complementary to each other. According to the architect, the northern 56 feet high building component in the CG zoned portion, known as the "Brick", will act as the anchor to the Project Site. It will feature large scale window openings, an exterior surface of black manganese thin brick, and is envisioned for creative office tenants. In addition to the manganese thin brick, exterior materials within the Brick's design will include bronze panels, bronze anodized frames, and exposed concrete. The southern 44' feet high building component in the CD zoned portion, known as the "Machine", will sit atop the pedestrian streetscape, featuring an operable concrete frame façade that will provide sliding doors and perforated screens. Tenants will operate the sliding doors throughout the day placing them in opened, closed, or semi-opened positions at their discretion; each sliding door will operate independently. This will allow tenants to modify their working environment, generating an indoor-outdoor atmosphere, specific to the desire of the office tenant. Exterior materials within the Machine's design would include perforated bronze anodized aluminum, bronze anodized frames, exposed concrete, aluminum frames, and perforated blue anodized aluminum (the sliding panels). Together, the Brick and the Machine will share a second level, open air, interior office courtyard, a roof terrace above the third level, and landscaping within these two deck/courtyard areas. Design materials within the ground level office lobby, restaurant, and retail uses would include bronze anodized aluminum, exposed concrete, manganese thin brick, and blue anodized aluminum. At the ground level the Project proposes to introduce a pedestrian friendly environment. Use of full height glazing along Washington Boulevard and Delmas Terrace with roll-up windows at the corner is intended to invite pedestrians into the ground floor retail and restaurant uses.

Staff worked with the Applicant in finalizing the design as described above and as shown on the plans in Attachment 8. In discussions with the staff the Applicant agreed to:

1. Create more articulation in the Project's street facing façade by moving the windows into the building approximately 18 inches - the original design did not have this relief;
2. Create more varied forms at windows and sliding panels on the building second and third floors;
3. Enhance the design at the east frontage that was formerly a solid anodized panel building face at 9701 Washington Boulevard (Allendales), by incorporating new color and finish similar to the blue colored sliding panels noted above. .

The architect provided images in response to these comments that are now reflected in the preliminary development plans.

The overall architecture is summarized as a structure incorporating articulation through the use of two different buildings within a contemporary design of straight lines offset at both vertical and horizontal orientations with height differences between the two zones. Use of contrasting colors and materials, inset windows, movable panels, and ground floor full height glazing further add to the Project's design.

### Setbacks and Height

There are no setback requirements in the CD and CG zones if the property is not adjacent to residential zones and generally the Project is designed without setbacks. The ground floor office lobby entrance is setback approximately 16 feet and there is a 17 foot by 20 foot ground floor open area at the corner of Delmas Terrace and Washington Boulevard for outdoor dining. There is a 3 foot setback at the north side to accommodate a utility easement and 10 foot setback at the east side to accommodate a sewer easement. The pedestrian experience is enhanced by the full height window glazing at the ground floor, roll up transparent doors at the corner future restaurant space, the wide public sidewalk along Washington Boulevard, and outdoor dining areas. Office uses above the ground floor will be enhanced with balconies. These features will reduce the sense of massing that may occur with the zero setback construction.

As noted above the Project is split between two different zones and heights (and number of stories) which will not exceed code limits. The northern or rear "Brick" portion in the CG Zone will be 56 feet high and 4 stories while the southern or front "Machine" portion will be in the CD Zone with a height of 44 feet and 3 stories as prescribed in the CG and CD Zones.

Roof-mounted ancillary structures and architectural features are allowed up to a maximum of 13.5 feet above the roofline and in the CD portion, on the roof, there will be an elevator lobby, trellis, and utility rooms not exceeding this height. These combined areas will be no more than 15% of the CD zoned roof section; architectural features are allowed to cover up to a maximum of 15% of the roof area. The CD zoned roof portion is approximately 12,342 SF and the architectural and ancillary structures noted above are approximately 1,851 SF or 15% of the total roof area. The CG zoned roof portion contains mechanical equipment that is below the height of the parapet wall at that section (less than 5 feet above the roof deck).

### Area Compatibility

The existing building is an older mid-20<sup>th</sup> century design surrounded by surface parking. The Project will replace this older structure with a contemporary design that eliminates two driveways, makes use of the entire lot with office and retail square footage, and relocates the surface parking lot by moving it within the ground level at the rear away from Washington Boulevard and in the subterranean levels. This results in a more

pedestrian friendly design consistent with surrounding Downtown buildings with zero setbacks, no visible parking lots, and pedestrian oriented ground floor uses. The massing and building layout with zero setbacks and elimination of driveways that break up the pedestrian pathway make the Site more compatible with similar Downtown developments. The contemporary design will be different than the older surrounding Downtown buildings but the use of brick and concrete materials provides continuity with older concrete and brick Downtown buildings and overall the Project is compatible with surrounding Downtown buildings and uses.

### Open Space, Landscaping and Amenities

The ground level public open space along Washington Boulevard and Delmas Terrace will include a streetscape design that includes an 8- to 10-foot wide public sidewalk along Washington Boulevard and an 8-foot wide public sidewalk along Delmas Terrace with street trees, landscape planters, tree grates, tables for outdoor seating and dining, trash receptacles, and street furniture to activate the pedestrian environment. The Project will incorporate balconies for the office tenants above the ground floor, an open air interior office courtyard at the second level, and a roof terrace/garden and courtyard for use by office employees. The Level 2 open air interior office courtyard will be approximately 1,326 SF and will be composed of a vegetated wall backdrop, two mature shade trees with a built-in table system and seating beneath them, and separate landscaped congregation areas with additional outdoor tables and seating. Level 4 will contain approximately 10,927 SF of roof terrace/garden area. This roof top terrace will include separate landscaped congregation areas for leisure and entertainment activities with bench seating, an outdoor kitchen equipped with a barbeque area, and a covered patio with a shaded dining area with additional seating. From the roof terrace/garden, the office tenants could descend via a stairway to the recessed open air interior courtyard in the building's center on Level 2. A portion of the roof top deck will be used as outdoor dining for the ground floor restaurant. The edges of the roof top deck will be set into the building center with a separation of about 10 to 15 feet from the edge of the level 4 roof thereby creating a sense of privacy for the employees using this area. Further privacy will be created by surrounding vegetation along the edges of the deck.

### Traffic

A Traffic Impact Report (the "Traffic Study") dated December 22, 2016, was prepared by Crain and Associates for the Project (Attachment No. 6) which was reviewed and approved by the City's Traffic Engineer. The Traffic Study did not identify impacts requiring mitigations. The Traffic Study was conducted using procedures and criteria adopted by the City of Culver City and Los Angeles Department of Transportation (LADOT), and addresses the Project's trip generation and potential impacts to the surrounding roadway network. The Study evaluated four Project scenarios: Existing (2016) Conditions, Existing (2016) Plus Project Conditions, Future (2020) Without Project Conditions, and Future (2020) With Project Conditions. Future conditions take into account the potential development of 40 related Projects in the general Project vicinity, as identified by the City of Culver City and City of Los Angeles.

Seven (7) study intersections located within Culver City were selected for traffic impact evaluation in consultation with the City. The study intersections, identified by the City's Traffic Engineer, are located in Culver City and the City of Los Angeles:

- Hughes Avenue & Venice Boulevard
- Duquesne Avenue/Hughes Avenue & Washington Boulevard
- Watseka Avenue and Washington Boulevard/Culver Boulevard
- Irving Place & Culver Boulevard
- Cardiff Avenue & Culver Boulevard
- Main Street & Culver Boulevard
- Canfield Avenue & Washington Boulevard/Culver Boulevard

According to Culver City's Traffic Study Criteria, a significant traffic related impact occurs when an increase in traffic affects the Level of Service (or LOS) for a given intersection by a specific threshold. Surrounding developments (known as Related Projects in traffic studies), typically a mile to a mile and half from the Project and which are in various phases of development, from pre-entitlement to construction, are factored into the traffic study analysis. Related Projects are assumed to be operational to ensure a conservative estimate of potential impacts that captures future growth. Developments that are occupied and operational (and for which Certificates of Occupancy have been issued) at the time the traffic study is conducted are not considered Related Projects because the traffic they generate will be captured in the traffic counts taken at study intersections.

The Traffic Study reviewed both the expected Related Projects' and the Project's trip generation rates and their potential impacts at the 7 study intersections noted above. The Study determined that although the addition of Project traffic would increase the traffic at six of the intersections during the AM peak hour and all seven of the study intersections during the PM peak hour, the incremental Project traffic additions would not result in a change in level of service at any study intersection. Further, none of the seven study intersections would be significantly impacted by Project traffic under Future (2020) conditions based on Culver City and City of Los Angeles Traffic Study criteria thresholds. Based on the Traffic Study analysis, there are no required traffic mitigations. A summary of the Traffic Study analysis measuring LOS for each study intersection and describing significant impact thresholds is included in Attachment No. 9.

Attachment No. 9 also summarizes the Traffic Study's Regional Traffic Impact and Freeway Impact Screening Analysis. With regard to the Regional Traffic Impact Analysis, Proposition 111 enacted the Congestion Management Program (CMP) in 1990 to address the increasing public concern that traffic congestion is impacting the quality of life and economic vitality of the State of California. A countywide approach has been established by Metro designating a highway network that includes all state highways and principal arterials within the County. Level of Service along these roadways are measured by CMP monitoring stations that are supervised by local jurisdictions (in order to implement the statutory requirements of the CMP). The local CMP requires that all CMP monitoring intersections be analyzed where a Project would likely add 50 or more trips during the peak hours. With regard to the Freeway Impact Screening Analysis, a freeway impact screening analysis was conducted as per LADOT Traffic Study Guidelines. The methodology from the agreement between City of Los Angeles and Caltrans District 7 on freeway impact analysis procedures was used for the freeway impact screening analysis. The Traffic Study did not identify impacts to either Regional Traffic or local Freeways.

### Parking and Access

The Project will include 215 parking spaces distributed within the ground level and three subterranean parking levels. Vehicular parking on the ground level will be provided via 4 surface spaces and 7 two-level automobile stackers/parking lifts providing 14 spaces (i.e., each automobile stacker/parking lift provides two vertically stacked parking spaces) for a total of 18 vehicular parking spaces. Parking on the ground level will be exclusively for office users since this level contains the stacked spaces. Further discussion on the stacked parking is provided below in the Stacker Parking Analysis. Subterranean parking spaces will include 60 spaces on Parking Level 1 (P1); 67 spaces on Parking Level 2 (P2); and 70 spaces on Parking Level 3 (P3). Parking within the subterranean parking structure will be for office, retail, and restaurant uses.

At the request of the applicant, a Shared Parking Demand Study (Study) was proposed by the applicant to allow a parking reduction. The Study was conducted by Crain and Associates (Attachment No. 7). The Zoning Code parking requirements by land use for the CD zone and the on-site parking provided are shown below (note that the parking and MND analysis was conducted prior to area adjustments that reduced the outdoor roof top dining by 213.12 square feet resulting in final required parking of 215 spaces as shown below instead of the 214 spaces shown in the Parking and MND studies):



|                                                                                         | Areas (SF) | Required/<br>Factor (CD<br>Zone) | Required      |
|-----------------------------------------------------------------------------------------|------------|----------------------------------|---------------|
| Office Space                                                                            | 55,611     | 1/370 SF                         | 150.3         |
| Retail Space                                                                            | 8,158      | 1/400 SF                         | 20.4          |
| Restaurant                                                                              | 4,234      | 1/100 SF                         | 42.34         |
| Restaurant - Ground Outdoor Dining                                                      | 798        | 1/100 SF                         | 7.98          |
| Restaurant - Roof Top Outdoor Dining                                                    | 1,786.88   | 1/100 SF                         | 17.87         |
| Total Project Parking Required (Prior to Parking Reduction and Shared Parking Analysis) |            |                                  | 238.9 or 239  |
| 10% Reduction through Administrative Modification                                       |            |                                  | 23.9 or 24    |
| Total Project Parking Required after 10% Reduction                                      |            |                                  | 239-24 or 215 |
| <b>Total Project Parking Provided</b>                                                   |            |                                  | <b>215</b>    |

In accordance with the CCMC, the Project requires 239 parking spaces. This includes 798 SF of outdoor dining at the ground level and 1,786.88 SF of Roof TOP outdoor dining. There may be an additional 177 SF of ground floor outdoor dining that is not parked because the Zoning Code does not require parking for the first 250 SF of outdoor dining. The parking ratios noted in the table above reflect the parking requirements for the CD Zone. Office uses in the CD Zone are parked at one space per 370 SF with the Code requirement of a Transportation Demand Management Program (the "TDM Program") which will be a condition of the Project (CCMC Section 17.220.035.C.4). This CD Zone code required TDM program is different from CCMC Section 7.05.015 - Transportation Demand and Trip Reduction Measures which requires a Development to provide trip reduction measures. The TDM program is discussed in a separate section below.

The Study analyzed parking reduction and shared parking profiles based on the parking demand ratios and methodology provided in the Urban Land Institute's Shared Parking, 2<sup>nd</sup> Edition, 2005, Handbook. The Study, indicates that peak parking demand for the Project would be expected to occur on December weekdays at approximately 2:00 PM in the afternoon and result in a demand of 214 vehicular spaces.

The procedures in the ULI handbook account for parking demand fluctuations based on customer/visitor versus employee, month of year, weekday versus weekend, and time-of-day. Adjustments for shared parking calculations recommended in the ULI handbook include:

- Parking generation ratios being divided between employee and visitor/guest portions based on the calculated Code;
- The ULI handbook estimated parking month to month demand variation percentages by use;
- The peak weekday demand and peak weekend demand from the ULI handbook compared to the ULI peak overall demand to determine the expected percent of the Code parking demand (expected to occur on each type of day);
- The separate hour-by-hour percentage curves from the ULI handbook for peak demand for 1) visitors-guests on weekdays, 2) employees on weekdays, 3) visitors-guests on weekends, and 4) employees on weekends.

The above standard ULI adjustment factors were utilized in the calculation worksheet and the summary of the shared-parking spaces for the Project within the Shared Parking Analysis.

Parking calculations did not count areas devoted to the ground floor common lobby; ground floor common corridor; elevator and stairwell cores and elevator utility rooms; and ground floor utility and vault rooms because these areas are shared between all Project users. In determining a final parking requirement for the gross leasable area, the Applicant made area adjustments that results in an overall 10% reduction of the required parking. As noted above this resulted in a reduction of the outdoor roof top dining by 213.12 square feet and in a final required parking of 215 spaces as shown in the table above. The 215 spaces reflect a maximum code allowed 10% reduction of the total required parking through an Administrative Modification. Also the required parking for each separate use, as shown on the table above, is provided prior to the 10% reduction. Staff suggested Transportation Demand Management Program measures (discussed below), in return for allowing the parking reduction resulting from not counting common areas and accepting a 10% Administrative Modification reduction. If approved, the Project's reduced parking will conform to industry standards for shared parking and the City's code parking reduction through an Administrative Modifications. Also a condition of the project will require a covenant as noted below:

*Consistent with CCMC Section 17.320.025.F.3 (Shared Parking), a covenant and agreement, on a form provided by the Planning Division and in form and substance acceptable to the City Attorney, that includes a description of the proposed shared parking arrangement that does not allow any tenant leasable space for all current and future tenants in the ground floor common lobby; ground floor common corridor; elevator and stairwell cores and elevator utility rooms; and ground floor utility and vault rooms, shall be signed by the Property Owner and recorded in the County Recorder's Office. The covenant and agreement shall run with the land and shall be binding on any subsequent owners, and tenants or occupants of the Property. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Planning Division. All current and future tenants shall adhere to this covenant and a provision in the covenant shall ensure the Project owner pays all liquidated damages for violations of this condition of approval.*

With offset property lines the Site is not shaped as a standard rectangle which prohibits the ability to provide standard stall lengths and width for some spaces. The Applicant is requesting a code maximum 10% reduction in stall lengths and width for some spaces; the parking plans within the Preliminary Development Plans (Attachment No. 8) identify code standard and code reduced spaces. Approximately 63 spaces will be reduced in stall length and width. To further provide the (reduced) code required parking, the Applicant is proposing 51 pairs of tandem parking (2 deep) and 2 pairs of tandem parking (3 deep) for a total of 108 parking spaces in tandem. Finally, there will be 7 pairs of stacked parking spaces on the ground level parking for a total of 14 stacked spaces. The stacked parking will be hydraulically operated by an attendant and will not be visible from either Delmas Terrace or Washington Boulevard. Ground floor exterior walls and tenant spaces will screen the stacked parking. A Project condition will require full-time attendant parking for the entire Site and will prohibit Project users to self-park unless they park in primary, non-staked spaces that do not block other spaces.

The shared parking for common corridors, utility rooms and vaults, and lobbies is processed through an Administrative Use Permit. The tandem parking is processed through an Administrative Use Permit. Both the reduced required parking and the stall length/width reduction are processed through an Administrative Modification. The stacked parking is covered under the Site Plan Review; all these entitlements are requested herein.

Direct vehicular access to the Project Site will be provided on the ground level located along Delmas Terrace. Vehicular access to the ground level parking is provided via a driveway located north of the main office lobby which also leads to a ramp for access to the subterranean parking levels. The ramp is located north of the driveway along the northern edge of the building while the driveway leading to the ground level parking is to the right or south of the ramp driveway as one enters the building. Vehicles will enter and exit the parking

structure ramp via an automated entry system that will be activated by either a ticket and/or key card system. The entry drive aisle will include a parking gate with a short raised median to separate the ingress and egress vehicular traffic and will be located at the bottom of the ramp at the entrance to the P1 level providing car queuing along the ramp driveway instead of on Delmas Terrace. Once past the parking gate, the retail, restaurant, and office parking spaces will be directly accessible and will be valet parked. Pedestrian access to the retail/restaurant uses is available at the street level along Washington Boulevard while the office uses are accessed from a street level lobby off of Delmas Terrace. Elevators provide access for all levels from the deepest subterranean level to the fourth story. Internal corridors, elevator lobbies and stair cases provide internal pedestrian access throughout the Project.

### Stacked Parking Analysis

On January 23, 2017, the City Council adopted an Ordinance that amended the Zoning Code to allow automated, semi-automated, and stacked parking for non-residential uses citywide, subject to approval of a Site Plan Review if associated with a new building and submittal of a parking operations plan describing the number of parking attendants and working hours, methods for automobile storage and retrieval during nonbusiness hours, provisions for over-sized vehicle parking, handicapped parking, and short term parking, and any other potential neighborhood impact determined necessary by the City.

Pursuant to the adopted Ordinance, a request for approval of stacked parking must also include a Site plan identifying access locations and queuing; must demonstrate the system will be located within a permanent structure and appropriately screened; must include technical studies demonstrating that the proposed design and operation of the stacked parking will not be detrimental to surrounding uses and properties in the vicinity, relative to noise, visual impacts, and area parking and circulation; and must demonstrate alternative back up power for emergency operations will be provided.

In accordance with the above requirements, the Applicant has provided a Stacked Parking Analysis and Operations Plan (Attachment No. 10), which addresses these items as specified in CCMC Section 17.320.025.G. Vehicular access to the stacked parking will be from a driveway off of Delmas Terrace leading directly to the ground level parking where 7 pairs of stacked spaces are located. The stacked parking is powered by one 10 horsepower Hydraulic Power Unit (HPU). The plan states that upon entering the ground level parking, which will be for office users only, office employees will be instructed by a valet attendant to pull forward in the parking stacker area and either park on the car stacker or pull forward to an unloading area. The queuing area in the ground level parking area will hold at least 5 reservoir spaces. The ground level parking is accessed from a 30 to 40 foot drive aisle and the driveway width between opposing parking spaces is 24 feet as required by code; these drive aisle areas can accommodate at least 5 reservoir spaces. Further, the ground level only has four striped spaces in addition to the 7 pairs of stacked spaces. The operations plan does not specify hours of operation but a condition will require full time attendant parking for the entire Project, including the ground level from 6 AM to 2 AM since the Project relies on several tandem spaces in the subterranean levels. The attendant parking condition will require employee and public self and attendant assisted parking, with 1-2 attendants available during non-peak hours and 3-4 available during peak hours to provide parking assistance.

At the ground level an attendant will be required to operate the hydraulic stacked parking. The lifts will raise to their full height position in approximately 20 seconds and prior to Peak PM periods the attendant will lower any vehicles on the upper platforms. The attendant will use the 5 reservoir spaces (within the 24 foot back aisle and 30 to 40 foot driveway) to shuffle cars and have them ready for tenants to pick up. Although the plan states tenants can be trained to self-operate the lifts, a Project condition will require attendant only operation of the lift (as noted above). With a 20 second delay in the lifting or lowering of a car from a lift and then driving the car out of the space and onto the drive aisle it will take approximately one to two minutes to have the car delivered to the tenant.

Due to the location of the stacked parking within the ground level parking that is surrounded by building walls and the rear wall of tenant spaces there are no visual impacts. Similarly, according to the Stacked Parking analysis any potential noise from the system will be within levels of ordinary speech and will be dampened by the building walls surrounding it. As a result, the operation of the stacked parking will not create a noise impact upon surrounding uses. The stackers are powered by a 10 Horse Power Hydraulic Power Unit which is equipped with a manual hand pump operated by 2 people should the HPU fail to operate. The Stacked Parking analysis recommends the HPU and lifts be inspected by a certified technician twice a year. This will be a Project condition. In the event of non-operation and system failure the lifts can be manually lowered as noted above. The lift manufacturer, ParkPlus Car Stackers, states that parts can be replaced and repaired within 48 hours. During non-operation cars (totaling 14) will be valet parked and stacked along drive aisles in the subterranean levels since the Project will require full time attendant parking. In addition, the Code requires that in the event of non-operation, an alternative parking plan must be submitted to the City within three (3) days of any non-operation exceeding two business days due to system failure. Therefore, the Project is conditioned to require the submittal of a final alternative parking plan upon the occurrence of each non-operation event. In addition, any future changes to the uses/tenants occupying the building will require the submittal of an updated/revised parking operations plan.

*Transportation Demand Management Program:* The Applicant used the CD Zone parking requirement of one space per 370 SF for the office parking calculation. Per the Zoning Code, CD Section 17.220.035.C - Parking Requirements (subsection 4), use of the 1/370 ratio requires the Applicant to submit for City review a Transportation Demand Management Program (the "TDM Program") which will be a condition of the Project. The City is also requiring the TDM Program as a prerequisite for allowing a 10% parking reduction. This CD Zone code required TDM program is different from CCMC Section 7.05.015 - Transportation Demand and Trip Reduction Measures which requires a Development to provide trip reduction measures such as bus and ride share kiosks, bicycle parking, and van pool parking spaces based on area of the project. The CD TDM requirement does not specify what measures should be required - simply that there be a program approved by the City. This Project is subject to the Transportation Demand and Trip Reduction Measures (CCMC Section 7.05.015) and the City will require compliance with CCMC Section 7.05.015. However additional TDM measures will be required above and beyond the stipulations in CCMC Section 7.05.015 as a condition of approving a parking reduction. The Applicant will be required to select five (5) of the following list of mobility options:

1. One end of trip facility including Employee Bicycle Lockers consistent with the bicycle parking condition included within this document; the applicant shall provide a design that identifies number of employees served by the facility.
2. Public Transportation and Shared-ride Uber/Lift Information Kiosks for both ground floor and office employees; the information kiosk shall include a touch screen media device which can provide real time arrivals for various bus lines and other public transit and/or Shared-ride related information.
3. Twenty two (22) marked parking stalls constructed with infrastructure necessary to allow for future installation of Electrical Vehicle (EV) charging stations in the subterranean parking levels and two (2) EV ready parking spaces at the ground level consistent with the predevelopment plans; EV ready parking spaces shall be consistent with applicable California Green Building Code standards.
4. At least two low/zero emission vehicle designated parking spaces and at least one carpool/vanpool designated parking at each subterranean parking level; the infrastructure ready EV spaces may be used.

5. With approval from Public Works, designated loading areas for shared-ride vehicles along Washington Blvd and/or Delmas Terrace or an onsite designated loading area for shared-ride vehicles.
6. Subsidized Shared-Ride/Uber/Lift Service - The Project shall provide employees with a voucher or similar system for Uber/Lift ridesharing services to facilitate use of rideshare services. The subsidy shall be for two years after C of O and provide up to \$12 per day (or \$5 to \$6 per trip per day with a trip limit of two per day) for up to 50 employees and up to a maximum of \$312,000 over the two year period. The Project owner or property management firm shall provide evidence and/or accounting annually to the City of such subsidy.
7. Promotion of walking through a “walk to work” program in coordination with the on-site office employees and a posted neighborhood map with approximate walking distances and times to local neighborhood amenities.
8. Two bicycle sharing spaces with accompanying bicycles to be owned/ensured/maintained by the Project’s property management company.
9. Other potential Measures which may be required consistent with City mobility measures, if adopted, prior to Certificate of Occupancy.
10. TAP Cards - The Project will subsidize the purchase of up to 50 TAP cards for a period of three years for employees who opt to take Metro instead of personal vehicles, and will not be provided on-site parking accommodations and not receive a car share subsidy per Condition No 17 - 6; or, the Project will offer a cash-out bonus to individuals who opt to use other modes of commuting options such as carpools, car share, shuttles, bicycles, or walking. The cash-out bonus will count towards the 50 employee obligation. Further, the Applicant shall procure and register TAP cards for project tenants and the Project owner or property management firm shall provide evidence and/or accounting annually to the City of such subsidy.

Request for Reduction in the Number of Required Parking Spaces:

The request for the reduction in the required number of spaces by twenty-four (24) spaces, is subject to approval of the City Council, upon a finding that the Project site conditions preclude the provision of the number of required parking spaces on the lot for which the parking is required. 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.

In addition to the TDM programming described above, and subject to City Council approval in accordance with CCMC Section 17.320.025 (Alternative Parking Provisions), the number of required parking spaces would be reduced by twenty four (24) parking spaces through the use of an in-lieu fee to be paid by Applicant. The in-

lieu fee would be deposited in a fund administered by the City for the purpose of future development of remote parking facilities outside of the immediate downtown area or other mobility measures as necessary to reduce vehicle trips and traffic congestion that are associated with under parked older Downtown developments. These other potential mobility measures are part of the menu of measures that surfaced in the recently completed Visioning Study now being implemented by the City.

The City Council is pursuing these new mobility measures in order to promote alternative modes of transit when available, reduce reliance on the automobile, and in some cases relocated parking supply by providing it in peripheral parking lots as noted above. Such measures may be a catalyst for the development of micro-transit, car share or other similar alternate transit options in downtown. Recently the City Council approved reduced parking in the Transit Oriented Development (TOD) District on a project by project basis as a means to encourage use of Expo and other alternative transit modes. The project's proximity to the TOD will assist in developing alternative transit that serves both the TOD and downtown.

Subject to approval by City Council resolution, the in-lieu fee: (a) addresses the project code required parking shortage; (b) would be based upon a construction contract supplied by the Applicant for cost of the total Project parking and calculated as the cost per space multiplied by the net reduction of twenty-four 24 parking spaces; and (c) would be paid to the City in an amount not less than 2/3 of the cost that would otherwise apply to construct the 24 parking spaces prior to Certificate of Occupancy.

**Mobility Features:** The Project's central location within Los Angeles County and proximity to the Expo Culver City Station presents an opportunity to enhance mobility. In addition to the sustainability features described below, mobility features for the Project include:

1. Access to multi-modal transit with connecting bike, bus, and train routes. The property is located southwest of the Metro Expo Culver City Station, which is the approximate center of the Expo line, connecting Downtown Los Angeles to Santa Monica. There is also direct access to 18 bus routes and bicycle lanes/routes.
2. Bicycle friendly design with bicycle parking for visitors and occupants.
3. A potential for several designated low-emission/zero-emission vehicle parking spaces.
4. Connections to the Expo bike path and Culver City and City of Los Angeles bike paths.
5. Promotion of walking through a "walk to work" program in coordination with the on-site office employees and a posted neighborhood map with approximate walking distances and times to local neighborhood amenities.
6. The perimeter of the Site will incorporate the City's approved streetscape plan to create an attractive and pedestrian friendly environment.

**Sustainability:** Energy saving and sustainable design will be incorporated throughout the Project. The Project will incorporate green building design which promote conservation, energy efficiency, and carbon emission reduction. These features include:

**Conservation and Energy Efficiency (LEED Equivalent as required by Culver City Building Safety):**

7. Recycling of building materials during demolition of existing structures.
8. Using non-wood alternatives for exposed wood products such as Nichiha (simulated wood manufactures from fiber cement) on the wood siding and Resysta (simulated wood manufactures

from rice husks) in the wood decks.

9. Using local manufactures and recycled products where possible.
10. Stormwater filtration and capture systems.
11. Permeable roof pedestal paving surfaces to reduce stormwater runoff.
12. Implementation of Green Roof and Green Planter Systems to reduce stormwater runoff and CO2 Emissions.
13. Installation of a photovoltaic system, which meets or exceeds the Culver City requirements.
14. Water saving fixtures in all locations including waterless urinals in public restrooms and water saving landscaping.
15. Water meter installation for irrigation as well as monitoring for tenants, food service/restaurants, and other occupants that consume more than 1,000 gallons of water per day.
16. Incorporation of low-water and drought tolerant plants in the landscape plan for the streetscape and green roof.
17. Irrigation using captured stormwater or alternative measures that achieve the same objective.
18. Dual low emissivity glazing.
19. High reflective roof material.
20. High efficiency heating and air conditioning systems.
21. Occupancy sensor lighting in all common areas.
22. Reliance on fluorescent, LED or other type of high efficiency systems for all interior and exterior lighting. New lighting installed in parking structures and all common areas shall be motion sensor controlled;
23. Natural ventilation.
24. Operable solar shading screens built into façade system.
25. On-Site recycling collection facilities.

Carbon Emission Reduction:

26. Secure bicycle parking to accommodate a minimum of thirteen (13) bicycles, to meet the bicycle parking requirements for the Project (Office- six (6) long-term parking spaces; and, three (3) short-term parking positions; Retail/Restaurant - two (2) long term parking spaces; and, two (2) short-term parking positions).
27. Bicycle racks spread along the Delmas Terrace portion of the Site for public use.
28. A potential for bicycle End of Trip Facilities.

29. Mixed office/retail use development adjacent to public transit.
30. A potential for several EV ready and operational parking spaces.

### Site Security

Site security includes provisions for 24-hour video surveillance and a full-time security guard. Duties of the security personnel will include, but would not be limited to, assisting office employees and visitors with Site access; monitoring entrances and exits of buildings; managing and monitoring fire/life/safety systems; and patrolling the property. The Site security would interface and collaborate with the CCPD, as necessary. Site security features include building access/design to assist in crime prevention efforts and to reduce the demand for police protection services. The Project design will include lighting of entry-ways and public areas for Site security purposes and controlled access to office uses in order to ensure the safety of office employees.

### Trash, Loading, and Recycling

Loading for large deliveries for retail, restaurant, and office uses will occur in a designated temporary loading area adjacent to the enclosed trash and recycling room located on-site at the ground level. This loading area will be accessed via the driveway on the ground level along Delmas Terrace. A trash and recycling room designated for use by all tenants will be located on the ground level adjacent the bike storage facility. All trash will be collected by on-site maintenance and collectively disposed or recycled. The Project will foster recycling of reusable materials (i.e., cardboard, plastics and aluminum) by providing dedicated and easily accessible bins. Trash trucks will be able to utilize the temporary loading area near the trash and recycling room for turnaround which will be marked restricted from use during the scheduled time of waste pick-up.

### Public Art

The Applicant will comply with the City's Art in Public Places Program requirement with an on-Site art installation instead of the in-lieu payment. Cultural Affairs staff will process this request separate from the entitlements requested. The art piece must be approved by the Cultural Affairs Commission and installed prior to Certificate of Occupancy.

### **General Plan Map and Zone Map Amendments**

The Culver City Downtown General Plan designation for the Project Site's two Washington Boulevard fronting lots allows medium and large-scale commercial uses and shared parking. The Downtown designation is intended to support desirable existing and future commercial uses and mixed-use housing opportunities within the Downtown area, and to encourage a pedestrian-friendly environment with a positive nightlife ambiance. The Project Site's third lot at the rear of the property has a General Plan General Corridor Land Use designation. This designation allows small to medium-scale commercial uses. It is intended to support neighborhood and community serving commercial uses and allows heights up to 56 feet.

The Project is proposing a General Plan Map Amendment and Zoning Code Map Amendment. The current line dividing the CD and CG zoning designations occurs at an angle within the Site boundaries. A portion of the General Corridor designated area is proposed to be shifted south approximately 32 feet with an accompanying Zone Change from CD to CG. This shift will make the division line between the Project's CD and CG zones parallel with the rear property line creating the ability to provide a more uniform building division where height will increase from a maximum allowed 44 feet in the CD Zone to a maximum allowed 56 feet in the CG Zone. The new boundary between the two Land Use and Zone designations will be parallel to the rear lot line and accommodate the required square feet for a 4 level, 56 foot high office tenant while assuring the lower 44 foot high, 3 level frontage on Washington Boulevard thus scaling down the building's Downtown face. The



proposed Zone Change will not impact the building height as viewed from Washington Boulevard as the frontage of the building along Washington Boulevard complies with the height requirements of the CD Zone height requirements. Without this General Plan and Zoning Map Amendments the building would be comprised of two irregularly shaped structures creating difficulty in mapping floor plans for each level. This minor map amendment will result in changing one type of commercial designation for another type of commercial designation in the Downtown area.

The map amendments will not result in buildings heights exceeding code limits and due to the maintenance of a split land use and zoning designation height articulation will be maintained with 56 feet for the CG portion and 44 feet for the CD portion. The Project will comply with applicable requirements of the Zoning Code including height, setbacks, and parking as discussed above.

## **Public Outreach**

As part of the Project review process, two community meetings were held on Tuesday, October 18, 2016, and Thursday, April 20, 2017, both at 7:00 pm, at the Project Site in the bank building. The Applicant invited interested persons to learn about the development Project, provide comments and feedback, and share any concerns regarding the proposed Project. Four community members attended the first community meetings and one community member attended the second meeting. A summary of the meetings are provided below:

October 18, 2016. Attendees commented and asked about the restaurant space, Project parking, the main Delmas Terrace fronting entrance, Green Building strategies, and construction timing. There was no apparent opposition to the Project.

April 20, 2017. The one person who attended the meeting and who lives in an adjacent apartment building was concerned about construction noise and construction timing (the length of construction). Although he did not express opposition to the Project he was concerned about construction impacts even after he was informed of construction related conditions of approval that include both hours of construction and noise mitigations.

More detailed notes provided by the Applicant are included in Attachment No.11.

## **Comments Received During Public Comment Period**

As of the writing of this report, a staff member representing the Southern California Hospital north of the Site submitted an e-mail stating opposition to the Project but did not state specific reasons for the opposition. Upon further clarification, the Hospital representative stated the opposition was due to concerns over the Hospital's structural integrity in the event of seismic activity. City staff explained the Project will be required to comply with building codes that reflect the regions active earthquake faults. A copy of the MND and Initial Study was provided to the Hospital representative. A letter of opposition to the MND was submitted by Hospital representatives on August 21, 2017 (Attachment No. 12).

At the October 25, 2017, Planning Commission hearing a resident of the apartments at 3616 Watseka Avenue submitted a letter after the item had been continued (Attachment No. 16). The letter stated construction related concerns and asked that construction hours be revised. Staff believes the construction related conditions approval including the recommended hours of construction will mitigate construction related impacts.

## **CONCLUSION/SUMMARY:**

This Project will enhance the Downtown and replace a vacant building with an attractive new office and retail

development, providing new office tenants and retail patrons that contribute to the local economy. Its location near several bike routes, bus lines, and the Metro Expo line will make use of alternate modes of transportation attractive to Project tenants. Furthermore, the use of Transportation Demand Management Program measures along with green building features will make the Project sustainable.

Based on the proposed preliminary development plans and recommended conditions of approval, staff considers the Project to be compatible with the surrounding neighborhood; adequately served by public facilities; and, consistent with the General Plan, Zoning Code, and all CCMC and State subdivision requirements. Staff believes the findings for Administrative Modification, Administrative Use Permit, Site Plan Review, General Plan Map Amendment, and Zoning Code Map Amendment, Case No. P2017-0021, CEQA required findings for replacement mitigations, and findings for the reduction in the required number of parking spaces can be made as outlined in Resolution No. 2017-P015 (Attachment No. 1).

### **ENVIRONMENTAL DETERMINATION:**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, an Initial Study was prepared for this Project. The Initial Study determined that the Project could result in significant impacts on the environment. However, the potential for such significant impacts could be mitigated to a less than significant level with implementation of the prescribed mitigation measures. In conjunction with the Initial Study, a Mitigated Negative Declaration (MND) has been prepared pursuant to the CEQA guidelines (Attachment 4).

Conditions of Project approval require that the Applicant implement the prescribed mitigation measures for “potentially significant” impacts on the environment generally addressed in the MND, as follows:

1. Biological Resources - Impacts to nesting and/or migratory birds species during the breeding season.
2. Cultural Resources - Impacts to previously unknown archaeological and paleontological resources, as well as Native American human remains, that could unexpectedly be discovered during Project construction activities.
3. Geology and Soils - Impacts pertaining to seismic and ground and soil stability hazards during the design and construction phases of the Project.
4. Hazards and Hazardous Materials - Impacts pertaining to the removal and/or treatment of asbestos containing materials (ACMs) and lead-based paint (LBP) during demolition of existing on-Site structures.
5. Hydrology/Water Quality - Impacts pertaining to the proper treatment and disposal of removed ground water beneath the Site during potential construction-related dewatering activities.
6. Noise - Impacts from construction related noise such as noise-generating equipment to current residents in the vicinity of the Project Site.
7. Public Services - Impacts regarding emergency response times and emergency access during construction activities.

The prescribed mitigation measures are listed in a Mitigation Monitoring and Reporting Program (MMRP), which is included as Attachment C in the Draft MND and also incorporated within Exhibit A, Conditions of Approval, to the Planning Commission Draft Resolution No. 2017-P015. The revised Noise Mitigations in

strike out/underline are included in Attachment No. 15 (the revised MMRP only) and in Condition No. 62 of Exhibit A (also in Strike Out/Underline).

The Draft MND was circulated for public review from August 2, 2017 to August 23, 2017. A "Notice of Availability & Intent to Adopt a Mitigated Negative Declaration" for the Project was mailed at the commencement of the public review period to owners and occupants within a 500 foot radius of the Project Site. Copies of the Draft MND were made available to the public within the City's Planning Division Office at City Hall and on the City's website at [www.culvercity.org](http://www.culvercity.org) <<http://www.culvercity.org>>. Pursuant to CEQA Guidelines Sections 15073.5(c) and 15074.1, recirculation of the MND is not required because the replacement mitigation measures are more effective than the original measures.

### **ALTERNATIVE OPTIONS:**

The following alternative actions may be considered by the Planning Commission:

1. Approve the proposed Project with the recommended conditions of approval if the applications are deemed to meet the required findings.
2. Approve the proposed Project with additional and/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 proposed Project if the applications do not meet the required findings.

### **ATTACHMENTS:**

1. Draft Resolution No. 2017-P015 and Exhibit A - Conditions of Approval.
2. Project Site Vicinity Map.
3. Project Summary.
4. CEQA Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, dated August 2, 2017.
5. General Plan Map Change and Zone Map Change Exhibits.
6. Traffic Impact Analysis prepared by Crain & Associates, December 22, 2016.
7. Shared Parking Demand Study by Crain and Associates, December 16, 2016.
8. Preliminary Development Plans dated July 27, 2017.
9. Traffic Summary.
10. Stacked Parking Analysis and Operations Plan.
11. Summary of Community Meetings.
12. Prospect Medical Holdings CEQA Opposition dated Letter August 21, 2017.
13. Applicant Request for Continuance (date uncertain) dated August 23, 2017
14. Response to CEQA Opposition dated February 14, 2018 and September 28, 2017
15. Mitigation Monitoring and Reporting Program in Strike Out/Underline.
16. Comments Received on or after October 25, 2017.

### **MOTION**

That the Planning Commission:

- 1) Adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, based on the Initial Study finding that the Project, with mitigation measures incorporated, will not have a

significant adverse impact on the environment;

- 2) Approve Administrative Modification, Administrative Use Permit, and Site Plan Review, Case No. P2017-0021, subject to the Conditions of Approval as stated in Resolution No. 2017-P015; and
- 3) Recommend to the City Council approval of General Plan Map Amendment and Zoning Code Map Amendment, Case No. P2017-0021; and
- 4) Recommend to the City Council approval of a reduction in the required number of parking spaces by twenty-four (24) parking spaces.