

ATTACHMENT NO. 10



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December 1, 2022

Via Email and Overnight Mail:

Culver City - City Attorney Office
c/o Christina Burrows
Culver City Deputy City Attorney
9770 Culver Blvd.
Culver City, CA 90232-2703
City.attorney@culvercity.org

Via Email and Overnight Mail:

Culver City
Planning Division/Planning Commission
c/o Jose Mendivil
9770 Culver Blvd.
Culver City, CA 90232-2703
jose.mendivil@culvercity.org

Project: 4051 and 4055 Jackson Ave., Culver City, CA, Townhouse/Condo Project
RE: Issues Raised at October 26, 2022 Hearing and Email of Jose Mendivil
Cont Hrg: Wednesday, December 14, 2022

Dear Christina Burrows:

We are writing on behalf of our client Salem Property Holdings, LP ("SPH"), with respect to the above Project. We have reviewed the video and supporting documents related to the hearing held on October 26, 2022, by the Planning Commission (the "Commission") and write on behalf of SPH regarding some comments made by the Commissioners regarding the review of approval of the minor modifications to the Project. The link to the hearing video we reviewed is below: http://culver-city.granicus.com/player/clip/2546?view_id=1&meta_id=228063&redirect=true&h=2985c667ca3612c2e3bac6811029c682. ("Hrg Video").

Initially it must be pointed out that the Associate Planner, Jose Mendivil, stated that the modifications to the plans before the Commission were minor and normally would be handled as an over-the-counter administrative matter. In fact, Mr. Mendivil stated that the modifications were very slight, consistent with the general and specific plans and that the modifications were being submitted because there were conflicts between the original plans and the building code. (Hrg Video 6:35-11:10).

Mr. Mendivil also stated that the modifications could have been administratively approved but for a condition in the original approvals of April 10, 2019 (See, Exhibit 1 hereto) that allegedly stated, “all modifications to be reviewed by the Planning Commission”. Mr. Mendivil or the Current Planning Commission in Proposed Resolution 2022-PO22 which was prepared to approve the modifications requested by SPH contains in the Second “Whereas” paragraph at page 3, the same inaccurate statement, “all modifications to be reviewed by the Planning Commission”. (See, Proposed Resolution 2022-PO22, attached hereto as Exhibit 2).

The fact is that the statement that “all modifications to be reviewed by the Planning Commission” is incorrect and overbroad in scope and mischaracterizes the condition voted on and ordered by the Commission at the original April 10, 2019, hearing approving the Project. The final paragraph of the minutes from the Commission April 10, 2019, hearing (see, the “Approval” attached hereto as Exhibit 1) state as follows:

Further discussion ensued between staff and Commissioners regarding concern with creating additional work for staff; careful consideration of projects by the Planning Commission; concern with sloppy work and setting a precedent by accepting subpar work; moving the project forward with the caveat that the Commission review plans before the project is permitted; bringing the item back for a conformance review; encouragement to staff to hold their ground; staff direction to the applicant; applicant insistence; **the legal obligation to bring the plans forward to the Commission; bringing the plans up to the right caliber before permit issuance;** and Commission agreement to approve the item with a conformance review and changes to Condition 30 as discussed earlier, modification of Condition 22b regarding core samples, and changing the date in Conditions 62 and 23b to April 10, 2019.

MOVED BY COMMISSIONER VONCANNON, SECONDED BY VICE CHAIR REILMAN AND UNANIMOUSLY CARRIED, THAT THE PLANNING COMMISSION **APPROVE THE PROJECT WITH A NEW CONDITION REGARDING THE CONFORMANCE REVIEW** AND MAKING CHANGES TO CONDITION 30 AS DISCUSSED, CHANGES TO CONDITION 22B INCLUDING THE SENTENCE REGARDING CORE SAMPLES AS MODIFIED, AND CHANGING THE DATE IN CONDITIONS 23B AND 62 TO APRIL 10, 2019.

Thus, the condition that was contemplated, authorized, voted on and ordered at the April 10, 2019, hearing, was not a review of “all modifications” but, rather was a much more narrow and limited review of the plans submitted to confirm that the plans conformed and would be **“up to the right caliber before permit issuance”** (the “Condition”) The Condition approved at the April 10, 2019, hearing does not authorize or grant the Commission the power to completely review the Project’s aesthetics, seek to impose inclusionary housing for low or moderate income units or allow the application of SB8/SB330 in an *ex post facto* unconstitutional manner (which

both Mr. Mendivil and City Attorney Burrows indicated was not applicable and would be improper), or do anything other than review the plans to confirm that they generally conform to the building code before they are submitted for permits to be issued by the Building Department. The issue raised by Commissioner Reilman as to the photo-voltaic panels is the only issue that could conceivably be properly raised under the Condition but the other matters as to whether to deny the application in order to try to force SPH to comply with SB8/SB330 (despite the Associate Planner and the City Attorney stating on the record that both statutes do not apply because the Project had entitlements and approval prior to January 1, 2020) are acts in excess of authority and jurisdiction of the Commission, an abuse of discretion, arbitrary and capricious and contrary to the explicit terms of the Condition, Approval, the Municipal Code, State Law binding precedent and the State and Federal Constitutions.

A review of the Approval makes it clear that the primary issue was that the plans submitted for the April 10, 2019, hearing contained errors, there are paragraphs of statements/notes in Exhibit 1, the April 10, 2019 meeting minutes-the Approval- related to errors in the plans, that the applicant needed to resubmit the plans and correct the plans and the Commission did not want City employees wasting their time on the plans unless they were corrected. From those discussions and the question-and-answer session, on April 10, 2019 the Commission eventually voted on and included the Condition in the Approval- which was not to be able to conduct a wholesale review and deny the Project but rather as stated in black and white, to review any future plans to confirm that they generally conform to the building code and are, **“up to the right caliber before permit issuance”**.

What transpired at the October 26, 2022, hearing was completely in excess of the scope of the Condition and an attempted application of additional unstated conditions and the raising of irrelevant and inapplicable matters that were contrary to the Approval, contrary to the express statements of the City Attorney and Associate Planner that the Project was not subject to SB8/SB330 and a complete blindside to SPH for which no notice was given because the vast majority of what was discussed on October 26, 2022, was in excess of the Condition or inapplicable as a matter of law-as the City Attorney stated.

As noted, the whole presentation by SPH was geared towards satisfying the Condition as stated in the Approval, the plans had been revised to conform to the building code and SPH had hired a new and experienced architect to revise the plans and oversee the construction. Based on the modified plans the Associate Planner had determined that the new plans were consistent with the guidelines, modifications were very slight, consistent with the general and specific plans and that the original design was still there. (Hrg Video 6:35-14:05). Yet, despite these statements by the City's own staff, the Commission engaged in a wholesale review of the Project with what can only be described as a pre-disposition to disapprove the modifications to the plans as a pretext to deny the Project or force the application of SB8/SB330, statutes which both the City Attorney and Associate Planner stated categorically did not apply because the Approvals were issued prior to January 1, 2020.

For the record, a few factual matters need to be pointed out and clarified:

1. Presently, the property has market rate rental units, subject to the Permanent Rent Control and Tenant Protection Ordinances of October 30, 2020, and there is no requirement for low- or moderate-income units recorded as a covenant or otherwise applicable to the property. Simply because SPH and Dr. Salem, as stated at the hearing, elected to keep rents low in good faith and as an accommodation to the tenants does not transmute or convert the units at the property into low income or moderate-income units. Thus, there is legally and factually no issue as to the units being market rate or that moderate- or low-income units are being removed from the rental market-they are not.
2. Commissioner Jones refer to the current units at the property as having 5 moderate income units and/or 3 very low, 3 low and 3 moderate income units. This is despite the fact that both the Associate Planner and the City Attorney stated that these statements and any documents showing the units characterized as very low-low-or moderate-income units were incorrect and that the 9 condominium units proposed for the Project did not present any issues as to compliance with Housing Element Plan approved by the California Department of Housing and Community Development ("HCD") or the Regional Housing Needs Allocation ("RHNA"). As to this matter, the City has in fact designated the Project as "Entitled" with 9 "Above Moderate" units at page B-2 in Exhibit B to the Housing Element Plan for 2021-2022 (see Exhibit 3 hereto, excerpts of Exhibit B to the Housing Elements Plan). The Housing Elements Plan (excerpts attached hereto as Exhibit 4) has in fact been approved by the HCD as of October 10, 2022 (see Exhibit 5 hereto) such that any concerns by the Commission that the Project is removing "very low, low or moderate income" units are unfounded, not supported by the evidence nor the Associate Planner nor the City Attorney and are factually and legally incorrect. Any attempt to use this as a basis to deny the modifications to the plans for the Project would again be arbitrary and capricious and an abuse of discretion and actionable. Moreover, the City has admitted that the Project's units do not impact the Housing Element Plan or RHNA and is estopped to claim the same based on Exhibit B to the Housing Element Plan and the HCD's approval of the same.
3. Commissioner Reilman made a statement that the entitlements were not "strong" which is not something that the Condition imposed on April 10, 2019, contemplates being evaluated nor is it a legally justifiable basis to deny the approval of the modifications to the plans. Moreover, it is incorrect, the Project has strong entitlements pursuant to the Approvals and as acknowledge and admitted by the City in Exhibit B to the Housing Elements Plan. It appeared that this statement was partially based on the commissioner's opinion that Covid-19 did not provide a sufficient basis to excuse any delay in coming before the Commission with modified plans for the Project. As the City and the Commission is aware, there is still a no-fault eviction moratorium in the City (LA County Moratorium) due to Covid 19 and

as late as September 22, 2022, the City issued its Forty-Fourth Supplement to Public Order finally lifting the City's mask mandate but indicating that such orders could be reimposed at any time. As to this matter, with the financial uncertainty created by Covid and the supply chain issue as to materials and construction supplies it was completely consistent with good business practices for SPH to pause the Project and then to hire highly competent architects to modify the plans for resubmission once economic conditions improved. Finally, this position should not be used as a pretext to deny the approval of the modified plans which were only to be subject to a conformance reviewed by the Commission as to being **"up to the right caliber before permit issuance"**.

4. As requested by the Commission, SPH has completely registered all applicable units at the property and paid all registration fees and fines related to the same and is in good standing as to all of the rental units. (Attached hereto as Exhibit 6 are copies for receipts for the same).
5. As requested by the Commission, SPH has submitted to the Associate Planner the procedures it will utilize with respect to assisting the present tenants with their relocation, paying tenant relocation assistance - including that it will comply with the Tenant Protection Ordinances of October 30, 2020, that it has offered amounts **2X** what is required under the Ordinance if tenants elect to proceed under a cash for keys agreement, and that it has offered to give one of the tenants who expressed interest in a condominium a right of first refusal for one of the condominiums when completed.
6. As requested by the Commission, SPH has submitted to the Associate Planner the modifications to the plans for the roof top photovoltaic issue and other mechanical issues raised.

Finally, we must address a couple of comments from the commissioners. One comment was made that the Commission should just delay any action and run out the time on the Project because the entitlements presently expire on April 19, 2023. Any such actions to delay the Project simply for the sake of delay where the Condition only allows a conformance review of the modified plans would be an abuse of discretion and arbitrary and capricious and inconsistent and contrary to the duties vested in the Commission. There would be no good faith legal reason which would justify such interference by the Commission in the orderly review and approval of the Project. Another comment was made that the Commission should deny the Project and create a pretextual finding that the Project somehow violated public safety or health specifically that it was removing low- or moderate-income units from the rental market. This is again beyond the scope of the review contemplated by the Condition and is false as a matter of law and fact as the property only contains market rate units and no very-low, low or moderate unit restrictions are recorded against the Property. The City Attorney made it clear that documents and statements that indicated that there were very low, low or moderate units were incorrect (Hrg Video 1:16-1:23). Any attempt to "ginny up" such blatantly inaccurate and pretextual findings in order to deny the modified plans for the Project where the Condition only allows a conformance

review of the modified plans would be an abuse of discretion and arbitrary and capricious and inconsistent and contrary to the duties vested in the Commission. We hope that these were just musings of the Commissioner and not serious proposals for a course of action where the Condition only provided for a review of the modified plans for conformance generally with the building code. SPH expects that the laws and Condition applicable to the Project will be applied in good faith without an ulterior agenda or motive to delay or deny the Project based on pretextual reasons not supported by the law, the record, the Conditions or any other matter.

In connection with the digression into the proposed pretextual finding that the Project somehow effected health and safety because units would be removed from the rental market, the City Attorney referenced a need for a “nexus” finding which is the Nollan-Dolan “heightened scrutiny” test. It is clear that the pretextual suggestion that the mere removal of rental units causes a public health and safety issue is completely unsupportable and contrary to the law. In order to make such a finding Nollan-Dolan requires (1) that the City demonstrate an “essential nexus” between denying the Project or conditioning the Project on compliance with SB8/SB330 and the stated purposes of the Specific Plan and (2) that the City make an individualized determination that the permit condition is “roughly proportional” in nature and extent to the impact on the Project will have, if any, on the supply of affordable housing. Nollan v. California Coastal Commission, 483 U.S. 825 (1987) and Dolan v. City of Tigard, 512 U.S. 374 (1994). This the City can never do because the City’s Specific Plan - the Housing Elements Plan for 2021-2029 - at Exhibit B already identifies the Project as “Entitled” and with 9 “Above Moderate” units at page B-2 in Exhibit B to the Housing Element Plan for 2021-2022 (see Exhibit 3 hereto, Exhibit B to the Housing Elements Plan). Moreover, the City Attorney stated on the record that the Project does not effect the housing stock of low to moderate income units and there is no issue with compliance with site inventory or RHNA. (Hrg Video 1:16-1:23). As such, the City will never be able to satisfy the Nollan-Dolan test as to the Project to deny it or condition it on SB8/SB330 (which the City has already admitted does not apply because the Approval was before January 1, 2020).

Based on the explicit terms of the Condition, the only analysis the Commission should be engaged in as to the Project and the only finding the Commission is required to make is whether the plans as modified are “up to the right caliber before permit issuance” and satisfy the conformance review. Based on the presentation of the Associate Planner at the hearing, SPH’s presentation and the modified plans themselves, this is a finding that the Commission should easily make if the Condition is fairly applied in good faith, without injecting any extraneous matters not included or provided for in the Condition or not applicable because the Project was entitled before January 1, 2020. No findings under SB8/SB330 need be made but, if such a finding is required, the finding should be that the Project was entitled and had Approvals as of April 10, 2019, prior to January 1, 2020, and that SB8/SB330 are not applicable-as stated numerous times by the Associate Planner and the City Attorney. In addition, it must be pointed out that the Associate Planner also stated that many times plans come before the Commission without the photovoltaic panels included and that these were usually matters for the Department of Building Safety and reviewed during the permit issuance process when full and complete sets of electrical and mechanical plans would be submitted for the Project, not at the Commission

level. Thus, although SPH has complied with this request and submitted revised plans including the photovoltaic panel locations, even this issue was beyond the scope of the review contemplated by the Condition. Regardless, it has been satisfied in the revised modified plans submitted by SPH for the December 14, 2022, continued hearing.

Finally, we want to point out to the Commission and the City Attorney, the City needs Above Moderate rate units as well - such as the Project - and the Housing Elements Plan notes this because the City must be ***“3) supplying enough new housing to meet the City’s fair share of the region’s need,”*** (See, Exhibit 4, Page 1). As the Housing Elements Plan notes (Ex. 4, P. 3), in compliance with Gov. Code Section 65583, the plan ***“shall make adequate provision for the existing and projected needs of all economic segments of the community.”*** The 9 Above Moderate units contemplated by the Project do in fact meet this requirement of the Government Code as to the Housing Element Plan. The Housing Element Plan notes at Page 14, “73% of Culver City households were within the moderate/above moderate-income categories (greater than 80% AMI), a higher proportion of households compared to the county as a whole (59%).” It is submitted that the Project directly caters to this significant group of residents in the City. Moreover, and most importantly, the City’s RHNA analysis provides that the City needs 1,069 Above-Moderate Units built during the period of 2021 to 2029, more than any other income category, and the 9 units of the Project will in fact help fill the City’s required RHNA quota for Above Moderate units, without the Project the City would be required to find another 9 units at Above-Moderate income. See the Housing Elements Plan table from Page 34:

“2021-2029 RHNA for Culver City

SCAG determined the RHNA for each city within the SCAG region, plus the unincorporated areas. The total housing growth need for the City of Culver City during the 2021-2029 planning period is 3,341 units. This total is distributed by income category as shown in Table 31.

Table 31: 2021-2029 Regional Housing Needs Assessment for Culver City

Extremely Low*	Very Low	Low	Moderate	Above Moderate	Total
554	554	604	560	1,069	3,341
16.5%	16.5%	18.0%	17.0%	32.0%	100%

“

The Project’s 9 units are part of the City’s total units used to comply with RHNA and the above Government Code Section and the City’s Housing Elements Plan cannot be thrown away or discounted simply because memories have faded as to what was the scope of review under the conformance review Condition or new laws have been passed after the entitlement of the Project - which legally do not apply to the Project as confirmed by the City Attorney and the Associate Planner- but which some Commissioners may wish could or would apply to the Project based on factually incorrect information that the property had low or moderate income units-it never did – they have always been market rate units (now subject to rent control). As such, the Project as entitled is a necessary part of the City’s RHNA quota and will fill a necessary gap in the housing stock of the City to the betterment of the City and its citizens and its benefit to the City should

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not be sacrificed due to an overbroad review of the plan modifications or incorrect assumptions that SB8/SB330 somehow should or could apply to the Project.

We submit this letter, so the City and Commission is clear about SPH's positions as to these matters and to correct the misstatements and/or misapprehensions of the Commission and to clarify that the only Condition applicable to the modified plans is for a conformance review that the plans as modified are "**up to the right caliber before permit issuance**". The digression into inapplicable and irrelevant matters not within the scope of the Condition, in what appears to be no more than a transparent attempt to delay or disapprove the Project – which are all beyond the scope of the Condition - is not warranted, is improper and would be an unsupportable arbitrary and capricious decision and constitute an abuse of discretion. If the Commission continues down the present path and denies the plan modifications or delays or denies the Project, SPH would have little choice but to exercise all of its legal rights and remedies. We hope that this letter serves to narrow and focus the review to the matter at hand which is whether the modified plans are generally in conformance with the building code and "**up to the right caliber before permit issuance**", which we submit that SPH's presentation, the Planning Department's presentation and the modified plans (particularly now with the photovoltaic additions) conclusively confirm are the case.

Thank you for your attention to this matter and if you should have any questions or comments or wish to discuss matters prior to the December 14, 2022, hearing, please let me know.

Very Truly Yours,

/S/ Alexandre Ian Cornelius
Alexandre Ian Cornelius

Enclosures

EXHIBIT 1

ATTACHMENT NO. 5

REGULAR MEETING OF THE
CULVER CITY
PLANNING COMMISSION
CULVER CITY, CALIFORNIA

April 10, 2019
7:00 p.m.

Call to Order & Roll Call

Chair Ogosta called the regular meeting of the Culver City Planning Commission to order at 7:00 p.m.

Present: Ed Ogosta, Chair
Andrew Reilman, Vice Chair*
Kevin Lachoff, Commissioner
Dana Sayles, Commissioner
David Voncannon, Commissioner

*Vice Chair Reilman arrived at 7:05 p.m.

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Pledge of Allegiance

Sol Blumenfeld, Community Development Director, led the Pledge of Allegiance.

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Public Comment - Items NOT on the Agenda

Chair Ogosta invited public input.

No cards were received and no speakers came forward.

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Consent Calendar

None.

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Order of the Agenda

No changes were made.

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Public Hearings

Item PH-1

PC: Administrative Site Plan Review and Tentative Tract Map No. 77092, P2018-0056, for the Development of a 9-Unit Townhome Style Condominium Subdivision at 4051 and 4055 Jackson Avenue in the Medium Density Multiple-Family Residential (RMD) Zone

Jose Mendivil, Associate Planner, provided a summary of the material of record.

Vice Chair Reilman joined the meeting.

Discussion ensued between staff and Commissioners regarding types of errors in the plans; allowing staff time to do further clean up before submitting for plan check; and the standard project review committee meeting.

MOVED BY COMMISSIONER VONCANNON, SECONDED BY COMMISSIONER SAYLES AND UNANIMOUSLY CARRIED, THAT THE PLANNING COMMISSION OPEN THE PUBLIC HEARING.

Chair Ogosta invited public comment.

The following members of the audience addressed the Planning Commission:

Shakil Patel, applicant, provided an overview of the project; discussed parking; bike racks; existing conditions in the area; compatibility; general design objectives; neighborhood character; Gateway Planning Guidelines; prevailing lot coverage; setbacks; height; feedback from community meetings; addressing concerns; architectural style; characteristics and massing; landscaping; rooftop units; ADA accessibility; elevator access; the garage; egress; electric car chargers; guest parking; and the media room.

The contractor for the project discussed routing of construction trucks.

Discussion ensued between project representatives, staff and Commissioners regarding turn around; stacking; staging; parking width; on-street parking restrictions; the firm condition regarding off-site parking of construction vehicles; the concrete pour; renting vacant lots for off street parking; shuttling; solar panels above the mechanical area; ventilation; height; private open space; side yards; open space on the roof decks; access; clarification on the surface of the private open space; correct labeling of plans; and clarification of intent of the open space.

MOVED BY VICE CHAIR REILMAN, SECONDED BY COMMISSIONER SAYLES AND UNANIMOUSLY CARRIED, THAT THE PLANNING COMMISSION CLOSE THE PUBLIC HEARING.

Discussion ensued between staff and Commissioners regarding concern with the presentation of the plans and the number of errors; reluctance on the part of the applicant to make corrections to the errors; type and prevalence of errors; ensuring that the General Contractor is clear on the intent; concern that the project could come out other than as intended; matching up call-outs; conditioning that elevations do not change; concern the sloppiness of the project could continue through construction documents and budgeting; the wood finish; value engineering; conditions requiring changes to the prepared plans; responsibility of the Commission to ensure that affordable housing and densification is done correctly; Condition 30 as it relates to elevations and materials; clarification on procedures; City Council jurisdiction; concern with placing a burden on staff; fixing issues before they go to the City Council; potential implications with the number of technical errors; placing the burden on the developer to return with an approvable set of plans; staff agreement that plans be corrected before submission to the City Council and return to the Commission prior to permit issuance; items the staff can control; concern with approving a substandard document; concern with delaying the project; Commission consensus to allow staff to provide an informational packet to the Commission once the plans are corrected; concern with changes in construction; and revised language for Condition 30 to indicate: "...except as provided in this condition ... changes to an improved

project. Any changes to the materials or elevations as presented at the April 10, 2019 Planning Commission meeting shall be reviewed and approved by the Planning Commission through a modification application."

Additional discussion ensued between project representatives and Commissioners regarding elevations; consistency; revised documentation; working drawings; contract documents; Commission purview; compatibility with surrounding land uses; ensuring that the renderings match the elevation; the need for clear, consistent documentation; the landscape plan; and concern by the applicant with City response.

Further discussion ensued between staff and Commissioners regarding concern with creating additional work for staff; careful consideration of projects by the Planning Commission; concern with sloppy work and setting a precedent by accepting subpar work; moving the project forward with the caveat that the Commission review plans before the project is permitted; bringing the item back for a conformance review; encouragement to staff to hold their ground; staff direction to the applicant; applicant insistence; the legal obligation to bring the plans forward to the Commission; bringing the plans up to the right caliber before permit issuance; and Commission agreement to approve the item with a conformance review and changes to Condition 30 as discussed earlier, modification of Condition 22b regarding core samples, and changing the date in Conditions 62 and 23b to April 10, 2019.

MOVED BY COMMISSIONER VONCANNON, SECONDED BY VICE CHAIR REILMAN AND UNANIMOUSLY CARRIED, THAT THE PLANNING COMMISSION APPROVE THE PROJECT WITH A NEW CONDITION REGARDING THE CONFORMANCE REVIEW AND MAKING CHANGES TO CONDITION 30 AS DISCUSSED, CHANGES TO CONDITION 22B INCLUDING THE SENTENCE REGARDING CORE SAMPLES AS MODIFIED, AND CHANGING THE DATE IN CONDITIONS 23B AND 62 TO APRIL 10, 2019.

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Item PH-2

Conditional Use Permit, P2018-0071-CUP, and Administrative Use Permit, P2018-0071-AUP, for the Implementation of Two- and Three-level Parking Stackers and Tandem Parking to Support the Parking needs of an Existing Media Production

**Facility at 10950 Washington Boulevard in the Commercial
Regional Business Park (CRB) Zone**

Vice Chair Reilman and Commissioner Voncannon recused themselves from consideration of the item due to their proximity to the project and exited the dais.

MOVED BY COMMISSIONER LACHOFF AND SECONDED BY COMMISSIONER SAYLES THAT THE PLANNING COMMISSION OPEN THE PUBLIC HEARING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: LACHOFF, OGOSTA, SAYLES
NOES: NONE
RECUSED: REILMAN, VONCANNON

Chair Ogosta invited public comment.

The following members of the audience addressed the Commission:

Andrew Reilman indicated that he had recused himself from consideration of the item as he lives in close proximity to the project; expressed concern with safety issues related to exiting the parking; and he felt there needed to be better control of the vehicular traffic exiting the ramp between the mosque and the NFL.

Gabriela Silva, Associate Planner, provided a summary of the material of record.

Discussion ensued between staff and Commissioners regarding the new layout; the original recommendation for angled parking to allow for additional landscaped space; aisle dimensions; managed parking; size of the landscape buffer; and code requirements for parking that abuts a residential zone.

Jean Liu, Gensler, provided a presentation on the plans and drawings to better illustrate the proposal for 10950 Washington Boulevard.

Discussion ensued between project representatives, staff and Commissioners regarding landscaping; buffering; visibility; wall height at the property line; and visual screening.

Chris Pearson, Hudson Pacific Properties, discussed hours of operation and managed parking.

Additional discussion ensued between staff and Commissioners regarding the intent to minimize noise impacts to the neighbors; stacking; phasing; long term plans; prospective tenantry; creative office; and neighborhood benefits.

Discussion ensued between project representatives, staff and Commissioners regarding creative use vs. use by the NFL; future plans; taking a longer-term lookback under a different tenant scenario; providing background information about the operations up front; the proposed phasing; the ability to refer the matter for reconsideration or revocation if issues arise; and the potential for decreased intensity with a different user.

Commissioner Sayles disclosed that she had worked in the building 13 years ago when the NFL had the ground floor of the building and there were multiple office users, noting that there was ample parking at that time and that perhaps in the future there would be less parking demand with a different user.

Commissioner Lachoff disclosed that he had sold the property next door to Hudson Pacific 7-8 years ago.

Further discussion ensued between project representatives, staff and Commissioners regarding the timeline for installation of the stackers; the request for no construction on Sundays; impacts of limiting construction to Monday through Friday; late materials distributed to the Commission that had not been reviewed; and the ability to modify the condition during the hearing.

John Bowman, Elkins Kalt, presented the proposed modifications to the Conditions of Approval; discussed Condition 11; current vs. future demand for charging stations; the proposed modification to provide 11 active stations upon project completion with infrastructure provided for 41 more rather than 52 active up front; the modification to require a pre-construction inspection rather than an onsite biological monitor; and deletion of Condition 63 due to redundancy with Condition 46.

Discussion ensued between project representatives, staff and Commissioners regarding the Planning Commission recommendation to the City Council on EV standards; methodology for determining the number of required EV stalls; accommodating demand; managed parking; cycled charging by valet during the day; modification to condition 79 regarding the evaluation of parking demand; revisiting noise and nuisance conditions; and cleanup of Lookback Conditions.

Sal Lapardo expressed concern with noise issues; the number of spaces added by the stackers; quality of life issues; construction; community involvement with selection of landscape; recent issues with Hudson Pacific cutting trees and landscaping; remediation; and the need for a contact person at Hudson Pacific rather than having to file police reports when issues arise.

Bryant Rivera discussed operating hours; issues related to providing additional parking; light pollution; disturbances in the middle of the night; concern with landscaping being destroyed; and the need for a contact person.

Stephen Collins expressed concern with fence height; adding trees to provide a visual buffer; operating hours; early morning noise issues; management of parking behind the sound wall during early morning hours; and that parking stalls that abut the wall affect residential properties the most.

Discussion ensued between staff and Commissioners regarding the location of Mr. Collins' property and the proposal to add landscaping and sound buffers.

Nicole Peraza questioned whether the proposed landscaping that would be planted would be mature; discussed noise issues; the nature and type of the noise; the feeling that landscaping does not remediate noise issues; and concern that noise would be increased with construction.

Discussion ensued between staff and Commissioners regarding the landscaping plan.

John Greenway discussed wall height; lighting issues; noise issues; parking on Elenda; and he received clarification on the distance from the stackers to the property line.

Rhia Uytingco discussed noise abatement with shrubbery; received clarification regarding proposed landscaping; and she indicated that she thought that residents were to have input regarding landscaping.

MOVED BY COMMISSIONER SAYLES AND SECONDED BY COMMISSIONER LACHOFF THAT THE PLANNING COMMISSION CLOSE THE PUBLIC HEARING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: LACHOFF, OGOSTA, SAYLES
NOES: NONE
RECUSED: REILMAN, VONCANNON

Discussion ensued between project representatives, staff and Commissioners regarding proposed landscaping; spacing; the condition that the applicant work with the immediate neighbor to identify an appropriate landscaping plan; noise related to the 24 hour production facility; loading; addressing issues; on-street loading; resident communication of complaints; instituting a hotline or email; phasing; the location of parking spaces; demand; directing off-hour parking as far away from residents as possible first; weekend management; 24-hour response; and Chair Ogosta expressed appreciation to those who came to the meeting to provide comment.

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Recess/Reconvene

Chair Ogosta called a brief recess from 9:58 p.m. to 10:09 p.m. to allow Commissioners a chance to review the proposed changes to the Conditions of Approval.

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Item PH-2
(continued)

Conditional Use Permit, P2018-0071-CUP, and Administrative Use Permit, P2018-0071-AUP, for the Implementation of Two- and Three-level Parking Stackers and Tandem Parking to Support the Parking needs of an Existing Media Production Facility at 10950 Washington Boulevard in the Commercial Regional Business Park (CRB) Zone

Discussion ensued between staff and Commissioners regarding Condition 11 for EV charging stations; the original condition; the current proposed modification to require a minimum of 22 parking stalls with EV charging stations and an additional 45 with infrastructure for future installation; the applicant request; demand for EV; Commission consensus to support consistency in projects with new parking and support the staff recommendation; concern with taking an arbitrary assessment from a tenant; past City Council recommendations for additional EV ready spaces; managed parking; staff agreement with applicant clean up language for Condition 39; staff clarification of the assertion by the applicant that Condition 63 contains redundant language; standard wording for environmental documents; staff support for retaining the original language in Condition 63; work within existing areas that are not landscaped; the need for removal of trees and landscaping; nesting possibilities; identifying all provisions if applicable; adding a sentence to Condition 69 to indicate "this shall not apply to any comments that have been modified during the PPC process" to make it clear that it does not apply in situations where things have been changed; staff agreement with the change proposed by the applicant to Condition 79; intent of the wording in Condition 89; making clear that abutting owners are giving their concurrence and must be a party to the selection of the final landscaping at abutting areas; imposing landscaping requirements; Conditions of Approval vs. private party property agreements; ensuring that landscaping discussions continue; atypical condition; support for changes suggested by Mr. Bowman indicating that consultation continues; expanding to all abutting property owners; agreement to substitute the word consultation rather than agreement; possible recommendations for the property line; a suggestion that the landscape architect meet with the neighbors; providing latitude to the design; agreement that language be changed to indicate that: "The applicant and applicant's landscape architect shall continue to discuss the landscape planning"; appreciation to the applicant for their thorough work; neighborhood parking intrusion; improving neighbor experience through parking management; requiring notice that an ongoing 24-hour hotline is available to residents; signage; and Commission agreement to ensure that references to items in the parking plan on page 6 of the staff report are included as conditions: indicating that alternative parking plans are required upon the occurrence of each non-

operation event, requiring an updated and revised parking operations plan in the event of future changes to uses or tenants, and requiring that a final parking operations plan is submitted reflecting requested changes in terms of operating hours.

Additional discussion ensued between project representatives, staff and Commissioners regarding operating hours for the stackers; feasibility issues; the intent; Commission consensus to allow operation of the stackers until 6:00 p.m.; and balancing neighbor concerns with applicant requests.

Sol Blumenfeld, Community Development Director, read back agreed upon modifications including: Condition 63, leaving in original wording; Condition 69, use original condition with a limitation indicating "that shall not apply to any comments that have been modified"; Condition 79, agreement with the changes proposed by the applicant; Condition 89, include changes proposed by the applicant with the following wording: "The applicant and applicant's landscape architect shall continue to discuss the landscape plantings with the abutting property owners in order to ensure..."; add a condition on 24-hour hotline notification with wording to indicate that the "owner shall provide a mailing to abutting owners on 24 hour notification"; adding Conditions not shown in the staff report on page 6: "The project is required to submit a final alternative parking plan upon each occurrence of a non-operation event"; "Any future changes to the uses or tenants occupying the building will require the submittal of an updated revised parking operations plan; a final parking operations plan is required prior to permit final outlining all changes discussed regarding operations; and a revision to Condition 11, "The project shall provide a minimum of 22 parking stalls with EV charging stations and an additional 45 parking stalls shall be constructed with infrastructure necessary..."

Discussion ensued between staff and Commissioners regarding the number of agreed upon EV charging stations and EV ready parking stalls; Commission adoption of the text amendment; Condition 39 accepted as proposed by the applicant; "Parking stacker operations shall be restricted to the hours of 8 a.m. to 6 p.m. Monday through Friday; elimination of Saturday construction; and the requirement for a five-foot landscape planter on the south lot based upon the diagram.

MOVED BY COMMISSIONER SAYLES AND SECONDED BY COMMISSIONER LACHOFF THAT THE PLANNING COMMISSION APPROVE THE PROJECT SUBJECT TO MODIFICATIONS AS AGREED UPON BY THE COMMISSION.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: LACHOFF, OGOSTA, SAYLES
NOES: NONE
RECUSED: REILMAN, VONCANNON

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Public Comment for Items Not on the Agenda

None.

o0o

Receipt of Correspondence

None.

o0o

Items from Planning Commissioners/Staff

Michael Allen, Planning Manager, discussed the upcoming joint study session with the City Council scheduled for May 8.

Discussion ensued between staff and Commissioners regarding Commissioner availability and the upcoming site tour.

Commissioner Sayles indicated that she would provide a report from her visit to the EPA at the next meeting.

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Adjournment

There being no further business, at 10:59 p.m., the Culver City Planning Commission adjourned to a joint study session with the City Council on Wednesday, May 8, 2019, at 7:00 p.m.

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SUSAN HERBERTSON
SENIOR PLANNER of the CULVER CITY PLANNING COMMISSION

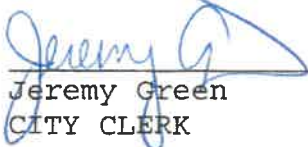
APPROVED

6/12/19



ED OGOSTA
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.



Jeremy Green
CITY CLERK

14 JUN 2019
Date

EXHIBIT 2

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RESOLUTION NO. 2022- P022

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, APPROVING ADMINISTRATIVE SITE PLAN REVIEW MODIFICATION, P2021-0306-ASPR/M ALLOWING DESIGN CHANGES TO A PREVIOUSLY APPROVED 9-UNIT CONDOMINIUM PROJECT WITH SUBTERRANEAN PARKING AT 4041 AND 4055 JACKSON AVENUE IN THE RESIDENTIAL MEDIUM DENISTY MULTIPLE (RMD) ZONE SUBJECT TO CONDITIONS OF APPROVAL.

(Administrative Site Plan Review Modification, P2021-0306-ASPR/M;
Related Case No.: P2018-0056-ASPR, -TTM)

WHEREAS, on March 4, 2018, Nabil Salem (Applicant) filed applications for an Administrative Site Plan Review and Tentative Tract Map, to allow the development of nine, 2-story townhome style residential condominiums which includes semi subterranean parking at 4051 and 4055 Jackson Avenue (the "Project"). The Project site is legally described as Lots 10 and 11 of Block 4 of Tract No. 1775 in the City of Culver City, County of Los Angeles, State of California; and,

WHEREAS, in order to implement the proposed Project, approval of the following applications and requests was required:

1. Administrative Site Plan Review, P2018-0056--ASPR: To ensure the Project complies with all required standards and City ordinances and to establish all onsite and offsite conditions of approval necessary to address the site features and ensure compatibility of the proposed Project with the development on adjoining properties and in the surrounding neighborhood; and

2. Tentative Tract Map, P2018-0056--TTM: To ensure the subdivision complies with all required standards, City ordinances and state law; to ensure lot sizes compatible with existing lot sizes in the immediate neighborhood; to provide necessary street dedication and improvements; and to prevent interference with the opening or extension of streets for

1 emergency vehicular access, proper traffic circulation, drainage, and the future development
2 of adjacent properties; and

3 WHEREAS, on July 11, 2018, the Planning Commission continued the public hearing to
4 a date uncertain due to numerous mistakes on the Preliminary Development Plans (the “plans”)
5 and to provide the Applicant sufficient time to correct the mistakes; and
6

7 WHEREAS, the Project qualifies for a Categorical Exemption, pursuant to California
8 Environmental Quality Act (CEQA) Section 15332, Class 32 – In-Fill Development Projects
9 because, initial review of the Project by the City established that there are no potentially
10 significant adverse impacts on the environment and on April 10, 2019, the Planning
11 Commission determined the proposed development to be Categorically Exempt per CEQA
12 Section 15332, Class 32, In-Fill Development. The proposed Project is consistent with the
13 General Plan and Zoning; it is located on a 0.31-acre site surrounded by urban uses; the site
14 has no value as a habitat for endangered, rare, or threatened species; there are no significant
15 traffic, noise, air quality, or water quality impacts; and the Project can be served by utilities and
16 public services; and
17
18

19 WHEREAS, on April 10, 2019, after conducting a duly noticed public hearing on the
20 subject application, including full consideration of the application, plans, staff report,
21 environmental information and all testimony presented, the Planning Commission (i) by a vote
22 of 5 to 0, adopted a Categorical Exemption, in accordance with CEQA, finding the Project will
23 not result in significant adverse environmental impacts; (ii) by a vote of 5 to 0, conditionally
24 approved Administrative Site Plan Review, P2018-0056-ASPR; and (iii) by a vote of 5 to 0,
25 recommended to the City Council approval of Tentative Tract Map, P2018-0056—TTM; and
26
27
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29

1 WHEREAS, at the April 10, 2019, Planning Commission hearing, the Planning
2 Commission required that remaining mistakes on the plans be corrected and submitted to the
3 Current Planning Division for review prior to the City Council review of the tentative map; and

4 WHEREAS, the Planning Commission added a Project Condition that requires all
5 modifications to be reviewed by the Planning Commission; and
6

7 WHEREAS, the Applicant was unable to correct the plans because of difficulties and
8 delays related to the COVID 19 Pandemic and the need to secure a new architect, resulting in
9 City approved entitlement extensions to April 10, 2023; and
10

11 WHEREAS, on December 7, 2021, the Applicant and a new Project architect submitted
12 a modification request to the previously approved Administrative Site Plan Review. The main
13 reason for the modification was to revise the design of the subterranean parking structure to
14 comply with the Building Code requirements. The overall parking layout and the depth of the
15 parking structure and slope of the ramp was impacted due to inadequate provisions for
16 structural columns and perimeter shoring and thickness of structural elements. All floors of the
17 parking structure are modified to accommodate a new parking layout with relocated staircase
18 locations and support columns. The modified predevelopment plans dated September 29,
19 2022, reflect a thorough study of the site and code requirements that apply to the Project; and
20

21 WHEREAS, to implement the proposed Project, approval of the following application is
22 required:
23

24 1. Administrative Site Plan Review Modification, P2021-0306-ASPR/M: To ensure
25 the Project is in compliance with the required standards, design guidelines, and ordinances of
26 the City; minimize potential adverse effects on surrounding properties and the environment;
27 and protect the integrity and character of the residential, commercial, and public areas of the
28 City; and,
29

1 WHEREAS, the Project qualifies for a Categorical Exemption, pursuant to California
2 Environmental Quality Act (CEQA) Section 15332, Class 32 – In-Fill Development Projects as
3 determined by the Planning Commission at the April 10, 2019, Planning Commission meeting,
4 as noted above, and the modifications are within the scope of the exemption and the
5 circumstances under which the exemption was prepared have not significantly changed, and
6 no new significant information is found that affects the exemption. Therefore, no additional
7 environmental analysis is required; and
8

9 WHEREAS, on October 26, 2022, after conducting a duly noticed public hearing on the
10 subject application, including full consideration of the application, plans, staff report,
11 environmental information and all testimony presented, the Planning Commission (i) by a vote
12 of ___ to ___, determined no additional environmental analysis is required as noted above; and
13 (ii) by a vote of ___ to ___, conditionally approved Administrative Site Plan Review Modification,
14 P2021-0306—ASPR/M, as set forth herein below.
15

16 NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CULVER
17 CITY, CALIFORNIA, RESOLVES AS FOLLOWS:
18

19 SECTION 1. Pursuant to the foregoing recitations and the provisions of the Culver City
20 Municipal Code (CCMC), as outlined in CCMC Title 17, Section 17.540.020, the following
21 required findings for an Administrative Site Plan Review are hereby made:

22 **A. The general layout of the project, including orientation and location of buildings,**
23 **open space, vehicular and pedestrian access and circulation, parking and loading**
24 **facilities, building setbacks and heights, and other improvements on the site, is**
25 **consistent with the purpose and intent of this Chapter, the requirements of the**
26 **zoning district in which the site is located, and with all applicable development**
27 **standards and design guidelines.**

28 The general layout of the project is consistent with the Medium Density Multiple-Family
29 Residential (RMD) zoning district. Location of the buildings conform to the CCMC
Zoning minimum required setbacks, and are designed to provide a common vehicular
access, as well as a common pedestrian walkway to access the individual unit entries
and private outdoor patios. The unit entries face interior courtyards, and the general

1 building layout and design is oriented to communicate with Jackson Avenue where the
2 front yard setback provides an open space area that includes landscaping and views of
3 the interior courtyards in accordance with the CCMC, thereby creating an enhanced
4 streetscape. The overall height is 2 stories and 22 feet with an additional 5-foot parapet
5 wall and the front setback varies from 17 feet to 53 feet. This conforms with the Zoning
6 Code maximum for height and setbacks and meets the intent of the Neighborhood
Design Guidelines. The conforming height and setbacks diminish potential visual and
compatibility impacts with the 1 and 2 story single and multi-family dwellings in the
surrounding neighborhood.

7 The project provides a total of 20 parking spaces, consistent with code required parking
8 for the nine proposed units. Vehicles access the site from Jackson Avenue by means
9 of an 18-foot-wide driveway, in compliance with zoning standards. The new driveway
10 will eliminate the two existing driveways, thereby increasing street parking. The
11 driveway descends into the subterranean garage where vehicles enter garages or open
12 space parking spaces in a forward direction. The subterranean garage provides the
13 minimum 24-foot-deep back up area providing ample space for vehicle maneuverability.
14 Pedestrian access to the site is provided by an at grade walkway from the sidewalk onto
15 the interior courtyards. All pedestrian walkways will be at least 3 feet wide. The project
will have sufficient parking and adequate vehicular and pedestrian access and the
configuration of the proposed onsite driveway, vehicle maneuvering areas, and
pedestrian access are designed in accordance with all applicable CCMC standards and
design guidelines. The conditions of approval will further ensure all CCMC requirements
are met.

16 **B. The architectural design of the structure and the materials and colors are**
17 **compatible with the scale and character of surrounding development and other**
18 **improvements on the site and are consistent with the purpose and intent of this**
19 **Chapter, the requirements of the zoning district in which the site is located, and**
20 **with all applicable development standards and design guidelines.**

21 The structures have a contemporary style with straight lines and multiple surfaces
22 positioned at right angles creating articulated facades. The open courtyards and glazing
23 allow natural light into the dwellings. The project's articulated surfaces include a mix of
24 fiber cement with a wood like finish, exterior off-white stucco, and exterior light tan
25 stucco. These surfaces are alternatively applied to the Project façade to ensure color
and finish are not monolithic. The front street fascia is dominated by the fiber cement
with wood like finish which is applied less on the other frontages. Overall, the project
design is compatible with other residential structures in the neighborhood and the
building height and massing is consistent with the RMD Zone standards.

26 The Project is in Block B of the Gateway Adjacent Neighborhood Design Multifamily
27 Guidelines and the table below compares the Project with Block B's typologies:
28
29

Guideline Variable	Project	Average	Prevailing
Lot Coverage	50%	44%	41-60%
Units Pattern	9*	2.7	1
Front Setback	17 Ft**	22.ft.	25.ft.
Building Height	22 FT / 2 stories	17 ft.	1 stories

*The Code allows up to 9 units for this lot.

**The Code minimum front setback is 11 feet

Overall, the Project complies with guidelines; its massing is separated with nine units distributed within four structures that are separated by ample interior courtyards as encouraged in the guidelines. Parking is fully subterranean with no visibility from side or rear yards, the front setback is landscaped, and small trees in planter boxes are in the interior courtyards. Front entrances for each unit face the courtyards instead of the side or rear yards of adjoining properties and the Project windows do not align with neighboring property windows. Privacy for both Project users and adjacent properties is further maintained on the roof top decks by parapet walls and setbacks from roof edges with mechanical equipment. Articulation, use of trellises, interior courtyards, and a fully subterranean parking level are consistent with the Gateway Adjacent Neighborhood and overall architecture and site design minimizes potential visual conflicts with older residential structures.

- C. The landscaping, including the location, type, size, color, texture, and coverage of plant materials, provisions for irrigation, and protection of landscape elements has been designed to create visual relief, complement structures, and provide an attractive environment and is consistent with the purpose and intent of this Chapter, the requirements of the zoning district in which the site is located, and with all applicable development standards and design guidelines.**

The landscaping incorporates 12 trees distributed between the courtyards and the front setback area and there is substantial ground cover in the front setback area. Roof top decks include extensive planter areas that serve as privacy shields as well as an added method of reducing massing. These roof top planter areas are at roof edges and flora in these areas will be visible from adjacent properties and Jackson Avenue. A Project condition will require bushes and shrubs in these planter areas have heights at time of planting that exceed the top of the planter wall edge. This will ensure their visibility at time of construction completion. The Project is subject to the City's Street Tree Master Plan and will provide street tree and parkway landscape improvements as appropriate. Landscaping is consistent with the purpose and intent of this Chapter, the requirements of the zoning district in which the site is located, and with all applicable development standards and design guidelines.

- D. The design and layout of the proposed project will not interfere with the use and enjoyment of neighboring existing or future development, will not result in vehicular or pedestrian hazards, and will be in the best interest of the public health, safety, and general welfare.**

1 The proposed buildings comply with the minimum required setbacks, are broken into
2 separate structures, and are below the maximum allowed height, thereby reducing
3 impacts to the use, privacy, and enjoyment of neighboring residential properties. The
4 Project is compatible with surrounding residential uses, which include 1 and 2 story
5 single and multi-family residential dwellings and is less massive than older, nearby 2-
6 story, single structure, multifamily developments. The project will not produce any
7 vehicular or pedestrian hazards because it provides adequate onsite circulation and
8 parking in compliance with all Zoning Code requirements. There are no off-site
9 circulation hazards because Project access is designed in the same manner as similar
10 more recent developments in the surrounding neighborhood with a single driveway
11 leading to the subterranean parking. Further there is sufficient drive aisle space on-site
12 to allow vehicles to exit the development in the forward position.

13 The design and layout of the proposed project will not interfere with the use and
14 enjoyment of neighboring existing or future development. The development is designed
15 with four separate structures; three of the structures contain two units each and the
16 fourth structure has three units. Open courtyards separating the four buildings, extend
17 the depth and width of the project site. The units have a maximum overall height of 22
18 feet to the roof deck and 27 feet to the top of the parapet wall. Each unit has a two
19 parking spaces, private storage space in the garage level with parking spaces generally
20 located below corresponding units. Front entrances are accessed from the courtyards
21 and do not face adjacent properties. These design features minimize potential privacy
22 and massing impacts and orient the project towards its center instead of creating a single
23 structure with minimal onsite open areas. The design meets both the specific Code
24 requirements and the spirit and intent of the design guidelines including unit separation,
25 massing towards the center of each unit, and use of varying materials and articulation.
26 The project is less dense and is fully parked and overall fits well with respect to the
27 prevailing scale and development patterns of the neighborhood. The conditions of
28 approval and compliance with all CCMC requirements will ensure that the proposed
29 Project will not be a detriment to the public interest, health, safety, or general welfare,
or injurious to persons, property, or improvements in the vicinity and zoning district in
which the property is located.

21 **E. The existing or proposed public facilities necessary to accommodate the**
22 **proposed project (e.g., fire protection devices, parkways, public utilities, sewers,**
23 **sidewalks, storm drains, street lights, traffic control devices, and the width and**
24 **pavement of adjoining streets and alleys) will be available to serve the subject**
25 **site.**

26 The site is in an existing urbanized neighborhood and is currently developed with a
27 single-family house and a four plex building. Public facilities to the site currently exist.
28 The proposed project and resulting net new four units are not anticipated to require new
29 public facilities. Upgrades to the existing facilities if required, can be provided. Further,
the existing and proposed public service facilities necessary to accommodate the project
such as: the width and pavement of the adjoining streets, traffic control devices, sewers,
storm drains, sidewalks, streetlights, proposed street trees, fire protection devices, and

public utilities are adequately provided as confirmed by the City agencies that reviewed the project during the interdepartmental review process.

F. The proposed project is consistent with the General Plan and any applicable specific plan.

The proposed construction of nine new residential dwellings in four detached buildings will result in four net new units at a density consistent with the General Plan's Medium Density Multiple Family Land Use designation. The Project is also consistent with the goals of the General Plan Land Use Element, specifically, Objective 2, which calls for the retention and creation of housing throughout the City and the encouragement of multiple-family housing opportunities within neighborhoods designated for this development type. Based on review of the Project plans, the proposed residential development is not anticipated to result in significant impacts on surrounding uses or to be inconsistent with the goals of the General Plan.

The Project will address a portion of Culver City's Regional Housing Needs Assessment (RHNA) share by constructing four net new market rate dwelling units consistent with Housing Element objectives, policies, and more specifically, Objective 2 – Housing Supply. The Project expands housing opportunities for a variety of housing, by providing 9, 2-story, 2-bedroom units including a fully accessible unit with elevator access to all levels including the roof top deck. The Project implements the Housing Element quantified objectives and Regional Housing Needs Assessment (RHNA) 6th Cycle, 2021 with 9 of the 1,069 above market rate units as noted in Table 44 of the Culver City Housing Element:

Table 44: Quantified Objectives

	Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
New Construction	554	554	604	560	1,069	3,341
Preservation	30	30	60	0	0	120
Conservation	29	30	134	38	0	231

These density increases are consistent with expected development thresholds and build-out projections as delineated in the Culver City 1996/2000 General Plan Land Use Element, the SCAG's Connect SoCal 2020 (2020–2045 Regional Transportation Plan/Sustainable Communities Strategy), the SCAG/HCD Regional Housing Needs Assessment 6th Cycle, 2021 to 2029, and the SCAQMD 2016 Air Quality Management Plan (AQMP). There is no applicable Specific Plan for this area and the project is consistent with Neighborhood Design Guideline principles.

SECTION 2. Pursuant to the foregoing recitations and findings, the Planning Commission of the City of Culver City, California, hereby (i) determines no further

1 environmental analysis is required as noted above, and; (ii) approves Administrative Site Plan
2 Review Modification, P2021-0306—ASPR/M, subject to: the site and floor plans reviewed by
3 the Planning Commission on October 26, 2022; the conditions of approval set forth in Exhibit
4 A, attached hereto and incorporated herein by this reference; and the applicable code
5 requirements set forth in Exhibit B attached hereto and incorporated herein by this reference,
6 attached hereto and incorporated herein by this reference. The site and floor plans, and
7 Exhibits A and B, are collectively referred to as "Project Requirements."

8
9 SECTION 3. This resolution, including attachments A and B, supersedes in whole, the
10 April 10, 2019, adopted Planning Commission resolution.

11
12 SECTION 4. The Project Requirements are hereby imposed on the proposed mixed-
13 use development at 4051 – 4055 Jackson Avenue.

14 APPROVED and ADOPTED this 26th day of October 2022.

15
16
17

NANCY BARBA - CHAIRPERSON
18 PLANNING COMMISSION
19 CITY OF CULVER CITY, CALIFORNIA

20 Attested by:

21
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23

RUTH MARTINDELCAMPO, ADMINISTRATIVE CLERK
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EXHIBIT A
 RESOLUTION NO. 2022-P022
 Administrative Site Plan Review Modification, P2021-0306-ASPR/M
 Related Case No.: P2018-0056-ASPR, -TTM
 4051 and 4055 Jackson Avenue

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
1.	The land use permit to which the Project Conditions of Approval apply (the "Land Use Permit") shall expire one year from the April 10, 2023, Extended Deadline, or April 10, 2024, if City permits necessary to construct the Project have not been issued by the City's Building and Safety Division, and construction begun. As provided in CCMC Section 17.595.030 –"Time Limits and Extensions", an applicant may request an extension of said expiration date by filing a written request with the Current Planning Division prior to the expiration of the land use permit.	Current Planning	Special	
2.	Street trees, tree wells, and irrigation shall be installed, to the satisfaction of the City Engineer and Current Planning Manager, in conformity with the City's approved Urban Forest Master Plan, and where appropriate, the Washington National TOD Oriented Street scape plan. All new (and existing) street trees shall be supplied with irrigation water from the overall site irrigation system which shall include a timer and a rain sensor. All new (and existing) street trees, landscaping, and irrigation shall be indicated on the overall site landscaping/ irrigation plan. In residential areas, all new off-site landscaping shall conform to the City's Residential Parkway Guidelines.	Public Works/ Planning	Standard	
3.	At the sole cost and expense of the Property Owner, any curbs, gutters, sidewalks, streetlights, street light wires and conduits, traffic signal equipment, street pavement, and any other City infrastructure which are damaged or broken from construction of the Project shall be repaired and reconstructed in conformity with APWA Standards and to the satisfaction of the City Engineer. New or required drainage devices, concrete curb and gutter, sidewalk, and drive approach, roadway	Public Works	Standard	

EXHIBIT A
 RESOLUTION NO. 2022-P022
 Administrative Site Plan Review Modification, P2021-0306-ASPR/M
 Related Case No.: P2018-0056-ASPR, -TTM
 4051 and 4055 Jackson Avenue

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
	pavement shall be designed to the latest edition of the American Public Works Association (APWA) Standard Plans.			
4.	The project shall be subject to Holiday Moratorium dates as required by the December 17, 2009, Public Works/Engineering Holiday Slowdown Policy memo, in which work in the public right-of-way is restricted or prohibited on certain days in November and December.	Public Works	Standard	
5.	Fire sprinkler main lines shall not be allowed to discharge into the public right-of-way, and they shall discharge into the sanitary sewer system.	Public Works	Standard	
6.	<p>The Following are EPO Conditions:</p> <p>Project is subject to provide trash enclosure(s)/trash room(s). The standard minimum inside dimensions bin enclosure/trash room for three bins is 10' (depth) x 18' (width) and shall be increased to an additional 60 square feet for each additional bin required with minimum inside depth of 10' shall be maintained. Size of trash enclosure(s)/trash room(s) and number of bins shall be based on the projects' approved Trash/Recycling/Organic Management Plan (Waste Plan). The trash enclosure/room shall be constructed with 6"X6" concrete curb around the inside perimeter, 8' concrete loading pad in front of the proposed trash enclosure/trash room, 10' minimum clear opening with gates for bin access, separate pedestrian access door for tenant use, and a minimum of a 1% grade to facilitate drainage. Additional grade may be necessary to include a floor drain that leads to the sewer for maintenance purposes. Any proposed subterranean trash enclosure/room shall provide a minimum vertical clearance of 10'-0" throughout the path of travel to and from the street and trash enclosure/room for</p>	Public Works/ Fire/ Current Planning	Standard	

EXHIBIT A
 RESOLUTION NO. 2022-P022
 Administrative Site Plan Review Modification, P2021-0306-ASPR/M
 Related Case No.: P2018-0056-ASPR, -TTM
 4051 and 4055 Jackson Avenue

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
	the city's scout vehicles access. Project shall provide a staging area for trash bins during collection service along the property frontage. A minimum 15'-0" street curb shall be painted red along the property frontage.			
7.	<p>The following are EPO Conditions:</p> <p>a. The Project shall construct floor drain(s) and connect to the proposed/existing sewer lateral for maintenance purposes for all proposed Trash Enclosure/Room(s).</p> <p>b. The Project shall provide a staging area for trash bins during collection service along the property frontage and a minimum 15'-0" street curb painted red along the property frontage shall be shown on the Site Plan and clearly labeled "Trash Bin Staging Area".</p> <p>c. The Project shall include the following notes on applicable sheets:</p> <p style="text-align: center;"><u>"Environmental Programs and Operations Notes"</u></p> <p>i) Solid waste, recyclable waste material, and organic waste handling shall be performed exclusively by the City or its authorized agents. The City Council may regulate, by ordinance or resolution, all aspects of solid waste, recyclable waste material, and organic waste handling, including, but not limited to, frequency of collection, means of collection and transportation, level of services, charges, fees, and nature, location, and extent of providing solid waste handling services.</p> <p>ii) The City of Culver City shall provide waste</p>	Public Works	Standard	

EXHIBIT A
 RESOLUTION NO. 2022-P022
 Administrative Site Plan Review Modification, P2021-0306-ASPR/M
 Related Case No.: P2018-0056-ASPR, -TTM
 4051 and 4055 Jackson Avenue

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
	disposal and recycling services for all construction & demolition projects within city limits in accordance with CCMC 5.01.010.			
8.	<p>EPO Conditions:</p> <p>All Project related solid and recyclable waste material handling shall be in accordance with CCMC Section 5.01.010 – “Solid Waste Management”, which outlines the Sanitation Division’s exclusive franchise for this service. The Project shall provide adequate trash and recycling capacity and shall comply with Assembly Bill 939, 1826, 341, and SB 1383 waste diversion goals.</p>	Public Works	Standard	
9.	The applicant shall develop the traffic signal design plans (if applicable) according to current standards and shall pay the City's vendor to 1) prepare the signal timing charts, and 2) implement the signal timing at the traffic signal controller for the pertinent signalized intersection taking into account signals coordination that may be in place along the corridor.	Public Works	Standard	
10.	<p>The Project shall meet all provisions of CCMC Section 7.05.015 - “Transportation Demand and Trip Reduction Measures”. The applicant shall indicate compliance with all CCMC Section 7.05.015 Transportation Demand and Trip Reduction Measures on the Building Permit Plans to be submitted for review and approval by Transportation Department.</p> <p>The Project shall incorporate the following Trip Reduction Measures:</p> <p>1. Two Bicycle parking spaces per unit in the subterranean parking level and two short term bicycle parking spaces for visitors.</p>	Trans., Public Works, Planning	Special	

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GENERAL				
	<p>2. Public Transportation and Shared-ride Uber/Lift Information Kiosks in either the courtyards or in the subterranean parking level. The information kiosk shall include a touch screen media device which can provide real time arrivals for various bus lines and other public transit and/or Shared-ride related information.</p> <p>3. Consistent with CCMC Chapter 17.320 - "Off-Street Parking and Loading", all residential parking spaces shall be constructed with infrastructure necessary to allow for future installation of Electrical Vehicle (EV) charging stations.</p> <p>4. Other potential measures consistent with City mobility measures which may be adopted by Planning Commission.</p>			
11.	All buildings and structures to be constructed as part of the Project shall be designed and constructed in accordance with all applicable regulations and standards of the City's Building Code, Fire Code and any related codes as determined by the Building Official and Fire Marshal; and all other applicable provisions of the CCMC which are adopted and in effect at the time of complete building permit application submittal.	All Depts	Standard	
12.	Changes to the Project or use approved as part of the Land Use Permit may only be made in accordance with the provisions of CCMC Section 17.595.035 – "Changes to an Approved Project".	Current Planning	Standard	
13.	<p>The Project is subject to the following Public Works Conditions:</p> <p>a. On-site improvement plans (grading plans/Site Improvement Plans) prepared by a civil engineer registered in the State of California shall be submitted to the Engineering Division for review,</p>	Public Works	Special	

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	<p>approval and permitting. Among other things, the on-site improvement plans shall include detailed on-site drainage and grading of the site indicated by topographical lines and spot elevations, and an erosion control plan. This plan shall be approved for on-site construction only.</p> <p>b. The applicant shall provide a geotechnical report from a State licensed geotechnical engineer, as part of the Site Improvement Plan, reporting on the suitability of the onsite soils to support the proposed construction. The report shall also include a liquefaction analysis. The report shall also identify any special considerations necessary to satisfy California Building Code requirements.</p> <p>c. Off-site improvement plans (Street-Use Plans) prepared by a civil engineer registered in the State of California shall be submitted to the Engineering Division for review, approval and permitting for all proposed improvements within the public right-of-way. Separate plans shall be submitted for street improvements, street light improvements, traffic signal, signage and striping, and sewer improvements. Landscape and irrigation plans for the public parkway area and raised medians shall be included in the street improvement plans.</p> <p>d. Applicant shall pay an initial plan check fee in the amount of \$750.00 each upon submittal of the on-site-Improvement and off-site Improvement plans for review. Additional plan check and permit fees will be determined per the Engineering Division's Schedule of Fees and Charges.</p>			

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	<p>e. Prior to the issuance of any Certificate of Occupancy, the applicant shall submit a plan to the City Engineer regarding the repair or replacement of any damage to the public right-of-way that results from the construction of the proposed project. Such repair or replacement is to be completed to the satisfaction of the City Engineer. The applicant shall be responsible for all expenses.</p> <p>f. Due to the change of use and increased density, this project is subject to the City's Sewer Facility Charge. This charge shall be paid prior to the issuance of any permit.</p> <p>g. The Applicant shall obtain a sewer easement for the City sewer main line in the back yard. The sewer easement shall extend 5 feet from the property line. No construction is allowed within easement. The final map shall show the 5-foot sewer easement on tract map. A new 5-foot-wide concrete sidewalk shall be installed along the project's frontage starting at the property line and extending towards the street 5 feet.</p> <p>h. Prior to the issuance of a building permit, the applicant shall obtain the approval of the City's Environmental Programs and Operations Manager for the size, location, and type of equipment needed for the adequate storage and disposal of all solid and recyclable waste generated by the project.</p> <p>i. Vehicular and pedestrian access along Jackson Avenue shall always be maintained during construction activities.</p> <p>j. If needed, a Construction Replacement Parking Plan shall be prepared and submitted to the Culver City Planning Division for review and</p>			

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	approval prior to the issuance of any Project demolition, grading or excavation permit. The Construction Replacement Parking Plan shall identify the off-site parking facilities and their parking space allocations that will be used for replacement parking during Project construction as well as the procedures that will be followed for safe pedestrian and vehicular movement between the off-site location(s) and the Project Site. The Construction Replacement Parking Plan shall also include parking lease agreements for the facilities not under the control of Project ownership and a shuttle service plan for transporting persons parking more than one-fourth mile from the site.			
14.	<p>The following are Public Works Bicycle Parking Conditions</p> <p>a. Secure bicycle parking shall be provided to accommodate a minimum of twenty (20) bicycles, to meet the bicycle parking requirements for the project. The bicycle parking shall be provided as follows:</p> <ul style="list-style-type: none"> • Two (2) short-term parking spaces, and • Eighteen (18) long-term parking spaces (2 spaces per unit). <p>b. The long-term spaces shall be provided in individual bike lockers or bike racks in a secure locking enclosure, accessible only to the bicycle owners, and shall be located so they are protected from the weather, easily accessed and are visible to promote usage and enhance security. The residential long-term spaces shall be accessible only to the bicycle owners, and not provide access to any other building space. The short-term spaces shall be provided on the project site, using one (1) "Inverted - U" Bicycle Rack or similar. The short-term bicycle parking</p>	Public Works/ Current Planning	Special	

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GENERAL				
	<p>spaces shall be provided within 50-ft walking distance of the main pedestrian entrance to the building. Bicycle parking location, layout and equipment shall comply with the City's approved Bicycle and Pedestrian Master Plan Design Guide, and the development plans shall be revised to provide detailed information on the type of all bicycle parking provided, and detailed dimensions of the paths of travel/aisle widths, and the widths of maneuvering areas and clearances within the bicycle parking areas. Bicycle parking shall be installed only on all-weather surfaces.</p> <p>c. The development plans submitted for Building Permit shall provide detailed information on the type of all bicycle parking provided, and detailed dimensions of the paths of travel/aisle widths, the widths of maneuvering areas and clearances.</p> <p>d. If an enclosure is constructed to secure long-term bicycle parking, the enclosure shall provide the following interior dimensions: parking area footprint length for each bicycle of 72"; aisles width of 48" between bicycle parking areas; a minimum 30" separation between parallel bicycle racks; and, a minimum 24" separation between the bicycle rack and any adjacent enclosure wall. These requirements are consistent with the Association of Pedestrian and Bicycle Professional (APBP) recommended Bicycle Parking Guidelines, 2nd Edition.</p> <p>e. Prior to issuance of any Public Works Department/Engineering Division Permit for the Project, the developer shall obtain a determination from the Public Works Department Administration staff that the final</p>			

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GENERAL				
	<ul style="list-style-type: none"> bicycle parking layout is in compliance with these bicycle parking requirements. f. Prior to issuance of any Public Works Department/Engineering Division Permit for offsite improvements, the developer shall submit, for review and approval of the City Engineer or his designee, a bicycle handling plan for the work zone in the public right-of-way and detailing the type and content of bicycle related construction warning signage and location. The bicycling handling plan may be incorporated into a traffic handling plan submitted for the same work zone. g. All bicycle parking required above, shall be installed, maintained, and managed by the developer or their successors, and approved by the Public Works Director or their designee, prior to issuance of any Certificate of Occupancy. 			
15.	<p>The Tentative Tract Map conditions are provided for reference only because the Map is considered approved by the City; the Los Angeles County Department of Public Works must still review, approve, and record the Map:</p> <p><u>TENTATIVE MAP</u></p> <ul style="list-style-type: none"> a. The final map shall be prepared by a surveyor, or civil engineer, licensed and authorized to do such work, by the State of California. b. The final map shall conform to the conditionally approved tentative map approved by the Planning Commission. c. Approval of the tentative map shall be for a period of three years after Planning 	Public Works	Special	

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GENERAL				
	<p>Commission approval. However, approval of the tentative map shall be voided if the approval of the project's Site Plan Review expires.</p> <p>d. Durable monuments shall be set at all perimeter boundary corners. At least two monuments shall be set on the prolongation of the property's northerly and southerly boundary with the centerline of Jackson Avenue. All required boundary monuments shall be installed prior to the recording of the final map. Centerline monuments shall be "tied" to at least four (4) points, with lead and tags, and centerline tie notes filed with the Engineering Division.</p> <p>e. All public improvements, as required by the approved Site Plan Review, shall be completed, and approved prior to the final approval of the final parcel map by the City Council. Otherwise, an agreement and adequate security shall be posted by the subdivider, and accepted by the City, to satisfactorily complete said improvements. The agreement and security shall conform to Sections 66462 and 66499 of the State Subdivision Map Act.</p> <p>f. The final map shall be submitted to the Los Angeles County Department of Public Works for review, approval, and recordation. After approval of the technical aspect of the map by Los Angeles County, and prior to recordation, the final map shall be approved by the City Council. A copy of the first plan check package as submitted to Los Angeles County shall also be submitted concurrently to the Culver City Engineering Division for review.</p>			
16.	Pursuant to California Subdivision law, California Government Code Sections 66452.2 and 66452.4, Tentative Tract Map No. 77092 is deemed to be	Public Works/	Special	

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GENERAL				
	approved and the City shall provide the Applicant a Written Certification of Approval of the Tentative Tract Map prior to completion of the Project.	Current Planning		
17.	<p>The Following are Building Safety Conditions:</p> <p>a. The Project shall provide a careful, detailed photo documentation of neighboring properties prior to the start of any major construction activities; a digital copy of photos shall be provided to Building Safety.</p> <p>b. Construction hours shall be per the CCMC or as may be restricted by the City. All concrete pours, worker staging, any on-site or off-site activity shall start and end within the allowed construction hours. No on-site or off-site staging activity or any activity of any kind is allowed outside of the allowed construction hours. Every effort shall be made to minimize noise on site; no music is allowed on site. The Project shall place a temporary construction sign during construction with the superintendents name and phone number, the contractors name and phone number, the allowed hours of construction, and the minimum safety gear mandatory for all staff on site; long pants, a shirt w/ sleeves, closed toe shoes, a hardhat, gloves and eye and ear protection as necessary.</p> <p>c. Building Safety reserves the right to adjust allowed construction staging areas during the course of the project, or to apply administrative assessments, or to post a general stop work notice for violations of any conditions of approval or any previously approved use of the City right of way.</p>	Building Safety	Special	

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	<p>d. The Project shall be reviewed under the building code edition adopted when Building and Safety receives an application, plan check fees paid, with associated complete plan and supporting documentation set.</p> <p>e. A full comprehensive code analysis shall be part of the plan check submittal set. It shall include but not limited to: means of egress plan, fire rated wall protection plan, accessible plan, exterior opening area analysis, energy analysis, parking analysis, CALGreen, allowable height and area analysis.</p> <p>f. A soils report shall be submitted with the building permit application.</p> <p>g. Parking for ADA Electric Vehicle associated code requirements are distinctly separate from ADA parking stall code requirements. Each shall be identified with their respective aisles.</p> <p>h. The dimension maximum 100-foot exit route from furthest point in the subterranean garage to the exit stair shall be provided.</p>			
18.	The Applicant shall comply with all requirements of the Rent Control Ordinance (CCMC section 15.09.200) and Tenant Protections Ordinance (CCMC section 15.09.300), including the Evictions requirements in CCMC section 15.09.310 and the Relocation Assistance requirements of CCMC section 15.09.325.	Housing/ Current Planning	Special	
19.	Roof top planter areas shall include bushes and shrubs with heights at time of planting that exceed the top of the planter wall edge.	Current Planning	Special	

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PRIOR TO DEMOLITION PERMIT ISSUANCE				
20.	A covenant and agreement, on a form provided by the Current Planning Division and the City Attorney, acknowledging and agreeing to comply with all terms and conditions established herein, shall be signed by the Property Owner, and recorded in the County Recorder's Office. The covenant and agreement shall run with the land and shall be binding on any subsequent owners, and tenants or occupants of the Property. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Current Planning Division.	Current Planning/ City Attorney	Standard	
21.	The Applicant and/or Property Owner shall indemnify, hold harmless and defend (at the Applicant's and Property Owner's sole cost and expense, with legal counsel approved by the City in its sole discretion) the City, its elected and appointed officials, officers, employees, agents, contractors and consultants from and against any and all claims, lawsuits, judgments, liability, injury or damage arising from or in any manner connected to any and all permits or approvals relating to the Project, including without limitation associated and reasonably incurred attorneys' fees and court and litigation costs arising out of the defense of any such claims and/or lawsuits, and actual attorneys' fees and court and litigation costs that may be awarded by the court and required to be paid by the City. The obligations required by this Condition shall be set forth in a written instrument in form and substance approved by the City Attorney and signed by the Applicant and Property Owner.	City Attorney	Standard	
22.	A Comprehensive Construction Management Plan (CMP) shall be submitted to Building &	All Depts	Standard	

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	<p>Safety as part of the Building Permit plan check approval process and shall be approved prior to issuance of the Demolition and / or Building Permit. The comprehensive CMP shall include all plans specified in the conditions of approval. In addition, the plan will identify the areas of construction staging, temporary power, portable toilet, and trash and material storage locations. The CMP shall show all areas of the public right-of-way which may be affected by the construction of the project. Unless otherwise approved by the Public Works Director, sidewalk access shall be maintained at all times along the project's frontage.</p> <p>In addition to the above, the CMP shall include the following components:</p> <p>a. <u>A Pedestrian Protection Plan</u> shall identify all areas of pedestrian protection and indicate the method of pedestrian protection or pedestrian diversion when required. When pedestrian diversion is required, the Pedestrian Protection Plan must also be approved by the City Engineer.</p> <p>b. <u>A Construction Traffic Management Plan</u> shall be prepared by a traffic or civil engineer registered in the State of California. The Construction Traffic Management Plan shall be reviewed and approved by the City Engineer and Current Planning Manager prior to the issuance of any Project demolition, grading, or excavation permit. The Construction Traffic Management Plan shall also be reviewed and approved by the City's Fire and Police Departments. The City Engineer and Current Planning Manager</p>			

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	<p>reserve the right to reject any engineer at any time and to require that the Plan be prepared by a different engineer. The Construction Traffic Management Plan shall contain, but not be limited to, the following:</p> <p>A. The name and telephone number of a contact person who can be reached 24 hours a day regarding construction traffic complaints or emergency situations.</p> <p>B. An up-to-date list of local police, fire, and emergency response organizations and procedures for the continuous coordination of construction activity, potential delays, and any alerts related to unanticipated road conditions or delays, with local police, fire, and emergency response agencies. Coordination shall include the assessment of any alternative access routes that might be required through the Property, and maps showing access to and within the Property and to adjacent properties.</p> <p>C. Procedures for the training and certification of the flag persons used in implementation of the Construction Traffic Management Plan. Flag persons with certified training shall be provided for work site traffic control to minimize impacts to traffic flow and to ensure the safe movement of vehicles into and out of the Property.</p> <p>D. The location, times, and estimated duration of any roadway closures, traffic detours, use of protective devices, warning signs, and staging or queuing areas.</p>			

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	<p>E. The location and travel routes of off-site staging and parking locations.</p> <p>F. Estimated number of trucks per hour for dirt hauling, concrete pouring, deliveries, etc.</p> <p>c. <u>A Demolition Debris Recycling Plan</u> shall list the material to be recycled and the name, address, and phone number of the facility of organization accepting the materials. Reasonable efforts shall be used to reuse and recycle construction and demolition debris, to use environmentally friendly materials, and to provide energy efficient buildings, equipment, and systems.</p> <p>d. <u>A vector/pest control abatement plan</u> prepared by a pest control specialist licensed or certified by the State of California shall outline all steps to be taken prior to the commencement of any demolition or construction activity in order to ensure that any and all pests (including, but not limited to, rodents, bees, ants, and mosquitoes) that may populate the Property do not relocate to or impact adjoining properties.</p> <p>e. The CMP shall address implementation of the following <u>measures during construction</u>:</p> <p>i Foundation Shoring Plan demonstrating use of noise dampening design methods.</p> <p>ii Construction Rules Sign that includes contact names and telephone numbers.</p> <p>iii Daily maintenance of construction site.</p> <p>iv Dust control by regular watering.</p>			

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PRIOR TO DEMOLITION PERMIT ISSUANCE				
	v Construction worker and contractor offsite parking. vi Staging and storage of construction equipment on-site only. vii Compliance with noise standards. <u>f. Foundation shoring and/or foundation piles.</u> When foundation shoring and/or foundation piles will be part of the Project, the engineer of record shall specify use of noise dampening measures such as the drilling of shoring supports and piles as determined by the Building Official and Current Planning Manager, which shall be incorporated in project plans.			

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PRIOR TO GRADING / BUILDING PERMIT ISSUANCE				
23.	A minimum of two sets of final landscaping and irrigation plans (separate from the plans submitted for the building permit) shall be submitted to the Current Planning Division for review and approval.	Current Planning/ Parks & Rec.	Standard	
24.	Prior to issuance of a building permit, notice of the Project construction schedule and CCMC 3307 shall be provided to all abutting property owners and occupants within 100 feet of the site. An affidavit of such notification shall be provided to the Building Division (building.safety@culvercity.org). The notice shall identify the commencement date and proposed timing for all construction phases (demolition, grading, excavation/shoring, foundation, rough frame, plumbing, roofing, mechanical and electrical, and exterior finish).	Building	Standard	
25.	a. The applicant, including the on-site construction superintendent, shall attend a pre-construction meeting with all reviewing City departments and/or divisions, organized by Building Safety, in order to review all project conditions of approval. b. Prior to commencement of work the construction contractor shall advise the Public Works Inspector on-site ("Inspectors") of the construction schedule and shall meet with the Inspectors.	All Depts	Standard	

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DURING CONSTRUCTION				
26.	During all phases of construction, a "Construction Rules Sign" that includes contact names and telephone numbers of the Developer, Property Owner, construction contractor(s), and the City, shall be posted on the Property in a location that is visible to the public. These names and telephone numbers shall also be made available to adjacent property owners and occupants to the satisfaction of the Current Planning Manager and Building Official.	Building/ Current Planning	Standard	
27.	During construction, the Property shall be maintained daily so that it is free of trash and litter.	Building	Standard	
28.	During construction, dust shall be controlled by regular watering or other methods as determined by the Building inspector.	Building/ Public Works	Standard	
29.	<p>The Building Division may apply administrative assessments and/ or post general stop work notices for any violations of the Conditions of Approval for the Project, and any violations of the CCMC.</p> <p>In the event three citations are issued in connection with the Project for violations of these Conditions of Approval or for other violations of the CCMC, Project construction shall be stopped until such time that it is determined to the satisfaction of the Community Development Director, that causes of such violations have been eliminated or corrected and that the Project will be able to proceed in full compliance with these Conditions of Approval and the CCMC.</p>	Building	Standard	
30.	During all phases of construction, all construction workers, contractors, and others involved with the Project shall park on the	Building Current Planning	Standard	

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DURING CONSTRUCTION				
	Property or at designated offsite locations approved by the City, and not in the surrounding neighborhood.	Public Works		
31.	Prior to the commencement of any excavation, a temporary construction fence with wind screen shall be installed around the site. The wind screen may be omitted for drivers line of sight. The height and fence material are subject to approval by the City Engineer and the Current Planning Manager. The site fence location shall be identified on the Demolition plan.	Building/ Current Planning/ Public Works	Standard	
32.	Hours of construction shall be limited to the following: 8:00 AM to 8:00 PM Monday through Friday; 9:00 AM to 7:00 PM Saturday; and 10:00 AM to 7:00 PM Sunday and National holidays. Dirt hauling and construction material deliveries or removal are prohibited during the morning (7:00 AM to 9:00 AM) and afternoon (4:00 PM to 6:00 PM) peak traffic periods. All construction workers shall be respectful of the surrounding neighborhood and keep non-construction related noise to a minimum prior to, during, and after permissible construction hours.	Building/ Public Works	Standard	
33.	All staging and storage of construction equipment and materials, including the construction dumpster, shall be on-site only. The Property Owner must obtain written permission from adjacent property owners for any construction staging occurring on adjacent property.	Building/ Public Works	Standard	
34.	Compliance with the following noise standards shall be required with at all times:	Building/ Current Planning	Standard	

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DURING CONSTRUCTION				
	<p>A. No construction equipment shall be operated without an exhaust muffler, and all such equipment shall have mufflers and sound control devices (i.e., intake silencers and noise shrouds) that are no less effective than those provided on the original equipment;</p> <p>B. All construction equipment shall be properly maintained to minimize noise emissions;</p> <p>C. If any construction vehicles are serviced at a location onsite, the vehicle(s) shall be setback from any street and other property lines so as to maintain the greatest distance from the public right-of-way and from Noise Sensitive Receptors;</p> <p>D. Noise impacts from stationary sources (i.e., mechanical equipment, ventilators, and air conditioning units) shall be minimized by proper selection of equipment and the installation of acoustical shielding as approved by the Current Planning Manager and the Building Official in order to comply with the City's Noise Regulations and Standards as set forth in CCMC Chapter 9.07; and</p> <p>E. Stationary source equipment (i.e., compressors) shall be located so as to maintain the greatest distance from the public right-of-way and from Noise Sensitive Receptors.</p>			
35.	Construction vehicles shall not be permitted to stage or queue where they would interfere with vehicular and pedestrian traffic or block access to adjacent properties. During construction, trucks and other vehicles in	Building/ Public Works	Standard	.

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	<p>loading and unloading queues must be parked with their engines off to reduce vehicle emissions. Construction deliveries shall be phased and scheduled to avoid emissions peaks as determined by the Building Official and discontinued during second-stage smog alerts.</p> <p>Off-site staging shall be at locations approved by the City Engineer and shall be of sufficient length to accommodate large trucks without being unduly disruptive to traffic operations. The drivers of these trucks shall be in radio or phone communication with on-site personnel who shall advise the drivers when to proceed from the staging location to the Property. Construction-related vehicles shall not be permitted to park on public streets except along the frontage of the construction site and shall be approved by the City Engineer.</p>			

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NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
PRIOR TO CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION				
36.	All provisions, and requirements set forth in these Conditions of Approval, in the Resolution approving the project, in the CCMC, or in any applicable written comments as provided by City representatives on December 23, 2021, at the Project Review Committee meeting on the Land Use Permit application, shall be fulfilled and satisfied to the satisfaction of all City departments before the use may be established or the Project occupied.	All	Standard	
37.	<p>All onsite and offsite improvements and all conditions of approval except those which are deferred pursuant to a bond or letter of credit as determined and approved by the Building Official, Fire Marshal, Current Planning Manager, and/or City Engineer shall be completed prior to issuance of any certificate of occupancy. Prior to issuance of any certificate of occupancy the following shall be provided to and approved by the City:</p> <p>A digital format compatible with the City's computer system, of as-built set of plans that shall include at a minimum all information that is on the final version of the Building Permit set including any revisions as well as the site plan, grading and utility plan, landscape and irrigation plan, floor plan for each level of the Project, parking structure plan, roof plan with all mechanical equipment identified as to purpose and source and all offsite improvements., and that are certified by the project architect and engineer.</p>	All	Standard	
38.	The applicant shall scan the grading plans, all off-site plans, and SUSMP and SWPPP reports and forward the electronic copies to Engineering.	Public Works	Standard	

EXHIBIT A
 RESOLUTION NO. 2022-P022
 Administrative Site Plan Review Modification, P2021-0306-ASPR/M
 Related Case No.: P2018-0056-ASPR, -TTM
 4051 and 4055 Jackson Avenue

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
PRIOR TO CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION				
39.	All signs and existing painted curb fronting the site shall be replaced and refreshed.	Public Works	Standard	
40.	<p>The Project shall comply with CCMC Chapter 15.06: New Development Fees including:</p> <p>a. Art in Public Places Program, as set forth in CCMC Section 15.06.100, et. seq.,</p> <p>b. Residential Development Park Dedication and In Lieu Parkland Fees as set forth in CCMC Section 15.06.300 et.seq.,</p> <p>c. Mobility Improvement Fees, as set forth in CCMC Section 15.06.500, et. seq.</p>	All	Standard	

EXHIBIT A
 RESOLUTION NO. 2022-P022
 Administrative Site Plan Review Modification, P2021-0306-ASPR/M
 Related Case No.: P2018-0056-ASPR, -TTM
 4051 and 4055 Jackson Avenue

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
ON-GOING				
41.	The use and development of the Property shall be in substantial conformance with the plans and materials submitted with the application for the Land Use Permit as reviewed by the Planning Commission at its meeting on October 26, 2022, except as modified by these Conditions of Approval.	Current Planning	Standard	
42.	Pursuant to CCMC Section 17.650.020 - "Inspection", the Property Owner and Applicant shall allow authorized City officials, or their designees, access to the Property where there is reasonable cause to believe the Property is not in compliance with these Conditions of Approval or other requirements of the CCMC.	All	Standard	
43.	The use and development of the Property shall comply with these Conditions of Approval and all applicable local, special district or authority, county, state and federal statutes, codes, standards, regulations, guidelines and policies, including, but not limited to, Building Division, Fire Department, Current Planning Division and Public Works Department requirements, and shall comply with all applicable CCMC requirements and all comments made during the City's building permit plan check review process (collectively, "Applicable Rules"). Failure to comply with Applicable Rules may result in reconstruction work, demolition, stop work orders, withholding of certificate of occupancy, revocation of land use permit approval and/or any other remedies available to the City in law or in equity.	All	Standard	
44.	All graffiti shall be removed from the Property within 48 hours of its application.	All Depts	Standard	

EXHIBIT A
 RESOLUTION NO. 2022-P022
 Administrative Site Plan Review Modification, P2021-0306-ASPR/M
 Related Case No.: P2018-0056-ASPR, -TTM
 4051 and 4055 Jackson Avenue

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
ON-GOING				
45.	The Property Owner shall maintain all street trees along the property frontage at his/her sole cost and expense.	Public Works	Standard	
46.	City Streetscape improvements shall be maintained by the project owner in perpetuity.	Public Works/ Current Planning	Standard	

GLOSSARY OF ABBREVIATIONS

<u>American Public Works Association Standard Plans</u>	<u>APWA Standards.</u>
<u>Construction Management Plan</u>	<u>CMP</u>
<u>Culver City Municipal Code</u>	<u>CCMC</u>
<u>Electrical Vehicle</u>	<u>EV</u>
<u>Homeowner's Association</u>	<u>HOA</u>
<u>Standard Urban Stormwater Mitigation Plan</u>	<u>SUSMP</u>
<u>Stormwater Pollution Prevention Plan</u>	<u>SWPPP</u>
<u>Transit Oriented Development</u>	<u>TOD</u>

EXHIBIT B
STANDARD CODE REQUIREMENTS
Project Subject to some or all Code Requirements as determined by the City

NO.	CODE REQUIREMENTS	Agency	Code Compliance Verification	Check if Applicable
1.	All building permit applications for the Project shall include sufficient information and detail to clearly reflect compliance with all applicable requirements of the Culver City Municipal Code (the "CCMC") and with the Project Conditions of Approval.	Current Planning		
2.	Pursuant to CCMC Section 17.630.010.C.4 – "Posted Notice", the public notification sign(s) installed in accordance with the public notification requirements for the Land Use Permit shall be removed within ten days after the end of the appeal period or the final decision by the City Council on the Land Use Permit, whichever occurs last.	Current Planning		
3.	The Project shall be developed pursuant to CCMC Chapter 17.300 – "General Property Development and Use Standards".	Current Planning		
4.	All planted areas on the Property shall be landscaped and irrigated pursuant to CCMC Chapter 17.310 - "Landscaping".	Current Planning		
5.	All parking areas on the Property shall be developed pursuant to CCMC Chapter 17.320 - "Off-Street Parking and Loading".	Current Planning		
6.	Signs proposed for the Project shall meet all applicable requirements of CCMC Chapter 17.330 - "Signs". All signs require a separate permit and approval.	Current Planning		
7.	Each dwelling unit shall be equipped with a seismic shutoff valve at all gas connections.	Building		
8.	Each dwelling unit shall be equipped with its own individual water meter.	Building		
9.	The Project applicant shall obtain all permits and licenses required in connection with the development or use of the Project.	All		

EXHIBIT B
STANDARD CODE REQUIREMENTS
Project Subject to some or all Code Requirements as determined by the City

NO.	CODE REQUIREMENTS	Agency	Code Compliance Verification	Check if Applicable
10.	All work within the public right-of-way (including but not limited to curb, gutter, sidewalk, and driveways) shall be designed and completed to the satisfaction of the City Engineer. Drainage devices, concrete curbs and gutters, sidewalks, drive approaches, and roadway pavement shall be designed in conformity with all provisions of the latest edition of the American Public Works Association Standard Plans ("APWA Standards").	Public Works		
11.	Any new utilities shall be placed underground or enclosed within the building construction; no new overhead utilities shall be permitted.	Public Works Current Planning		
12.	The Project shall comply with all applicable requirements of the Culver City Energy Reach Codes as set forth in CCMC Section 15.02.1100-1180, et.seq.	Building		
13.	The Project shall comply with all applicable requirements relating to solar photovoltaic requirements as set forth in CCMC Section 15.02.100, et. seq. and as amended from time to time.	Building		
14.	Plans submitted as part of the building permit application shall include a schedule of the special inspections anticipated, the firm proposed for the special inspections, and the resumes of all proposed special inspectors. The Building Official reserves the right to reject any special inspector at any time for the duration of the Project. All special inspection reports shall be made available to the Building Official and to any Culver City Building Safety inspector as required by the Building Official. No work shall be covered without a Culver City Building Safety inspection, whether or not a special inspection was performed on such work.	Building		
15.	The Project shall comply will all requirements set forth in CCMC Subchapter 9.11.200, et seq.,	City Attorney		

EXHIBIT B
STANDARD CODE REQUIREMENTS
Project Subject to some or all Code Requirements as determined by the City

NO.	CODE REQUIREMENTS	Agency	Code Compliance Verification	Check if Applicable
	<p>relating to the regulation of smoking in multi-unit housing, including, but not limited to, the following:</p> <p>A. All dwelling units of a multi-unit residential property (containing two or more units) shall be designated nonsmoking units.</p> <p>B. Smoking in units, common areas and exclusive-use unenclosed areas shall be prohibited.</p> <p>C. Landlords and HOA Boards are required to provide in their leases and rules, respectively, the following terms related to nonsmoking:</p> <ul style="list-style-type: none"> i. It is a material breach of the lease and a violation of the HOA rules (if applicable) to allow or engage in smoking in a unit; ii. It is a material breach of the lease, or violation of the HOA rules, as applicable, to engage in smoking in any common area, except in an outdoor designated smoking area, if one has been lawfully established and approved by the City; iii. It is a material breach of the lease, or violation of the HOA rules, as applicable, to violate any of the smoking laws while anywhere on the property; and iv. Other occupants of the property are express third-party beneficiaries of the provisions of the lease concerning smoking (for leases only). <p>Smoking includes the smoking of tobacco, marijuana or any other weed or plant, but excludes e-cigarettes, incense and wood burning.</p> <p>The foregoing is not an exclusive list of requirements, and the Project is subject to each, and every provision set forth in CCMC Subchapter 9.11.200, et seq.</p>			
16.	Upon completion of the rough grading and prior to excavation of shallow building foundations, the following reports and drawings and any	Public Works		

EXHIBIT B
STANDARD CODE REQUIREMENTS
Project Subject to some or all Code Requirements as determined by the City

NO.	CODE REQUIREMENTS	Agency	Code Compliance Verification	Check if Applicable
	supplements thereto shall be submitted to the City Engineer: a. An as-built grading plan prepared by the Civil Engineer. b. A certification by the civil engineer that the grading has been completed in conformance with the approved plan and California Building Code. c. A final compaction report and certification by the soils engineer that the grading has been completed to his/her satisfaction and is in compliance with the California Building Code.			
17.	For sites greater than or equal to 1 acre, the applicant shall submit monthly SWPPP inspection reports to the City Engineer.	Public Works		
18.	All utility lines fronting the site shall be undergrounded by the applicant.	Public Works		
19.	The applicant shall give evidence of filing a Notice of Termination for SWPPP for projects greater than or equal to 1 acre.	Public Works		

GLOSSARY OF ABBREVIATIONS

<u>American Public Works Association Standard Plans</u>	<u>APWA Standards.</u>
<u>Construction Management Plan</u>	<u>CMP</u>
<u>Culver City Municipal Code</u>	<u>CCMC</u>
<u>Electrical Vehicle</u>	<u>EV</u>
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<u>Standard Urban Stormwater Mitigation Plan</u>	<u>SUSMP</u>
<u>Stormwater Pollution Prevention Plan</u>	<u>SWPPP</u>
<u>Transit Oriented Development</u>	<u>TOD</u>

EXHIBIT 3

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Appendix B: Residential Sites Inventory

Overview

This appendix details the residential sites inventory for accommodating the RHNA. The City of Culver City is in the process of updating the General Plan. This Housing Element is consistent with the Preferred Land Use Map for 2045 General Plan. The sites identified represent a subset of sites made available through the General Plan update and meeting certain criteria for being considered with development or redevelopment potential at the time of writing this Housing Element. These criteria include existing uses, existing FAR, age of structures (year structure built), improvement-to-land ratio, lot size, adjacency to parcels with redevelopment potential and lot consolidation potential, and expressed interest of developers or property owners, among others. It should be noted that sites properly designated for residential and mixed use development, but do not meet these objective criteria are not included in the sites inventory. However, not making the sites inventory list in the Housing Element does not preclude properties from being able to develop according to their General Plan designation and zoning.

Progress Toward RHNA

While the 6th cycle Housing Element planning period covers from October 15, 2021, through October 15, 2029, the RHNA projection period begins June 30, 2021. Table B- 1 shows the progress towards meeting the RHNA. Housing projects that have been proposed, approved, or entitled for construction during the projection period can be credited against the 6th cycle RHNA. Pipeline projects are those with development application forthcoming. Income distribution of the units is based on project applications, proposals, or discussions with project developers/property owners. In addition, funding has already been allocated for select City-owned sites with conceptual plans underway. The status of pipeline projects was updated as of August 2022.

The number and affordability of units identified in Table B- 1 is determined by specific project applications and funding:

- 3725 Robertson – two affordable units (one low and one moderate income) as inclusionary units in exchange for developer incentives
- Triangle Site 12717 Washington – 17 affordable units (5 very low, 11 moderate, and one workforce) as inclusionary units in exchange for density incentives
- 11111 Jefferson – 19 very low income units as inclusionary units in exchange for density incentives
- Community Garden 10808-10860 Culver Blvd – City owned site with funding set aside for the development of six low income units, with funding identified in the City's housing funds for FY 2021-FY 2024
- 7th Day Adventist 11828 Washington Blvd – Church proposing to develop housing on site and income distribution (4 very low and 8 moderate income units) as proposed by applicant

- 4646 Sepulveda Blvd - United Methodist Church project - City is providing a \$2 million permanent loan to help construct 95 low income affordable units at the rear of the Church parking area – project is currently in plan check
- Virginia lot - The City is currently developing site plans to provide 24 modular (or other type of) low-income housing units on City owned property, with funding identified in the City's housing funds for FY 2021-FY 2024
- Venice Lot – The City is currently developing site plans to provide 12 low-income modular housing units on City owned property, with funding identified in the City's housing funds for FY 2021-FY 2024
- Culver Center (see APNs below) – This 11.4-acre site is currently a shopping center and is comprised of 32 small parcels. Existing uses include Best Buy, Ralphs, Bank of America, Rite Aid, LA Fitness, and other uses. The shopping center also has large areas dedicated to surface parking. The developer has approached the City regarding site redevelopment for a mixed use commercial and residential project. A preliminary project envisions a 1,200-unit project with 420 low income and 180 workforce units (up to 129% AMI). Culver Center APNs:

4208-016-001	4208-016-018	4208-017-025	4208-017-045
4208-016-010	4208-016-024	4208-017-026	4208-017-046
4208-016-011	4208-016-025	4208-017-027	4208-017-048
4208-016-012	4208-016-026	4208-017-028	4208-017-049
4208-016-013	4208-017-003	4208-017-030	4208-017-029
4208-016-015	4208-017-021	4208-017-032	4208-016-009
4208-016-016	4208-017-022	4208-017-039	4208-016-020
4208-016-017	4208-017-024	4208-017-044	4208-016-023

The City has held meetings with the developer to confirm interest in redeveloping the plaza during the Housing Element planning period.

- Venice and Sepulveda, 11166 Venice Blvd., 3816, 3838, and 3848 Sepulveda Blvd – This site is comprised of four parcels, totaling 3.14 acres, is being proposed by the project developer for a mixed use project of 347 units. Specifically, the developer is proposing 17 very low income units along with 35 workforce units. Existing uses include a car wash, a fast food restaurant, and a plant nursery.
- 5915 Blackwelder – The property owner is proposing to convert existing industrial/creative office space into 10 live/work units.

All of these projects can and are expected to be permitted within the eight-year timeframe of the 6th cycle Housing Element. Specifically, the City conducted an Opportunity Sites Development meeting on July 18, 2022, with attendance by the owners and/or developers of many of the pipeline and opportunity sites and confirmed the interest in redeveloping the sites within the timeframe of this Housing Element. One project – United Methodist Church – has already submitted its project application, which is currently in plan

check. The Housing Element timeframe was communicated to the developers/property owners who participated in the Opportunity Sites Development meeting or through follow-up conversations. All remained interested in being included in the sites inventory as opportunity sites.

Table B- 1: Progress Toward RHNA

Project	Type	Extremely Low/ Very Low (50 AMI)	Low (80 AMI)	Moderate (120 AMI)	Workforce (129 AMI)	Above Moderate	Total
Plan Check							
3725 Robertson	Mixed Use	1	0	1	1	9	12
United Methodist - 4464 Sepulveda	Residential	0	95	0	0	0	95
Entitled							
Jackson Condos - 4051 and 4055 Jackson	Residential	0	0	0	0	9	9
Proposed							
Triangle Site - 12717 Washington	Mixed Use	5	0	11	1	87	104
11111 Jefferson	Mixed Use	19	0	0	0	211	230
Community Garden (City-Owned) - 10808-10860 Culver Blvd	Mixed Use	0	6	0	0	0	6
7th Day Adventist - 11828 Washington	Residential	4	0	8	0	0	12
Pipeline Projects							
Virginia Lot Modular (or Other Type) of Low Income units - 10555 Virginia	Residential	0	24	0	0	0	24
Venice Lot	Residential	0	12	0	0	0	12
Culver Center Regency (see APNs in list above)	Mixed Use	0	420	0	180	600	1,200
Venice and Sepulveda - 11166 Venice Blvd., 3816, 3838, and 3848 Sepulveda Blvd	Mixed Use	17	0	0	35	295	347
5915 Blackwelder	Residential	0	0	0	0	10	10
Total		46	557	20	217	1,221	2,061

Opportunity Sites

City staff identified several opportunity sites for future residential housing (see Table B- 2):

Virginia Lot - 10555 Virginia: This City-owned site is being planned for residential uses. A portion of this site is being planned for 24 modular units (or other type of units) (see Pipeline Projects above). The balance of the site (about 2.37 acre) has a parking lease that is set to

EXHIBIT 4

Introduction

Incorporated in 1917, Culver City is centrally located between Venice Beach and Marina Del Rey to the west and downtown Los Angeles. Culver City is a community of just under 40,000 residents and measures approximately five square miles in area. According to the City's 2019-2020 Comprehensive Annual Financial Report, Culver City's top employers include Sony Pictures Entertainment, the Westfield Shopping Mall, Southern California Hospital at Culver City, Culver City Unified School District, City of Culver City, Target, and West Los Angeles College. Once their development projects are complete, Apple, Amazon Studios, and HBO will likely join that list.

Today, Culver City is a destination filled with outdoor cafes, unique shops and galleries opening onto pedestrian-friendly boulevards, nationally recognized historic buildings, media facilities, creative offices, transit-oriented development, and the Hayden Tract, which serves as a creative industries hub. Throughout its history, Culver City has maintained a small-town atmosphere for its community members, preserved single- and two-family neighborhoods, and nurtured medium-density multiple-family apartments and condominiums.

Purpose of the Housing Element

The Housing Element's purpose is to identify the City's housing needs and outline goals, policies, and programs to address them. The Housing Element is an eight-year plan, extending from October 15, 2021, through October 15, 2029. The Housing Element will primarily address these issues: 1) preserving and improving the existing housing stock, 2) providing housing for special needs populations, 3) supplying enough new housing to meet the City's fair share of the region's need, and 4) affirmatively furthering fair housing.

Overview

State law requires that jurisdictions prepare a Housing Element as part of its General Plan, which the State also requires (*Government Code §65302(c)*). Since a General Plan serves as a jurisdiction's blueprint for future development and growth, the Housing Element plays a critical role in the overall Plan. A Housing Element is the primary planning guide for local jurisdictions to identify and prioritize the housing needs of the City and determine ways to best meet these needs while balancing community objectives and resources.

The 2021-2029 Housing Element has five chapters: 1) Introduction, 2) Housing Needs Assessment, 3) Resources and Opportunities, 4) Constraints, 5) Housing Plan, and Appendices. Appendix A evaluates the 2013-2021 Housing Element and Appendix B contains background information on the City's inventory of sites for housing development. Appendix C identifies affordable housing units that are at risk of converting to market rate during the next ten years and outlines potential resources and methods that could be used to preserve their affordability. Appendix D summarizes

- Expanded the sites inventory to include additional opportunities in mixed use areas and multi-family areas
- Refined the estimated potential in the Incremental Infill areas based on a study of the recycling trend in single-family neighborhoods
- Removed neighborhoods that currently prohibit accessory dwelling units due to high fire hazards and topological constraints from the Incremental Infill designation
- Increased commitments to quantified objectives for constructing new housing
- Expanded City efforts to explore affordable housing tools and best practices, including:
 - ADU pre-approved standard plans
 - Right to Return program
- Included the Permit Streamlining and Monitoring program that will increase the unit threshold that triggers discretionary site plan review
- Expanded the Property Acquisition and Rehabilitation Program
- Included a program to explore the feasibility of establishing a Community Land Trust

Housing Element Requirements

All Housing Elements must comply with several State laws. The preparation of the Housing Element is guided by California *Government Code*, Article 10.6. The law governing the contents of Housing Elements is among the most detailed of all elements of the General Plan. According to Section 65583 of the *Government Code*:

The Housing Element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The Housing Element shall identify adequate sites for housing, including rental housing, factory-built housing, mobile homes, and emergency shelters, and shall make adequate provision for the existing and projected needs of all economic segments of the community.

Consistency with Other Elements of the General Plan

Housing is considered in other General Plan elements, such as land use, mobility, and environmental justice. For example, this Housing Element relies on the Preferred Land Use Map of the General Plan update to provide adequate sites for RHNA. As portions of the General Plan are amended in the future, the General Plan (including the Housing Element) will be reviewed to ensure internal consistency is maintained. The objectives and measures of the 2021 – 2029 Housing Element will not conflict with any of the objectives found in other elements of the City's General Plan. Some examples of how the Housing Element is consistent with other Elements of the General Plan are discussed below.

A new requirement enacted since the fifth Housing Element cycle is Senate Bill 1000 (SB 1000). SB 1000 requires policies to ensure healthy and safe housing, such as addressing

City's median household income in 2019 (\$95,044) was substantially higher than that reported in LA County (\$68,044), as had been the case in 2010 and 2000. Income growth in Culver City also outpaced growth in LA County from 2010 to 2017. When compared to other cities in the Westside region, Culver City is most similar in median household income to Santa Monica, while the median household income of Beverly Hills is significantly higher. Although West Hollywood has seen the largest growth in median household income, it still has the lowest median income of the Westside cities.

Table 9: Median Household Income in Culver City and LA County

Jurisdiction	2000 (\$)	2010 (\$)	2019 (\$)	2010-2019 (% Change)
Culver City	52,065	72,199	95,044	32
LA County	42,030	55,476	68,044	23
Santa Monica	50,714	68,842	96,570	40
Beverly Hills	70,945	83,463	106,936	28
West Hollywood	38,914	52,009	74,044	42

Sources: BOC, Census, 2000.; 2006-2010 & 2015-2019 American Community Survey, 5-Year Estimates, Table S1903

Housing needs and assistance programs are based on income categories established in state and federal law. For the Housing Element, the State Department of Housing and Community Development (HCD) has established five income groups based on area median income (AMI), as shown in Table 10.⁴

Table 10: HCD Income Categories

Income Category	% of AMI
Extremely Low ¹	Up to 30% of AMI
Very Low ¹	31-50% of AMI
Low ¹	51-80% of AMI
Moderate	81-120%
Above Moderate	Greater than 120% of AMI

Source: California Dept. of Housing and Community Development

Notes: Extremely Low, Very Low and Low categories together are referred to as "Lower Income."

Under state and federal regulations, the AMI refers to the median income for a metropolitan statistical area; in this case, Los Angeles County.⁵ The AMI for Los Angeles County, as determined by HCD, was \$77,300 in 2020. According to HCD, county median income must be used to establish income groups for the Housing Element. About 27% of Culver City households are Lower Income (Table 11). 73% of Culver City households were within the moderate/above moderate income categories (greater than 80% AMI), a higher proportion of households compared to the county as a whole (59%).

⁴ State income definitions are different compared to federal definitions. For federal housing programs, eligibility is established for households with incomes up to only 80% of the AMI. Under the federal definition these households are considered moderate income. For housing plans that are required by federal regulations, such as the Consolidated Plan and Analysis of Impediments to Fair Housing Choice, the federal income definitions are used.

⁵ A metropolitan statistical area refers to a core area with a substantial population and the adjacent communities that are economically and socially connected to that core.

Table 11: Household Distribution by Income Category in Culver City and LA County

Income Category	Income Category (% of AMI)	Culver City (%)	LA County (%)
Extremely Low	up to 30	11.7	20.6
Very Low	31 to 50	4.9	5.5
Low	51 to 80	10.4	15.2
Moderate	81 to 120	15.0	16.1
Above Moderate	>120	58.0	42.6
Total		100	100

Source: SCAG, RHNA Final Allocation Calculator, March 2021⁶

Housing Stock Characteristics

This section evaluates the characteristics of the community's housing stock, such as the number and type of housing units, recent growth trends, age and condition, tenure, and vacancy, and helps identify and prioritize needs. A housing unit is defined as a house, apartment, mobile home, or group of rooms, occupied as separate living quarters, or if vacant, intended for occupancy as separate living quarters.

Housing Type and Growth Trends

Housing Growth

Between 2000 and 2020, the rate of housing stock growth in Culver City (4.0%) trailed that of the neighboring cities of Santa Monica (10%) and West Hollywood (7.2%) and was comparable to Beverly Hills (3.7%) (see Table 12). Over the last seven years since the 2013-2021 Housing Element was adopted, Culver City added a total of 333 net new housing units to its housing stock, representing a growth rate of 1.9%. Much of the City's residential development activities involve the demolition of existing units and recycling into high density development. This growth rate is consistently lower than those in the neighboring cities of Santa Monica (2.8%) and West Hollywood (4.7%) and LA County (3.7%) from 2013 to 2020. Beverly Hills was the only neighboring city with a rate lower than Culver City (less than 0.1%) from 2013 to 2020.

Table 12: Westside Cities Housing Growth

Jurisdiction	# Units			% Change	
	2000	2013	2020	2013-2020	2000-2020
Culver City	17,130	17,486	17,819	1.9	4.0
Santa Monica	47,863	51,210	52,629	2.8	10.0
Beverly Hills	15,856	16,436	16,443	<0.1	3.7
West Hollywood	24,110	24,698	25,853	4.7	7.2
LA County	3,270,909	3,463,492	3,590,574	3.7	9.8

Sources: BOC, Census, 2010; DOF, Table E-1, 2013, 2020

⁶ SCAG's RHNA methodology does not include the "extremely low" income category defined by HCD as up to 30% AMI. Instead, SCAG combines both the "extremely low" and "very low" income HCD categories into the "very low" income category defined as households below 50% AMI. According to HUD's Comprehensive Housing Affordability Strategy data, 11.7% of households are extremely low income (less than 30% AMI). However, the precise methodology for developing income distribution by these two sources may be different.

Housing Assistance Needs

This section outlines Culver City's existing housing needs, including those resulting from being housing cost-burdened or living in overcrowding situations. It also evaluates the housing needs for special needs groups such as seniors; persons with disabilities or those experiencing homelessness; and female-headed, large, and/or extremely low-income households.

Housing Cost Burden

Housing cost burden is generally defined as households paying more than 30% of their gross income on housing-related expenses. For renters, housing costs include rent and utilities. For owners, housing costs include the mortgage payment, taxes, insurance, and utilities. High housing costs can cause households to spend a disproportionate percentage of their income on housing. This may result in payment problems, deferred maintenance, or overcrowding. Households paying more than 50% of their income on housing are experiencing a *severe housing cost burden*. These households may be at risk of homelessness in the event of illness/disability or a sudden loss of income.

This section uses data from the Comprehensive Housing Affordability Strategy (CHAS) published by the U.S. Department of Housing and Urban Development (HUD). The CHAS provides information related to households with housing problems, including cost burden and overcrowding.⁹ The most recent estimates posted by HUD were derived from the 2013-2017 ACS.

As shown in Table 21, nearly half of renter-households in Culver City experienced one or more housing problem, and 43% paid more than 30% of their incomes towards housing costs in 2017 compared to about one-third of homeowners. Extremely low-income households are the most vulnerable group. With limited income, 80% of the households in this income group experienced one or more housing problems, compared to 73% of very low-income households, 69% of low-income households, and 42% of households citywide. Severe housing cost burden impacted 72% of the extremely low-income households, compared to 45% of very low-income households, 26% of low-income households, and 18% of households citywide.

Table 22 provides information on housing problems and cost burden in Los Angeles County, as a point of comparison. Overall, the instance of cost burden and housing problems in general is lower in Culver City when compared to the County. However, the proportion of lower income households (HH) with a cost burden greater than 50% tends to be higher within Culver City.

⁹ The CHAS collects data on four housing issues: 1) housing unit lacks complete kitchen facilities; 2) housing unit lacks complete plumbing facilities; 3) household is overcrowded; and 4) household is cost-burdened.

Table 21: Housing Problems and Cost Burden in Culver City by Income and Tenure

Household by Type, Income & Housing Problem	Renters (#)	Renters (%)	Owners (#)	Owners (%)	Total HHs (#)	Total HHs (%)
Extremely Low (0-30% AMI)	1,280	66	660	34	1,940	12
with any housing problems	1,045	82	510	77	1,555	80
with cost burden > 30%	1,020	80	515	78	1,535	79
with cost burden > 50%	925	72	475	72	1400	72
Very Low (31-50% AMI)	750	55	625	45	1,375	8
with any housing problems	695	93	315	50	1,010	73
with cost burden > 30%	680	91	305	49	980	71
with cost burden > 50%	495	66	135	22	625	45
Low (51-80% AMI)	1,015	50	1,025	50	2,040	12
with any housing problems	845	83	570	56	1,415	69
with cost burden > 30%	805	79	570	56	1,370	67
with cost burden > 50%	225	22	310	30	535	26
Moderate/Above Moderate (>80% AMI)	4,660	42	6,530	58	11,190	68
with any housing problems	1,200	26	1,750	27	2,950	26
with cost burden > 30%	770	17	1,565	24	2,330	21
with cost burden > 50%	30	1	335	5	365	3
Total Households	7,705	47	8,840	53	16,545	100
with any housing problems	3,780	49	3,145	36	6,925	42
with cost burden > 30%	3,275	43	2,955	33	6,215	38
with cost burden > 50%	1675	22	1,255	14	2,930	18

Source: HUD Comprehensive Housing Affordability Strategy (CHAS) dataset, based on 2013-2017 ACS

Table 29: Point-in-Time Homeless Population Counts in Culver City and LA County

	Culver City			Los Angeles County		
	2016 #	2020 #	% Change	2016 #	2020 #	% Change
All	129	216	67	39,587	66,436	68
Unsheltered	80	167	109	30,753	48,041	56
On the Street	28	62	121	10,850	17,059	57
In Cars/Vans/Campers	40	76	90	12,166	18,904	55
In Makeshift Shelters/Tents	12	29	142	7,737	12,078	56
Sheltered	49	49	0	8,847	18,395	108
In Emergency Shelters	49	49	0	4,387	14,077	221
In Transitional Housing	0	0	0	4,445	4,234	-5
In Safe Havens	0	0	0	15	84	460

Source: LAHSA, Homeless Counts by Community/City Dashboard, 2016, 2020

Emergency Shelter Facilities

Senate Bill 2 of 2007 (Government Code §65583) strengthened the planning requirements for local governments in emergency and transitional housing. Cities must estimate the number of persons in need of emergency shelter and determine whether adequate capacity currently exists to serve the need. If there is insufficient capacity, cities are required to identify zones where emergency shelters may be established "by-right" (i.e., without a conditional use permit).

There is one full-time emergency shelter within Culver City, Upward Bound House, located at the intersection of Washington Boulevard and Beethoven Street. This facility was approved for conversion from a motel to an 18-room emergency shelter in 2008. A maximum of 60 persons can be accommodated at the facility. The Housing Division handles the majority of housing referrals for persons experiencing homelessness. The Culver City Senior Center (4095 Overland Avenue) also offers housing referral program materials. The Upward Bound House only focuses on families experiencing homelessness and not on single men or women; it does not meet the need of the entire Culver City homeless population. To minimize constraints to providing additional shelter facilities as SB 2 requires, the Zoning Code allows Emergency Shelters by-right in portions of the Industrial General (IG) zone and the East Washington Boulevard Overlay zone, an area which includes about 24 acres (119 parcels). These parcels are located along transportation corridors and therefore have access to services.

Additionally, on March 22, 2021, the City Council directed staff to move forward with the Venice Parking Lot site (9415-25 Venice Blvd.) to build 10 modular units for temporary shelter, affordable housing, or permanent supportive housing. A budget of \$3 million has been allocated to this project. Another \$6.8 million has been allocated to construct and operate a 70-bed sprung shelter on the Venice Parking Lot site.

Extremely Low-Income Households

State law requires that cities analyze the existing and projected housing needs for extremely low income (ELI) households. ELI households have incomes that are 30% or less of the AMI, adjusted for household size. The 2020 AMI for LA County was \$77,300

(see Table 20), meaning that a four-person household considered to be ELI has an income of \$33,800 or less.¹²

ELI households have various housing problems and needs. The relatively high cost of housing on the Westside often results in cost burden or overcrowding when ELI households "double-up" with more than one family sharing living space. Such conditions may lead to overtaxed utilities and infrastructure, stress, and adverse health effects. According to the 2013-2017 CHAS, there are 1,940 ELI households in Culver City. ELI impacts renter households and senior households disproportionately. Among the ELI households, 66% are renters and 34% are owners. Senior households make up 39% of ELI renters and 64% of ELI owners.

However, ELI renter and owner households are similarly affected by housing problems and cost burdens (see Table 30). About 80% of ELI households have at least one housing problem,¹³ and 79% are cost-burdened, paying more than 30% of their monthly income on housing.

Table 30: ELI Households by Type and Tenure in Culver City (2017)

	Renter				Owner				Total
	Senior	Large ¹	All	All (%)	Senior	Large	All	All (%)	
ELI households (#)	495	40	1,280	66	420	0	660	34	1,940
Any housing problem (%)	76	100	82		80	0	77		80
Cost-burdened (%)	77	100	80		80	0	78		79

Sources: HUD Comprehensive Housing Affordability Strategy (CHAS) dataset, based on 2013-2017 ACS

Note: 1. Large households are households containing five or more members.

Though RHNA does not specifically call out ELI households as a category, meeting the housing needs of these persons is an issue for all municipalities. The Culver City Zoning Code allows the development of single room occupancy (SRO) housing as part of mixed use developments. The Zoning Code requires each SRO unit to include bathroom and kitchen facilities and must be a minimum of 200 square feet. SROs help to meet the needs of extremely-low- and very-low-income individuals.

¹² HCD publishes annual household income limits for each county in California. The published income limits for extremely low, very low and low income households are used to determine eligibility for some assistance programs and are adjusted upward in high housing cost areas like Southern California. Therefore, the income limits published by HCD for Los Angeles County are higher than the calculated income categories that would result from the applicable percentages of AMI.

¹³ There are four housing problems in the CHAS data: 1) housing unit lacks complete kitchen facilities; 2) housing unit lacks complete plumbing facilities; 3) household is overcrowded; and 4) household is cost-burdened.

EXHIBIT 5

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



October 10, 2022

John Nachbar, City Manager
City of Culver City
9770 Culver Boulevard
Culver City, CA 90232

Dear John Nachbar:

RE: City of Culver City's 6th Cycle (2021-2029) Adopted Housing Element

Thank you for submitting the City of Culver City's (City) housing element adopted on August 8, 2022, and received for review on August 11, 2022 with technical modifications received on October 3, 2022 and October 6, 2022 as authorized by Resolution number 2022-R069. Pursuant to Government Code section 65585, subdivision (h), the California Department of Housing and Community Development (HCD) is reporting the results of its review. In addition, HCD considered comments from several members of the community, pursuant to Government Code 65585, subdivision (c).

HCD is pleased to find the adopted housing element in full compliance with State Housing Element Law (Article 10.6 of the Gov. Code). The adopted element, including technical modifications, addresses the statutory requirements described in HCD's July 26, 2022 review.

Additionally, the City must continue timely and effective implementation of all programs including, but not limited to, the following:

- Measure 1A (Housing Choice Vouchers)
- Measure 1F (Affordable Housing Development Assistance)
- Measure 2A (Homeless and Special Needs Housing)
- Measure 2B (Zoning Code Amendments)
- Measure 3A (Neighborhood Preservation Program)
- Measure 4A (Rezone Program and SB-9 Protections)
- Measure 4D (ADU Ordinance Update)
- Measure 4F (Affordable Housing Tools and Livable Communities)
- Measure 4G (Hotel / Motel Conversions)
- Measure 4J (Zoning Code Review and Removal of Parking Minimums)
- Measure 5A (Fair Housing Counseling)
- Measure 6E (Homebuyer Assistance Program)

The City must monitor and report on the results of these and other programs through the annual progress report, required pursuant to Government Code section 65400. Please be aware, Government Code section 65585, subdivision (i) grants HCD authority to review any action or failure to act by a local government that it determines is inconsistent with an adopted housing element or housing element law. This includes failure to implement program actions included in the housing element. HCD may revoke housing element compliance if the local government's actions do not comply with state law.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City now meets housing element requirements for these and other funding sources.

HCD appreciates the hard work and dedication Troy Evangelho, Lauren Wrenn, Sol Blumenfield and your consultant, Veronica Tam, provided in the preparation of the City's housing element. HCD wishes the City success in implementing its housing element and looks forward to following the City's progress through the annual progress report pursuant to Government Code section 65400. If you have any questions or need technical assistance, please contact Shawn Danino at Shawn.Danino@hcd.ca.gov.

Sincerely,



Paul McDougall
Senior Program Manager

EXHIBIT 6



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Account Information

Account #	08738833
Expire Date	7/31/2023
Name	RIFAAT SALEM
Address	4051 JACKSON AVE
City	CULVER CITY
Phone	(310) 376-7000 x1121

Summary

STD	Input	Balance Due
Number of Units	4.00	\$668.00
Penalty		\$400.80
Prior Balance		\$668.00
Total Balance Due		\$1,736.80

Payment Information

Credit Card #	x4961
Payment Amount	\$1,736.80

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Confirmation #: 055550 (3839467865)

Account Information

Account #	08738833
Expire Date	7/31/2023
Name	RIFAAT SALEM
Address	4051 JACKSON AVE
City	CULVER CITY
Phone	(310) 376-7000 x1121

Summary

STD	Input	Balance Due
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