

REGULAR MEETING OF THE
PLANNING COMMISSION
CULVER CITY, CALIFORNIA

July 22, 2015
7:00 p.m.

Call to Order & Roll Call

Vice Chair Lachoff called the meeting of the Planning Commission to order at 7:01 p.m.

Present: Kevin Lachoff, Vice Chair
Ed Ogosta, Commissioner
Dana Amy Sayles, Commissioner
David VonCannon, Commissioner
Scott Wyant, Commissioner

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Pledge of Allegiance

The Pledge of Allegiance was led by Thomas Gorham.

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Comments for Items NOT on the Agenda

Vice Chair Lachoff invited public input.

No cards were received and no speakers came forward.

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Action Items

Item A-1

**Administration of the Oath of Office to Newly Appointed
Commission Member: Ed Ogosta**

Vice Chair Lachoff provided background on Ed Ogosta and welcomed him to the Commission.

Yvonne Hunt, Administrative Secretary, administered the Oath of Office to Ed Ogosta.

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Item A-2

Election of Officers and Appointment of Committees

Thomas Gorham, Planning Manager, introduced the item.

MOVED BY COMMISSIONER SAYLES, SECONDED BY COMMISSIONER WYANT AND UNANIMOUSLY CARRIED, THAT THE PLANNING COMMISSION APPOINT VICE CHAIR LACHOFF TO SERVE AS CHAIR, AND COMMISSIONER VONCANNON TO SERVE AS VICE CHAIR OF THE PLANNING COMMISSION FOR 2015-2016.

MOVED BY COMMISSIONER SAYLES, SECONDED BY COMMISSIONER WYANT AND UNANIMOUSLY CARRIED, THAT THE PLANNING COMMISSION MAKE THE FOLLOWING APPOINTMENTS:

1. BOARD OF ZONING ADJUSTMENT:
COMMISSIONERS SAYLES AND WYANT; AND
2. COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE:
DELEGATE: VICE CHAIR VONCANNON
ALTERNATE: COMMISSIONER OGOSTA.

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STUDY SESSION

(1) Discussion of the Subject of Large Single Family Developments ("Mansionization") in the City and (2) Direction to the Staff on Potential Regulatory Measure

Sol Blumenfeld, Community Development Director, provided a summary of the material of record.

Thomas Gorham, Planning Manager, discussed methods of regulating single family residential building size in the City; other considerations; and next steps in the process.

Sol Blumenfeld, Community Development Director, discussed addressing projects in the pipeline; the permit process; intervening factors; and the proposed moratorium.

Discussion ensued between staff and Commissioners regarding habitable square footage; front yard requirements; the number of single family lots in the City; lot merging and lot tying; and average Floor Area Ratios (FARs) in the R-1 zone.

Chair Lachoff invited public participation.

The following members of the audience addressed the Commission:

Amy Levitt expressed concern with large homes being built that are out of character with the neighborhoods; she felt the developers were disproportionately benefitting; and she requested a moratorium on new development while considering regulations to make sure things are done right.

Sara Hartley recommended that the City have an FAR; reasonable setbacks; impose height restrictions; require a survey before tear downs or new construction is started with the height of the building stated; address non-conforming conditions related to additions; and she clarified that initially she was against a moratorium, but after visiting impacted homeowners she is in favor of a 45-day moratorium to allow for proper study of the issue.

Greg Cahill noted that regulations make his job more challenging but agreed that they would allow for a better fit in the neighborhood; he expressed support for a moratorium on any house that has an FAR that exceeds 50% of its lot with any projects below that or in plan check allowed to move forward; he felt that neighborhood, neighborliness, proper scale and open space were hallmarks of Culver City; and he indicated that an outline of important elements that should be considered in the development of regulations for the City's neighborhoods had been submitted to Commissioners.

Jeff Bosson expressed concern with the sale of the house next door to him and felt that developers were taking advantage of outdated codes to the detriment of residents' quality of life.

Michael Haase expressed concern with a home built next to his encroaching on his property line; reported paying \$3,000 for a survey to prove encroachment; and he requested that the City inspector ensure that projects match the approved drawings.

Discussion ensued between staff, Commissioners and the speaker regarding whether the issue cited is a building permit issue or a code enforcement issue; properly locating the building;

required surveys for legal non-conforming conditions; whether the project was properly permitted; and a request that the City pay additional attention to the details

Philip Lelyveld expressed concern with shadow and privacy issues for neighbors; discussed the California Solar Shade Control Act; the purpose statement in the Culver City Municipal Code General Property Development and Use Standards; he reported receipt of a letter from Strategic Realty Incorporated; and he felt that a moratorium was justified.

Steve Newton noted that a large house was not needed for a big family; he expressed concern with Title 17 of the Municipal Code; and he questioned who was making the decisions on what is considered outsized for the neighborhood.

Erica Chilang discussed an Arts and Architecture Magazine case study program from the 1960s; she expressed concern with builders taking advantage of guidelines; and she felt it was time for updated building ordinances.

Iain Gulin reported on new homes spoiling the character of the neighborhoods; erosion of property values; expressed support for the right to improve homes; maintaining the character of the neighborhoods; he cited the guidelines distributed to Commissioners; discussed impacts of the new homes; emergency concerns; he requested support for a temporary moratorium on homes with an FAR of over .5; he cited the government code that provided the right to call for a moratorium; asked that elements for R-1 zoning be considered; discussed minimizing impacts on neighbors and neighborhoods; he noted that certain Commissioners could benefit from maintaining the status quo; and he cited other communities updating their codes as well.

Annie Lefton discussed impacts to home values; zoning that encourages responsible development; and she expressed support for an immediate moratorium.

Burt Bofner reported on his experience with lack of privacy due to a neighbor's addition; he expressed support for a moratorium on R-1 construction; he noted that the zoning codes had not been reviewed in 20+ years; echoed the comments of other speakers; discussed the actions of other cities; and land grabbing.

Terry Silberman provided background on herself; reported on her experiences with a second residence built by her neighbor;

discussed the R-1 designation and code for accessory structures; oversized homes going up in neighborhoods; developers trying to maximize profits; impacts to the neighborhood and communities; and she expressed support for a moratorium on oversized homes as well as additions, guest houses and accessory structures.

Timothy Lowe, commercial real estate appraiser and consultant, provided background on himself; discussed baseline studies conducted for other cities; impacts of a moratorium; he acknowledged that mansionization in the City was real and would get worse; discussed affordability; the staff report comment about potential property value declines resulting from an inability to increase property size; the need for careful study; he expressed hope that the City could develop an ordinance to meet the needs of the community; he recommended adopting an immediate moratorium based upon a threshold; appointing an advisory committee to work with the Planning Commission and staff to oversee development of an ordinance recommendation for the City Council; felt that the ordinance should be no less than a comprehensive design guideline; discussed the length of the process; budgeting; hiring a consultant; potential costs; public participation; and he distributed his comments to Commissioners.

Sandy Munro discussed development next door to him; he expressed safety concerns with the lack of setback; and he expressed support for a moratorium and courtesy notification to affected neighbors.

Marla Koosed spoke on behalf of Ron Smoyer expressing support for an immediate moratorium; acknowledged the complicated nature of the issue; discussed the inability of residents to stop the speculative market; and she reported that Mr. Smoyer had also received a letter from Strategic Reality.

Marla Koosed speaking for herself felt that the staff report was thorough; she appreciated options recommended; supported establishing an FAR of .50 lot size without exceptions; agreed that the reduced building coverage should vary with lot size; discussed setbacks; establishing building design standards; working within the approved budget; hiring a consultant; working with the community; the importance of a thorough vetting; agreed that basements should not count toward the total size; and she expressed support for a moratorium.

Chair Lachoff clarified speaking procedures.

Ken Mand expressed support for efforts to address mansionization; noted that he lived within R-2 zoning; he asked for the study session to also include single family homes within the R-2 area; discussed the process of buying a house in the City; and he hoped that a moratorium could be put in place that would also include R-2 areas with single family homes.

Troy Jackson expressed opposition to a moratorium and the potential de-stabilizing effect of changing the zoning code; discussed the actions of the City Council; and existing homes that would become legal non-conforming.

Mark Ambrose expressed support for a moratorium; discussed differing zoning in the area; developer tricks; height guidelines; density bonuses; and he wanted to make sure that the rules were tight and did not allow for variances or exceptions.

Wendi Mirabella expressed concern with privacy issues; discussed her own experiences; distributed pictures of her property and privacy issues; and she expressed support for a moratorium to study the issue.

Lance Richter expressed support for revising the codes; noted that there was significant consensus of residents; and expressed support for an immediate moratorium.

Victoria Manley reported issues with a development next to her home that met current guidelines but has negative effects on her privacy, air and sunlight; she questioned what constituted new building or an addition; she expressed opposition to the 4 foot property line; and she encouraged everyone to visit her home to observe the issues.

Yvonne Hunt, Administrative Secretary, read comments submitted by:

John Hale
Chuck Daly
Dr. Janet Hoult

Discussion ensued between staff and Commissioners regarding next steps in the process; auxiliary structures and garages; clarification on what qualifies as a basement; multi-family guidelines established in 2010; staff time required to adopt the 2010 guidelines for the Carlson Park area and then the City; guidelines applicable to multi-family properties;

clarification that guidelines are not zoning; the use of empirical data; locational information; prevailing conditions; land-use in the City; the labor intensive nature of the process; conducting studies to establish prevailing conditions to base the guidelines on; the time sensitive nature of the issue; utilizing flexible standards; FAR; developing a standard for quick implementation; time issues with neighborhood by neighborhood consideration; speculators and developers; permitted activities by developers; the rate of permitting; teardowns; the Solar Shade Control Act; shade and shadow analyses; the electronic permitting system; the labor intensive nature of tracking property re-sale; and the actions of other cities to address privacy issues and mansionization.

Further discussion ensued between staff and Commissioners regarding appreciation to staff and the public for their input; clarification that Commissioners are also impacted; speaker suggestions; concern with creating a one-size fits all scenario; freedom of personal expression; regulating absolute square footage; differences in lot size; remodel vs. new construction; what constitutes a remodel; grandfathered rights; increased side yard setbacks; step backs on the side yard upper floors; creating a smaller footprint on the second floor; privacy; the lot coverage provision; discretionary planning processes; height provisions; basements; creating a proportional second floor; consistency with setbacks; massing; impacts on neighbors; privacy; air, light and space for neighbors; stylistic standards; relative lot size; proportions; height restrictions; roof styles; using an FAR; determining the existing FAR in different neighborhoods; incentives; strengthening remodeling standards; rear setbacks; architectural differences; FAR bonuses for increased side yards and green building construction; the building envelope; corner lots; lawsuits created by the Los Angeles moratorium; merging; communities with stronger anti-mansionization provisions; verification of items necessary for incentives; whether there is an actual land rush taking place; requirements necessary to impose a moratorium; the number of permits being pulled; statistical evidence; sense of urgency; and procedures for a moratorium.

Sol Blumenfeld, Community Development Director, indicated that staff would provide notes to the Commission; look at incentives and flexible standards; acknowledged that the Commission is not interested in one size fits all; discussed unintended consequences; tracking of building permits; investigation of practices of other cities; common direction from the

Commission; public comment; and he agreed to return with more definitive recommendations at the next regularly noticed meeting.

Discussion ensued between staff and Commissioners regarding scheduling; public notice; meeting format; work necessary to do a code amendment; the need for additional research; legal non-conforming; effects of changes to the code; provisions in the code for disaster or calamity; and ensuring that the issue is a priority and moving things forward.

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Public Comment for Items Not on the Agenda

Chair Lachoff invited public comment.

The following members of the audience addressed the Commission:

Ken Mand discussed the Ivy Substation development; expressed concern with a plan to address lost parking spaces during construction; the alternate plan for parking at Ince; and he suggested phasing the construction process.

A member of the audience expressed concern with relaxed remodeling regulations and felt that remodels should be included with the tracking for new construction.

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Items from Staff

Thomas Gorham, Planning Manager, provided an update on upcoming meetings and agenda items.

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Items from Planning Commissioners

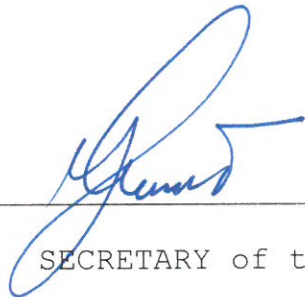
Commissioner Wyant reported that he would be unable to attend the meeting of October 28, 2015.

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Adjournment

There being no further business, at 9:56 p.m., the Culver City Planning Commission adjourned to the next regular meeting on Wednesday, August 26, 2015, at 7:00 p.m.

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YVONNE D. HUNT
SECRETARY of the CULVER CITY PLANNING COMMISSION

APPROVED _____



KEVIN LACHOFF
CHAIR of the CULVER CITY PLANNING COMMISSION
Culver City, California

I declare under penalty of perjury under the laws of the State of California that, on the date below written, these minutes were filed in the Office of the City Clerk, Culver City, California and constitute the Official Minutes of said meeting.



Martin R. Cole
CITY CLERK

24 NOV 2015

Date