REGULAR MEETING OF THE
PLANNING COMMISSION
CULVER CITY, CA

March 22, 2006
7:00 p.m.
Mike Balkman Council Chambers

MEMBERS PRESENT: Sheila Thomas, Chair
Maureen Muranaka, Vice Chair
Marcus Tiggs, Commissioner
David Rockwell, Commissioner

ADVISORY PRESENT: Thomas Gorham, Deputy Community Development Director
Elinor Aurthur, Contract Planner
Diane Tadena, Assistant Planner
Joe Pannone, Outside Counsel
David McCarthy, Deputy City Attorney

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CALL TO ORDER

Chair Thomas called the meeting to order at 7:00 p.m.
The Pledge of Allegiance was led by David McCarthy.
Roll Call. Thomas, Muranaka, Rockwell, Tiggs.

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PUBLIC HEARING

PH-1. Request for 20-Year Extension of Term of Sony Pictures Entertainment Development Agreement Relating to the Site at 10202 Washington Boulevard in the Studio (S) Zone.

Thomas Gorham gave a brief overview of the request for extension, which will allow Sony Pictures to expand by approximately 1,000,000 square feet. The related Comprehensive Plan contained Conditions of Approval intended to mitigate the potential significant impacts for the project which was originally approved in 1993. The term of the development agreement was reduced by five years due to Sony's inability to commence construction of at least 500,000 square feet by December 31, 2001.
Sony is requesting an extension through the year 2026.

The first amendment will:

1. *Extend the vesting term of the agreement until September 15, 2026 and to 2028 if Sony commences construction of 300,000 square feet before December 31, 2011;*
2. *Allow the Edison substation to be included in the legal description of Development Agreement.*

3. *Allow Sony to develop the site according to the provisions when the agreement was adopted in 1993;*

Elinor Aurthur

- *Has monitored the project since 1993*
- *Sony inherited a studio that was in need of a great deal of repair/maintenance*
- *Sony has maintained a vigilant compliance with all of the conditions of approval*

Commissioner Tiggs

- The public notice that sent out did not state "first amendment"
- Questioned whether the notice is sufficient.

David McCarthy.
After review the Legal Department determined that the notice is legally sufficient.

Commissioner Tiggs

- Certificate of Reduction – page 23, paragraph 3; is the City relying on that document, plus the development agreement to say there can only be an aggregate of five years. Is there any impact on that provision with this first amendment; will that provision 'kick in' to reduce it an additional five years.

David McCarthy
The five year period has already been exercised which is why there is a fifteen year development agreement. The new extension is a new eighteen years without any reduction possibility. The only change is if the 300,000 square feet are built by 2011, there will be a two-year addition.

Vice Chair Muranaka

- The staff report made reference to the consideration in exchange for the extension in regards to the annual contribution to Culver City Unified; questioned whether or not the contribution is voluntary or a condition of approval.

Elinor Aurthur
Sony has been making the contribution voluntarily for a number of years; Sony is now making a commitment to extend that contribution for ten years (until the year 2016; the contribution is a commitment in exchange for the extension.

Commissioner Rockwell

- Page 23 – paragraph 3: what motivated the City to put the restriction in and why is it necessary at this point.

Joe Pannone, Outside Counsel
Sony was a new player on the block; there was no long working relationship between the City and Sony. At the time the City of Culver City decided twenty was acceptable; now there is a much better working relationship.

Vice Chair Muranaka

- Sony has proved itself to be a good neighbor and is operating in good faith addressing all of the items of deferred maintenance; is in favor of the project.

Resolution #2006-P007

No comments

Environmental Report

- No comments

Commissioner Rockwell moved, Vice Chair Muranaka seconded and Commissioner Tiggs third, the Motion to approve Resolution #2006-P007 recommending the City Council approve the first amendment to the agreement.

Roll Call Vote: 4-0

PH-2. Site Plan Review – 3823-3827-3833 Huron Avenue, 15-Unit Townhome Condominiums per lot on three adjoining lots. ***Approve Site Plan Review.***

Diane Tadena gave a brief summary of the project. The proposed project will result in fifteen townhome style condominium units, 5-unit townhome condominiums per lot on three adjoining lots with semi-subterranean parking in the Medium Density Multiple-Family Residential (RMD) Zone. The maximum height of each two story building is 30 feet to the peak of the pitched roof. The gross square footage of livable area per lot is 9,075 square feet. Vehicle ingress and egress will be through two driveways off Huron Avenue, one of which will be shared by Lot 2 and Lot 3. Ten units in Lot 1 and Lot 3 will have a private two-car garage and five units in Lot 2 will have a private four-car garage. There is direct access into the respective units from the garage. There are also four additional outdoor guest parking spaces, two of which are handicapped. All setbacks will include landscaped areas. The front, rear and side yard setbacks will include paved walkways and steps up to the ground level entrances of the condominium units. There are three 8 feet by 10 feet, one for each lot, trash enclosures located in the semi-subterranean garage.

Vice Chair Muranaka moved and Commissioner Tiggs seconded the motion to receive and file the Affidavit of Mailing of Notices.

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PUBLIC HEARING

Jaipal Khalsa (Bidmar Corporation/Project Architect)

- Project was previously approved in the mid 1980's.
- New project was designed to meet the requirements of the new codes.
- Providing elevators and handicapped access for ten of the fifteen units.

- Driveway issue with the neighbors has been addressed

<u>Nick Lam</u> (Vice President/Owner and Developer)

- Introduced himself and gave a brief summary of the history and philosophy of Bidmar

<u>Manuel Vargas</u>

- Resident at Huron Avenue
- Questioned whether or not the City would be giving financial moving assistance to residents

<u>Roberta Smith</u>

- Homeowner next door to project site
- Concerned about sharing the driveway with multiple families
- Concerned about the water runoff, backyard privacy, parking and traffic impact

<u>Robert Guzman</u>

- Recently moved to the project site
- Concerned about the impact on his family

Commissioner Tiggs moved and Vice Chair Muranaka seconded the motion to close the public hearing.

<u>Commissioner Tiggs</u>

- Requested staff to respond to Robert Smith's concerns.
- Questioned whether the builder considered any concessions for tenants being displaced

Thomas Gorham

- *Water runoff issue – all of the drainage will have to be contained onsite*
- *Parking – project does meet the code with two extra parking spaces above code requirements*
- *Traffic – 15 units did not reach any of the threshold requirements for a traffic study*

<u>Jaipal Khalsa and Nick Lamb</u>

- There will no longer be a shared driveway.
- City of Culver City does not provide for financial moving assistance; may consider a minimal amount of assistance.
- The project will not go forth for at least six (6) months giving the tenants ample time to relocate.
- Tenants who wish to purchase one of the units at the project site will be given priority.

<u>Commissioner Tiggs</u>

- Questioned whether Bidmar considered any moving allowance for the tenants

Nick Lam:

- If Bidmar can come to a mutual agreement for a minimal amount of assistance, the company will consider it.

Vice Chair Muranaka

- Asked for clarification from Mr. Khalsa regarding Ms. Smith's concern about a retaining wall to separate the two properties.

Jaipal Khalsa

- The plan will provide for a two foot retaining wall.

Vice Chair Muranaka

- Requested clarification from staff regarding the zoning on this property and the entire block.

Diane Tadena

The area is medium density, multiple family residential zone which allows for one unit for every 1,500 square feet of lot area.

Commissioner Rockwell

- Asked for clarification regarding time frame for the tenants to find other housing and inquired as to when the planning for this project actually began.

Nick Lam

- The planning began approximately six to seven months ago.

Commissioner Rockwell

- Questioned at what point the tenants were notified that they were being displaced

Nick Lam

- Tenants have not been officially notified because we do not know the intended date.

Jimmy Cam (Assistant to Nick Lam/Property Manager)

- Has discussed the project with the longest term tenant for about fifteen years; has also mentioned it to the other tenants.

Chair Thomas

- The plans do not agree with your previous statement that ten of the units had elevators.

Jaipal Khalsa

- Ten of the units are accessible and can be approached and accessed from the two sides of the property. Only two units have elevators. There will be handicapped parking.

Conditions of Approval

Vice Chair Muranaka

- Condition #22: Add "and the condominium plan for the project, if applicable," in the first sentence.
- Second sentence should be set forth in a separate condition of approval and the covenant to hold as one parcel what you are calling the covenant tying Lots 1, 2, and 3 together is not frequently set forth in the CC&R's but rather a separate document; that needs to be revised.
- Should a condition of approval be imposed on the applicant regarding a minimum notification of the termination of their leases? All tenants who have been residents over one year must receive at least sixty days' notice.

Commissioner Tiggs

- Questioned whether the commission can come up with a period of time that exceeds the state requirement.

Thomas Gorham
The Planning Commission has the authority to extend the time stated in the Civil Code.

Chair Thomas

- Would be considerate for the property manager to inform the tenants periodically (monthly) of the anticipated dates of termination of their lease.

Vice Chair Muranaka

- Page 10 – Condition of Approval #56: delete the words "please show on the site plan" and start the condition, "The interior dimensions" instead of "inside dimensions"

Commissioner Tiggs moved and Vice Chair Muranaka seconded to approve Site Plan Review, SPR P2006005 subject to conditions of approval as amended as stated in Resolution No. 2006-P006. **Vote was 4-0.**

Vice Chair Muranaka moved and Commissioner Tiggs seconded the Motion to approve the Secretary's Report.

ITEMS FROM STAFF
Thomas Gorham discussed the date for the next Planning Commission meeting as being the first day of Passover; staff would like to reschedule the meeting for April 26, 2006.

Vice Chair Muranaka

- Inquired about the 'barking dog' case
- Inquired why that meeting cannot be held on a regularly scheduled commission meeting night.

Thomas Gorham
Believes the date for that meeting is May16th; will have to confirm that with Senior Planner Sherry Jordan. The neighbors in that case are being noticed to see if they are available on April 12th, the regularly scheduled Planning Commission meeting date.

Commissioner Rockwell moved and Commissioner Tiggs seconded the Motion to adjourn to the next Planning Commission meeting on April 26, 2006.

Sheila M. Thomas

SHEILA THOMAS, CHAIRPERSON
PLANNING COMMISSION
CITY OF CULVER CITY

ATTEST:

YVONNE D. HUNT
ADMINISTRATIVE SECRETARY