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

March 14, 2012
7:00 p.m.

Call to Order & Roll Call

The meeting of the Planning Commission was called to order at 7:02 p.m.

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

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Pledge of Allegiance

Thomas Gorham, Planning Manager, led the Pledge of Allegiance.

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Comments for Items NOT on the Agenda

Chair Pleskow invited public participation

No cards were received and no speakers came forward.

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Public Hearing

Item PH-1

Administrative Site Plan Review ASPR P-2011127 to allow the development of a one-story retail building with 2,500 Square-feet of floor area and 12 on-site parking spaces located at 4436 Sepulveda Boulevard

Commissioner Kuechle received clarification regarding procedures.

Sol Blumenfeld, Community Development Director, introduced the item noting that the project would have qualified for an administrative site plan review subject to the decision of the Director, but due to the high level of public interest in the item, it was referred to the Planning Commission for consideration, and he reported on the amount of time spent with the applicant to redesign the project to be compatible with the area.

Staff provided a summary of the material of record.

Thomas Gorham, Planning Manager, discussed conditions of approval intended to address concerns raised at community meetings.

A discussion ensued between staff and Commissioners regarding police department input on transient issues; clarification that the company would build a store that would be run by a franchisee; whether the franchisee had other stores in the area; ingress and egress; Conditions of Approval 61-63; the outdoor retail component tenant; responsibilities of the applicant; the secondary retail use; hours of operation; opening of the operation; additional traffic generated by the 7-11; parking provided; concerns with impacts to the intersection; ITE codes; and turnover of cars in the parking lot.

Chair Pleskow invited public comment.

The following members of the audience addressed the Commission:

Brian Silverra, Catherman Company, discussed work to satisfy concerns of staff and the neighborhood; he provided a presentation on the project; and he requested a revision to Conditions 61-63 to enable 7-11 to operate the outside space.

At the request of Commissioner Kuechle, Mr. Silverra made the materials board available for viewing.

Aaron Swardlow, the developer, provided background on himself, discussed the challenge of corner lots; size restraints; limited uses; small, standalone corners; the history of the project; efforts to maximize functionality and efficiency; and finding an operator that can succeed at the location.

Phil Watersani, potential franchisee for the store, discussed how 7-11 franchises are run; mitigating concerns; the operation of his current store at Sepulveda and Berryman; and community support.

A discussion ensued between Commissioners and the speaker regarding length of time that Mr. Watersani has run the Berryman and Sepulveda store; his experience running 7-11 stores; operation of the outside area; the number of employees; peak hours; the number of cars in the parking lot; daily customer volume; employee parking; withdrawal of the AUP for alcohol; clarification that they have no intent to apply to sell alcohol in the future; potential alcohol sales at the Berryman location; and the lease.

David Savan, LendLease, discussed parking issues; trip generation numbers; average length of customer visits; the number of parking stalls; and City parking requirements.

Chair Pleskow asked about usage of the handicapped parking spaces; the use of spaces for employee parking; peak parking; and actual number of spaces available.

Marie Melahey discussed traffic issues; expressed concern that a proposed wall would reduce visibility and make it difficult for her to get in and out of her driveway; she discussed employee parking in the neighborhood; pedestrian traffic; incompatibility with the neighborhood; revitalization of the neighborhood; and vagrants in the area.

Kevin Coda discussed traffic issues in the area; impacts of the proposed project; the fact that the study was done when Taco Bell was closed for rehabilitation; he expressed concern with the possibility that they could apply for a permit to sell alcohol in the future; he questioned whether the school board had provided input; discussed sales of cigarettes and junk food; hours of operation; the number of other 7-11s in the area; and he recommended denying the application.

Alan Silverman expressed support for the project; discussed the traffic study; the Taco Bell; the number of school children walking in the area; length of time that the lot has been vacant; efforts of the developers to meet community standards; jobs created; tax revenue to the community; benefits of a well-lit, well-maintained business; and potential benefits to the community.

Laurie Jones expressed support for the 7-11; discussed the length of time the lot has been vacant; and redevelopment of the parcel.

Ed Agosta, architect, provided background on himself; he felt the project was wrong for the site; he asserted that 7-11 was not a quality business; and he asked that the Commission not approve the project.

Rita Rich indicated that she had submitted written comments for the record.

Chair Pleskow suggested that those comments be distributed to Commissioners and added to their packets.

Richard Rownak expressed opposition to the proposed 7-11; he discussed affordable housing; whether opportunities to develop the parcel were missed; he expressed concern that the City might not have a choice in the matter; concern about the use of the alley by Taco Bell as a drive through; concern that the story changed each time the matter was considered; he discussed conflict vs. impact; and he asked that the development be rejected.

Alexandra Mills expressed concern with traffic impacts; effects on children; comments by the police department on transients; and the creation of a blind corner.

Helen Pinkston discussed the growth of the City; expressed concern with traffic; she questioned whether the schools in the area had been considered; she discussed issues with Taco Bell; and expressed concern with adding another high impact business to the area.

Brian Butcher indicated a desire to move into the area and expressed for support for having a 7-11 on the corner.

Rob Catherman read an email he received from former Councilman Ed Little in support of the proposed 7-11 project.

Marcelo Caballero provided background on himself; discussed repeat offenders and those who do not go back to prison; pro-social places and anti-social places in communities; he reported that when he moved to Culver City he specifically looked for a place away from anti-social places; he expressed concern for his children who attend the nearby school; he referenced a study on teens and smoking; and he asked that a pro-social development be put at the location instead.

Barbara Schwartz felt that the 7-11 was an inappropriate business for that location; expressed concern with traffic; reported serving on the Culver City Disability Committee; expressed concern with effects to schools in the area and with anti-social elements potentially attracted by the 7-11; pointed out that studies were done during the summer when Taco Bell was closed and school was not in session; she discussed accidents at Braddock and Sepulveda; she referred to a study by the American Cancer Society about incidences of smoking and the availability of cigarettes in walking distance; and she felt the store would be a danger to the community.

Brian Sanders expressed opposition to the project; agreed with previously raised concerns; pointed out that there was a mini-mart close by; noted that there are five other 7-11s in the City; he expressed concern with impacts to schools in the area and making cigarettes more readily available; he commented on zoning and the legal threats made to the City; and he suggested creating an overlay for the area.

Aaron Swardlow discussed the difficulty of developing that lot; pointed out that the project was in compliance with zoning; he asserted that it was a viable project; and he discussed the length of time that the lot had been vacant and reasons for the long-term vacancy.

A representative from 7-11 reported that they were very strict and had a program in place to prevent the sale of cigarettes to minors.

MOVED BY COMMISSIONER KUECHLE, SECONDED BY COMMISSIONER TIGGS AND UNANIMOUSLY CARRIED, THAT THE PLANNING COMMISSION CLOSE THE PUBLIC HEARING.

Commissioner Kuechle disclosed that he had met the developer at an event several weeks ago before he had gotten any information on the project.

Discussion ensued between staff and the Commission regarding vehicle counts; clarification regarding rights of the Commission to deny the project; granting a conditional approval to mitigate impacts; impacts that are unable to be mitigated; the site plan review; evaluating the design, layout, and landscaping; clarification that the project can not be judged as to whether to not it is a good use; the change of use for the site; safety concerns; ingress and egress; conflicts with Taco Bell traffic; student pedestrian traffic; visibility; blind alleys; clear vision zone requirements; specified trees; the Taco Bell use; reconfiguration of the drive through; monitoring of noise issues; clarification that traffic studies do not look at accident conditions; limiting access to the driveway; U-turns; whether the site has been thoroughly examined regarding accident potential; the impact of the development on the current situation; the outdoor pedestrian-friendly component; trash pick-up; clarification that there are no special conditions for the Taco Bell; honoring conditions of approval; employee parking; a suggestion to require employees to park on site; the architectural component; clarification that pedestrians are not usually included in the traffic study; permit parking on Braddock; the parking ordinance; parking ratios; establishing more restrictive standards; pedestrian traffic; clarification that recognized safety issues are separate from levels of service and trip generation; separating the alley and the driveway; curbcuts; the pedestrian study; incremental increases generated by the project; impacts to levels of service; concern with making the finding that the completed project will not result in a pedestrian or vehicular hazard; concern that when the traffic counts were done Taco Bell was not open; a request to have staff examine whether a pedestrian hazard would be created; reexamining ingress/egress on Braddock; a proposed mitigation to prohibit right turns out of the driveway to limit potential conflicts; the importance of establishing corner lots in the City; pushing parking to the front of the site; the secondary use; similarities to other buildings on the Street; design findings; landscaping to cover the building; maintaining the landscaping; building a good structure that doesn't have to be covered; the wall toward the alley; concern with the traffic going out onto Braddock; acknowledgement that the site is tough to access; a request for more information on the traffic and a better design archetecturally; the need to demonstrate that ingress and egress out of the site is safe; potential conflicts with high trip rates; Conditions 61-63; a request for more clarification on how the exterior area would be run; requiring the exterior area to open at the same time as the store opens; concern that the outside area will be an after thought; concern that there be a specific plan that is integrated to the inside of the store; whether the outside area will become a dining area; concern with attracting a negative element; concern for the neighbors; conducting a pedestrian gap study; vehicle code requirements; the traffic study and the use of the alley; whether alley traffic was considered in the study; clarification that the project is not expected to impact alley traffic as the project does not take access from the alley; moving the bus stop from in front of the tanning parlor; the number of buses that stop there each day; the transportation department decision to move the bus stop; and capital costs to move the bus stop on Braddock.

Sol Blumenfeld, Community Development Director, summarized issues discussed which included: traffic; a request for a look at traffic generated with respect to the school; confirmation as to whether or not studies are accurate with respect to Taco Bell not operating at the time; a request that pedestrian safety related aspects relative to the schools and traffic be studied; traffic relative to the bus stop; reforming Conditions 61-63 to ensure that the outside area doesn't become a nuisance; design questions for the applicant to study further; he observed that Commissioners seemed satisfied with locational changes and pushing the building forward; and he observed that there were architectural issues rather than site planning issues.

Additional discussion ensued between staff and Commissioners regarding a request that staff look at trash pick up conditions and require employees to park on site; design comments; concern with the six findings the Commission needed to make; finding B and finding D; evaluating site lighting; concern with properly lighting the property 24 hours per day in order to be safe and also not be intrusive to the neighbors; procedures for continuing the item; the need for technical data; and clarification that if the applicant does not want to address issues the Commission would have to make a decision on the matter as it stands.

Brian Silverra, The Catherman Company, asked for 30 days to address issues.

Further discussion ensued between staff and the Commission regarding clarification that the applicant would have to prepare the requested supplementary traffic analysis; noticing requirements; and possible dates to return with additional information.

MOVED BY VICE CHAIR WYANT, SECONDED BY COMMISSIONER KUECHLE AND UNANIMOUSLY CARRIED, THAT THE PLANNING COMMISSION CONTINUE THE MATTER TO APRIL 25, 2012.

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Consent Calendar

Item C-1

Secretary's Report

MOVED BY COMMISSIONER KUECHLE, SECONDED BY COMMISSIONER TIGGS AND UNANIMOUSLY CARRIED, THAT THE PLANNING COMMISSION RECEIVE AND FILE THE REPORT OF THE SECRETARY REGARDING POSTING OF THE AGENDA FOR THIS MEETING.

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Items from Staff

Thomas Gorham, Planning Manager, discussed the schedule of upcoming meetings and agenda items.

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Items from Commissioners

Commissioner Kuechle reported that one of the conditions of approval for Item PH-1 is that the applicant is required to do everything set forth in the minutes from a meeting of the preliminary plan review board and he felt the Commission should look at those items and potentially attach them to the document.

Thomas Gorham, Planning Manager, discussed the preliminary plan review process, condition 51; code requirements; special conditions vs. standard conditions; using a standard format; he agreed to provide a copy of the conditions to Commissioners; and he felt that it would be counter productive to attach the conditions to the document.

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Adjournment

There being no further business, at 9:49 p.m. the Culver City Planning Commission adjourned to the next regular meeting on Wednesday, March 28, 2012, at 7:00 p.m. in the Mike Balkman Council Chambers.

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YVONNE D. HUNT
SECRETARY of the CULVER CITY PLANNING COMMISSION

APPROVED

ANTHONY PLESKOW
CHAIR of the CULVER CITY PLANNING COMMISSION
City of 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, City of Culver City, California and constitute the Official Minutes of said meeting.

Martin R. Cole
CITY CLERK

4-24-12
Date

By: Ela Valladares

Ela Valladares
Deputy City Clerk
