

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

Meeting Date: 8/12/13		Item Number: <u>A-3</u>	
CITY COUNCIL AGENDA ITEM: Adoption of a Resolution Transmitting to the County of Los Angeles the Official City Response to the June 2013 Initial Study/Mitigated Negative Declaration for the Proposed Stoneview Nature Center Project Located at 5950 Stoneview Drive.			
Contact Person/Dept.: Charles D. Herbertson, Public Works Dept. and Susan Yun, Planning Division		Phone Number: (310) 253-5760 and (310) 253-5755	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Commission Action Required: Yes ☐ No ☒		Date: N/A	
Public Notification: On 07/29/13 a public notice was mailed to property owners and occupants within the Blair Hills Neighborhood in Culver City and published in the Culver City News (08/01/13 and 08/08/13); Meetings and Agendas – City Council (08/06/13).			
Department Approval: Charles D. Herbertson (08/06/13)		City Attorney Approval: Carol Schwab (by H. Baker) (08/06/13)	
Chief Financial Officer Approval : Jeff Muir (08/06/13)		City Manager Approval: John M. Nachbar (08/06/13)	
<u>RECOMMENDATION:</u> Staff recommends the City Council adopt a resolution transmitting to the County of Los Angeles the official City response to the June 2013 Initial Study/Mitigated Negative Declaration for the proposed Stoneview Nature Center Project located at 5950 Stoneview Drive. <u>BACKGROUND:</u> The County of Los Angeles (County) has prepared an Initial Study/Mitigated Negative Declaration (MND), dated June 2013, for the Stoneview Nature Center project (Project). On June 24, 2013, the County released for public review the MND consisting of the environmental review of and mitigation measures for the Project. The public comments to the MND are due to the County on August 23, 2013. The Project site is located in the Blair Hills Neighborhood within the City of Culver City and is located on the south side of Stoneview Drive, near Wrigcrest Drive and La Cienega Boulevard. Although the Project site is within the boundaries of the City, the County has determined they are the approving body on the Project, as well as the “Lead Agency” for purposes of conducting the environmental review for this Project under the California Environmental Quality Act (CEQA). The County Parks and Recreation Department will be operating and maintaining the Project. The			

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Project site is currently owned by the Baldwin Hills Regional Conservation Authority (BHRCA) which, according to the County, plans to transfer the property to the County in the near future.

Culver City received the MND on Tuesday, June 25, 2013. Staff immediately distributed it to City Departments for review. The purpose of tonight's item is for the City Council to consider staff's recommended comments, and provide an opportunity for public comment. After receiving public comment, the City Council is requested to consider adoption of a resolution accepting or modifying these comments and authorizing the City Manager to transmit them to the County.

According to County staff, the Project and related MND are tentatively scheduled to be considered by the County Board of Supervisors (County Board) in September-October, 2013.

DISCUSSION:

Project Description

The Project site consists of five-acres located at 5950 Stoneview Drive in the City of Culver City, adjacent to the Kenneth Hahn State Recreation Area. The Project site was formerly operated as an elementary school (Ohr Eliyahu Academy) from 1995 to 2010, and was acquired by the Baldwin Hills Regional Conservation Authority (BHRCA) in 2011. The proposed Project includes demolition of the existing structures and the construction of a 4,000 square foot, one-story building with a multi-purpose room, staff office, restrooms, and a terrace with an observation area. A trail would connect the one-story building to various outdoor elements including an interpretive signage area, a botanical garden, nature grove, yoga deck, native garden area, demonstration/community garden, seating area, passive meadow, and an exercise area. Access to the Project is proposed off of Stoneview Drive. A total of 61 parking spaces on a surface parking lot will be provided with a gate that separates a small 16-space parking area from a larger 45-space parking area.

Adequacy of the Initial Study/Mitigated Negative Declaration

A City staff team, consisting of representatives from the Planning Division, the Public Works, Fire and Police Departments, and the City Attorney's Office evaluated and prepared proposed comments on the adequacy of the MND. Staff's proposed detailed comments are set forth in Exhibit A of the proposed resolution (Attachment No. 1).

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The following is a brief summary of the major issues and concerns with the MND, which are set forth in more detail in Exhibit A of the proposed resolution:

1. Traffic/Parking/Access:

- The MND is inadequate as it does not include a traffic study.
- A traffic study using Culver City's criteria should be conducted to address the following areas:
 - Trip generation – accurate assessment of the projected number of daily visitors.
 - Trip assignment – analysis of alternate routes.
 - Potential impacts to the residential streets in Culver City, including speeding, parking, calming measures and access to the Project site.
- Inadequate information as to how the proposed number of parking spaces was derived.
- Insufficient information regarding use, criteria and any contingencies of the \$100,000 traffic mitigation fund, the operation of the shuttle system and follow-up traffic and parking studies

2. Potential Impacts During Construction:

- Traffic study should identify potential impacts on traffic during construction and potential mitigation measures.
- The MND does not indicate any staging plans or routes that trucks will take during construction.
- It is not clear in the MND what construction hours the County will follow—whether they will use Culver City's construction hours or the County's.
- A point person or ombudsman should be appointed by the County to deal with construction related complaints.
- The County should provide the City with the funds required to make the necessary repairs for any wear or tear on City streets as a result of Project construction.
- Insufficient information as to whether construction impacts to the area in the northwest corner of Project site that has been designated as a landslide hazard zone have been addressed.
- Geotechnical report should be appended to the MND.

3. Other Areas of Concern:

- Inadequate estimation of the number of daily visitors to the Project site.
- Incomplete information regarding the abutting parcels that may be owned by BHRCA.
- Lighting impacts not sufficiently described or addressed.

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- Insufficient information regarding landscaping proposed for the Project.
- Insufficient information regarding high-pressure petroleum pipeline that traverses the Project site (i.e. depth, whether the pipeline is active, whether impacts from Project construction on the pipeline have been addressed).
- Project site soil should be tested for any contamination by past oil drilling activities. It is unclear whether a Phase I or Phase II soils study was performed.
- The City should have opportunity to review the geotechnical study referenced in the MND.
- Inadequate analysis regarding mitigation of Project impacts in relation to the Project location within an Alquist Priolo Earthquake Fault Zone.
- Fails to include cumulative impact analysis addressing related larger project components (One Big Park Master Plan and Park to Playa Plan).
- The City should have opportunity to review drainage of the Project site. A plan showing the existing and proposed contours needs to be submitted to the City for review.
- More information is needed regarding programming and uses of the Project to better understand Project impacts.

4. Jurisdictional Roles:

- Who has jurisdiction over the Project? Is the County claiming an exemption from local zoning and building codes? The MND lacks any discussion of this important issue. It is important that the MND adequately and accurately address jurisdictional responsibilities and identify the appropriate agency(ies) that have jurisdiction over issuing permits and enforcing policies and codes. This is a substantial flaw in the document that requires the MND to be revised and recirculated for comment.
- The MND states the Project site is governed by the Culver City General Plan and concludes that the Project will not conflict with such Plan. Pursuant to Government Code Section 65402, the Project site may not be acquired and the Project may not be constructed, until the location, purpose and extent of such acquisition and construction has been submitted to and reported upon by the City's "planning agency." As of this date, the City has not received from the County a request for conformity.
- The City should be included as a Responsible Agency under CEQA.
- The MND states Culver City Fire Department currently serves the Project site and will serve this site when the Project is completed. The City's Fire Department should be given the opportunity to review the plans and approve any permitting that is needed to ensure adequate fire flow, fire access, and response times.

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- Culver City Police Department concern over potential increased workload for the Department from parking enforcement should permit parking be instituted in the neighborhood to address Project impacts.
 - Unclear as to whether Culver City Sanitation or the County will service the Project site. If the City, the County should pay the City for trash and sewer services. The Culver City Municipal Code requires that solid waste handling and recycling be performed exclusively by the City.
 - Nuisance Problems both on-site and off-site (crimes, noise, loitering, trash/debris, spill-over parking into the neighborhood). Who will respond to these issues and if there are any costs, who is responsible?
5. **Process:** Although not required under CEQA, due to the extent of City comments and inadequacies of the MND, staff strongly believes the County should provide a response to public comments on the MND and a fully revised and recirculated MND should be prepared by the County for City review and further comment. In addition, prior to the County Board's consideration of the Project and MND, City staff would like an opportunity to meet with County staff to resolve the City's concerns and memorialize any commitments in writing through a memorandum of understanding.

FISCAL ANALYSIS:

The MND is not specific enough to estimate the potential fiscal impacts to the City from the Project. However, unmitigated and significant impacts from the Project 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 Project is implemented include but are not limited to: increased street infrastructure maintenance, increased demand for emergency, code enforcement and other City staff services due to Project operations.

ATTACHMENTS:

1. Proposed Resolution, including Exhibit A containing detailed comments on the June 2013 MND

MOTION:

That the City Council:

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Adopt a resolution transmitting the official City response to the June 2013 Initial Study/Mitigated Negative Declaration for the proposed Stoneview Nature Center Project located at 5950 Stoneview Drive.