



City of Culver City

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Staff Report

File #: 25-04, Version: 1

Item #: PH-1.

PC - PUBLIC HEARING: Consideration of a Comprehensive Plan, Density and Other Bonus Incentives, Zone Code Map Amendment, General Plan Map Amendment, Extended Construction Hours Request, and Environmental Impact Report, to allow development of a mixed-use residential and commercial project on an approximately 2.23-acre site located at 5700 Hannum Avenue.

Meeting Date: July 10, 2024

Contact Person/Dept: Jose Mendivil, Associate Planner
Emily Stadnicki, Current Planning Manager

Phone Number: 310-253-5757 / 310-253-5727

Fiscal Impact: Yes ☐ No ☒

General Fund: Yes ☐ No ☒

Public Hearing: ☒

Action Item: ☐

Attachments: Yes ☒ No ☐

City Council Action Required Yes ☒ No ☐ **Date** [TBD]

Public Notification: (E-Mail) Meetings and Agendas - Planning Commission (07/03/24); (Posted) City Website (06/19/24); (Mailed) Property owners and occupants within a 500 ft radius (06/19/24); (Posted) on-site signs (06/19/24); (Published) Culver City News (6/20/2024).

Department Approval: Mark E. Muenzer, Planning and Development Director (07/01/24)

RECOMMENDATION

That the Planning Commission adopt resolutions recommending the City Council:

1. Certify the Project Environmental Impact Report (EIR), Adopt CEQA Required Findings, Adopt the Mitigation Monitoring and Reporting Program (MMRP), and Adopt a Statement of Overriding Considerations as stated in Resolution No. 2024-P004 (Attachment No.1); and
2. Approve Comprehensive Plan, Density and Other Bonus Incentives, General Plan Map Amendment, and Zoning Code Map Amendment (P2023-0218-CP, -DOBI, -GPMA, -ZCMA) creating Planned Development No.18, subject to the Conditions of Approval as stated in Resolution No. 2024-P005 (Attachment No. 2); and
3. Approve an Extended Construction Hours request, subject to the Conditions of Approval as stated in Resolution No. 2022-P006 (Attachment No. 3).

PROCEDURES

1. Chair calls on staff for a staff report and Commission poses questions to staff.
2. Chair opens the public hearing, providing the Applicant the first opportunity to speak, followed by the

general public.

3. Chair seeks a motion to close the public hearing after all testimony has been presented.
4. Commission discusses the matter and arrives at its decision.

BACKGROUND

Request

The Applicant requests the City approve a Planned Development to allow a mixed-use project at 5700 Hannum Avenue (Project Site) in the Commercial Regional Business Park (CRB) Zone. Specific requests include:

1. Certification of an EIR
2. Approval of a Comprehensive Plan to create a Planned Development (PD) Zone that provides development standards specific to the PD Zone
3. Density and Other Bonus Incentives to increase density to include 27 on-site, very-low-income units
4. General Plan Map Amendment to redesignate the site from Regional Center to General Corridor
5. Zoning Code Map Amendment to redesignate the site from the CRB Zone to the PD 18 Zone on the City's Zoning Map
6. Extended Construction Hours.

The Project Summary (Attachment No. 5) and Comprehensive Plan (Attachment No. 6) provide a synopsis of the project details and proposed plan.

Existing Conditions

The 2.23-acre Project Site is occupied by a 30,672 square foot two-story office building constructed in the late 1970s and surface parking with landscaping. The sidewalks adjoining the Project Site to the north, east, and south are landscaped with street trees. The office building and surface parking uses are on relatively flat graded land, however, Buckingham Parkway slopes downward from north to south, with the northernmost elevation (at its intersection with Hannum Avenue) at approximately 128 feet (measured from sea level) and the southernmost elevation (near Windsor Way) at approximately 103 feet. The topographical street elevation decreases by approximately 25 feet from north to south.

Existing vehicle access to the Project Site is from two ingress and egress points, located along Hannum Avenue and Uplander Way. There is a fire lane/access road on the west side shared by the Project Site and the property at 5750 Hannum Avenue. The fire lane/access road will remain accessible by both properties after construction of the Project. The surrounding zoning and land uses are provided in the Project Summary (Attachment No. 5).

Project Description (the "Project")

The Project is a new 6-story (up to 78-foot high) mixed-use residential and commercial development with two semi-subterranean levels, 309 residential units (including 27 very low-income units) and 5,600 square feet of retail space. There is a total of 7,507 square feet of publicly accessible open space, 19,526 square feet of private open space, and 27,123 square feet of residential common open space.

There are 428 vehicle parking spaces (399 residential, 6 guest, and 23 commercial) in two semi-subterranean vehicle parking levels with additional at grade parking on the first floor, and two vehicle access points: residential only on Buckingham Parkway and commercial and residential on Hannum Avenue. The Project also contains 92 bicycle spaces: 11 short-term and 81 long-term.

Project details and plan layout are provided in the Project Summary (Attachment No. 5) and the

Comprehensive Plan (Attachment No. 6).

ANALYSIS

To approve the Project, a General Plan Map Amendment, Zoning Code Map Amendment, and Comprehensive Plan (CP) are required. A CP is the Planning entitlement that permits construction of the PD as proposed by the applicant, while the map amendments noted above create the PD Zone, which details the development standards and allowed uses for the CP that are unique to that PD and not part of existing zoning districts. (The CP takes the place of a Site Plan Review, which reviews a project based on the existing zoning district.)

The intent of a Comprehensive Plan is to allow for flexibility in the application of the Zoning Code standards for larger scaled developments. Additionally, the Density and Other Bonus Incentives request is in accordance with State density law that requires the City to increase density if the applicant provides affordable housing on the Project Site. Finally, the applicant requests construction hours beyond the allowed hours which can be approved pursuant to Municipal Code Section 9.07.035.

General Plan and Zoning Code Map Amendments

The Project has a Regional Center General Plan Land Use designation and a Commercial Regional Business Park (CRB) zoning designation. The appropriate zone designation for the Regional Center land use designation is the CRB Zone which does not allow housing. The Applicant requests a General Plan Map Amendment to change the land use designation to General Corridor, which allows mixed use developments, and a Zone Code Map Amendment to rezone the property to Planned Development No. 18 (PD-18). These designations facilitate the Project as described above and the PD-18 Zone accommodates the density, height, setbacks, and proposed uses that may otherwise not be allowed if relying on the current CRB zone.

Density and Other Bonus Incentives (DOBI)

The Project's proposed base density is 100 du/ac and is requesting a density increase pursuant to State Density Law which requires the City to grant a density bonus and concessions or waivers as the Applicant is including at least 5% of the total base units for rent to very low-income households. An incentive or concession is a development standard such as height, setbacks, and parking, that if applied, will make the Project cost prohibitive. A waiver is a standard that if applied, will have the effect of physically precluding construction of the Project.

For this Project, DOBI related data based on State density law and provision of Very Low Income (VLI) units is as follows:

Base Density Units	Percent Base Units VLI	Number of VLI	Percent Density Bonus	Number of Bonus Units	Total Units
223	12%	27	38.75%	87 (86 proposed)	309

Per State Code, the City is required to grant two incentives or concessions because at least 10% of the base 223 units are Very Low Income. The Applicant is requesting one concession: height and is not requesting waivers. They request the height be allowed at a maximum of 78 feet, above the 56-foot height limit. State density bonus law requires the City bear the burden of proof, and provide written findings,

based upon substantial evidence, that a concession is not needed to reduce the cost of constructing the affordable units; or that it will have a specific, adverse impact upon public health and safety; or that it is contrary to state or federal law.

Height, as proposed by the Applicant, in and of itself does not create an adverse impact on the public health and safety. Height is listed in State density law as a development standard that can be waived under concessions and waivers.

Comprehensive Plan

The Applicant is requesting approval of a Comprehensive Plan (Attachment No. 6) that outlines development standards allowing for the design and uses the Applicant proposes. The Project also includes Conditions of Approval, included as Exhibit A and B to Resolution No. 2024-P005 (Attachment No. 2).

The Comprehensive Plan has the following objectives:

- Encourage neighborhood-scaled design and is compliant with the City's development standards.
- Avoid podium parking along streets and sidewalks and encourage walkability in and around the site.
- Promote project livability with suitable outdoor amenity space at the courtyard and 6th floor deck.
- Provide appropriate setbacks at the ground level along Hannum for outdoor dining, seating, and landscape.

The Comprehensive Plan document includes all the relevant land use and development standards for the Project including setbacks, building height, parking, permitted uses, site plan, floor plans, building elevations and renderings, building materials and colors, landscaping, open space, a mobility plan, and sustainability provisions. The Comprehensive Plan includes a Project Description with a locational map and summary of the project. The following is a summary of the sections of the Comprehensive Plan.

Land Uses

The PD-18 Zone permitted uses are consistent with the General Plan's General Corridor Land Use designation and are listed on Page 10 of the Comprehensive Plan (Attachment No. 6). The residential portion is allowed only as part of mixed use.

However, the commercial portion of the Project is only 5,600 square feet and there are limited commercial uses allowed, ranging from retail to restaurants and offices. Staff encourages the Commission to further discuss potential expansion of commercial space in the project given the proposed number of units.

Development Standards

Table 1.2 on Page 7 of the Comprehensive Plan summarizes the Project's residential components: unit type and area, commercial area, parking, and open space. Table 2.3a on Page 12 of the CP lists development standards such as height, setbacks, and parking.

Open Space

The Project includes a total of 54,156 square feet of open space with 7,507 square feet of publicly accessible open space in front of the ground floor commercial space along Hannum Avenue. This space includes outdoor seating, bicycle racks, and landscaping.

The remaining 46,649 square feet is reserved for residential occupants and is divided between common and private open space. The private open space includes balconies and patios while the common open space is comprised of amenity rooms, community rooms and courtyards. There is an 11,378 square foot second floor courtyard with landscaping, wood decking and seating. A 9,610 sixth floor, roof deck has the same features as the second-floor deck with the addition of a pool and pool enclosure.

Parking, Loading, Refuse

Although vehicle parking is not required by the City, the Project is providing 428 vehicle parking spaces in two semi-subterranean parking levels and one ground floor level (which includes the 23 commercial spaces). As a CP with its own development standards, the project is providing two EV charging commercial spaces and 40 EV charging residential spaces. The Zoning Code requires 40% of parking provided be EV (10% EV Charging; 10% EV Ready; 20% EV Capable). Under the Zoning Code, the project should provide 171 EV parking spaces. Staff recommends the Planning Commission add a condition that EV parking provided be consistent with the Zoning Code. The on-site commercial loading space is accessed via Hannum Avenue and the residential loading is in the parking lane on Buckingham Parkway just north of the residential driveway entrance. Page 17 of the CP provides further detail on parking.

There are 92 bicycle parking spaces with eight reserved for short term residential use, 78 for long term residential use, and 3 each for commercial use. Short term spaces are provided at the ground level at Hannum Avenue and Buckingham Parkway and the long-term spaces are in four different secured rooms within the vehicle parking levels.

There are separate refuse and recycling rooms for the residential and commercial uses. The Public Works Dept. has provided initial approval of the Level P2 residential refuse room, accessed via Buckingham Parkway, and the residential and commercial ground level refuse rooms access off the fire lane/access road. The refuse rooms will be visually shielded from public view and from adjoining public streets.

Conceptual Signage

The CP includes conceptual signage which is expected to be limited due to the relatively small size of the Project's commercial component. Locations and final signage plans are subject to a future Master Sign Program, which is a required Project condition.

Sustainability

The Project design incorporates required environmentally sustainable building features and construction protocols. The Project includes the following sustainability technologies and features:

- 1kW of Solar Photovoltaic Generation per 10,000SF of Development.
- Drought tolerant and water efficient landscaping.
- Reduced urban heat island effect through landscape and reflective materials for roofs and paved areas.
- 92 Bicycle parking spaces for visitors and occupants.
- 42 Electrical Vehicle charging stations (Staff recommends 171 EV spaces).
- Transportation Demand Management Plan, supporting and encouraging alternative transportation modes (see below).
- On-site recycling and composting collection facilities.
- Culver City Green Building Program's Design to the Equivalent Standards of LEED Certification requirement.
- California Green Building Code's mandatory requirements that include a minimum of 50 percent reduction in construction waste; low-VOC content materials, paints, and coatings; and water meters installed for irrigation.

Mobility and Transportation Demand Management (TDM) Plan

The Project's Mobility and TDM plan is detailed on pages 41-45 of the CP. Below is a summary of the Plan's features:

- On-site enhancements such as pedestrian connections to encourage walking; bicycle parking

amenities such as secured bicycle rooms with bike repair and lockers; EV spaces; micro mobility; and rideshare drop off and pick up.

- A Transportation Information Center that provides transit information and bus/rail scheduling for residents, employees, and guests; a Transportation Coordinator responsible for implementing elements of the TDM plan.
- Bus stop improvements if required by the City.
- Payment of the Mobility Fee which will be used for future striping and construction of a Class IV Separated Bikeway along Buckingham Parkway which will be located adjacent to the project site.
- First Mile/Last Mile service connection for transit users such as bike repair, micro mobility station off Buckingham Parkway near the corner with Hannum Avenue, and subsidized ride-share/transit passes.

Project Design

The Project Plans are located on pages 47-74 of the CP and include detailed site, floor, roof, elevations, and section plans as well as renderings. The Project is proposing a contemporary architectural design defined by simple lines, along with a neutral and unified color palette of light to dark gray and aluminum and brick veneer at the street level. Full height glazing fronts the project's ground floor commercial and residential lobby along Hannum Avenue and the north end of Buckingham Parkway. Residential balconies, common residential decks, recessed areas along the Project full height, and bulkheads, all visible from the street frontage, provide further accents and project articulation.

Conceptual Landscaping

Pages 76-84 of the CP, provide detailed information on the Conceptual Landscaping. The ground level entry plaza contains a mixture of "dry-lush" planting using low water and drought tolerant species. The multi-layered planting buffers the site from Hannum Avenue traffic while maintaining visual permeability of the plaza. At the ground level, planting includes a minimum of 48" box size trees while at the podium and roof levels, trees are 24" box size minimum. Final species selection shall be implemented during permitting and construction based on the provided palette and the Urban Forest Master Plan.

Streetscape Details

Along the Hannum Avenue frontage, there is pedestrian outdoor seating and provides for outdoor dining should a restaurant go into the commercial space. Short term bicycle parking is located along the Hannum Avenue and at the north end of Buckingham Parkway there is short term bicycle parking and a micro mobility hub. Most of Buckingham Parkway has ground floor residential units with the streetscape more conducive to residential uses, such as front porches and decks.

Civil Engineering

The last section of the CP, Pages 89-95, include Civil Engineering plans as required by the Zoning Code. They illustrate preliminary demolition, grading, traffic striping, utility, and LID/SUSMP plans.

Extended Construction Hours Request

The applicant is requesting to extend construction hours beyond the construction hours stated in the Municipal Code. The Code limits construction hours to:

8:00 am - 8:00 pm Mondays through Fridays
9:00 am - 7:00 pm Saturdays
10:00 am - 7:00 pm Sundays

The applicant is requesting to extend the daily construction hours for earthwork hauling, tower crane erection and dismantle, and concrete operations, to 7:00 am daily start times. The early start time for these

activities will reduce the impacts of traffic and noise resulting from heavy trucking traffic and will also reduce the overall construction duration by approximately two months. Attachment No. 10 provides detailed information on the various construction activities noted above. The extended construction hours will be subject to conditions of approval and mitigation measures, including the Construction Management Plan, Pedestrian Protection Plan, Construction Traffic Management Plan, and Noise studies.

Construction Management Plan

The Applicant has submitted a preliminary Construction Management Plan (Attachment No. 9) to forecast how the project management team will implement and perform site management responsibilities during construction. This plan provides a guide for an efficient and coordinated construction process and information to the public about the project's objectives. Issues addressed include construction fencing, pedestrian protection requirements, community notification, construction hours, and construction methodology and logistics planning. Furthermore, the Plan covers environmental issues such as noise and vibration management, dust control and erosion control and demolition debris recycling plan. A final Construction Management Plan will be reviewed and approved by the City prior to building permit issuance. Project construction will occur in one phase and is anticipated to commence as early as the first quarter of 2025. Construction is expected to take approximately 30 months to complete with full build-out as early as the fourth quarter of 2027.

ENVIRONMENTAL DETERMINATION

A Draft and Final Environmental Impact Report (EIR) was prepared for the Project by the consultant ESA (Attachment No. 7). Pursuant to the California Environmental Quality Act (CEQA), the City of Culver City is the Lead Agency and is responsible for preparing the Draft and Final EIR.

At the start of the process the consultant prepared an Initial Study to identify potential environmental impacts. The Initial Study determined that the Project had the potential to significantly impact several environmental issues and a Draft EIR was prepared to address those issues and consider feasible mitigation measures and alternatives to the Project. The issues studied in the Draft EIR are:

- Aesthetics
- Air Quality
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Land Use and Planning
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Mandatory Findings of Significance

The City circulated a Notice of Preparation of an Environmental Impact Report and Community Meeting/EIR Scoping Meeting (NOP) to State, regional, and local agencies, and members of the public for a 46-day review period from August 29 to September 28, 2023. The purpose of the NOP was to solicit input regarding the scope and content to be included in the Draft EIR. The Community Meeting/EIR Scoping Meeting was held on September 12, 2023. Appendix A of the Draft EIR includes the NOP, Initial Study, Scoping Meeting Materials, and Comments on the NOP.

Draft Environmental Impact Report

A Draft EIR was prepared pursuant to CEQA requirements based on the Initial Study and scoping. The Draft EIR is an informational document that informs public agency decision-makers and the public generally of the environmental effects associated with the Project, and ways to minimize significant environmental effects through mitigation measures or reasonable alternatives to the Project.

For some effects, significant environmental impacts cannot be mitigated to a level considered less than significant; in such cases, impacts are considered significant and unavoidable. If a public agency approves a project that has significant impacts that are not substantially mitigated, the agency must state in writing the specific reasons for approving the project. This is known as a “statement of overriding considerations.”

The Draft EIR determined that there was one significant and unavoidable impact: on-site construction noise during the hours of 7:00 to 8:00 am Monday through Friday, 7:00 to 9:00 am on Saturdays, and 7:00 to 10:00 am on Sundays. With Council approval of extended hours, the noise impacts will be less than significant, but the EIR analyzes the issue, in the event that Council denies the request.

The Project Transportation Impact Study is in Appendix I of the Draft EIR. The Study did not identify Vehicle Miles Traveled (VMT) or other related traffic impacts.

Final Environmental Impact Report

The Lead Agency must evaluate comments received on the Draft EIR, prepare written responses, and consider the information contained in a Final EIR before recommending approval a project. The Final EIR consists of the Draft EIR or a revision of the Draft; comments and recommendations received on the Draft EIR either verbatim or in summary; a list of persons, organizations, and public agencies commenting on the Draft EIR; the responses of the Lead Agency to significant environmental points raised in the review and consultation process; a Mitigation and Monitoring Reporting Program (MMRP) listing all mitigations; and any other information added by the Lead Agency.

The Final EIR has been prepared and includes responses to comments (Attachment No. 7). Based on analysis of the comments, supplemental analysis and/or revisions to the Draft EIR were not needed. The Draft EIR with all appendices and the Final EIR together provide the CEQA documentation for the project.

Mitigation Measures have been incorporated into the project's design. Mitigation Measures to reduce impacts to less than significant are applied to the following Environmental issues: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions, Noise, Public Services, Transportation (which includes the Mobility and TDM Plan), Tribal Cultural Resources, and Utilities and Service Systems. With the inclusion of these mitigation measures, impacts on the environment are reduced to a less than significant level except for on-site construction noise if the Applicant begins work at 7:00 am without Council approval of extended constructions hours. Conditions of Approval require that the Applicant implement the Mitigation Measures as contained in the MMRP.

Statement of Overriding Considerations

The City's approval of the Project may result in environmental impacts that are significant and unavoidable and cannot be mitigated. These impacts are described in the Draft EIR (Attachment No. 7). While approval of extended construction hours will reduce on-site construction noise impacts, impacts remain significant and unavoidable if construction begins outside the City's allowed hours without the approved extension.

To approve the project a Statement of Overriding Considerations must be approved with the EIR document. A Statement of Overriding Consideration is a written statement explaining the specific reasons why the social, economic, legal, technical, or other beneficial aspects of the proposed project outweigh the unavoidable adverse environmental impacts, and why the Lead Agency is willing to accept those impacts. The Statement of Overriding Considerations will be presented to the City Council at the time that certification of the EIR is considered.

COMMUNITY OUTREACH

The applicant hosted two community meetings as part of the outreach to neighbors and community members per the City's Community Outreach Guidelines. Attachment No. 8 provides meeting minutes of

these meetings and below is a summary of the meetings.

Community Meeting No. 1 (December 13, 2022) was a virtual meeting with 81 people attending. The key concerns included: density, parking impacts, height and massing, the affordable housing component, traffic, the Project in relation to the Draft General Plan, the retail component, length of construction and construction related mitigations, transit options for project users, residential amenities, and impacts on city services and public schools.

Community Meeting No. 2 (July 27, 2023) was in-person with 41 people in attendance. The meeting was designed with four stations with a development representative and note taker at each station. The stations included: architecture, landscaping, circulation/parking, and process (entitlements, CEQA, timeline). Attendees' key concerns included: density, impacts on city services and public schools, views/massing, length of construction, and affordability of the 27 income restricted units.

A public notice was mailed on June 19, 2024, with the comment period closing at 3 pm on July 10, 2024. As of the writing of this staff report, no comments have been received.

RECOMMENDATION/CONCLUSION

The Project requires the certification of an EIR (with a Statement of Overriding Considerations), approval of a Comprehensive Plan, General Plan Map Amendment, Zoning Code Map Amendment, and Extended Construction Hours. The proposed PD zoning created with approval of the Comprehensive Plan and the other actions listed above will result in 309 dwelling units, 27 of them income restricted. This will advance the City's housing supply and affordable housing supply goals and objectives as stated in the certified Housing Element. With approval of extended construction hours, overall construction time will be reduced. In addition, the corner of Hannum Avenue and Buckingham Parkway will be activated with a commercial component.

Based on the analysis contained herein staff believes the findings for the various entitlements as outlined in the Draft Resolutions (Attachment Nos.1-3) can be made and recommends that the Planning Commission recommend to the City Council approval of the Project.

FISCAL ANALYSIS

There is no fiscal impact from this project to the City.

ATTACHMENTS

1. Proposed Planning Commission Resolution No. 2024-P004 (P2023-0218-EIR), with Exhibit A: Findings Required by CEQA, Exhibit B: Mitigation Monitoring Program, and Statement of Overriding Considerations
2. Proposed Planning Commission Resolution No. 2024-P005 (P2023-0218-CP, -DOBI, GPMA, -ZCMA) with Exhibit A: Zone Change Map; Exhibit B: Conditions of Approval; and Exhibit C: Code Requirements
3. Proposed Planning Commission Resolution No. 2024-P006 for Extended Construction Hours subject to the Conditions of Approval
4. Vicinity Map
5. Project Summary
6. Comprehensive Plan
7. Draft and Final Environmental Impact Report
8. Community Meeting Information
9. Preliminary Construction Management Plan
10. Extended Construction Hours Request

MOTIONS

That the Planning Commission recommend the City Council:

1. Certify the Project EIR, Adopt CEQA Required Findings, Adopt the Mitigation Monitoring and Reporting Program (MMRP) and Adopt a Statement of Overriding Considerations as stated in Resolution No. 2024-P004 (Attachment No.1); and
2. Approve Comprehensive Plan, Density and Other Bonus Incentives, General Plan Map Amendment, and Zoning Code Map Amendment (P2023-0218-CP, -DOBI, -GPMA, -ZCMA) creating Planned Development No.18, subject to the Conditions of Approval as stated in Resolution No. 2024-P005 (Attachment No. 2); and
3. Approve an Extended Construction Hours request, subject to the Conditions of Approval as stated in Resolution No. 2022-P006 (Attachment No. 3).