



Culver CITY

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**PLANNING COMMISSION
MEETING AGENDA
WEDNESDAY, FEBRUARY 23, 2011
7:00 P.M.**

PUBLIC COMMENT

The Planning Commission will listen to the public on any item on the agenda or item of interest that is not on the agenda. The Planning Commission cannot legally take action on any item not scheduled on the agenda. Such items may be referred for administrative action or scheduled on a future agenda.

If you wish to speak to the Commissioners, please complete a Speaker's Card and present it to the Secretary before the agenda item is called. You will be called to the podium by name when it is your turn to speak to the Commissioners.

PUBLIC COMMENT FOR ITEMS ON THE AGENDA

Persons wishing to speak on agenda items will be called at the time the agenda item is brought forward. Comments will generally be limited to five minutes per speaker; however, a three-minute limit may be declared by the Chairperson for agenda items for which many Speaker Cards have been submitted.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

A total of twenty minutes shall be devoted to audience participation at the beginning of the agenda. Speakers will be called on in the order cards were received by the Secretary. If additional time is needed, the Chairperson will allow for same at the end of the agenda.

When the Secretary calls your name, please advance to the podium and state your name and city of residence. Speakers must limit their comments to five minutes. A three-minute limit may be declared by the Chairperson if there is a large number of individuals desiring to address the Commissioners.

NOTE: AT OR ABOUT 11:00 P.M., COMMISSION MEMBERS WILL DETERMINE WHETHER TO CONTINUE WITH DISCUSSION OF REMAINING ITEMS ON THE AGENDA OR TO CARRY SOME/ALL OF THE ITEMS OVER TO A FUTURE MEETING DATE.

CELL PHONES AND OTHER DISTRACTIONS

Use of cell phones, pagers and other communication devices is prohibited while the Planning Commission Meeting is in session. Please turn all devices off or place on silent alert and leave the Chambers to use. During the meeting, please refrain from applause or other actions that may be disruptive to the speakers or the conduct of City business.

MEETING INFORMATION

Planning Commission meetings are regularly scheduled for the second and fourth Wednesdays of every month. Planning Commission Agenda information is available 72 hours before each Planning Commission meeting via a tape recorded message by calling 310-253-5741.

City Council/Agency/Commission meetings can be viewed live on Channel 35 by Time Warner subscribers. Meetings are also broadcast on the City's Radio Station AM 1690. To view the Planning Commission meetings on line please visit <http://www.culvercity.org/webcast>

ALD

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Culver CITY

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AGENDA

Planning Commission

Wednesday, February 23, 2011

7:00 p.m.

Mike Balkman Council Chambers

CALL TO ORDER & ROLL CALL

Linda Smith-Frost, Chair
Anthony Pleskow, Vice Chair
Scott Wyant, Commissioner
Marcus Tiggs, Commissioner
John Kuechle, Commissioner

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT – Items Not On The Agenda

ACTION ITEMS

- A-1. Standard Conditions. **Approve.**
(Thomas Gorham (310) 253-5710).
Continued from January 12, 2011

PUBLIC HEARING

- PH-1. Conditional Use Permit to allow the operation of a 1,280 square foot vehicle repair shop located at 11304 Culver Boulevard.
(Jose Mendivil (310) 253-5757). **Approve.**
Continued from January 12, 2011

CONSENT CALENDAR. *Note: Consent Calendar items are considered to be routine in nature and may be approved by one motion. Public requests to discuss Consent Calendar items must be filed with the Secretary before the Consent Calendar is called.*

- C-1. Secretary's Report. **Approve Report.**

C-2. Approval of Minutes of January 12, 2011. **Approve.**

ITEMS FROM STAFF

ITEMS FROM PLANNING COMMISSION

ADJOURN

**Next Planning Commission Meeting
March 3, 2011
7:00 PM**

Upcoming Public Meeting Schedule –Tentative – 2011

Date	Day	Time	Location
<i>City Council</i>			
<i>March 14</i>	<i>Monday</i>	<i>7:00PM</i>	<i>Council Chambers</i>
<i>Redevelopment Agency</i>			
<i>March 7</i>	<i>Monday</i>	<i>7:00PM</i>	<i>Council Chambers</i>
<i>Civil Service Commission</i>			
<i>March 2</i>	<i>Wednesday</i>	<i>7:00PM</i>	<i>Council Chambers</i>
<i>Cultural Affairs Commission</i>			
<i>March 8</i>	<i>Tuesday</i>	<i>7:00PM</i>	<i>Council Chambers</i>
<i>Parks & Recreation Commission</i>			
<i>March 1</i>	<i>Wednesday</i>	<i>7:00PM</i>	<i>Patacchia Room</i>
<i>Planning Commission</i>			
<i>March 3</i>	<i>Wednesday</i>	<i>7:00PM</i>	<i>Council Chambers</i>

Meetings may be added or changed.

EXHIBIT A
RESOLUTION NO. 2011-P002

Standard Conditions of
Approval for
Discretionary Land Use
Permits

2/23/2011

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
1.	These Conditions of Approval are being imposed on [insert project description] (the "Project"), for the property located at [insert property address] (the "Property").	All	Standard	
2.	A copy of the Resolution approving the Project, and a copy of these Conditions of Approval, shall be printed on the plans submitted as part of any building permit application for the Project.	Planning	Standard	
3.	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 these Conditions of Approval.	Planning	Standard	
4.	The land use permit to which these Conditions of Approval apply (the "Land Use Permit") shall expire one year from the date of final approval of said Land Use Permit, if the use has not been exercised. As provided in CCMC Section 15.595.030 – "Time Limits and Extensions", an applicant may request an extension of said expiration date by filing a written request with the Planning Division prior to the expiration of the land use permit.	Planning	Standard	
5.	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.	Planning	Standard	
6.	All mitigation measures set forth in any environmental document relating to the Project (including any reports of the type contemplated by the California Environmental Quality Act) shall be completed as specified therein.	Planning	Standard	
7.	The Project shall be developed pursuant to CCMC Chapter 17.300 – "General Property Development and Use Standards".	Planning	Standard	

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
8.	All planted areas on the Property shall be landscaped and irrigated pursuant to CCMC Chapter 17.310 - "Landscaping".	Planning	Standard	
9.	All parking areas on the Property shall be developed pursuant to CCMC Chapter 17.320 - "Off-Street Parking and Loading".	Planning	Standard	
10.	Signs proposed for the Project shall meet all applicable requirements of CCMC Chapter 17.330 - "Signs". All signs require a separate permit and approval.	Planning	Standard	
11.	All permits and licenses required in connection with the development or use of the Project shall be applied for and obtained separately.	All	Standard	
12.	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.	Public Works	Standard	
13.	Street trees shall be installed, to the satisfaction of the City Engineer, in conformity with the City's approved Street Tree Master Plan including tree wells and irrigation. 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.	Public Works	Standard	
14.	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	Standard	
15.	At the sole cost and expense of the Property Owner, any broken or damaged curbs, gutters, sidewalks, and street pavement resulting from construction of the Project shall be repaired and reconstructed in conformity with APWA Standards.	Public Works	Standard	

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
16.	Trash enclosures shall be provided and shall each have a minimum inside dimension of 10 feet x 12feet, a gated opening that is at least 8 feet wide with gate, and a 6 inch high by 6 inch wide concrete curb along the inside perimeter wall shall. Each enclosure shall also have at least a 6 inch thick concrete slab that drains at a one percent gradient out of the enclosure. Final approval 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 shall be obtained from the City's Environmental Programs and Operations Manager. A fire suppression sprinkler system shall be provided within any covered trash enclosure area as required by the Fire Marshal. All refuse containers assigned to or otherwise used by the Project shall be stored on-site in the trash enclosures.	Public Works/ Fire	Standard	
17.	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.	Public Works	Standard	
18.	The Project shall meet all provisions of CCMC Section 7.05.015 -"Transportation Demand and Trip Reduction Measures".	Trans.	Standard	
19.	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 issuance of a building permit.	Building/ Fire	Standard	
20.	Any new utilities shall be placed underground or enclosed within the building construction; no new overhead utilities shall be permitted.	Building	Standard	
21.	The Project shall comply with all applicable requirement of the Culver City Green Building Program as set forth in CCMC Section 15.02.1100, et.seq.	Building	Standard	

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
22.	The Project shall comply with the all applicable requirements relating to solar photovoltaic requirements as set forth in CCMC Section 15.02.100, et. seq.	Building	Standard	
23.	Changes to the Project or use approved as part of the Land Use Permit shall be subject to the provisions of CCMC Section 17.595.035 – “Changes to an Approved Project”.	Planning	Standard	

Prior to Building Permit Issuance

24.	A covenant and agreement, on a form provided by the Planning Division and in form and substance acceptable to 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 Planning Division.	Planning/ City Attorney	Standard	
25.	The Applicant and Property Owner shall indemnify and agree to defend (at the Applicant’s and Property Owner’s sole expense, with legal counsel approved by the City) and hold harmless the City, and its elected and appointed officials, officers, employees, agents, contractors and consultants from and against any and all loss, damages, injuries, costs, expenses, liabilities, claims, demands, lawsuits, attorneys’ fees and judgments, arising from or in any manner connected to any third party challenge to the City’s approval of the Project. The obligations required by this Condition shall be set forth in a written instrument in form and substance acceptable to the City Attorney and signed by the Applicant and the Property Owner.	City Attorney	Standard	
26.	A minimum of three sets of final landscaping and irrigation plans (separate from the plans submitted for the building permit) shall be submitted to the Planning Division for review and approval.	Planning/ Parks & Rec.	Standard	

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
27.	Payment of New Development Impact Fees pursuant to CCMC Section 15.06.005 et. seq. shall be submitted.	Planning/ Building	Standard	
28.	A Construction Management Plan prepared by the construction contractor, which identifies the areas of construction staging, temporary power, portable toilet, and trash and material storage locations, shall be submitted to and approved by the Building Official. The construction contractor shall advise the Public Works inspector and Building Inspector ("Inspectors") of the construction schedule and shall meet with the Inspectors prior to commencement of work.	Building/ Public Works	Standard	
29.	A Pedestrian Protection Plan shall be submitted to and approved by the Building Official. Such plan 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 Public Works Director.	Building/ Public Works	Standard	
30.	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	Standard	

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
31.	A Construction Traffic Management Plan shall be prepared by a traffic or civil engineer registered in the State of California. The Construction Traffic Management Plan shall be submitted to the City Engineer and Planning Manager for review and approval 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 Planning Manager 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: 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. 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. C. Procedures for the training and certification of the flag persons used in implementation of the Construction Traffic Management Plan. D. The location, times, and estimated duration of any roadway closures, traffic detours, use of protective devices, warning signs, and staging or queuing areas. E. The location and travel routes of off-site staging and parking locations.	Planning/ Public Works	Standard	

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
32.	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. A Demolition Debris Recycling Plan that indicates where select demolition debris is to be sent shall be provided to the Building Official prior to the issuance of a demolition permit. The Plan shall list the material to be recycled and the name, address, and phone number of the facility of organization accepting the materials.	Building	Standard	
33.	A vector/pest control abatement plan prepared by a pest control specialist licensed or certified by the State of California shall be submitted for review and approval by the Planning Manager and the Building Official. Said plan 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.	Building	Standard	
34.	Prior to issuance of a building permit, notice of the Project construction schedule shall be provided to all abutting property owners and occupants. Evidence of such notification shall be provided to the Building Division. 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	

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
During Construction				
35.	During all phases of construction, a "Construction Rules Sign" that includes contact names and telephone numbers of the Applicant, 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 Planning Manager and Building Official.	Building/ Planning	Standard	
36.	The Property shall be maintained daily so that it is free of trash and litter.	Building	Standard	
37.	During construction, dust shall be controlled by regular watering or other methods as determined by the Building inspector.	Building	Standard	
38.	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.	Building	Standard	
39.	During all phases of construction, best efforts shall be used to ensure that all construction workers, contractors and others involved with the Project park on the Property or at designated offsite locations approved by the City and not in the surrounding neighborhood.	Building	Standard	
40.	When foundation shoring and/or foundation piles will be part of the Project, the engineer of record shall use noise dampening measures such as the drilling of shoring supports and piles as determined by the Building Official and Planning Manager.	Building	Standard	
41.	Prior to the commencement of any excavation, a temporary construction fence shall be installed around the site. The height and fence material is subject to approval by the City Engineer and the Planning Manager.	Building/ Planning/ Public Works	Standard	

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
42.	Hours of construction shall be limited to the following: 8:00 AM to 6:00 PM Monday through Friday; 9:00 AM to 6:00 PM Saturday; and 10:00 AM to 6:00 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	
43.	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	Standard	

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
44.	Compliance with the following noise standards shall be required with at all times: 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; B. All construction equipment shall be properly maintained to minimize noise emissions; 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; 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 Planning Manager and the Building Official in order to comply with the CCMC Noise Regulations and Standards; and 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.	Building/ Planning	Standard	
45.	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.	Building/ Planning	Standard	

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
46.	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.	Building/ Public Works	Standard	
47.	During construction, trucks and other vehicles in 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 and discontinued during second-stage smog alerts as determined by the Building Official.	Building	Standard	
48.	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. 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.	Building/ Public Works	Standard	
Prior to Certificate of Occupancy or Final Inspection				
49.	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 [insert date] 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	
50.	All requirements of the City's Residential Development Park Dedication and In Lieu Parkland Fees, as set forth in CCMC Section 15.06.300, et. seq., shall be fully satisfied prior to the issuance of a certificate of occupancy; provided, that if such requirements will be satisfied by the payment of the in-lieu parkland fee, the same shall be paid prior to the issuance of a building permit.	Planning	Standard	

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
51.	All requirements of the City's Art in Public Places Program, as set forth in CCMC Section 15.06.100, et. seq., shall be fully satisfied prior to the issuance of a certificate of occupancy; provided, that if such requirements will be satisfied by the payment of the public art in-lieu fee, the same shall be paid prior to the issuance of a building permit.	Cultural Affairs	Standard	
52.	All applicable onsite and offsite improvements and all applicable conditions of approval as determined by the Building Official, Fire Marshal, Planning Manager, and 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: A. Five (5) Full sets of as-built plans that shall include at a minimum 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 B. One set of as-built plans as described above in a digital format compatible with the City's computer system.	All	Standard	
On-Going				
53.	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 [insert date] , excepted as modified by these Conditions of Approval.	Planning	Standard	
54.	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	

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
55.	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, and regulations including, but not limited to, Building Division, Fire Department, 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. Failure to comply with said Conditions, statutes, codes, standards, and regulations may result in reconstruction work, demolition, stop work orders, withholding of certificate of occupancy, revocation of land use permit approval and/or any other lawful action the City might deem reasonable and appropriate to bring about compliance.	All	Standard	
56.	All graffiti shall be removed within 48 hours of its application.	Building/ Planning/ Public Works	Standard	
57.	The Property Owner shall maintain all street trees at his/her sole cost and expense.	Public Works	Standard	
58.	All mitigation measures set forth in any environmental document relating to the Project (including any reports of the type contemplated by the California Environmental Quality Act) shall be completed as specified therein.	Planning	Standard	

1 RESOLUTION NO. 2011-P001

2
3 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
4 CULVER CITY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT,
5 CUP P-2010161 TO ALLOW THE OPERATION OF A 1,280 SQUARE FOOT
6 VEHICLE REPAIR SHOP AT 11304 CULVER BOULEVARD IN THE
7 COMMERCIAL GENERAL (CG) ZONE.

8 (Conditional Use Permit, CUP P2010161)

9 WHEREAS, on September 21, 2010, the Fiedler Group on behalf of British
10 Petroleum West Coast Products, LLC (Applicant) and Thrifty Oil (Property Owner), filed a
11 Conditional Use Permit (CUP) application to allow a proposed 1,280 square foot vehicle
12 repair shop at 11304 Culver Boulevard (the "Project"), located in the City of Culver City,
13 County of Los Angeles, State of California; and,

14 WHEREAS, in order to implement the Project, approval of the following land
15 use permit application is required:

16 Conditional Use Permit, CUP P-2010161: To ensure the Project complies with all
17 required standards and City ordinances and establish all onsite and offsite conditions of
18 approval to reflect the use features and compatibility of the proposed project with the
19 uses on adjoining properties; and,

20 WHEREAS, on January 12, 2011, after conducting a duly noticed public hearing
21 on the subject application, including full consideration of the plans, staff report, environmental
22 information and all testimony presented, the Planning Commission by a vote of 5 to 0,
23 continued the CUP application and asked the applicant for certain design revisions to the
24 project; and,

25 WHEREAS, on January 24, 2011, the Fiedler Group submitted to the City for
26 review, revised site and elevation plans in response to the Planning Commission request for
27 revisions; and,
28
29

1 WHEREAS, on February 23, 2011, after conducting a duly noticed public
2 hearing on the subject application, including full consideration of the revised plans, staff
3 report, environmental information and all testimony presented, the Planning Commission (i)
4 by a vote of ___ to ___, adopted a Negative Declaration, in accordance with the California
5 Environmental Quality Act (CEQA), finding the Project will not result in significant adverse
6 environmental impacts; and (ii) by a vote of ___ to ___, conditionally approved Conditional Use
7 Permit, CUP P-2010161 as set forth herein below.
8

9 NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF
10 CULVER CITY, CALIFORNIA, RESOLVES AS FOLLOWS:

11 SECTION 1. Pursuant to the foregoing recitations and the provisions of Culver
12 City Municipal Code (CCMC), as outlined in CCMC Title 17, Section 17.530.020, the
13 following findings for a Conditional Use Permit are hereby made:
14

15 **A. The proposed use is allowed within the subject zoning district with the approval of**
16 **an Administrative Use Permit or Conditional Use Permit and complies with all**
17 **other applicable provisions of this Title and the CCMC.**

18 Pursuant to CCMC Section 17.220.015, Table 2-5, the proposed use, a vehicle repair
19 shop, is allowed in the Commercial General (CG) Zone with approval of a Conditional
20 Use Permit. Further the proposed use as conditioned will comply with all applicable
21 provisions of Title 17 of the CCMC and other applicable provisions of the Municipal Code.
22 The project complies with all height, setback, parking, and landscaping requirements as
23 stipulated in Title 17 (Zoning) of the CCMC.

24 **B. The proposed use is consistent with the General Plan and any applicable Specific**
25 **Plan.**

26 The proposed use, a vehicle repair shop, will convert an existing vacant building (former
27 gas station) and blighted lot into an economically functioning business thereby
28 implementing *Objective 6. Commercial Corridors* of the General Plan Land Use Element
29 which call for the revitalization of the physical character and economic well being of the
City's commercial corridors. As a new vehicle repair shop located on a currently vacant,
blighted property near residential and commercial uses the project, once in operation will
expand Culver City's economic base, serving the needs of the City's residential and
business community as well as the wider community, as called for in *Objective 5*.

Economic Diversity of the General Plan Land Use Element. There is no Specific Plan designated for this area.

C. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity of the subject site.

The project site is surrounded by single family and multi-family residential uses and some commercial uses; fronts Culver Boulevard, a designated secondary highway; and is located near the 405 Freeway. The proposed vehicle repair shop will be similar in scale, massing, and usage to the former gas station and repair shop that previously occupied the site. The project is compatible with commercial uses to the north across Culver Boulevard and the 405 Freeway across Sawtelle Boulevard to the east. Residential uses abut the project to the south and west. An alley to the south and the installation of landscaping and a perimeter block wall along the south and west property lines will help to reduce visual impacts to the nearby residences making the project more compatible to surrounding uses. The project's building materials in combination with the street fronting landscaping and wrought iron fencing will make the currently vacant site more compatible with the surrounding uses by providing a more positive aesthetic visual as compared to the site's current blighted look. The site will not generate noise levels that are incompatible with surrounding areas because the structure housing the work bays will be located to the center and rear of the site far enough from residential uses to create a noise impact and will further be buffered by the structure's walls, perimeter wall and landscaping, and existing ambient traffic noise.

The relatively small, low traffic generating use will not interfere with adjacent residential uses. Fitting within the urban fabric of the intersection of Culver and Sawtelle Boulevards along with its proximity to the 405 Freeway, the use will be compatible with future nearby land uses that are located on lots of similar size. Any new developments on nearby sites will most likely require landscaping and façade improvements or similar architectural review that will most likely result in uses and designs compatible with the proposed project.

D. The subject site is physically suitable for the type and intensity of use being proposed, including access, compatibility with adjoining land uses, shape, size, provision of utilities, and the absence of physical constraints.

The project site totals 15,638 square feet in area fronting Culver Boulevard and is served by 2 driveway approaches, one off of east bound Culver Boulevard and the other off of south bound Sawtelle Boulevard. The project provides the code required onsite circulation, parking, setbacks and landscaping. The 1,280 square foot structure on the site will only accommodate 3 work bays and a 350 square foot office/sales area limiting the amount of cars that can be serviced at any one time. The size of the site is more than adequate to accommodate this small use and the two driveways which will be upgraded to high speed approaches, along with 11 parking spaces, 1 of which is an extra space, will provide sufficient site accessibility and parking for the use. Suitable internal

1 circulation will be provided with code compliant driveway aisle widths so as to diminish
2 potential queuing impacts onto public right-of-ways.

3 As a small scale operation, the use will not generate high traffic volumes and access and
4 internal circulation as noted above will ensure ease of vehicle flow diminishing traffic
5 impacts to local residential areas. Provisions of utilities as determined by staff during the
6 internal review period of this project can adequately be provided to the site without
7 creating visual impacts that are incompatible with the surrounding uses. Any new power
8 lines that may be required will be placed underground. As a relatively flat lot with two
9 driveway approaches and a small building with excess on-site parking, there are no
10 physical constraints that would render the site physically unsuitable for the proposed use.

11 **E. The establishment, maintenance or operation of the proposed use will not be**
12 **detrimental to the public interest, health, safety, or general welfare, or injurious to**
13 **persons, property, or improvements in the vicinity and zoning district in which the**
14 **property is located.**

15 Compliance with City development standards and the conditions of approval will ensure
16 that the proposed operation will not be detrimental to the public interest, health, safety, or
17 general welfare, or injurious to persons, property, or improvements in the vicinity and
18 zoning district in which the property is located. As a low traffic generating, small scale
19 use, the project is not expected to impact the surrounding area to a degree that would be
20 detrimental to the public interest, health, safety, or general welfare.

21 SECTION 2. Pursuant to the foregoing recitations and findings, the Planning
22 Commission of the City of Culver City, California, hereby approves Conditional Use Permit,
23 CUP P-2010161, subject to the conditions of approval set forth in Exhibit A attached hereto
24 and incorporated herein by this reference.

25 APPROVED and ADOPTED this 23rd day of February, 2011.

26 _____
27 LINDA SMITH FROST, CHAIRPERSON
28 PLANNING COMMISSION
29 CITY OF CULVER CITY, CALIFORNIA

Attested by:

Yvonne Hunt, Administrative Secretary

1 RESOLUTION NO. 2011-P002

2
3 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
4 CULVER CITY, CALIFORNIA, ADOPTING STANDARD CONDITIONS OF
5 APPROVAL FOR DISCRETIONARY LAND USE PERMITS

6 (Standard Conditions of Approval for Discretionary Land Use Permits)

7 WHEREAS, at its meetings of December 10, 2010, January 12, 2011, and
8 February 23, 2011 the Planning Commission considered staff proposed Standard Conditions
9 of Approval for Discretionary Land Use Permits; and
10

11 WHEREAS, on February 23, 2011, after consideration of the Standard
12 Conditions of Approval for Discretionary Land Use Permits, the Planning Commission
13 determined that the Standard Conditions of Approval for Discretionary Land Use Permits
14 should be approved as set forth in Exhibit A attached hereto and incorporated herein by this
15 reference
16

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

19 SECTION 1. Staff may make changes to the Standard Conditions of Approval
20 individually or as a whole as necessary to ensure consistency with code and other city
21 policies and/or requirements and shall forward the proposed changes to the Planning
22 Commission for its review and approval.
23

24 SECTION 2. Pursuant to the foregoing recitations, the Planning Commission of the
25 City of Culver City, California, hereby approves the Standard Conditions of Approval for
26 Discretionary Land Use Permits as set forth in Exhibit A attached hereto and incorporated
27 herein by this reference.
28
29

1 APPROVED and ADOPTED this 23rd day of February, 2011.

2
3
4 LINDA SMITH FROST, CHAIRPERSON
5 PLANNING COMMISSION
6 CITY OF CULVER CITY, CALIFORNIA

7 Attested by:

8
9 Yvonne Hunt, Administrative Secretary

City of Culver City, California
Planning Commission Agenda Item Report

Meeting Date: February 23, 2011		Item Number: PH-1
AGENDA ITEM: Conditional Use Permit to allow the operation of a 1,280 square foot vehicle repair shop located at 11304 Culver Boulevard.		
Contact Person/Dept.: Jose Mendivil, Associate Planner		Phone Number: (310) 253-5757
Public Hearing: [X]	Action Item: ☐	Attachments: [X]
Public Notification: On December 22, 2010, notices were mailed to all the property owners and occupants within a 500-foot radius of the site. Email to the Master Notification List was made on January 5, 2011.		
Planning Approval: Thomas Gorham, Planning Manager 2/16/11	Department Approval: Sol Blumenfeld 2/16/11	

CONTINUATION OF JANUARY 12, 2011 AGENDA ITEM NUMBER PH-1:

This item was presented to the Planning Commission as a public hearing at the Commission's January 12, 2011, meeting and was continued by the Commission to its February 23, 2011 meeting.

RECOMMENDATION:

That the Planning Commission:

1. Adopt a Negative Declaration based on the Initial Study finding that the project will not have a significant adverse impact on the environment (Attachment No. 3 from the January 12, 2011, Agenda Item PH-1 packet).
2. Approve Conditional Use Permit, CUP P-2010161, subject to the Conditions of Approval as stated in Resolution No. 2011-P001 (Attachment No. 1).

BACKGROUND:

On January 12, 2011, the Planning Commission considered a Conditional Use Permit (CUP) request by the Fiedler Group on behalf of British Petroleum West Coast Products, LLC (Applicant) and Thrifty Oil (Property Owner of Project Site) for a proposed 1,280 square foot vehicle repair shop. Please refer to the January 12th Agenda Item PH-1 packet for a full description, analysis, and attachments regarding this project. At the January 12th Commission meeting the Commission continued the item and asked the applicant to make certain design revisions. Key reasons for continuing the item include:

- Provide enhanced landscaping at the street frontage with use of berming;

City of Culver City, California
Planning Commission Agenda Item Report

- Fencing is too generic and perhaps is not needed;
- Butterscotch color on the structure will be difficult to maintain;
- The site has too much parking, potentially leading to storage of vehicles; and,
- Request for Special Conditions on signage and lighting.

There was also a question by one commissioner on whether or not the California Regional Water Quality Control Board (CRWQCB or the “Board”) had determined the project site to be safe for human occupation.

ANALYSIS:

In response to the Commission’s concerns the applicant has proposed the following:

- The Culver Boulevard street frontage has increased landscaping from a previous 9-feet in width to 12-feet in width and incorporates a full 3-foot high berm;
- The butterscotch color has been switched out with an orange terracotta color;
- With increased landscaping, parking has been reduced from 18 spaces (8 extra spaces) to 11 spaces (1 extra space);
- Staff has added conditions to the resolution addressing signage and lighting.

Originally the applicant responded to the Commission’s concern over fencing by eliminating it altogether. Staffed asked that the fence not be eliminated and that it be placed behind the berming and up against the parking area. The berming and 12-foot wide landscape area will be the prominent feature along the street frontage with the fencing setback 12 feet. Staff feels that there is a security concern with an auto repair facility that will not be open 24 hours a day. With the potential for customers to drop off a vehicle the day before it is serviced or pick up a vehicle the day after it is serviced, an operator will want security fencing to deter auto theft and vandalism. Also, in the first community meeting members of the public specifically asked that if the use is approved, fencing and/or other forms of security be incorporated to deter criminal activity. The fencing would be of a decorative wrought material with pilasters.

The revised project compared to the project presented to the Planning Commission at the January 12th Commission meeting does not include major changes. Staff, asked to consider alternative designs, concluded that given the length of the street frontage and the current site layout, there are no practical

City of Culver City, California
Planning Commission Agenda Item Report

solutions that could create a street design edge without demolishing the existing structure and developing the site from the standpoint of a vacant lot. The use is not a pedestrian oriented one and lends itself to a structure at the rear with work bay entrances facing Culver Boulevard. If a new structure was built at the street facing setback, work bays would be forced to be open towards the residential uses spreading noise towards those residential uses; further, the street facing wall would be the back of the building and would create a hard edge at the sidewalk. Working with the site as it is currently developed, the proposed enhanced landscaping and 3-foot high berming will create a street fronting aesthetic edge and will serve to buffer the auto repair use and its potential visual impacts. Also, the 12-foot wide, bermed landscaped strip adjacent to the sidewalk is consistent in its design with the pedestrian and bicycle path along the opposite side of Culver Boulevard that is landscaped and slightly elevated from the street level.

Staff contacted the California Regional Water Quality Control Board (the "Board") staff regarding the safety of the site for human occupation. Board staff indicated that Thrifty Oil is very near completion in remediating soil and groundwater contaminants to acceptable levels and a closure letter will be forthcoming. They did not provide an anticipated date of closure on the case. They also stated that they had no concerns regarding human occupation of the site for both construction and operation of the proposed auto repair shop.

NOTE: As of the writing of this staff report, the applicant was still finalizing the revised site plan and landscape plan and those will be distributed to the Commission under separate cover. Also, the Conditions of Approval contained herein will be amended to be consistent with the final adopted Standard Conditions.

ALTERNATIVE OPTIONS:

The following alternative actions may be considered by the Planning Commission:

1. Approve the application with the recommended conditions of approval.
2. Approve the application with additional or different conditions of approval.
3. Disapprove the application.

ATTACHMENTS:

1. Resolution No. 2011-P001 and Exhibit A "Conditions of Approval"
2. Revised Site Plan, Preliminary Landscaping Plans, and Colored Elevations (To Be Delivered Under Separate Cover)