

**City of Culver City, California
Agenda Item Report**

Meeting Date: 12/17/07	Item Number: J-1
AGENDA ITEM: JOINT ITEM: 1) City Council Adoption of a Resolution Overturning the Planning Commission's Denial of an Application for a Conditional Use Permit (CUP) for a New Car Wash and Expanded Convenience Store at an Existing Valero Service Station Located at 10332 Culver Boulevard in the Commercial Neighborhood Zone and Approving that CUP; and 2) Redevelopment Agency Consideration of that CUP as it Relates to the Redevelopment Plan.	
Contact Person/Dept.: Nancy Tahvili, Planning Division; John Fisanotti, Redevelopment	
Phone Number: (310) 253-5751; (310) 253-5767.	
Fiscal Impact: Yes ☐ No ☒ General Fund: Yes ☐ No ☒	
Public Hearing: ☐ Action Item: ☒ Attachments: ☐	
Public Notification: Notices were mailed to all of the property owners and occupants, within a 300-foot radius of the site extended to the end of each block (12/03/07); Master Notification List (12/12/07).	
Department Approval: Sol Blumenfeld (11/29/07)	City Attorney Approval: Carol Schwab (by H. Iker) (12/11/07)
Fiscal Impact Review: Jeff Muir (by N. Kimball)(12/11/07)	City Manager Approval: Jerry Fulwood (12/12/07)
<u>RECOMMENDATION:</u> Staff recommends: 1. The City Council adopt a revised Mitigated Negative Declaration (Attachment No. 2); and 2. The City Council adopt City Council Resolution No. 2007-R____ overturning the Planning Commission's denial and approving a Conditional Use Permit - P-2007018 (Attachment No. 1); 3. The Culver City Redevelopment Agency approve the construction of a car wash at 10322 Culver Boulevard (Conditional Use Permit - P-2007018) and determine that the project is consistent with the Redevelopment Plan for Component Area No. 4 of the Culver City Redevelopment Project. <u>BACKGROUND:</u> On May 9, 2007, the applicant/owner's representatives went before the Planning Commission regarding their request for a Conditional Use Permit to	

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allow demolition of three service repair bays, the addition of an automated car wash, and the expansion of a convenience store at an existing Valero service station in the Commercial Neighborhood (CN) Zone located at 10332 Culver Boulevard.

At the public hearing, the Planning Commission denied the Conditional Use Permit. On May 23, 2007, the applicant submitted a timely appeal of the Planning Commission's decision to the City Council.

On November 14, 2007, the City Council conducted a duly noticed public hearing on the appeal of the Planning Commission's decision, fully considering the appeal, application, plans, staff report, environmental information and all testimony presented and the City Council determined to: (i) adopt a Mitigated Negative Declaration; (ii) grant the appeal overturning the Planning Commission's denial; (iii) approve the Conditional Use Permit P-2007018 with additional conditions of approval; and (iv) direct staff to return with a resolution outlining the findings and appropriate conditions of approval.

DISCUSSION:

Revised Conditions of Approval

The City Council required new conditions of approval be added to the conditional use permit resolution and other proposed conditions of approval to be modified and/or expanded to further minimize and mitigate noise and traffic concerns expressed by the community and also to enhance landscaping.

The summary of the conditions of approval that were either added as new or revised are discussed below. Also, see Attachment No. 2 for a strikethrough version of the conditions of approval which tracks the various changes made to the conditions of approval.

Three new conditions of approval were incorporated to address concerns of queuing of multiple cars, noise and disturbances to neighbors, and cut through traffic:

- Condition No. 20 requires a sign to be posted at the entrance of the queuing lane that indicates approximate wait time.

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- Condition No. 24 requires the applicant to install signs at various locations per the Police Department's and Planning Manager's review and approval that indicates no parking other than Valero patrons are permitted.
- Condition No. 25 requires the applicant to install right-turn only sign(s) for cars exiting the driveway off of Motor Avenue.

Three conditions of approval related to noise and landscaping were revised.

- Condition No. 17 relating to follow up noise studies was revised to include that the noise consultant shall be chosen and approved by the City. In addition, there was further language added to clarify any additional noise mitigations (if violation of the General Plan's Noise Element is found) shall be implemented by the applicant.
- Condition No. 47 relating to the sound walls was revised to mandate the height of the walls to increase to ten feet, from the original eight feet height. In addition, staff further clarified the condition to note the sound wall shall be a solid masonry block wall as indicated in the noise study.
- Condition No. 10 relating to landscaping requirements and specifications was clarified to reference vine type planting on both sides of the two ten foot high walls and to provide berming in the planters adjacent to the walls.

Revised Mitigated Negative Declaration

For consistency purposes, the changes to the conditions of approval described above which are also mitigation measures contained in the Mitigated Negative Declaration were revised in the Mitigated Negative Declaration document. Other minor changes were made to Mitigated Negative Declaration which merely clarified and amplified information contained in the document.

Redevelopment Agency

This matter is before the Agency to determine if the proposed project is consistent with the Redevelopment Plan for this location. The Redevelopment Plan for this location calls for developments to be consistent with the City of Culver City General Plan land use designation. At this location, the General Plan designation is Neighborhood Serving Corridor and there is no other applicable Design for Developments, Owner Participation Agreements or Disposition and Development Agreements, affecting the

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proposed development. Therefore, staff recommends the Agency approve the project as approved by the City Council.

FISCAL ANALYSIS:

This is a private venture project with no City or Redevelopment Agency funds committed for the development. If the project is approved, then the City would gain business license tax and utility users tax if the expanded convenience store and car wash operation generates more revenue than the auto repair bays that it replaces. Also the new construction will generate a small increase in tax increment revenue to the Agency.

ATTACHMENTS:

1. City Council Resolution No. 2007-R____
2. Revised Mitigated Negative Declaration
3. Development Plans dated, October 19, 2007

MOTION:

That the City Council:

1. Adopt a revised Mitigated Negative Declaration.
2. Adopt City Council Resolution No. 2007-R_____ overturning the Planning Commission's denial and approving Conditional Use Permit - P-2007018.

That the Culver City Redevelopment Agency:

1. Approve the construction of a car wash at 10322 Culver Boulevard (Conditional Use Permit P-2007018) and determine that the project is consistent with the Redevelopment Plan for Component Area No. 4 of the Culver City Redevelopment Project.