

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

December 14, 2022
7:00 p.m.

Call to Order & Roll Call

Chair Barba called the regular meeting of the Culver City Planning Commission to order at 7:05 p.m. in Council Chambers and via Webex.

Present: Nancy Barba, Chair
Jennifer Carter, Commissioner
Stephen Jones, Commissioner
Andrew Reilman, Commissioner

Absent: Ed Ogosta, Vice Chair

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Pledge of Allegiance

Chair Barba led the Pledge of Allegiance.

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Public Comment - Items NOT on the Agenda

Chair Barba invited public comment.

Ruth Martin del Campo, Administrative Clerk, indicated that no requests to speak had been received.

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Receipt of Correspondence

Ruth Martin del Campo, Administrative Clerk, reported that an email received for Public Comment - Items Not on the Agenda and a letter from the applicant in Item PH-3 had been received

and distributed to Commissioners and Staff prior to the meeting for review.

Chair Barba confirmed that Commissioners had received the distributed correspondence.

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Consent Calendar

MOVED BY COMMISSIONER JONES AND SECONDED BY CHAIR BARBA THAT THE PLANNING COMMISSION APPROVE ITEMS C-1 AND C-2.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BARBA, CARTER, JONES, REILMAN
NOES: NONE
ABSENT: OGOSTA

Item C-1

Approval of Draft Planning Commission Meeting Minutes of October 26, 2022

THAT THE PLANNING COMMISSION APPROVE THE DRAFT PLANNING COMMISSION MINUTES FOR THE MEETING OF OCTOBER 26, 2022.

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Item C-2

Approval of Draft Planning Commission Meeting Minutes of November 9, 2022

THAT THE PLANNING COMMISSION APPROVE THE DRAFT PLANNING COMMISSION MINUTES FOR THE MEETING OF NOVEMBER 9, 2022.

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Order of the Agenda

Item PH-2 was heard before Item PH-1.

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Public Hearing Item

Item PH-2
(Out of Sequence)

PC - Consideration of an Administrative Site Plan Review Modification, to allow construction of a 9-Unit Townhome Style Condominium Subdivision at 4051 and 4055 Jackson Avenue (Project) and Determination of Consistency with Previously Adopted Class 32 CEQA Exemption

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

Christina Burrows, Deputy City Attorney, reminded the Commission of the limited scope of the application; discussed verification of the Conformance Review; protections for the tenants in the existing units; inapplicability of Senate Bill (SB) 330 and SB 8 to the application; applicability of the City's rent control and tenant protection ordinances; Los Angeles county protections; and restrictions on evictions.

MOVED BY COMMISSIONER CARTER AND SECONDED BY CHAIR BARBA THAT THE PLANNING COMMISSION OPEN THE PUBLIC HEARING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BARBA, CARTER, JONES, REILMAN
NOES: NONE
ABSENT: OGOSTA

Chair Barba invited public comment.

The following member of the public addressed the Commission:

Alex Cornelius, applicant attorney, indicated that they had complied with all requirements; discussed the relationship of his client with tenants; right of first refusal; offers made to the tenants over and above what is required by the law; the RHNA (Regional Housing Needs Assessment) analysis; adding to housing stock; and he asserted that his client was committed to the community.

Discussion ensued between Mr. Cornelius, staff, and Commissioners regarding conformance with registration requirements and understanding obligations.

MOVED BY COMMISSIONER JONES AND SECONDED BY COMMISSIONER CARTER THAT THE PLANNING COMMISSION CLOSE THE PUBLIC HEARING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BARBA, CARTER, JONES, REILMAN
NOES: NONE
ABSENT: OGOSTA

Discussion ensued between staff and Commissioners regarding the limited purview of the Commission; conformance with requirements; the allowance made for solar; concern with how the item had moved forward; lack of registration of the rental units; application of the City's rent control ordinance to the units; the need for units at all income levels; Assembly Bill (AB) 1397; Housing Element Measure 5k; inapplicability of current state law to the current project which was initiated prior to current state law; tenant protections; replacement unit requirement; other Housing Element provisions applied to other projects; concern that the Housing Element provisions do not apply to the project; requested adjustments to the registry; ensuring tenants know their rights; concern with displacement of community members; relocation assistance only coming into play when tenants are notified of an eviction; email received from residents; loss of naturally occurring affordable housing; and a request that the offer of two times what is required be codified as a Condition.

Alex Cornelius, applicant attorney, stated that his client would pay two times what is required under applicable laws.

Additional discussion ensued between staff and Commissioners regarding clarification that the law requires payment of tenant rent or market rent, whichever is higher; reaffirming the immediate need for additional housing in the City; and concern that the Planning Commission has to approve the project if the Project conforms to the conditions of approval.

MOVED BY CHAIR BARBA AND SECONDED BY COMMISSIONER REILMAN THAT THE PLANNING COMMISSION: APPROVE AN ADMINISTRATIVE SITE PLAN REVIEW MODIFICATION, SUBJECT TO CONDITIONS OF APPROVAL, ALLOWING CHANGES TO A PREVIOUSLY APPROVED 9-UNIT CONDOMINIUM PROJECT WITH SUBTERRANEAN PARKING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BARBA, CARTER, REILMAN
NOES: JONES
ABSENT: OGOSTA

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Item PH-1

PC - Consideration of a Tentative Parcel Map No. 83882 to Construct a Two-Unit Residential Condominium Development at 4168 Mildred Avenue (Project) and Determination that Project is Exempt from CEQA Pursuant to a Class 15 Categorical Exemption

William Kavadas, Assistant Planner, provided a summary of the material of record.

MOVED BY COMMISSIONER REILMAN AND SECONDED BY COMMISSIONER JONES THAT THE PLANNING COMMISSION OPEN THE PUBLIC HEARING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BARBA, CARTER, JONES, REILMAN
NOES: NONE
ABSENT: OGOSTA

Chair Barba invited public comment.

The following member of the public addressed the Commission:

Michael Katsibas, KAP Studios, provided a presentation on the project; discussed prevailing conditions in the neighborhood; larger projects going into the neighborhood; precedent to increase height; increased housing and density; creating entry-level units; affordable pricing; airspace; easements; shared access; unit layouts; ensuring that parking is not prominent on the street; providing direct access; massing; setbacks; unit layout; the roof deck; floorplans; landscaping; patios; hardscaping; stairs; façade; elevations; massing; the neighborhood study; materials; terraces; railing insets; height restrictions; setbacks; providing outdoor open space for each unit; creating a community environment; and creation of affordable units.

Robert Hayes provided background on himself; expressed concern with changes to the residential community; discussed

family oriented living; the proposed change from family homes to condominiums; the different style of living; unit height; roof decks; height restrictions; concern with joint ownership of the property; maintenance; and property size.

Grazia Hayes discussed the quiet bedroom community; concern with introducing the first condominium on the small street; the proliferation of mega mansions; size of lots in Culver City vs. in Los Angeles; the small driveways; current inadequate parking; houses without garages; concern that the project is just to make more money for the developer; concern with providing less living space for people; concern with setting a precedent; and she reported being involved in tree planting in the area.

Marian McNair indicated speaking on behalf of herself and the neighbors on each side of the property; discussed setbacks; huge structures on the block right up against the property line; fire concerns; parking concerns; trash day; restaurant patrons; issues related to construction; and maintaining access to adjacent properties.

MOVED BY COMMISSIONER JONES AND SECONDED BY COMMISSIONER CARTER THAT THE PLANNING COMMISSION CLOSE THE PUBLIC HEARING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BARBA, CARTER, JONES, REILMAN
NOES: NONE
ABSENT: OGOSTA

Discussion ensued between staff and Commissioners regarding the project as meeting the code allowance; condo arrangements; the flag lot orientation; precedent in the City; setbacks built into the zoning code; Fire Department requirements; support for the neighborhood trees; state law requiring lot splitting; the upcoming rezoning process; implementation of the Housing Element; height; addressing concerns; consistency; predictability; previous work done to examine Floor Area Ratio (FAR), setbacks, and step backs; the ability for the lot to accommodate more units; Commission purview; lot size; scale of the community; support for the design; condos as being homes; and different types and shapes of homes.

Responding to inquiry, Michael Katsibas, KAP Studios, discussed the timeline for the project.

MOVED BY COMMISSIONER REILMAN AND SECONDED BY COMMISSIONER CARTER THAT THE PLANNING COMMISSION: 1) ADOPT A CATEGORICAL EXEMPTION PURSUANT TO CEQA SECTION 15315, CLASS 15, MINOR LAND DIVISIONS, FINDING THAT THERE ARE NO POTENTIALLY SIGNIFICANT ADVERSE IMPACTS ON THE ENVIRONMENT; AND, 2) APPROVE TENTATIVE PARCEL MAP NO. 83882, P2022-0136-TPM, SUBJECT TO THE CONDITIONS OF APPROVAL AS STATED IN RESOLUTION NO. 2022-P023.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BARBA, CARTER, JONES, REILMAN
NOES: NONE
ABSENT: OGOSTA

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Item PH-3

PC - Consideration of a Site Plan Review, Administrative Modification, and Administrative Use Permit (P2022-0062), to allow a Three-Story, 47.3-ft high, 35,073 sq. ft. Commercial/Office Development with Outdoor Dining, Subterranean Parking, and associated Site Improvements at 8570 National Boulevard (Project) and a Class 32 CEQA Exemption

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

Discussion ensued between staff and Commissioners regarding ADA (Americans with Disabilities Act) compliance; the definition of bay windows; and clean-up items that will be brought forth to the Commission.

MOVED BY COMMISSIONER REILMAN AND SECONDED BY COMMISSIONER CARTER THAT THE PLANNING COMMISSION OPEN THE PUBLIC HEARING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BARBA, CARTER, JONES, REILMAN
NOES: NONE
ABSENT: OGOSTA

Chair Barba invited public comment.

The following member of the public addressed the Commission:

Michael Namba, Redcar Properties, introduced project representatives; presented a video of previous projects; discussed the background of the company; and commercial projects.

Kevin Kudo-King, Olson Kundig, discussed developer commitment; creating a pedestrian environment along National Blvd; project site; inspiration for the architecture; landscaping; the garden; visual amenities; setbacks; materials; sustainability; native plantings; the roof and roof deck; bay windows; transitioning to the residential scale; and providing windows that open and close.

Michael Namba, Redcar Properties, discussed the bay windows; articulation; the need to shift the building back three feet if bay windows are not used; architectural elements; he pointed out the many restrictions and constraints that the project must adhere to; and he read a quote from Albert Einstein displayed outside of City Hall.

Hannah Coleman reported living adjacent to the project; discussed previous issues with construction being disruptive to the community; early starts; the staging area for construction; parking; enforcement; ADA compliance; traffic; speeding; noise; film production in the area; and she asked if an agreement similar to what Turning Point School has could be implemented.

Veronica Chavez reported living adjacent to the project; expressed concern with parking and the need for enforcement; and concern with sound issues in the residential area.

Pam Couch reported living in the area; discussed vacant commercial space in the City; the need to encourage pedestrian traffic; concern that Schaefer St would be turned into a commuter street; safety issues; the need to eliminate a parking spot to improve sightlines; speedbumps; children in the neighborhood; the need to implement protections for neighborhoods bordering commercial districts; ADA accessibility; and concern with disrespect from the construction team by not adhering to construction hours.

Matthew Couch was called to speak but was not present online.

MOVED BY COMMISSIONER JONES AND SECONDED BY COMMISSIONER CARTER THAT THE PLANNING COMMISSION CLOSE THE PUBLIC HEARING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BARBA, CARTER, JONES, REILMAN
NOES: NONE
ABSENT: OGOSTA

Responding to inquiry, Michael Namba, Redcar Properties, indicated that the construction company had not yet been chosen; he indicated that a construction liaison would be provided; and he stated that the proposed bulb-out should alleviate sightline issues.

MOVED BY COMMISSIONER JONES AND SECONDED BY COMMISSIONER REILMAN THAT THE PLANNING COMMISSION RE-OPEN THE PUBLIC HEARING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BARBA, CARTER, JONES, REILMAN
NOES: NONE
ABSENT: OGOSTA

Hannah Coleman discussed a parking spot blocking visibility to turn left from Schaefer St on to National Blvd, whether construction was planned to occur on Sundays, and the importance of ensuring ADA and stroller access.

Discussion ensued between staff and Commissioners regarding parking reductions.

Responding to inquiry, Michael Namba, Redcar Properties, indicated that the zoning precluded residential development at that location.

MOVED BY COMMISSIONER REILMAN AND SECONDED BY COMMISSIONER JONES THAT THE PLANNING COMMISSION CLOSE THE PUBLIC HEARING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BARBA, CARTER, JONES, REILMAN
NOES: NONE
ABSENT: OGOSTA

Discussion ensued between staff and Commissioners regarding ADA accessibility; the sidewalk; utilities; the bay window; the feeling that too many glass boxes have been built; appreciation for the design; ADA compliance; curb ramps; widening of the sidewalk; utility boxes; and pedestrian access.

Jimmy Galvez, Sherwood Design Engineers, discussed the ability to bring out the curb and provide a five-foot width; trees; and pedestrian access.

Additional discussion ensued between staff and Commissioners regarding unimpeded pedestrian access; clearances; the possibility of needing to move fire hydrants and light poles to provide a direct unimpeded path; larger utility poles; the rare opportunity to create a more walkable, inclusive community; and amending Condition 32 to include a five-foot wide pedestrian requirement.

John Bowman, Elkins Kalt, discussed their intention; providing the flexibility to work with staff; he indicated that they would grant the easement as necessary to provide the five-foot clear pathway; and he clarified that the path might not be straight, but it would be five-foot clear.

Further discussion ensued between staff and Commissioners regarding ensuring that the five-foot clearance would be provided; others areas in the City with easements granted by property owners; ensuring that a condition is not created that is similar to conditions at 8700 National Blvd; plans vs. the final product; general policy; providing a more meandering pathway rather than sharp outcroppings to accommodate power poles; adding a condition to require an unimpeded minimum five-foot wide pedestrian path; allowing staff to use their judgement; ensuring that pedestrians are not walking through a maze; adding the requirement to Condition 32; street trees; agreement from the applicant to coordinate with staff; concern with creating an opening to allow for huge overhangs; the importance of being intentional vs. not having parameters on what is allowed on bay window-like protrusions; support for proposed amenities; sensitivity to having the project on a residential neighborhood street; improving streetscape; challenges on the sidewalk; pulling the sidewalk out into National Blvd; the importance of managing the construction team; resident comments; construction hours and blockages; support for the forward-looking project; difficulties for shops along National Blvd;

commitment to the area; residential; the need to rezone the area; future regulations for commercial properties that facilitate conversion to residential apartments; encouragement for the applicant to provide the neighbors with a phone number to call to address construction concerns; the required Construction Management Plan and the requirement to post contact information; the ability of residents to contact the City Code Enforcement Manager and Building Official if concerns are not addressed; impacts to parking; procedures for residents to request permit parking and speed humps; and City contact information was provided.

MOVED BY COMMISSIONER REILMAN AND SECONDED BY COMMISSIONER CARTER THAT THE PLANNING COMMISSION: ADOPT RESOLUTION NO. 2022-P024 ADOPTING A CLASS 32 CATEGORICAL EXEMPTION PURSUANT TO CEQA AND APPROVING SITE PLAN REVIEW, P2022-0062-SPR, ADMINISTRATIVE MODIFICATION, P2022-0062-AM, AND ADMINISTRATIVE USE PERMIT, P2022-0062-AUP, FOR A NEW COMMERCIAL OFFICE PROJECT, SUBJECT TO THE REVISED CONDITIONS OF APPROVAL.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BARBA, CARTER, JONES, REILMAN
NOES: NONE
ABSENT: OGOSTA

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Action Items

None.

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Public Comment - Items NOT on the Agenda (Continued)

Chair Barba invited public comment.

Ruth Martin del Campo, Administrative Clerk, reported that no additional requests to speak had been received.

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Items from Planning Commissioners/Staff

Discussion ensued between staff and Commissioners regarding upcoming agenda items; the meeting schedule; bringing back Zoning Code clean-up amendment items; execution of a consultant contract to work on Residential Objective Design Guidelines; examination of streamlining projects; the need to amend the subdivision section of the municipal code; the Subdivision Map Act; changing the authority as to who the approving body is; parcel maps; tract maps; staff agreement to provide additional information as available; the timeline; and the Site Plan Review process.

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Adjournment

There being no further business, at 10:03 p.m., the Culver City Planning Commission adjourned to a regular meeting to be held on January 25, 2023.

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RUTH MARTIN DEL CAMPO
SECRETARY of the CULVER CITY PLANNING COMMISSION

APPROVED _____

NANCY BARBA
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 Bocchino
CITY CLERK

Date