

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

Meeting Date: <u>04/05/10</u>		Item Number: <u>J-1</u>	
CITY COUNCIL/REDEVELOPMENT AGENCY BOARD JOINT AGENDA ITEM: Adoption of City Council and Redevelopment Agency Board Resolutions Transmitting the Official City and Agency Combined Response to the 2010 Draft Supplemental Environmental Impact Report for the Proposed 2009 West Los Angeles College Facilities Master Plan.			
Contact Person/Dept.: Susan Yun/ Planning - CDD		Phone Number: (310) 253-5755	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification: On 3/22/10 notice was mailed to Homeowners Associations of Culver Crest, Raintree (townhome and condominiums), Tara Hills, Lakeside Village, and Blair Hills; Property owners, occupants, and businesses along either side of Jefferson Boulevard (from Overland Avenue to Hetzler Road); the Culver City Chamber of Commerce, and the Culver City Unified School District. On 3/25/10 and 4/1/10 a notice was published in the Culver City News; (Email) Meetings and Agendas – City Council (04/01/10); (E-Mail) Meetings and Agendas – Redevelopment Agency (04/01/10).			
Department Approval: Sol Blumenfeld (03/30/10) Charles D. Herbertson (03/31/10)		City Attorney Approval: Carol Schwab (by H. Baker) (04/01/10) Agency General Counsel Approval: Murray Kane (03/31/10)	
Chief Financial Officer Approval: Mark Scott (by M. Noller) (04/01/10)		City Manager Approval: Mark Scott (04/01/10)	
<u>RECOMMENDATION:</u> Staff recommends that the City Council and Redevelopment Agency Board adopt respective Resolutions, transmitting the official City and Agency combined response to the 2010 Draft Supplemental Environmental Impact Report for the Proposed 2009 West Los Angeles College Facilities Master Plan. <u>BACKGROUND:</u> The West Los Angeles College (the “College”) campus is located adjacent to Culver City near the intersection of Overland Avenue and Freshman Drive. The main area of the 72-acre campus is in an unincorporated area of Los Angeles County and is bordered on the north and northeast by the Baldwin Hills and the oil field area; by Raintree, Tara Hills and Lakeside Village multi-family residential areas on the west; and by Culver Crest single-family and two-family residential area on the south.			

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Although the main College campus is not within Culver City's corporate limits, it is within the sphere of influence of Culver City as identified in Culver City's General Plan for the purposes of addressing land use compatibility, coordinating land use policy with adjacent jurisdictions, and proposing land use policy for areas of potential annexation.

Following the Los Angeles Community College District's (the "District") approval of a 2005 Facilities Master Plan, the College purchased the 9-acre 10100 Jefferson property located within Culver City's corporate limits for the purpose of constructing a secondary access road that is a required mitigation measure identified in the EIR for the 2005 Facilities Master Plan. Further, the 10100 Jefferson site is within the Culver City Redevelopment Agency's Redevelopment Project Area (Component Area 4) and is subject to the Redevelopment Plan for the Project. A Design for Development for the Jefferson Boulevard Industrial Area has been adopted by the Agency pursuant to the Redevelopment Plan and governs this site.

2010 Draft Supplemental Environmental Impact Report

For purposes of the California Environmental Quality Act (CEQA), the District is the lead agency. Pursuant thereto, The District, in conjunction with the College, has prepared and circulated a Draft Supplemental Environmental Impact Report (the "Draft SEIR"), dated March, 2010, for the proposed 2009 Facilities Master Plan that is intended to guide the development of the College to Year 2022. The purpose of the Draft SEIR is to evaluate the environmental effects pursuant to the CEQA associated with the modifications to the previously approved 2005 College Facilities Master Plan. The 2005 Master Plan was approved, and the 2005 Final Environmental Impact Report (the "Final EIR") was certified by the District in January 2005.

The public comment period for the Draft SEIR started on March 8, 2010 and ends on Wednesday, April 21, 2010. Due to the short comment period provided (45 days) on March 10, 2010 Culver City requested the District extend the review period to 90 days in order to give City staff and the public sufficient time to review the Draft SEIR, the College's 2009 Master Plan, and other pertinent documents. On March 23, 2010 the City received a letter (Attachment 1) from Tina Macica of BuildLACCD, purportedly representing the District, denying the request for additional review time.

A public workshop was held by the College on March 16, 2010 and a second workshop is scheduled for April 8, 2010 at 6:00 p.m. on the College campus.

Due to the very short review period adopted by the District, the City was unable to hold a separate meeting for City Council and community input on the Draft SEIR prior to formulating detailed comments for City Council and Redevelopment Agency Board consideration as is our standard practice. The purpose of tonight's meeting is to consider staff's recommended comments, receive public comment, and then

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accept or modify these comments for transmittal to the District as Lead Agency prior to the public comment deadline of April 21, 2010.

DISCUSSION:

Project Description

Major variations between the 2009 College Master Plan Draft SEIR and the previously approved 2005 Master Plan Final EIR:

- The construction period has been extended from 2010 to 2013
- Projected student enrollment and College employment in the horizon planning year 2022 has been changed. Student enrollment is now anticipated to be greater (22,360 compared to 18,904) and College employment is anticipated to be less (664 compared to 1,248).
- The College is now discounting impacts from increased enrollment by 31.6% citing a rapid growth in on-line enrollment and anticipating a continuation of that trend in the future. This, they contend, results in a reduction in on-campus student population from the 2005 Master Plan (15,300 compared to 18,904). The 2005 Final EIR did not discount impacts from student enrollment growth for students attending on-line classes.
- The College has altered its building plan resulting in a net increase of 62,356 square feet of building space bringing the total building space on the campus to 741,464 square feet (Attachment 2, Table 2.2 from the Draft SEIR summarizes the changes in building area). The changes to the building plan include:
 - A revised, larger Physical Education structure now referred to as the Allied Health and Wellness Building (131,000 square feet compared to 63,000 square feet)
 - A new central plant
 - Demolition of additional modular classrooms
 - Relocation and funding of the media center now referred to as the Watson Center (400 seat theater) from south of the Math and Sciences building to east of the north parking structure
 - Redesign of the Student Services/High Tech Classroom to now be comprised of two separate buildings: the Student Union (located at the same location) and the expanded Technology Learning Center (75,000 square feet compared to 40,000 S.F.) now located south of the Math and Science building. The new Technology Learning Center will be 135 feet tall.
 - A smaller Student Services building in lieu of a larger combined Student Services/Administration building
 - Replacement of a planned soccer field with a new softball field
 - Smaller north parking structure resulting in fewer on campus parking spaces than anticipated in the 2005 Master Plan (2,659 compared to

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4,368, a net reduction in on campus parking spaces of 1,709 from the number of spaces proposed in the 2005 Master Plan Final EIR)

The Draft SEIR does not consider project alternatives to the proposed Master Plan although the original Final EIR for the 2005 Master Plan did consider three alternatives.

Review of the Draft SEIR

A City staff team, including Community Development, Public Works, and the City Attorney Departments evaluated and, where appropriate, prepared comments on the adequacy of the Draft SEIR. Staff's detailed comments are shown in "Exhibit A" of the proposed Resolutions (Attachment 3).

The following is a summary of the major issues and concerns with the Draft SEIR:

Project Description – The College makes several assumptions in the Draft SEIR regarding on-campus student population that they contend results in corresponding reductions in impacts evaluated in the 2005 Final EIR. The College assumes a reduction in on-campus student population due to an anticipated 31.6% of students enrolling in on-line classes. The Draft SEIR fails to substantiate this percentage reduction by adequately explaining how this percentage figure was derived. In addition, the College assumes that students enrolled in on-line courses will not visit the campus; however, it seems likely that many will visit to use the campus library and other facilities as well as to visit the campus during the registration period. This is a major discrepancy as the magnitude of many of the impacts is based on anticipated on-campus student population. Therefore, if this number is understated (as it appears to be), many impacts will, therefore, be understated, and the corresponding proposed mitigation measures will be inadequate because they are designed for a lesser impact than actually occurs.

Traffic and Access – According to the Draft SEIR, traffic impacts are expected to remain the same or decrease significantly in 2022 because of the following reasons:

- More students are taking on-line courses;
- The College's site specific trip generation rates are lower than the trip generation rates used in the 2005 Final EIR; and,
- Employment projections have dropped with no explanation as to why.

The 2010 Draft SEIR indicates that these factors make the 2005 Final EIR analysis conservative, and no traffic analysis (beyond that already conducted for the 2005 Master Plan) is required. Sufficient supporting data was not provided to justify the lower trip generation rates, the lower on-campus traffic due to on-line courses, and the lower trip generation rates for employees.

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In addition, since 2006, Culver City has required surrounding jurisdictions including the District, the County of Los Angeles, and the City of Los Angeles to use Los Angeles City Department of Transportation (LADOT) traffic impact analysis criteria to analyze the traffic impacts of developments on intersections in Culver City. Using LADOT criteria for the 2005 Final EIR, West Los Angeles College would have impacted three additional intersections in Culver City. Table 3-44 in the Final EIR shows the intersections of Hannum Ave./Playa St., Sepulveda Bl./Playa St.-Jefferson Bl. and Bristol Parkway/Slauson Ave. would be impacted using LADOT criteria and the traffic counts from the 2005 traffic study. Even if the reduced on-campus student population is accepted as accurate, a traffic study is required to analyze these three intersections. However, because of the significant expansion of the project and the additional traffic that is likely to be generated as a result, a full traffic study is required that analyzes all of the intersections reviewed with the 2005 Master Plan as well as potential impacts to the new intersection of the newly constructed secondary access road and Jefferson Boulevard using LADOT criteria and appropriate mitigation measures, if needed, must be specified.

The lack of or inadequate explanation for the use of lower trip generation rates coupled with the inadequate explanation of the derivation of the percentage reduction in on-site student population discussed above under Project Description along with the failure of the College to conduct a traffic study and properly analyze traffic impacts using LADOT criteria as required by Culver City since 2006 (see Attachment 4, Letter addressed to Los Angeles Community College District dated October 31, 2006) point to a serious inadequacy in the Draft SEIR.

Parking – The Draft SEIR proposes to reduce on-campus parking by 1,727 spaces compared to the 2005 Final EIR. This parking reduction is based on an assumed reduction in on-campus student population (based upon an increase in students taking online classes) that is not adequately explained and supported with scientific or statistical evidence. Therefore, the proposed parking may prove to be inadequate.

In addition the Draft SEIR requires modification to the College's parking plan only if the cause of student parking in the neighborhood is due to a lack of parking on campus. However, the student parking in the neighborhood is due, at least in part, to the cost of parking on campus and the elimination of free parking on public streets within the campus area. This impact is not discussed or analyzed in the Draft SEIR.

Together, the lack of support data for the reduction in parking needs and the failure of the document to analyze a major cause of parking impacts to the surrounding residential areas constitute an inadequacy in the document.

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Views, Light and Glare – The proposed Learning Arts Center will be the tallest building on campus at 135 feet in height, far exceeding building height restrictions in Culver City. Additionally, several other proposed buildings will exceed Culver City's 56 foot height limit including the 59 foot Allied Health and Wellness Building, the 64 foot Watson Center, and the 66 foot North Parking Structure. The Draft SEIR provides no view analysis to adequately assess the view impacts from these new structures.

Noise – The College proposes a significant change to a mitigation measure in the 2005 Final EIR that currently limits construction hours to between 8 a.m. and 6 p.m. weekdays and 9 a.m. and 4 p.m. Saturday, to a less restrictive time period of between 7 a.m. to 8 pm Monday through Saturday. This is a major concern for Culver City residents that live south and west of the College. Although the Draft SEIR indicates this is consistent with Los Angeles County's Noise Ordinance (Section 12.08 of the Los Angeles County Code), Los Angeles County's Noise Ordinance actually restricts construction to Monday through Saturday to the hours between 7 am and 7 pm. Therefore, the proposed construction hours are not in compliance with Los Angeles County requirements.

Section 9.07.035 of the Culver City Municipal Code restricts construction that may disturb residential areas to the hours of 8 am to 8 pm Monday through Friday, 9 am to 7 pm on Saturday, and 10 am to 7 pm on Sunday. Because the construction noise will impact Culver City residents and not unincorporated Los Angeles County residents, the more restrictive Culver City limits should be applied (as compared to County regulations). In any event, the failure of the proposed construction hours in the Draft SEIR to comply with the 2005 Final EIR Construction Hour terms and County's or the City's Ordinances and to properly evaluate the environmental impacts of such a change is a major inadequacy of the document.

Land Use - The College is bound by the land use restrictions established by the Culver City Redevelopment Agency, a state agency, for the land area included with the Redevelopment Project Area. The 10100 Jefferson site, where the new access road is located and the remnant vacant 9-acre parcel, is located entirely within the boundaries of Culver City. This site is also located within the Culver City Redevelopment Plan (Component Area No. 4). Further a "Design for Development (DFD) for the Jefferson Boulevard, Industrial Area" (which includes the 10100 Jefferson site) was adopted by the Redevelopment Agency as authorized by the Redevelopment Plan and to implement the Redevelopment Plan to guide and govern future development of the site. The DFD includes various land use standards and provisions and requires all new developments by any private or public entity to be approved by the Redevelopment Agency. The Draft SEIR fails to discuss, provide information and acknowledge the Redevelopment Agency Plan and Design for Development for the Jefferson Boulevard Industrial Area.

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The Draft SEIR indicates that the 10100 Jefferson site is being added in the proposed 2009 Facilities Master Plan. However, the Draft SEIR states nothing is specifically proposed for the 10100 Jefferson site at this time (other than the new road and an entry way monument) and additional environmental review will be required once plans are identified. As such, the Draft SEIR does not contain an in-depth project level analysis of the 10100 Jefferson site and therefore must conduct a full CEQA analysis once a project is known.

The Draft SEIR indicates the College acquired the 10100 Jefferson site to allow the construction of the access road to the existing College campus from Jefferson Boulevard as shown in the 2005 Master Plan. However, the 9-acres available on this site also presented opportunities to the College. The College delivered two requests for proposals to prospective developers for a joint occupancy lease of the 10100 Jefferson site. The College anticipated a mixed use development with uses complementary to the College. When no responses were received to either request for proposal, and based on the current economic climate, the College determined that development of the 10100 Jefferson site as anticipated is no longer reasonably foreseeable. As a result of this conclusion, the College indicates in the Draft SEIR that they intend to undertake a feasibility study for the site to identify an appropriate use. Possible uses being considered are college-related facilities, including training classrooms, alternative energy equipment and solar arrays. Additional environmental review will be required once plans are identified.

The Draft SEIR does not have any discussion regarding the compatibility with the Culver City Redevelopment Plan (Component Area No. 4) and Design for Development (DFD) for the Jefferson Boulevard Industrial Area. Therefore, the Draft SEIR is incomplete and must be re-circulated for public review with this information.

Second Access Road - A valid environmental impact report is required prior to consideration of the proposed Project by the Agency. The 2005 Final EIR is not adequate for this purpose, and a new analysis of the access road must be included in the Draft SEIR because, pursuant to the requirements of Public Resources Code Section 21166, substantial changes have been proposed in the project, substantial changes will result in major changes to the environmental impact analysis, and new information not known in 2005 (including the massive increase in intensity of the Project) is now available.

Use of College Facilities - The Draft SEIR would result in prohibiting Culver City residents from using College facilities despite that fact that such use was included in the 2005 Final EIR as a mitigation measure.

Finally, the Draft SEIR contains a number of errors and omissions that make it difficult for the City and concerned residents to fairly evaluate the analysis and

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conclusions in the document. Specific and detailed comments of the concerns are listed in Exhibit "A" of the proposed Resolution.

FISCAL ANALYSIS:

The Draft SEIR is not specific enough to estimate the potential fiscal impacts to the City and the Agency from the proposed project. However, unmitigated and significant impacts from expansion of the College could result in significant costs to the City and its residents in the future. The types of fiscal impacts that the City can expect if the revised Master Plan is implemented include, but are not limited to: increased traffic delay, the need for increased parking enforcement and traffic engineering to address student parking in residential zones, and increased demand for emergency facilities and personnel due to increased congestion.

With respect to the Redevelopment Agency, as mentioned above, the Draft SEIR does not even acknowledge, discuss, or analyze the land use regulations imposed by the Agency on the 10100 Jefferson parcel. The lack of analysis is a significant inadequacy of the Draft SEIR. Further, without this analysis, the Agency is left with insufficient information to evaluate the potential fiscal impacts of current or future proposed projects on the Agency. Such impacts could be significant.

ATTACHMENTS:

1. Letter from Tina Macica of BuildLACCD dated March 23, 2010
2. Table 2.2 from the 2010 Draft SEIR
3. Proposed Resolutions (City Council and Culver City Redevelopment Agency), including Exhibit "A" containing detailed comments on the 2010 Draft SEIR
4. Letter addressed to Los Angeles Community College District dated October 31, 2006

MOTION:

That the City Council:

Adopt a Resolution, transmitting the official City and Agency combined response to the 2010 Draft Supplemental Environmental Impact Report for the Proposed 2009 West Los Angeles College Facilities Master Plan.

That the Redevelopment Agency Board:

Adopt a Resolution transmitting the official City and Agency combined response to the 2010 Draft Supplemental Environmental Impact Report for the Proposed 2009 West Los Angeles College Facilities Master Plan.