

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 09/17/07		Item Number: <u>PH-1</u>	
AGENDA ITEM: Public Hearing on Appeal of the Planning Commission's Denial of a Site Plan Review; Administrative Use Permit; and Administrative Modification for a proposed Mixed Use Development of 23 Residential Units with Ground Floor Retail at 9900 Culver Boulevard (ITEM CONTINUED FROM 07/09/07, 07/23/07, 08/06/07 and 09/10/07).			
Contact Person/Dept.: Jose Mendivil; Thomas Gorham		Phone Number: (310) 253-5710	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☒		Action Item: ☐ Attachments: ☒	
Public Notification: Applicants notified by mail (06/18/07); Notice of Public Hearing was published in the Culver City News (06/21/07); Notice of Public Hearing was mailed (06/18/07); Site was posted (06/18/07); Master Notification List (09/05/07). In addition Notice of the Continued Public Hearing was mailed to residents and occupants within a 300' radius and the applicant on twice (08/02/07 and 09/06/07).			
Department Approval: Sol Blumenfeld (09/11/07)		City Attorney Approval Carol Schwab (by H. Iker) (09/12/07)	
City Controller Approval: Marlee Chang (09/11/07)		City Manager Approval: Jerry B. Fulwood, (09/12/07)	
<u>RECOMMENDATION:</u> Staff recommends that the City Council consider the additional information requested and the revised project plans (to be submitted under separate cover) that respond to City Council concerns, and either: A. Grant the Appeal and overturn the Planning Commission's denial; approve the modified Site Plan Review and Administrative Use Permit; direct staff to return with the appropriate resolution outlining the findings and appropriate conditions of approval; and continue the Public Hearing to a date certain to act upon the General Plan and Zoning Map Amendments and Tentative Tract Map. OR, B. Deny the Appeal and uphold the Planning Commission's denial of a Site Plan Review; Administrative Use Permit; and Administrative Modification and direct staff to return to the Council with the appropriate resolution outlining the findings for denial.			
Page 1 of 5			

City of Culver City, California
City Council Agenda Item Report

PROCEDURE:

1. Mayor calls on staff for a brief staff report on the additional requested information and modified project plans.
2. Mayor announces that the public hearing remains open from the prior meetings, and provides the applicant the first opportunity to speak, followed by the general public.
3. Mayor seeks a motion to close the public hearing after all testimony has been presented.
4. Council discusses the matter and arrives at its decision.

BACKGROUND:

On July 9, 2007, staff presented to the City Council the appeal of the Planning Commission's denial of Uptown Lofts/SPF Architect's mixed use project at 9900 Culver Boulevard. At the appeal hearing, the City Council decided to continue the item to July 23, 2007, pending requested additional information and suggested that the applicant consider design changes to address Council and neighborhood concerns. At the July 23rd meeting, the Council decided to again continue the item to the August 6, 2007 City Council meeting to give the applicant time to consider further changes to the project that could address community concerns. The applicant was unable to attend on August 6th and at that meeting, the Council continued the item to September 10, 2007. However, due to on going discussions between Agency staff and the applicant, at the September 10th meeting, the Council continued the appeal hearing to September 17, 2007.

DISCUSSION:

At the July 23rd meeting staff provided the Council requested financial information regarding the viability of the project and Redevelopment Agency documents that detail the process by which 9900 Culver Boulevard was sold to the applicant. In addition, revisions were made to the site plan.

1st Revision to Plans

Pursuant to the Council's suggestion, the applicant modified the plans and the following changes were presented to Council at the July 23rd meeting:

City of Culver City, California
City Council Agenda Item Report

- Reduced the density from 23 to 21 units (one unit eliminated and two units combined for one penthouse unit), consistent with density allowed under current zoning.
- Eliminated the request for pooled parking. This was accomplished by reducing the number of units which resulted in four less residential parking spaces and these four spaces could now be used for the commercial portion of the project.
- Increased the retail square footage by 240 square feet, which does not result in the need for an additional commercial parking space.
- Added open air public seating/arcade area at corner of Culver Boulevard and Duquesne Avenue.
- Scaled back building at roof level to the north, west and south elevations and at ground level at the proposed arcade/seating area to reduce massing.
- Increased the rear setback at the top floor by an additional 10 feet for a total of 40 feet to the adjacent residential property line.
- Increased the front setback at the top floor by approximately 10 feet at Culver Boulevard.
- Eliminated the need for an Administrative Modification by increasing the subterranean drive aisle width to the code minimum required 27 feet.

2nd Revision to Plans

Since that meeting, the applicant has made further modifications with regards to density and height (the modified plans will be submitted under separate cover); these additional modifications include:

- Reducing the density from 21 units to 18 units by eliminating the three top units and the 5th floor, thereby proposing a more restrictive density than would be allowed under current zoning.
- Reducing the maximum height and stories to approximately 46 feet and four stories by eliminating the 5th floor while still maintaining a 30 foot rear setback.
- Increasing the commercial square footage from 4,990 square feet to 5,500 square feet while providing all required parking on-site with no need for pooled parking.
- Increasing the number of ground level retail parking spaces from 13 to 14 to accommodate the increased square footage and eliminating all residential guest parking on the ground level.
- Providing all residential and guest parking in the secured subterranean parking area.

City of Culver City, California
City Council Agenda Item Report

Further, the reduced number of units reduces the required residential parking (including required guest spaces) from 47 stalls to 40 stalls which can all be accommodated in the subterranean parking area.

FISCAL ANALYSIS:

The development of 9900 Culver Blvd will contribute revenue to both the Culver City General Fund and the Redevelopment Agency. The City will receive sales tax, business tax, business license tax, retail utility user tax and residential utility user tax following the development of the site. Staff estimates that in fiscal year 2008-09 the City will receive \$14,143 in tax revenue from 9900 Culver Blvd (Attachment No. 6). In addition to General Fund revenue the Redevelopment Agency will receive Tax Increment ("TI") following the development of 9900 Culver Blvd. Treasury Department staff estimates that in fiscal year 2008-09 the Redevelopment Agency will receive in \$156,044 in TI from 9900 Culver Blvd.

SUMMARY:

The applicant has responded to the Council's concerns regarding massing, setbacks from abutting residential properties, and reduced density (to a number that is less than the maximum allowed under the existing zoning of the site). In addition, the modified project has resulted in the elimination of two of the special requests, Pooled Parking and the Administrative Modification.

If the City Council votes to grant the appeal and approve the Site Plan Review and Administrative Use Permit, staff will bring back a resolution outlining the findings and appropriate conditions of approval. Further, a separate action is required for the associated General Plan Map and Zone Map Amendments, and the Tentative Tract Map.

The General Plan Map and Zone Map amendments are necessary to create consistent and current land use regulations across the site because presently General Plan and Zoning for the entire site are inconsistent.

The project site is comprised of 3 lots, two facing Culver Boulevard and one facing Duquesne Avenue to the south. The two lots facing Culver Boulevard are currently zoned CG with a Downtown General Plan Land Use designation. The lot facing Duquesne Avenue has a residential Medium Density Multiple Family General Plan Land Use designation and a RMD zoning designation.

City of Culver City, California
City Council Agenda Item Report

Re-zoning the two lots facing Culver Boulevard from CG to CD will bring them into conformance with the Downtown General Plan Land Use designation. The zone change from CG to CD will create consistency between the General Plan and Zoning designation on the site.

ATTACHMENTS:

1. Modified Plans (To Be Transmitted Under Separate Cover)

MOTION:

That the City Council:

- B. Grant the Appeal and overturn the Planning Commission's denial and approve the modified Site Plan Review, Administrative Use Permit and direct staff to return with the appropriate resolution outlining the findings and appropriate conditions of approval; and continue the Public Hearing to a date certain to act upon the General Plan and Zoning Map Amendments and Tentative Tract Map.

OR,

- B. Deny the Appeal and uphold the Planning Commission's denial of a Site Plan Review; Administrative Use Permit; and Administrative Modification and direct staff to return to the Council with the appropriate resolution outlining the findings for denial.