

MEETING DATE: 10/09/06

AGENDA ITEM: City Council Consideration to Approve Tentative Tract Map No. 65569, TTM P-2005082, to create a new six unit condominium subdivision on a single lot in the Medium Density Multiple-Family (RMD) Zone at 9650 – 9652 Lucerne Avenue.

ATTACHMENTS

<u>No.</u>	<u>Item</u>	<u>Pages</u>
1.	July 26, 2006, Planning Commission Resolution No. 2006-P017.	1 – 23
2.	Locality Map.	24
3.	Aerial Photograph.	25
4.	Tentative Tract Map No. 65569 [Refer to attached plan].	26
5.	Preliminary Development Plans [Refer to attached plans].	27 – 45
6.	July 26, 2006 Planning Commission staff report / attachments.	46 – 64
7.	July 26, 2006, Planning Commission minutes excerpt.	65 – 66
8.	Draft City Council Resolution No. 2006-R_____.	67 – 70

RESOLUTION NO. 2006-P017

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, APPROVING SITE PLAN REVIEW, SPR P-2005081 AND APPROVING AND RECOMMENDING APPROVAL TO THE CITY COUNCIL FOR TENTATIVE TRACT MAP NO. 65569, TTM P-2005082, FOR THE RESUBDIVISION OF 9650 AND 9652 LUCERNE AVENUE FOR THE DEVELOPMENT OF SIX (6) AIR SPACE CONDOMINIUM UNITS WITHIN THE MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL (RMD) ZONE.

(Site Plan Review, SPR P-2005081)
(Tentative Tract Map No. 65569, TTM P-2005082)

WHEREAS, on October 26, 2005, Brad Weinstock, Lisa Weinstock and Eric Ross, as the property owners of 9650 and 9652 Lucerne Avenue, filed complete Site Plan Review and Tentative Tract Map applications to demolish and develop the subject site; and

WHEREAS, the subject site is described more fully as being Lot 96 of the Nolan Park Tract (Map Book No. 32-45) and as being Los Angeles County Assessors Parcel listed in Book 4204, Page 001 and Parcel 41. The site is also designated in the existing General Plan Land Use Element as Medium Density Multiple Family Residential and on the existing zoning map as being in the Medium Density Multiple Family Residential (RMD) Zone. Said site is currently developed with a two (2) unit duplex with onsite parking at the rear of the site; and

WHEREAS, the proposed project is more fully described as follows:

1. The Site Plan Review application addresses the proposed development of six (6) air space condominium units in a two (2) story configuration with rooftop private open space decks and a subterranean parking garage providing fifteen (15) parking spaces of which fourteen (14) are standard and one (1) is handicapped accessible. Three (3) of these

1 parking spaces are for guests and additionally two (2) bicycle parking spaces are provided;
2 and

3 2. The Tentative Tract Map application addresses the re-subdivision of the site for
4 condominium purposes as Lot 1 of Tentative Tract Map No. 65569 for the six (6) air space
5 condominium units; and
6

7 3. Other improvements include, but are not limited to, both onsite [i.e.,
8 landscaping, parking, trash enclosure and open space] and offsite [i.e., curb, gutter,
9 sidewalk, street tree, and driveway apron]; and
10

11 WHEREAS, on July 26, 2006, the Planning Commission conducted a duly noticed
12 public hearing on these applications, fully considering the Site Plan Review and Tentative
13 Tract Map applications, the Class 32 Categorical Exemption for this project pursuant to the
14 California Environmental Quality Act (CEQA), the preliminary development plans, the
15 tentative tract map, the proposed materials board, the staff report with attachments, and all
16 testimony presented; and
17

18 WHEREAS, following conclusion of the public discussion and thorough deliberation of
19 the subject matter, the Planning Commission determined by a vote of three (3) to one (1)
20 [with Planning Commissioner Marcus Tiggs recused for personal reasons] that the project
21 would not result in significant adverse environmental impacts, that a Class 32 Categorical
22 Exemption finding was appropriate and that Site Plan Review, SPR P-2005081, and should
23 be conditionally approved and that Tentative Tract Map No. 65569, TTM
24 P-2005082, should be conditionally approved and recommended to the City Council for
25 approval as set forth herein below.
26
27

28 NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CULVER
29 CITY, CALIFORNIA, RESOLVES AS FOLLOWS:

1 SECTION 1. Pursuant to the foregoing recitations and the provisions of Culver City
2 Municipal Code (CCMC), the following findings are hereby made:

3
4 Site Plan Review, SPR P-2005081:

5 As outlined in CCMC Title 17, Section 17.540.020, the following required findings for a Site
6 Plan Review are hereby made:

- 7
8
9 **1. The general layout of the project, including orientation and location of buildings,**
10 **open space, vehicular and pedestrian access and circulation, parking and**
11 **loading facilities, building setbacks and heights, and other improvements on the**
12 **site, is consistent with the purpose and intent of this Chapter, the requirements**
of the zoning district in which the site is located, and with all applicable
development standards and design guidelines.

13 The general layout and design of the site improvements such as the massing of the
14 building, the layout of the subterranean garage, the perimeter fencing and the
15 landscaping have been designed to harmonize with existing and potential new
16 residential uses and developments within the area. The project provides a safe and
17 desirable environment and minimizes impacts on the adjacent area. The proposed
18 units are designed to maintain privacy and the window layout has been designed to
19 reasonably avoid direct alignment with the windows of adjacent projects. Subject to
20 the conditions of approval, the proposed project shall meet the standards for a
multiple-family development in the RMD zone. The site plan illustrates private open
space in excess of the 100 square-foot minimum requirement per unit. The
preliminary development plans meet the standards for building setbacks and height,
the number and type of parking spaces and the width of parking aisle.

- 21 **2. The architectural design of the structures and their materials and colors are**
22 **compatible with the scale and character of surrounding development and other**
23 **improvements on the site and are consistent with the purpose and intent of this**
24 **Chapter, the requirements of the zoning district in which the site is located, and**
with all applicable development standards and design guidelines.

25 The proposed building consist of a modern architectural style with stucco exterior
26 combined with a mixture of cedar siding, glass, aluminum frames, sheet metal and
27 split-faced block which provide interest to all elevations of the building. The building
28 design, height and massing is compatible with other multiple family buildings in the
29 neighborhood and is consistent with the development standards of the RMD Zone.

- 1 3. The landscaping, including the location, type, size, color, texture, and coverage
2 of plant materials, provisions for irrigation, and protection of landscape
3 elements has been designed to create visual relief, complement structures, and
4 provide an attractive environment and is consistent with the purpose and intent
of this Chapter, the requirements of the zoning district in which the site is
located, and with all applicable development standards and design guidelines.

5 The proposed landscape plan indicates ground or potted landscaping within all
6 setbacks. The proposed landscape plan is designed to complement and provide
7 visual relief for the proposed structures onsite and meets all of the requirements of
CCMC Section 17.310 – Landscaping.

- 8 4. The design and layout of the proposed project will not interfere with the use and
9 enjoyment of neighboring existing or future development, will not result in
10 vehicular or pedestrian hazards, and will be in the best interest of the public
health, safety, and general welfare.

11 The proposed project is in the best interest of the public health, safety, and general
12 welfare because it is consistent with Objective 1 of the General Plan Housing Element
13 in that it encourages compatible residential development, and creates new housing
14 opportunities. The proposed preliminary development plans include adequate
15 setbacks along all property lines and a building height as permitted in the RMD Zone.
16 In addition, windows on the proposed structure have been located so to reasonably
17 avoid direct alignment with the windows of adjacent projects. Thus the proposed
structure shall not interfere with the use or enjoyment of neighboring properties. In
addition, the site has been designed to allow vehicles to maneuver adequately and
turn around so as to exit the site head first. Furthermore, the parking provided onsite,
which includes guest spaces, meets the requirements of the RMD Zone.

- 18 5. The existing or proposed public facilities necessary to accommodate the
19 proposed project (i.e., fire protection devices, parkways, public utilities, sewers,
20 sidewalks, storm drains, street lights, traffic control devices, and the width and
21 pavement of adjoining streets and alleys) will be available to serve the subject
site.

22 The existing and proposed public service facilities necessary to accommodate the
23 propose project such as the width and pavement of Lucerne Avenue and all adjoining
24 streets, traffic control devices, sewers, storm drains, parkways, sidewalks, street
lights, street tree, fire protection devices and public utilities are provided for or shall be
25 provided for adequately as confirmed by the City agencies that reviewed the proposed
26 project during the interdepartmental review process. There are adequate existing
public facilities necessary to service the project.

- 27 6. The proposed project is consistent with the General Plan and any applicable
28 specific plan.
29

1 The project is consistent with the General Plan Medium Density Multiple Family
2 designation and applicable General Plan policies. The proposed development occurs
3 on a lot with a net area of 9,671 square feet and is substantially surrounded by urban
4 uses along Lucerne Avenue and adjoining street such as Duquesne Avenue and La
5 Fayette Place and by single, duplex and multiple family residential uses. The
proposed project is also consistent with Objective 1 of the General Plan Housing
Element in that it encourages compatible residential development, and creates new
housing opportunities.

6 Tentative Tract Map No. 65569, TTM P-2005082:

7 As outlined in CCMC Title 15, Section 15.10.265, the following required findings for a
8 Tentative Tract Map are hereby made:
9

10 **1. The proposed tentative tract map is consistent with the General Plan.**

11 The proposed tentative tract map is consistent with the General Plan Land Use and
12 Housing Elements in that the proposed residential subdivision shall provide new
13 residential opportunities upon a parcel that is currently deemed to be underdeveloped
pursuant to the existing RMD Zoning.

14 **2. The design of the proposed subdivision is consistent with the General Plan.**

15 The design of the proposed residential subdivision is consistent with the General Plan
16 Land Use Element in that the proposed uses are consistent with the objectives of the
17 General Plan Medium Density Multiple Family Residential land use designation that
encourages new residential opportunities.

18 **3. The site is physically suitable for the type of development.**

19 The site is physically suitable for the proposed residential subdivision in that the
20 project complies with all zoning standards and the proposed structure shall meet all
21 applicable development standards [i.e., setback, height, parking and use].

22 **4. The site is physically suitable for the proposed density of development.**

23 The site is physically suitable for the density of the proposed residential subdivision in
24 that the proposed lot configuration and the existing zoning of the site [i.e., RMD]
25 permit the proposed residential density and the proposed structure shall meet all
26 applicable development standards [i.e., setback, height, parking and use].

27 **5. The design of the subdivision is not likely to cause substantial environmental
28 damage or substantially and avoidably injure fish or wildlife or their habitat.**
29

1 The proposed residential tentative tract map subdivision together with the onsite and
2 offsite improvements shall not cause any known environmental damage and shall not
3 damage any fish and/or wildlife habitats because such fish and/or wildlife habitats do
4 not exist on or near the site.

5 **6. The design of the subdivision is not likely to cause serious public health**
6 **problems.**

7 The proposed residential tentative tract map subdivision together with the onsite and
8 offsite improvements shall not cause any known serious public health problems
9 because all applicable zoning code development standards shall be met, and the
10 applicant is required to meet all of the conditions of approval that the reviewing
11 agencies of the City, such as the Fire Prevention Division, Planning Division, Building
12 and Safety Division and the Engineering Division have recommended for the project.

13 **7. The design of the subdivision will not conflict with easements, acquired by the**
14 **public at large, for access through or use of, property within the proposed**
15 **subdivision.**

16 The proposed residential tentative tract map subdivision and the onsite and offsite
17 improvements shall not conflict with any existing and/or proposed easements.

18 **SECTION 2.** Pursuant to the foregoing recitations and findings, the Planning
19 Commission of the City of Culver City, California, hereby approves Site Plan Review, SPR
20 P-2005081, and the Planning Commission hereby approves and recommends to the City
21 Council for approval Tentative Tract Map No. 65569, TTM P-2005082, subject to the
22 following conditions:

23 **SITE PLAN REVIEW, SPR P-2005081**

24 **General:**

25 **Planning Division:**

- 26 1. The Site Plan Review shall not become effective until the effective date of the City
27 Council approval of Tentative Tract Map No. 65569, TTM P-2005082.
- 28 2. The Site Plan Review shall expire if new construction building permits have not been
29 issued and work has not commenced within one (1) year after the date the entitlement
becomes effective, unless prior to the expiration date, a written extension request with
fee is submitted by the applicant and the Planning Manager, Planning Commission

and/or City Council grants said extension. The effective date of the entitlement shall be considered to be the date of the City Council approval of the Tentative Tract Map.

3. Said conditions of approval herein shall apply to the applicant, the contractor/builder and any successor property owner that may legally assume benefit of this Site Plan Review.
4. Said conditions shall become due no later than prior to the issuance of any new construction building permit unless specifically scheduled for another due date.
5. Said conditions shall be referenced on the cover sheet and repeated in full at the beginning portion of the final working drawings.
6. The final working drawings shall conform to the preliminary development plans and materials board [i.e., materials, colors, textures and finishes] and tentative tract map prepared for this project and filed dated "Received July 18, 2006", as approved by the Planning Commission and as noted below and during the building permit review process. The Planning Manager may approve minor modifications to the project siting, design, landscaping treatment, colors and materials, provided such adjustments do not result in a significant change to the architectural design and/or site plan of the project as a whole. The minor modifications may include, but not be limited to, the reconfiguration of the new building footprint so long as the GSF of the project is not materially increased and the adjoining pedestrian and vehicle access and landscape design are approved by the Planning Manager and City Engineer. All minor modifications considered for approval shall not be in conflict with any specifically approved or required development or improvement feature, nor be in conflict with any other condition of approval or CCMC requirement.
7. All applicable development standards and requirements in Planning Commission Resolution No. 92-P001, "Revised Comprehensive Standard Conditions of Approval for Site Plan Reviews and Other Discretionary Planning and Zoning Applications", as identified below, shall be met. These standards, as well as other conditions required in this approval, shall be reflected on the plans submitted for building plan check.
8. In addition to the screening requirements for onsite parking areas including loading areas, refuse storage facilities, and Fire Department connections, the following items shall be screened from surrounding and nearby public and private properties in a manner consistent with City standards and suitable to the subject development as approved by the Planning Manager. In general, the height of any required screening device shall be no lower on any side than the height of the highest feature requiring screening and:
 - A. All exteriors of the proposed buildings shall be free of all unaesthetically treated, exposed elements (i.e., plumbing pipes, electrical conduits, downspouts and National Pollution Discharge Elimination System (NPDES) elements) which shall be placed within the exterior walls. Where exposed wall-

1 mounted features or equipment may be necessary (i.e., ventilators and utility
2 meters), recessed wall mounted cabinets or other similar devices shall be
3 constructed within the wall, whenever possible, to accommodate such features
4 and equipment so that they are flush with and do not project out from the main
5 exterior wall plane. With or without recesses, the exposed portions of such
6 features or equipment shall be of a color to blend, not contrast, with the
7 adjoining finished building color, subject to the approval of the Planning
8 Manager;

9 B. All roof-mounted mechanical equipment, duct vents and the like shall not
10 project above the horizontal plane of the building's lowest primary opaque
11 architectural feature(s) (i.e., parapet walls, penthouse structures or screening
12 walls); and

13 C. All ground-mounted equipment (i.e., transformers and air conditioners) shall be
14 located within the building or in underground vaults if the equipment is located
15 within a street facing setback, or it shall be screened with walls and/or
16 landscaping if not located within a street facing setback. Ground-mounted
17 equipment shall not be located in the landscaped areas fronting any public
18 right-of-way.

19 9. During all phases of construction and once the development becomes operational, all
20 graffiti upon the premise shall be removed within forty-eight (48) hours after its
21 application.

22 10. All construction and permanent equipment shall be modified so as to insure the
23 following noise standards:

24 A. Installation of mufflers and sound control devices (i.e., intake silencers and
25 noise shrouds) that are no less effective than those provided on the original
26 equipment and no equipment shall be operated without an exhaust muffler;

27 B. Properly maintained to minimize noise emissions;

28 C. If serviced at a location onsite, the vehicle(s) shall be setback from any street
29 so as to maintain the greatest distance from the public right-of-way;

30 D. Noise impacts from stationary sources (i.e., mechanical equipment, ventilators
31 and air conditioning units) shall be minimized by proper selection of equipment
32 and the installation of acoustical shielding as determined necessary by the
33 Planning Manager and the Building Official in order that compliance with the
34 CCMC Noise Regulations and Standards is achieved; and

35 E. Stationary source equipment (i.e., compressors) shall be located so as to
36 maintain the greatest distance possible from the public right-of-way.

11. All exterior lighting shall be developed pursuant to CCMC Title 17 – Chapter 17.300.40 General Property Development and Use Standards.
12. The parking area shall be developed pursuant to CCMC Title 17 - Chapter 17.320, Off-Street Parking and Loading, as approved by the Planning Manager. Additionally, the parking driveway shall be provided with an automatic loop detector for exiting vehicles to open any security gate(s) from within the parking area; and all vehicle surfaces shall be provided with an anti-squeal finish. The parking area shall be provided with signs announcing the applicable parking restrictions for resident and guest parking spaces to the satisfaction of the Planning Manager.
13. All hardscape areas along both the exterior of the building and/or within the interior of the project site shall include the use of decorative pavement [i.e., materials, finish and color] in select areas to the satisfaction of the Planning Manager.
14. All planted areas shall be landscaped and irrigated pursuant to CCMC Title 17 – Chapter 17.310 Landscaping. After issuance of the building permit, a minimum of three (3) sets of detailed landscaping and irrigation plans separate from the final working drawings shall be submitted to the Planning Division for review and approval.
15. The project and its operations shall comply with all applicable local, special district or authority, county and federal statutes, codes, standards, and regulations including, but not limited to, Building and Safety Division, Fire Department, Planning Division and Public Works Department code requirements and it shall comply with all applicable comments and code requirements as determined during the City's building permit review process.
16. The applicant shall use reasonable best efforts to actively advertise or post all opportunities for employment, contract services and purchasing of materials to Culver City-based businesses and residents. Reasonable best efforts shall include, but not be limited to, advertising on various internet sites. The applicant shall use reasonable best efforts to solicit and utilize economical and qualified services from Culver City – based employees and businesses. The applicant shall also require the construction contractor(s) and subcontractors related to the project to advertise all construction opportunities to Culver City-based businesses and residents. This condition shall not be construed so as to require the applicant to conduct business with, or purchase from, Culver City-based employees and businesses.
17. The City reserves the right to periodically inspect the project site without prior notification to ensure continuing compliance with all conditions of approval.
18. The applicant and contractors shall use all reasonable cost-effective efforts to reuse and recycle construction and demolition debris, to use environmentally friendly materials and to provide energy efficient buildings, equipment and systems.

- 1 19. The public notification sign installed in accordance with the CCMC public notification
2 requirements for this review process shall be removed within ten (10) days of the end
3 of the appeal period or the final decision of the City Council on the Tentative Tract
4 Map, whichever occurs last.
5
6 20. The name and telephone number of a contact person for the applicant, contractor and
7 the City shall be posted onsite so as to be visible to the public and remain on display
8 during construction.
9
10 21. If an electrical transformer is to serve the site, it shall be located fully below grade. If
11 permitted above grade, it shall be within a non-required street facing setback
12 landscaped planter. If permitted with a screening wall, it shall be screened by
13 landscape materials planted around the perimeter of the transformer so as to screen
14 the transformer at planting installation.
15
16 22. All perimeter block walls shall be either stuccoed or split-faced on both sides and the
17 top of the wall provided shall be provided with a cap or similar feature of a color to
18 match the proposed building as may be approved by the Planning Manager. This
19 condition does not apply to the interior of the subterranean parking garage.
20
21 23. The refuse container(s) assigned to the project shall be kept stored onsite within the
22 approved trash enclosure.
23
24 24. The interior floor plan of each unit shall include the CCMC required washer / dryer
25 services.

26 Fire Prevention Division:

- 27 25. Provide fire sprinklers per National Fire Protection Association (NFPA) 13 in the
28 parking area and NFPA 13 Residential in the dwelling units. The location of the
29 double detector check assembly (DDCA) and the Fire Department Connection (FDC)
shall be established by the Fire Marshal. NFPA 13 service may serve the NFPA 13R
system.
26
27 26. The "double-detector check valve" (backflow preventor) for the fire sprinkler system(s)
28 shall be provided in accordance with the requirements of the Golden State Water
29 Company (water service) and the Los Angeles County Health Department. Location
of the double-detector check valve shall be approved by the Fire Marshal and
Planning Manager. All equipment shall be screened in accordance with the standards
and requirements listed in Planning Commission Resolution No. 92-P001,
Comprehensive Site Development Standards and Conditions for Site Plan Reviews
and Other Discretionary Planning and Zoning Applications. A separate permit from
the Fire Department shall be required along with prior plan review and approval for fire
sprinklers as required by the Fire Prevention Division.

27. Provide a fire alarm system to monitor fire sprinklers and fire department dispatch offsite reporting system with audibles (mini-horns) in each dwelling unit.
28. Provide an exterior fire bell with cage, sign and painted to match building.
29. Provide an address plan. All addresses shall be viewable from the public right-of-way.
30. Provide a KNOX box with keys for all common doors and gates.
31. Provide a KNOX key switch for electric gates and electric door strikes.
32. Provide access for emergency fire and medical personnel upon smooth concrete surfaces between the street and main entrance for the building paved to allow the rolling of a medical gurney as determined by the Fire Marshal.
33. Provide fire extinguishers as required by the Fire Marshal.
34. The final plan check drawings shall include all Fire Department life safety item notes under the heading "F. D. Notes". The Fire Prevention Division shall determine the contents of those notes.
35. All exterior fascias, walls, tops of walls and parapet surfaces shall be constructed to support the weight of fire fighters, suppression equipment, and ladders for fire fighting operations. All proposed construction of these areas shall be submitted to the Fire Marshal for approval.
36. A fire flow requirement shall be as determined by the Fire Marshal. Any and all upgrades to surrounding water main(s) to meet the minimum required fire flow shall be at the sole cost of the applicant.
37. The fire sprinkler system shall require a five (5) year test certificate upon completion of construction.

Building and Safety Division:

38. Hours of construction shall be between 8:00 AM and 6:00 PM Mondays through Fridays, 9:00 AM and 6:00 PM on Saturdays and 10:00 AM and 6:00 PM on Sundays.
39. All walls, ceiling, columns, etc, which are part of the subterranean parking garage shall be reinforced concrete. The lower level floor of each living unit shall be reinforced concrete. The concrete deck shall be one (1) hour rated minimum.
40. The elevator shaft shall be reinforced concrete at the subterranean parking garage. The elevator shall be the minimum size per the handicapped code.
41. All stairs within the subterranean parking garage shall be reinforced concrete or metal.

- 1 42. Each wall dividing each living unit from another living unit shall be two (2) hour rated
2 from the concrete deck to the top of a parapet extending a minimum of thirty inches
3 (30") above any adjacent roof or walking surface. As an alternate to the parapet, the
4 roof structure may be one (1) hour rated within five feet (5' - 0") of the two (2) hour
5 wall on both sides.
- 6 43. The lower level floor of each unit shall have an accessible entrance and an accessible
7 route through the lower level of each unit.
- 8 44. An accessible route shall be provided from the lower level of the living units to the
9 street.
- 10 45. The trash enclosure room shall be of reinforced concrete and two (2) hour rated.
- 11 46. All discretionary review comments are preliminary. A complete code review shall be
12 performed at the time of permit application.
- 13 47. Separate permits for building, electrical, plumbing, and mechanical work shall be
14 required.
- 15 48. The overall construction permit application submittal shall include six (6) sets of
16 architectural plans, two (2) sets of electrical, mechanical, plumbing, and structural,
17 plans and structural specifications, two (2) sets of the geotechnical report and two (2)
18 sets of energy forms.
- 19 49. The construction permit may be scheduled for Project Review Committee (PRC)
20 review at the option of the applicant.
- 21 50. The review time shall be a minimum of two (2) weeks and may be extended at the
22 option of City staff.
- 23 51. Support of adjacent properties may be necessary during the construction of the
24 subterranean parking garage.
- 25 52. All units intended to be sold shall have separate utilities and separate meters for each
26 unit as may be approved by the Building Official and shall be two (2) hour rated to all
27 other units. All utilities shall be enclosed within the building construction or run
28 underground; no overhead utilities shall be permitted. All utility meters shall be
29 enclosed.
53. All construction equipment shall be properly tuned and maintained in accordance with
manufacturer's specifications.
54. General contractors shall maintain and operate construction equipment so as to
minimize exhaust emissions. During construction, trucks and vehicles in loading and

unloading queues shall be kept with their engines off, when not in use, to reduce vehicle emissions. Construction emissions shall be phased and scheduled to avoid emissions peaks and discontinued during second-stage smog alerts.

55. To the extent feasible, the applicant shall use electricity from power poles rather than temporary diesel-powered or gasoline-powered generators.
56. Building materials, architectural coatings and cleaning solvents shall comply with all applicable South Coast Air Quality Management District (SCAQMD) rules and regulations.
57. A wind speed measuring device shall be installed and maintained in a calibrated state onsite and all grading operations shall be immediately terminated if wind speeds exceed twenty five miles per hour (25 mph).
58. The applicant shall install a dust fabric to any fencing erected along the project perimeter.
59. The applicant shall submit a parking management plan to the Planning Manager which shall be approved prior to the commencement of construction. Said plan shall reduce the number of construction personnel related street parking impacts onto the surrounding residential properties by including, but not be limited to, the promotion of carpooling, the allowance of parking onsite when physically possible, the use of the subterranean parking garage following release by the Building Official for said temporary parking use, the first priority of street parking when required shall be the parking spaces directly in front of the subject site and that no vehicle related to construction personnel shall be parked within the surrounding residential neighborhood after the construction hours as specified herein. Said plan shall also address the use of the public street parking space(s) directly in front of and/or abutting the site for the staging of equipment, materials, storage containers and/or trash containers when such items cannot be placed onsite.
60. The following shall be implemented to reduce construction-related traffic congestion:
 - A. Construction parking shall be configured to minimize traffic interferences;
 - B. Flag person(s) with radio communication shall be provided to guide the traffic in a safe and proper manner if and when necessary;
 - C. Obstruction of through-traffic lanes shall be minimized;
 - D. Rideshare incentives shall be provided; and
 - E. Transit incentives for construction personnel shall be provided.

- 1 61. The project shall be designed and operated to conserve energy and shall comply with
2 all applicable utility standards and regulations required by Southern California Edison
3 (electrical service), Southern California Gas Company (natural gas service), Golden
4 State Water Company (water service) and AT&T (telephone service) and/or any other
5 appropriate agencies to adequately serve the project site.
- 6 62. The applicant shall, during the plan check review process, coordinate a project kick off
7 meeting to be held in City Hall including, but not limited to, the Building Official, the
8 Planning Division Case Manager, all involved City inspectors, all special inspectors,
9 the general contractor's onsite field superintendent(s), and all major trade
10 superintendents.
- 11 63. All areas of the building shall be fully fire sprinklered.
- 12 64. All utility services and devices shall be underground or enclosed.
- 13 65. All handicapped parking spaces shall meet current code requirements including, but
14 not limited to, the total number, type (i.e., standard or van accessible), signage at
15 driveway entrances and at each handicapped parking space, location, handicapped
16 pathway, handicapped ramp locations and all other handicapped parking
17 specifications.
- 18 66. The applicant shall use:
- 19 A. Double-paned windows spectrally selective with low-emissivity (low-e) coating
20 to reduce thermal loss and reduce energy demand for temperature control
21 purposes; and
- 22 B. Light-colored roof materials to deflect heat and reduce energy demand for
23 building cooling purposes.

24 Sanitation Division:

- 25 67. In accordance with CCMC Section 5.01.010, Municipal Service Exclusion, the
26 Sanitation Division has the exclusive franchise for all solid and recyclable waste
27 material handling within the City limits.
- 28 68. The applicant shall submit to the Sanitation Manager for review and approval prior to
29 any construction permit a refuse disposal / recycling plan for the site addressing the
design, location and type of trash collection and recycling systems to be used,
including the recycling procedures of all tenants. All necessary support elements
including, but not limited to, fire suppression systems as may be required by the Fire
Marshal, shall be included on the plan.

Engineering Division:

69. Prior to the issuance of any building permits, three (3) sets of Site Improvement Plans prepared by a civil engineer registered in the State of California, shall be submitted to the Engineering Division for review, approval, and permitting. The plans shall include, but not be limited to, detailed drainage and grading of the site indicated by topographical lines and spot elevations, existing and proposed drive approach(es), driveway(s), sidewalk, curb, gutter, all proposed connections and existing utilities (i.e., sanitary sewer and water) and fully dimensioned plans to include up to the full right-of-way width of Lucerne Avenue and the Ballona Creek bike path.
70. Provide an existing site topographic survey map prepared by a land surveyor licensed in the State of California. This survey shall include existing property lines, existing utilities and meters, existing structures, existing street trees, all above ground facilities within the public parkway and existing development within fifty feet (50'-0") of the project site (9650 – 9652 Lucerne Avenue). A survey (horizontal and vertical locations) of the existing public sewer shall be noted on the plan.

Prior To The Issuance Of Any Demolition, Grading, Excavation And/Or Building Permit:

Planning Division:

71. The applicant shall agree and indemnify, defend and hold harmless the City, each of their elected and appointed officials, officers, employees, agents, contractors and consultants from and against any and all claims, lawsuits, judgments, liability, injury or damage which may result from third party challenges to the City's approval of the applicant's project in a manner to the satisfaction of the City Attorney. The applicant shall add the City as additional insured's on their general liability insurance policies.
72. Provide the construction contractor(s) and each subcontractor related to the project a copy of the final project conditions of approval. The applicant and the City agree that these conditions shall be enforceable through all legal and equitable actions and any remedies, including the imposition of fines against each and every person who conducts any activity on behalf of the applicant on or near the project site. The applicant and general construction contractor are ultimately responsible for all actions or omissions of a subcontractor.
73. Demolish all existing site improvements in accordance with applicable City regulations.
74. The applicant shall submit an exterior lighting plan to the Planning Manager for review and approval. This plan shall include decorative or accent lighting for the exterior of the sites as well as for the interior of the parking structures and other areas throughout the sites.
75. Pursuant to CCMC Title 15, Section 15.10.755, parkland dedication and/or payment of an in lieu parkland fee shall be required.

1 76. Prior to filing for any building permit, the applicant shall prepare and submit to the
2 Planning Manager for review and approval a revised set of preliminary development
3 plans [as approved by the Planning Commission] that reflect all of the referenced
4 revisions outlined in these conditions of approval and the following additional
5 revisions:

6 A. A mailroom or a mail location area of a size and location as approved in writing
7 by the United States Postal Service (USPS);

8 B. A plan that illustrates how visitors arriving to the site either by vehicle or walking
9 shall be required to maneuver in order to gain information, direction and access
10 to both the guest parking spaces and the interior of the residential project;

11 C. Provides details regarding the washer / dryer facilities within the interior of each
12 residential unit.

13 77. The applicant shall submit to and receive written approval from the Planning Manager
14 of a vector / pest control abatement plan prepared by a pest control specialist licensed
15 and/or certified by the State of California. Said plan shall outline all steps to be taken
16 prior to the commencement of any demolition / construction activity so as to insure any
17 and all pests [including, but not limited to, rodents, bees, ants and mosquitoes] that
18 may populate the subject site do not relocate to or impact adjoining residences and/or
19 businesses.

20 Engineering Division:

21 78. Concurrent with the submittal of the site improvement plan, a Local Storm Water
22 Pollution Prevention Plan (LSWPPP) and Standard Urban Storm Water Mitigation
23 Plan (SUSMP) shall be submitted for review and approval by the City Engineer as
24 outlined in CCMC Chapter 5.05. The LSWPPP and SUSMP shall be developed and
25 implemented in accordance with the requirements of the Los Angeles County
26 Municipal Stormwater NPDES Permit No. CAS614001 (Order No. 01-182). The
27 LSWPPP shall include Best Management Practices (BMP's) that effectively prohibit
28 the entry of pollutants from the construction site into the public street or storm drain
29 system. The SUSMP shall provide BMP's that adequately address the pollutants
generated during the post-construction stage. The site improvement plans shall note
that the contractor shall comply with the "California Stormwater Best Management
Practice Handbooks" and shall not be accepted for review unless the LSWPP Plan
and the SUSMP is included in the submittal package. Prior to the start of design of
these plans and of necessary reports, the applicant's civil engineer shall meet with the
City's Stormwater Program Manager to obtain information on the City-specific SUSMP
and LSWPPP requirements. The Engineering Division review of this project will not
begin until submittal of the LSWPPP and SUSMP. The Engineer of Record preparing
the LSWPPP shall be responsible for the proper installation of BMP's during
construction and shall revise the plan when necessary.

1 **Prior To The Issuance Of Any Certificate Of Occupancy (CO):**

2 **Planning Division:**

- 3
- 4 79. All onsite and offsite landscaping and irrigation shall be completed to the satisfaction
- 5 of the City.
- 6 80. The applicant shall execute, file and pay for the recordation of a covenant in favor of
- 7 the City to be recorded with the Los Angeles County Recorder that sets forth the
- 8 applicant's obligations as outlined in the City's Art In Public Places Ordinance. Should
- 9 the applicant decide to pay the in-lieu fee for the cultural resources / public art
- 10 requirement prior to requesting a Certificate of Occupancy (CO), the covenant
- 11 requirement shall not be required.
- 12 81. The applicant shall submit a security plan with all fees, including on-site security
- 13 systems, to the Police Department for review and approval prior to any occupancy.
- 14 82. The declaration of covenants, conditions and restrictions (CC&R's), the homeowners'
- 15 association bylaws and, if applicable, the condominium plan (Condo Plan) shall be
- 16 submitted to the City Attorney and approved. Additionally, the applicant shall record,
- 17 concurrently with the recordation of the final tract map, the City approved CC&R's and,
- 18 if applicable, the Condo Plan.
- 19 83. The applicant shall submit a parking plan to the Planning Manager for review and
- 20 approval that designates assigned parking spaces for residents and guests to the site.
- 21 84. A certificate of occupancy for the approved project shall be issued only upon
- 22 completion of all applicable conditions of approval and required site improvements, as
- 23 determine by the City.

24 **Fire Prevention Division:**

- 25 85. The applicant shall complete and submit to the Fire Marshal for approval a site pre-fire
- 26 plan.

27 **Building and Safety Division:**

- 28 86. The Building Official shall insure all applicable onsite and offsite improvements and
- 29 conditions of approval have been completed pertaining to the CO. The completed
- improvements and conditions required for issuance of any CO shall be determined by
- the Building Official, Fire Marshal, Planning Manager and City Engineer following the
- applicant's filing for such CO.
87. The Building Official shall insure all applicable onsite and offsite improvements and
- conditions of approval have been completed pertaining to the CO. The completed

improvements and conditions required for issuance of any CO shall be determined by the Building Official, Fire Marshal, Planning Manager and City Engineer following the applicant's filing for such CO and shall include, but not be limited to, the following:

A. Provide the City with:

- 1) Five (5) full size 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
- 2) One set of the above plans in a digital format compatible with the City's computer system.

B. The as-built plans shall be filed with the following City departments / divisions:

- 1) Building and Safety Division;
- 2) Fire Prevention Division;
- 3) Planning Division;
- 4) Police Department; and
- 5) Public Works Department.

Engineering Division:

88. The applicant shall submit to the City Stormwater Program Manager a notarized Master Covenant and Agreement (regarding on-site BMP maintenance) to be recorded by the County Recorder of Los Angeles County. Prior to obtaining the required notary, the applicant's civil engineer shall contact the City's Stormwater Program Manager for review of the Agreement and for information on other requirements associated with the recording process.
89. After the construction of the SUSMP-related BMP's, the applicant shall submit to the City Stormwater Program Manager a completed Stormwater Observation Report Form (stamped and signed by the civil engineer or architect responsible for the SUSMP design) to certify, based on their observations, that all SUSMP-related BMP's have been constructed per the specifications and the drawings.
90. The applicant shall obtain plan approval from Southern California Edison on the proposed utility pole extension or re-installation prior to the submittal of the permit plans to the Building and Safety Division and Engineering Division.

- 1 91. The existing driveway approach shall be removed and replaced with new curb, gutter
2 and a five foot (5' – 0") wide sidewalk. The remaining sidewalk along the project's
3 frontage shall also be removed and replaced with a five foot (5' – 0") wide sidewalk.
4 All work shall be constructed per American Public Works Association (APWA)
5 standards.
- 6 92. The proposed driveway approach shall be constructed per APWA Standards, meet
7 ADA Standards, and be aligned with the proposed driveway.
- 8 93. All on-site drainage, including roof drainage, shall be directed to Lucerne Avenue and
9 be pretreated prior to being conveyed underground through the street curb as required
10 by SUSMP. Drainage devices shall be designed to the latest edition of the APWA
11 Standards.
- 12 94. There shall be no significant visibility impairment at junction of ingress/egress
13 locations.
- 14 95. The applicant shall provide a geotechnical report from a State licensed geotechnical
15 engineer reporting on the suitability of the onsite soils to support the proposed
16 construction and shall include a liquefaction analysis. The report shall also identify
17 any special considerations necessary to satisfy California Building Code requirements.
- 18 96. Upon completion of the rough grading and prior to the issuance of a building permit
19 the following reports and drawings and any supplements thereto shall be submitted to
20 the City Engineer:
- 21 A. An as-built grading plan prepared by the civil engineer;
 - 22 B. A certification by the civil engineer that the grading has been completed in
23 conformance with the approved plan and California Building Code Appendix
24 Chapter 33 and with this certification, a survey showing the final rough pad
25 grade elevations shall be submitted;
 - 26 C. A certification by the soils engineer that the grading has been completed to
27 their satisfaction and is in compliance with the California Building Code Chapter
28 33; and
 - 29 D. A final compaction report prepared by the soils engineer.
97. The applicant shall be responsible for the expense to repair or replace any damage to
the public right-of-way caused by the construction of the proposed project. Such
repair or replacement shall be completed to the satisfaction of the City Engineer.
98. Dirt hauling and construction material deliveries or removal shall be prohibited during
the morning (7:00 AM to 9:00 AM) and afternoon (4:00 PM to 6:00 PM) peak traffic
periods. Culver City haul routes and schedules as noted by the Engineering Division

shall be used by all construction vehicles. The contractor shall provide a haul route map that shall be approved by the City Engineer before the beginning of any construction-related activity.

99. During construction, dust shall be controlled by regular watering and as directed by the City inspector.
100. Prior to the commencement of any excavation, the applicant shall install a temporary construction fence surrounding the site. Specifications as to the height and fence material shall be subject to approval by the City Engineer.
101. The construction contractor shall advise the Public Works inspector of the schedule and shall meet with the inspector prior to commencement of work.
102. Due to the change of use, this project is subject to the City's Sewer Facility Charge. This charge shall be paid directly to the Engineering Division prior to the issuance of any permit.
103. The trash enclosures shall have a minimum inside dimension of ten feet (10'-0") in width and eight feet (8'-0") in depth, which may need to be expanded in order to accommodate the recycling services listed herein. The enclosure shall have a sloped concrete floor, a six inch (6") high by six inch (6") wide raised concrete curb along the inside perimeter floor, have an eight foot (8'-0") wide double gate and of a height equal to the height of the enclosure walls, and an access door. The applicant shall also provide a recycling collection area. The design and location of the required trash collection system shall be subject to the approval of the Public Works / Sanitation Division Manager.
104. Per CCMC Section 5.01.010, Ordinance No. 2001-011 Solid Waste Management, the Culver City Sanitation Division has the exclusive franchise for all solid and recyclable waste material handling within the City limits.
105. All staging and storage of construction equipment and materials, including the construction dumpster, shall be onsite only and screened from public view, unless otherwise permitted by the City Engineer and Planning Manager. The applicant shall obtain written permission from adjacent property owners outside the subject site for any construction staging occurring on adjacent property.
106. Underground all new utility services in accordance with CCMC standards. Service shall be placed underground from the utility poles located nearest the site.
107. Street trees shall be required along the project's street frontage. A landscape plan for parkway landscaping, to include planting of additional street trees with tree wells, and irrigation within the public right-of-way shall be submitted for review and approval by the City Engineer. The applicant shall maintain the parkway area to the satisfaction of the Public Works Department.

- 1 108. The construction contractor shall advise the Public Works Inspector of the
2 construction schedule and shall meet with the inspector prior to commencement of
3 work.
- 4 109. All parking areas shall be designed in accordance with City Council Resolution No. 87-
5 R100, Parking Design and Layout Guidelines, and City Council Resolution
6 CS-6486, Adopted Standards and Specifications for Off-Street Parking Areas, as
7 approved by the Planning Manager. Onsite Parking Areas including driveways and
8 access ways shall be designed as defined in CCMC Chapter 17.320, based upon the
9 use(s) involved and laid out, designed and double striped in conformance with said
10 CCMC Chapter.
- 11 110. Prior to commencement of any new construction within the public right-of-way, the
12 applicant shall apply for a street use permit. A traffic control plan may also be
13 required.
- 14 111. The subterranean parking garage entry / exit shall be designed, to the satisfaction of
15 the City Engineer, to allow a smooth and efficient vehicle movement to / from the
16 adjoining street. The subterranean garage driveway, ramp and floor area shall be
17 treated with a medium broom finish in order to create an anti-skid surface.
- 18 112. A registered Civil Engineer shall provide calculations determining the appropriate size
19 and capacities of the proposed sump pump for the subterranean garage. A secondary
20 emergency sump pump system shall also be provided.
- 21 113. Complete all of the conditions of approval, including final tract map recordation with
22 the County Recorder of Los Angeles County and payment of all fees to the County
23 and City pertaining to the tentative tract map, prior to the issuance of any certificate of
24 occupancy for any condominium unit.
- 25 114. After all utility crossings have been completed in Lucerne Avenue, the applicant shall
26 slurry seal the entire width of the street, restripe the affected portion of the street and
27 install new pavement markers removed as part of this work. This work shall be
28 completed to the satisfaction of the City Engineer.
- 29 115. The project shall connect to the existing sewer main that is located along the southerly
property line. This sewer main shall be protected in place or reconstructed with
Schedule 40 polyvinyl chloride (PVC) piping. If necessary, the upstream portion of
this sewer line may be exposed within the interior of the subterranean garage as long
as the new pipe is adequately fastened and constructed of material having the proper
size and strength. If this sewer line is reconstructed within the interior of the
subterranean garage, the upstream end of the new sewer line shall terminate at an
approved maintenance structure. This work shall be completed to the satisfaction of
the City Engineer.

1 **TENTATIVE TRACT MAP NO. 65569, TTM P-2005082:**

2 **General:**

3 **Engineering Division:**

4 116. The final tract map shall:

- 5
- 6 A. Be prepared by a surveyor or civil engineer licensed in the State of California;
- 7
- 8 B. Conform to the conditionally approved tentative tract map approved by the
Planning Commission on July 26, 2006;
- 9
- 10 C. Include a project boundary tied to at least one (1) City global positioning
satellite (GPS) monument;
- 11
- 12 D. Be recorded prior to the issuance of any Certificate of Occupancy for any
residential air space unit;
- 13
- 14 E. Be submitted to the Los Angeles County Department of Public Works for review,
approval and recordation. All applicable documents and fees shall be paid for
by the applicant. After approval of the technical aspect of the final tract map by
Los Angeles County, and prior to recordation, the final tract map shall be
approved by the City Council. A copy of the first plan check package as
submitted to Los Angeles County shall also be submitted concurrently to the
Culver City Engineering Division for review; and
- 15
- 16
- 17
- 18 F. Be filed with the Engineering Division in a digital format compatible with the
City's computer system and in a mylar format prior to final acceptance.
- 19

20 117. All required boundary monuments shall be installed prior to the recording of the final
tract map. At a minimum, spike and washers shall be set on the centerline of Lucerne
Avenue and the intersection of the prolongation of the project's northerly and southerly
boundary with this street. Each monument shall be "tied" to at least three (3) points,
with lead and tags, and centerline tie notes filed with the Engineering Division.

21

22

23 118. If required, an Improvement Bond and Agreement shall be filed with the City prior to
the recording of the final tract map for those improvements awaiting completion and
approved by the City Engineer to be bonded. The bond shall include, but not be
limited to, labor and material and be based on estimated construction costs as
provided by the City.

24

25

26

27 119. A sewer easement shall be dedicated to the City of Culver City on the final tract map.
This easement shall measure a minimum five feet (5' - 0") in width to allow for proper
maintenance access.

28

29

1 120. The tentative tract map shall expire within three (3) years after the date it becomes
2 effective unless the applicant submits an extension request in writing to the Planning
3 Manager and is granted said extension by the Planning Manager or the Planning
4 Commission or the City Council. The effective date of the tentative tract map shall be
the date of the City Council's approval.

5 121. A copy of the first plan check package as submitted to the Los Angeles County
6 Department of Public Work shall also be submitted concurrently to the Culver City
Engineering Division for review.

7 **Prior To The Issuance Of Any Certificate Of Occupancy (CO):**

8 **Engineering Division:**

9
10 122. The final tract map shall be recorded prior to the issuance of any Certificate of
11 Occupancy for any residential air space condominium unit.

12
13 APPROVED and ADOPTED this 26th day of July 2006.

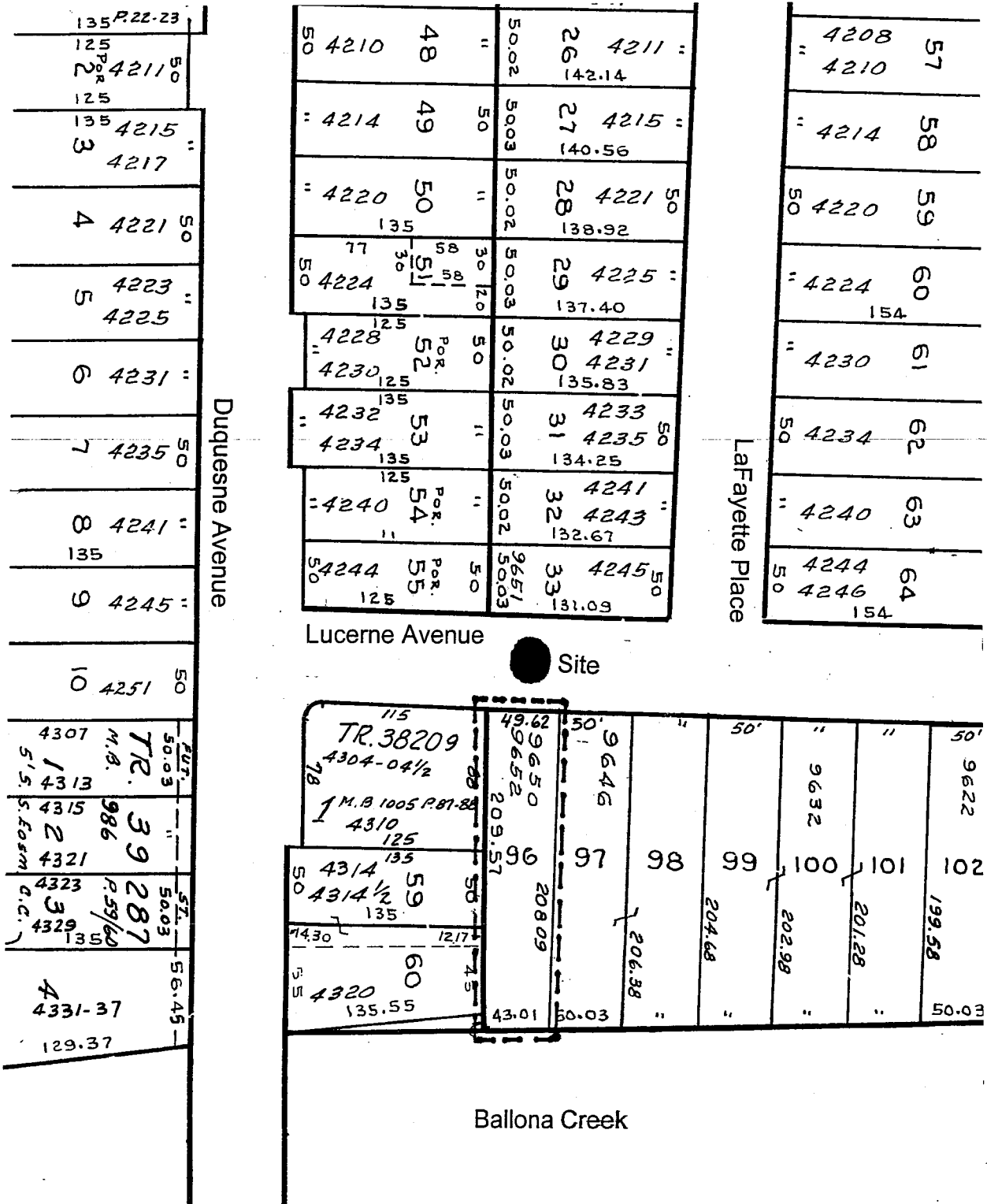
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15
16 MAUREEN MURANAKA, CHAIRPERSON
17 PLANNING COMMISSION
18 CITY OF CULVER CITY, CALIFORNIA

19
20 Attested by:

21
22
23 Yvonne Hunt
24 Administrative Secretary

25
26 JM/abn
27
28
29

Attachment No. 2



LOCALITY

Site Plan Review, SPR P-2005081
 Tentative Tract Map No. 65569, TTM P-2005082
 9650 – 9652 Lucerne Avenue

Department Of Community Development
 Planning Division 14 July 2006

N
 W S E
 1" 100'

Attachment No. 3



AERIAL

Site Plan Review, SPR P-2005081
Tentative Tract Map No. 65569, TTM P-2005082
9650 – 9652 Lucerne Avenue

Department Of Community Development
Planning Division 14 July 2006

N
W S E
1" 100'

City of Culver City, California
Planning Commission Agenda Item Report

Meeting Date: July 26, 2006		Item Number: <u>PH-1</u>	
AGENDA ITEM: P-2005081; Site Plan Review, SPR P-2005081; and Tentative Tract Map No. 65569, TTM P-2005082, for a one (1) lot subdivision to create six (6) air space condominium units at 9650 – 9652 Lucerne Avenue in the Medium Density Multiple Family Residential (RMD) Zone.			
Contact Person/Dept.: Joseph Montoya, AICP, Associate Planner		Phone Number: (310) 253-5736	
Public Hearing: ☒		Action Item: ☐ Attachments: ☒	
Public Notification: Notices were mailed on June 29, 2006, to all property owners and occupants within a 300 foot radius of the site extended to the end of all applicable city blocks; courtesy notices were mailed on June 29, 2006, to other persons with interest to the project, as well as to the US Army Corps of Engineers, the Ballona Creek Renaissance Committee, Culver City Chamber of Commerce and the Culver City Homeowners Association. The public notice was emailed to the Master Notification List on June 29, 2006. The site was posted with the required public notification sign as of July 5, 2006.			
Planning Approval: Thomas Gorham, Planning Manager, July 17, 2006.			
<u>RECOMMENDATION:</u> That the Planning Commission: 1. Adopt a Class 32 Categorical Exemption for this project pursuant to the California Environmental Quality Act (CEQA) Section 15332 regarding Infill Developments; 2. Approve Site Plan Review, SPR P-2005081, for the construction of six (6) condominium units with related onsite and offsite improvements as outlined in the preliminary development plans (Attachment No. 8) and attachments and subject to the Conditions of Approval as outlined in Draft Resolution No. 2006-P017 (Attachment No. 7); and 3. Approve and recommend approval to the City Council of Tentative Tract Map No. 65569, TTM P-2005082 (Attachment No. 9) for the subdivision of the subject site for condominium purposes subject to the Conditions of Approval as outlined in Draft Resolution No. 2006-P017 (Attachment No. 7). <u>PROCEDURES:</u> 1. Chair seeks motion to receive and file affidavit of mailing and posting of notices; 2. Chair calls on staff for a brief staff report and Commission poses questions to staff as desired; 3. Chair opens the public hearing, providing the applicant the first opportunity to speak, followed by the general public;			

City of Culver City, California
Planning Commission Agenda Item Report

4. Chair seeks a motion to close the public hearing after all testimony has been presented; and
5. Commission thoroughly discusses the matter and arrives at its decision.

BACKGROUND:

Request

On October 26, 2005, the applicant filed a Site Plan Review and Tentative Tract Map application to demolish the existing improvements and construct six (6) air space condominium units on the subject site.

General

Please refer to Project Summary (Attachment No. 1), Locality Map (Attachment No. 2) and Aerial Photograph (Attachment No. 3).

Existing Conditions

The existing site has a street frontage of 50 feet, a depth varying between 208 feet and 209 feet and a rear property width of 43 feet, resulting in a total area of 9,671 square feet (SF). The site is level at the Lucerne Avenue frontage and then slopes downward towards the rear of the site towards Ballona Creek resulting in a change in elevation of 14 feet. The required street dedication along the Lucerne Avenue frontage has been deemed completed by the Public Works Department. Currently, the site is developed with a two (2) unit duplex and onsite parking is provided at the rear.

Of special concern is the existence of two (2) Southern California Edison power poles that are onsite. Since these poles not only serve the site but are also part of an area wide transmission network, they are required to remain onsite, notwithstanding their negative visual image. However, in order to provide the necessary vertical and horizontal clearances from the proposed project, various components of the poles will be modified and increased in height.

Adjoining development to the north, east and west is a mixture of single family, two family and multiple family apartments and condominium developments. To the south, the site abuts Ballona Creek.

City of Culver City, California
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Project Description

Following demolition of the site, construction is proposed to include excavation for the subterranean parking structure with 15 parking spaces [including 1 handicapped and 3 guest vehicle parking spaces and two (2) bicycle parking spaces] and the construction of six (6) residential condominium units in a two (2) story configuration with rooftop private open space deck areas. Said deck area also provides screening for the rooftop mechanical equipment and includes the enclosed stairwell for resident access to the roof decks and various landscaped planters.

The project provides a handicapped accessible pathway from the public sidewalk to the building entry and elevator. Handicapped parking and elevator access is provided in the subterranean parking structure where

Unit size varies between 1,698 SF to 2,069 SF. Each unit is provided with two (2) parking spaces plus the use of guest parking and bicycle parking spaces. Other improvements include, but are not limited to, both onsite [i.e., landscaping, parking, trash enclosure and open space] and offsite [i.e., curb, gutter, sidewalk, street tree and driveway apron]. The architectural design also provides balconies that architecturally project into the required side yard setback as permitted by the CCMC. The proposed exterior lighting fixtures are to be architecturally consistent with the proposed building design theme. The proposed interior plan shall also provide the required washer / dryer services within each unit.

Required Actions

In order to implement the proposed project, the following planning applications require Planning Commission and City Council review and approval actions:

1. Site Plan Review, SPR P2005081:
Preliminary development plans outlining the onsite and offsite improvements to reflect the site features and compatibility of the proposed project with the uses on adjoining properties; and
2. Tentative Tract Map No. 65569, TTM P-2005082:
Subdivide the subject site in order to create a one (1) lot subdivision and six (6) air space condominium units.

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Applicable Regulations

The following are the CCMC sections applicable to the required applications:

1. CCMC Title 17, Section 17.540, Site Plan Review, including the required findings; and
2. CCMC Title 15, Section 15.10.265, includes the findings for a Tentative Tract Map which is in addition to the State Subdivision Map Act regulations.

ANALYSIS:

The proposed project was analyzed as outlined below. Please refer to the draft resolution of approval for a more detailed listing of the required "findings" for each individual application:

Site Plan Review, SPR P-2005081:

1. Architectural and Site Design

The project has been designed to conform to all applicable provisions of the RMD Zone, and all City development standards relating to setback, height, unit size and parking. As outlined in the proposed preliminary development plans and materials board [to be on display at the meeting], the proposed structure has an architectural design that offers a variety of building materials, textures and colors and a profile of windows, doors and walkways all resulting in an attractive architectural theme that is both contemporary and compatible with the surrounding neighborhood. As reflected in the site plan and building elevations, the building massing and setback is consistent with adjoining structures while still responding to the unique site characteristics [i.e., lot configuration and change in slope].

2. Landscaping and Wall

The proposed site plan includes new landscaping to be provided within all front, side and rear yards using a combination of ground and potted planter areas, as well as a landscaped parkway with a new street tree as outlined in the preliminary landscape plan. The proposed landscaping plan is intended to provide visual relief as well as screening of the building and other site improvements.

City of Culver City, California
Planning Commission Agenda Item Report

Additionally, the perimeter walls shall be constructed of split-faced concrete block with a color pigment consistent with the overall project. As previously stated, the property drops in elevation between the front property line along Lucerne Avenue and the rear property line abutting Ballona Creek by approximately fourteen feet (14' - 0"), resulting in portions of the subterranean parking garage wall [between 2' - 3" and 6' - 1" in height] to be exposed along the rear segment of the east and west property lines above the heights of the adjoining properties fences, walls and hedges. Therefore, this type of building material, along with the use of landscaping as outlined in the preliminary development plans, is intended to soften the visual image of the perimeter walls.

3. Circulation and Parking

The site is provided with a ten foot (10' - 0") wide driveway with direct access to the subterranean parking garage via a downward slope. The parking layout includes fifteen (15) parking spaces [i.e., fourteen (14) standard and one (1) handicapped] of which three (3) shall be designated as guest parking spaces. Two (2) of the guest parking spaces located at the rear of the site are open to the sky. All parking spaces are provided with adequate width, length, vertical clearance and maneuvering dimensions. Additionally, pedestrian access to the site is provided via a handicapped accessible ramp within the front yard setback leading to the building entrance and elevator. Within the subterranean parking garage, stair and elevator access is also provided for both residents and guests. Based on the above, staff is of the opinion the overall circulation and parking design is adequate for the proposed development.

Regarding traffic analysis, the Engineering Division was requested to review the existing and proposed traffic related impacts of the proposed project. The proposed project was analyzed using the City's adopted traffic impact studies criteria entitled Culver City Criteria for Requiring Traffic Impact Studies for Proposed Development. Based on the referenced criteria, the City's Traffic Engineer determined the proposed project will not exceed the "... *net increase threshold of fifty (50) vehicle trips total entering and exiting the development during any one (1) hour period of any day ...*". Additionally, no Congestion Management related conditions applicable to trip reduction during either construction or permanent occupancy of the project are required. Therefore, no further traffic related analysis was required and no specific traffic related condition(s) of approval were deemed necessary.

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4. Neighborhood Compatibility

As previously stated, the portion of Lucerne Avenue adjoining the site is developed with a combination of single family, two family and multiple family apartment and condominium units. Therefore, the proposed six (6) unit development is deemed to be consistent and compatible with the existing uses within the surrounding neighborhood.

5. Construction

The review of the preliminary development plans by appropriate City staff identified various recommended conditions of approval intended to address all potential short-term disruptions due to the construction of the project. Therefore, in cooperation with the Public Works Department and the Building Safety Division, all applicable construction related conditions of approval are recommended including, but not limited to, the CCMC permitted hours of construction, traffic safety measures, noise reduction and the provision of construction staff related parking.

6. Noise

Taking into account the existing "ambient" traffic noise levels along Lucerne Avenue, that all activity of the proposed project shall occur within the enclosed building and the application of the recommended conditions of approval, staff has determined no new noise impacts shall be created as a result of the project. Notwithstanding the above, staff recognizes that construction activity may create short-term noise impacts. Accordingly, the recommended conditions of approval also include conditions that shall insure the project abides by not only the regulations pertaining to the start and end of construction, but also to the use of equipment during construction hours.

7. Art In Public Places Program

The applicant is proposing to satisfy the requirements of the Art In Public Places ordinance during the building permit plan check process. It is anticipated the applicant shall take advantage of the option to pay the in-lieu art fee as opposed to providing a public art component onsite.

Based on the above analysis, staff recommends approval of the Site Plan Review subject to the recommended conditions of approval.

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Planning Commission Agenda Item Report

Tentative Tract Map No. 65569, TTM P-2005082

The proposed resubdivision of land for condominium purposes, including all related onsite and offsite improvements, necessitate the approval of a Tentative Tract Map. As outlined in the attached tentative tract map, the proposed subdivision shall create the necessary land ownership patterns to facilitate the proposed project subject to the recommended conditions of approval as outlined in the draft resolution of approval. The State Subdivision Map Act and CCMC Chapter 15.10.265, regulate the subdivision of land. Among numerous objectives, the tentative tract map process allows the City to review the proposed condominium subdivision to ensure all necessary improvements and requirements are provided. The Public Works Department has reviewed the proposed condominium subdivision and found it to be in compliance with State and local regulations.

Based on the above, staff recommends approval of the Tentative Tract Map subject to the recommended conditions of approval.

LEGAL STANDARDS FOR DECISION / PROJECT FINDINGS:

CCMC Title 17, Zoning, Section 17.540.020, lists the findings required to be made before a Site Plan Review application can be approved. Additionally, CCMC Title 15, Section 15.10.265, lists the findings required to be made before a Tentative Tract Map application can be approved.

Staff has prepared the required findings for both applications which are listed in draft Resolution of Approval No. 2006-P017 (Attachment No. 7) and recommends the Planning Commission adopt said findings for Site Plan Review, SPR P-2005081, and for Tentative Tract Map No. 65569, TTM P-2005082, as outlined in the draft resolution.

ENVIRONMENTAL DETERMINATION:

Pursuant to the CEQA guidelines, this project was deemed to be a Class 32 "Infill Development" Categorical Exemption project as outlined in the Notice of Exemption (Attachment No. 4). As outlined herein, the proposed project consists of construction of six (6) air space condominium residential units and the subdivision of the site for condominium purposes. Said actions are deemed to be consistent with the General Plan Land Use Element and existing zoning designations on the property. The development is proposed on a 9,671 SF site within an established residential neighborhood. The property is not a habitat for endangered, rare or threatened species in that it is currently developed for

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City of Culver City, California
Planning Commission Agenda Item Report

residential purposes. The scope and size of the project shall not result in any significant environmental impacts with regard to traffic, noise, water or air quality and all required public utilities and services are available to the site.

Therefore, based on the analysis and all other City procedures and standards, the Planning Division determined no further environmental study would be required and a Categorical Exemption / Notice of Exemption (Attachment No. 4) was posted at the Planning Division public counter with all project related materials and will be filed with the Los Angeles County Clerk following project approval.

Lastly, although the proposed project could have some limited effect on the environment, there shall not be any significant effect because the recommended conditions of approval address all reasonable concerns identified by the City and it is anticipated the Planning Commission and City Council shall impose the recommend conditions of approval as presented in the draft resolution, especially those related to construction activity, noise and traffic / parking mitigation. Therefore, the Categorical Exemption finding is deemed to be valid.

COMMENTS RECEIVED:

As of the writing of this report, staff has received one (1) telephone call from a person residing along Duquesne Avenue expressing concern with the overall neighborhood traffic patterns. Additionally, one (1) letter dated July 14, 2006, (Attachment No. 5) was received regarding the sewer easement, perimeter wall and telephone contacts and staff issued a written response dated July 17, 2006, (Attachment No. 6).

ALTERNATIVE OPTIONS:

The following alternatives may be considered by the Planning Commission:

1. Adopt a recommendation that the Planning Commission approve Site Plan Review, SPR P-2005081; and approve and recommend to the City Council for approval Tentative Tract Map No. 65569, TTM P-2005082, subject to the draft Resolution of Approval if the applications are deemed to meet the required findings; or
2. Adopt a recommendation that the Planning Commission approve Site Plan Review, SPR P-2005081; and approve and recommend to the City Council for approval Tentative Tract Map No. 65569, TTM P-2005082, with additional or different findings and/or conditions of approval if deemed

City of Culver City, California
Planning Commission Agenda Item Report

necessary to meet the required findings and mitigate any new project impacts identified during the public hearing; or

3. Disapprove the recommendation that the Planning Commission approve Site Plan Review, SPR P-2005081; and approve and recommend to the City Council for approval Tentative Tract Map No. 65569, TTM P-2005082, if they do not meet the required findings.

ATTACHMENTS:

1. Project Summary.
2. Locality Map.
3. Aerial Photograph.
4. CEQA Notice of Exemption.
5. Letter dated July 14, 2006 [3 Pages].
6. Planning Division response letter dated July 17, 2006 [2 Pages].
7. Draft Planning Commission Resolution No. 2006-P017.
8. Preliminary Development Plans – ["Received July 18, 2006" / 19 Sheets].
9. Tentative Tract Map No. 65569 ["Received July 18, 2006" / 1 Sheet].
10. Materials Board [to be on display at the meeting].

JM/abn

Attachment No. 1

PROJECT SUMMARY

Joseph Montoya, AICP, Associate Planner

APPLICATION TITLE & CASE NO:	
Site Plan Review, SPR P-2005081; and Tentative Tract Map No. 65569, TTM P-2005082. Proposed project is a one (1) lot subdivision to create six (6) condominium air space units.	
PROJECT ADDRESS/LOCATION:	APPLICANT INFORMATION:
9650 – 9652 Lucerne Avenue. The site is located on the south side of the street east of the Duquesne Avenue and Lucerne Avenue intersection. The Los Angeles County Assessors list the property in Book 4204, Page 001, Parcel 41. Lastly, the site is listed on City Atlas Sheet No. 15.	<u>Property Owners:</u> Mr. Brad Weinstock Ms. Lisa Weinstock Mr. Eric Ross 137 North Larchmont Boulevard, Unit #237 Los Angeles, California 90004 (310) 993-9937 Office <u>Project Architect:</u> Mr. Jay Vanos, Jay Vanos Architect 1773 South La Cienega Boulevard Los Angeles, California 90035 (310) 280-0193 Office <u>Civil Engineer:</u> Mr. Jeremiah Crowley 2341 West Silver Lake Drive Los Angeles, California 90039 (323) 913-2353 Office
PERMIT/APPLICATION TYPE:	
☐ Administrative Use Permit. ☐ Conditional Use Permit. ☐ Administrative Site Plan Review. ☒ Site Plan Review. ☐ Administrative Variance. ☐ Variance. ☐ Master Sign Program. ☐ Certificate of Appropriateness. ☐ Certificate of Exemption. ☐ DOBI.	☐ Tentative Parcel Map. ☒ Tentative Tract Map. ☐ Lot Line Adjustment. ☐ Zoning Code Amendment – Text. ☐ Zoning Code Amendment – Map. ☐ General Plan Amendment – Text. ☐ General Plan Amendment – Map. ☐ Planned Unit Development. ☐ Specific Plan. ☒ Other: Address Master Plan.
APPROVAL BODY: ☒ Public Hearing ☐ Public Meeting ☒ Administrative	
☐ Administrative. ☒ Planning Commission [SPR/TTM]. ☒ City Council [TTM].	☐ Redevelopment Agency. ☐ Other: Cultural Affairs Commission.
ENVIRONMENTAL DETERMINATION AND NOTICING:	
CEQA Determination: June 29, 2006	☒ Categorical Exemption, Section 15332 / Class 32 [Infill Developments]. ☐ Negative Declaration. ☐ Mitigated Negative Declaration. ☐ Environmental Impact Report.
CEQA Noticing: June 29, 2006	☒ Notice of Exemption (within 5 days of decision). ☐ Notice of Intent to Adopt (21 days prior to decision). ☐ Notice of Determination (within 5 days of decision). ☒ Fish & Game Certificate of Fee Exemption (within 5 days of decision). ☐ Notice of Preparation ☐ Notice of Availability ☐ Notice of Completeness

PUBLIC NOTIFICATION:		
Mailing: June 29, 2006	☒ Property Owners. ☒ Occupants. ☒ Adjacent Property Owners & Occupants.	☐ within 300' foot radius. ☒ within 300' foot plus extended radius ☐ Other: NA.
Posting: July 5, 2006	☒ Onsite. ☐ Offsite.	☐ Other: NA.
Publication: NA	☐ Culver City News.	☐ Other: NA.
Courtesy Mailing: June 29, 2006	☒ City Council. ☒ Planning Commission. ☒ Master Mail List and E-Mail List. ☐ Culver City Website. ☐ Cable Crawler.	☐ Press Release. ☒ HOA / Neighborhood Groups [Culver C Homeowners Association]. ☒ Culver City Organizations [Chamber Commerce, Culver City Observer, Culver (News and other individuals]. ☒ Others [Ballona Creek Renaissance Committee and US Army Corps Engineers].

ESTIMATED FEES:		
☐ New Development Impact: NA. ☒ In Lieu Parkland: \$TBD.	☒ School District: \$TBD. ☒ Public Art: \$TBD.	☒ Plan Check: \$TBD. ☒ Sewer: \$TBD.

INTERDEPARTMENTAL REVIEW:
First conceptual plans received October 26, 2005. PPR review completed on November 10, 2005. P application initially filed on February 13, 2006. Application deemed complete May 15, 2006. PRC review completed on June 1, 2006.

ART IN PUBLIC PLACES:
One percent (1.0%) of building permit valuation.

GENERAL INFORMATION:	
General Plan: Medium Density Multiple Family Residential.	Zoning: Medium Density Multiple Family Residential (RMD).
Redevelopment Plan: NA.	Overlay Zone/District: NA.
Legal Description: Lot 96 of the Nolan Park Tract (Map Book No. 32-45).	Existing Land Use: The site is currently developed with a two (2) unit duplex with onsite parking at the rear of the site.

Project Description

Following demolition of the site, construction shall include excavation for the subterranean parking garage with 15 parking spaces [including 1 handicapped accessible and 3 guest], two (2) bicycle parking spaces and the construction of a two (2) story condominium project with rooftop private open space deck areas. Other improvements include, but are not limited to, both onsite [i.e., landscaping, parking, trash enclosure and open space] and offsite [i.e., curb, gutter, sidewalk, street tree and driveway apron]. Subsequent administrative actions shall include an address master plan which shall be processed prior to the filing of any building permit.

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Adjacent Zoning and Land Uses

<u>Location</u>	<u>Zoning</u>	<u>Land Use</u>
North [Lucerne Avenue]:	Medium Density Multiple Family Residential (RMD) and Two Family Residential (R2).	Single and multiple family residences.
East [Lucerne Avenue]:	Medium Density Multiple Family Residential (RMD).	Multiple family residential complex.
South [Ballona Creek]:	General Industrial (IG).	Commercial and industrial businesses.
West [Lucerne Avenue]:	Medium Density Multiple Family Residential (RMD).	Single, two and multiple family residences.

<u>Project Data</u>	<u>Proposed</u>	<u>Required</u>
<u>Land Area:</u>		
Original Site:	9,671 SF	5,000 SF Minimum
Dedication [A]:	None	NA
Total Land Area:	9,671 SF	NA
	0.24 Acres	NA

(A) = Lucerne Avenue right-of-way width dedication completed per Public Works Department.

<u>Density:</u>		
Building:	7,735 SF	6 Units [1 per 1,500 SF]
Hardscape:	531 SF	NA
Landscaping:	+ 1,405 SF	NA
Total Land Area:	9,671 SF	NA

<u>Building Area:</u>		
Subterranean Garage:	8,606 SF	No Limit
First Floor:	5,790 SF	No Limit
Second Floor:	+ 5,806 SF	No Limit
Total Building Area:	20,202 SF	No Limit

<u>Unit Size:</u>		
A [2 Bedrooms]:	2,069 SF	900 SF Minimum
B [2 Bedrooms]:	1,734 SF	900 SF Minimum
C [2 Bedrooms]:	1,698 SF	900 SF Minimum
D [2 Bedrooms]:	1,698 SF	900 SF Minimum
E [2 Bedrooms]:	1,699 SF	900 SF Minimum
F [2 Bedrooms]:	1,713 SF	900 SF Minimum
Total	NA	NA

<u>Open Space:</u>		
Private:		
Unit A:	885 SF	100 SF Minimum
Unit B:	353 SF	100 SF Minimum
Unit C:	338 SF	100 SF Minimum
Unit D:	323 SF	100 SF Minimum
Unit E:	307 SF	100 SF Minimum
Unit F:	294 SF	100 SF Minimum
Common:	+ 0	None Require
Total	2,500 SF	600 SF Minimum

<u>Project Data</u>	<u>Proposed</u>	<u>Required</u>
<u>Building Height:</u>		
2-Story to Roof:	27' – 6" [Including 3' – 6" raised grade]	30' – 0" Maximum
Roof to Parapet:	3' – 0"	5' – 0" Maximum
Roof to Elevator:	13' – 0"	13' – 6" Maximum

<u>Building Setbacks:</u>		
Street [North / Lucerne Avenue]:	15' – 0"	12' – 0"
Interior [East]:	5' – 0"	5' – 0"
Rear [South / Ballona Creek]:	10' – 0"	10' – 0"
Interior [West]:	5' – 0"	5' – 0"

<u>Parking:</u>		
Unit A [2 Bedrooms]:	2	2 per unit
Unit B [2 Bedrooms]:	2	2 per unit
Unit C [2 Bedrooms]:	2	2 per unit
Unit D [2 Bedrooms]:	2	2 per unit
Unit E [2 Bedrooms]:	2	2 per unit
Unit F [2 Bedrooms]:	+	+
Sub-Total:	12	12
Guest Parking:	+	+
Total Parking:	15	14

<u>Bicycle:</u>		
A – F:	+	10.0% of required
Total Bicycle:	2	2

<u>Distribution:</u>		
Standard:	14 (B)	14
Handicapped [Van Accessible]:	+	1
Total Area 1 / Street Level:	15	15
Bicycle:	2	2

(B) = Two (2) guest parking spaces facing Ballona Creek [at rear of site] are open to the sky.

Other

1. Design / Physical Development Plan: Designated as "Type II Multiple Residential".
2. Historic: NA.
3. Public Utilities:
 - A. Cable: Comcast;
 - B. Electricity: Southern California Edison;
 - C. Natural Gas: Southern California Gas Company;
 - D. Telephone: AT&T;
 - E. Trash: City of Culver City Sanitation Department;
 - F. Water: Golden State Water Company; and
 - G. Zip Code: Culver City, 90232.

JM/abn



THOMAS GORHAM
DEPUTY COMMUNITY
DEVELOPMENT DIRECTOR

Culver CITY

PLANNING DIVISION

9770 CULVER BOULEVARD, CULVER CITY, CALIFORNIA 90232-0507

(310) 253-5710
FAX (310) 253-5721

NOTICE OF EXEMPTION

DATE: June 29, 2006

☒ Los Angeles County Clerk
Attention: Environmental Filing/Registration
12400 Imperial Highway, Suite 2001
Norwalk, California 90650

☐ Governor's Office of Planning and
Research
1400 Tenth Street, Room 121
Sacramento, California 95814

PROJECT:

Title and Case No.: Site Plan Review, SPR P-2005081, and Tentative Tract Map No. 65569, TTM P-2005082, for the construction of six (6) new condominium dwelling units.

Address/Location: 9650 Lucerne Avenue, located on the south side of the street, east of the Duquesne Avenue intersection, the rear property line abuts Ballona Creek and is in the City of Culver City, California 90232.

Project Description: Construction of six (6) new condominium dwelling units in a three (3) story configuration with fifteen (15) subterranean parking spaces.

APPLICANT: Brad Weinstock, Lisa Weinstock and Eric Ross.

CULVER CITY APPROVAL ACTION:

1. Planning Commission public hearing on July 26, 2006.
The decision making body, in approving the project described above, determined that the project is exempt from further environmental impact assessment per the City's Guidelines and Regulations for the implementation of CEQA as follows:

Type of Exemption: Categorical Exemption, Section 15332 / Class 32 [Infill Developments]

2. Reason why project is Exempt:
The proposed project site, currently developed with a residential duplex [two (2) units] is proposed to be demolished and developed with six (6) new residential condominium units and the re-subdivision of the land for condominium purposes. The proposed project is consistent with the General Plan Land Use Element and Existing Zoning designation and standards. The site, currently measures 10,268 gross square feet and following a 597 square foot dedication, is proposed to measure 9,671 net square feet. The surrounding parcels are developed with single and multiple family uses. There are no endangered, rare or threatened species or habitats. The proposed scope of development will not result in any significant impacts with regards to traffic, noise, water or air quality. Lastly, all public utilities and services required for the proposed project are available to the site.


Joseph Montoya, AICP, Associate Planner

RECEIVED

JUL 17 20

Culver City
Planning Division

July 14, 2006
Albert M. Cutler
4314 ½ Duquesne Avenue
Culver City, CA 90232

To: Mr Joseph Montoya, AICP, Associate Planner
Culver City Planning Division
P O Box 507
Culver City, CA 90232-0507

Re: Proposed Condominium Project – 9650 Lucerne Avenue, Culver City,
CA - Site Plan Review, SPR P2005081, Tract Map #65569.

Although I am planning on attending the Planning Commission Hearing regarding this project, I would like to bring up several points that I wish to have clarified.

I have resided at 4314 ½ Duquesne since April 1975, which property abuts the lot of 9650 Lucerne Avenue. The condominiums at 4300-4310 Duquesne were constructed in around 1980.

1. I would like to confirm that there is an easement along the west property line of 9650 Lucerne for both power & other utility lines and for a sewer line currently serving 4314 & 4314 ½ Duquesne (the sewer lines for 4314 Duquesne Avenue go to the rear of the property) and 9650 Lucerne Avenue.

There is a man hole approximately 98 feet from Lucerne for servicing the sewer line. This is approximately 30" from the property line and is 28-30" in diameter. In the past this has been used by the Culver City Sewer Department Con-Vac to purge this sewer line.

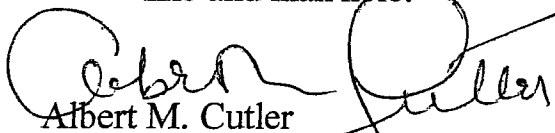
The sewer line was "nicked" during excavation of the underground parking area for 4300-4310 Duquesne, as apparently they were not fully aware of its location.

2. Due to the easement along the west sides of the property, if a wall is constructed there, where would the wall be placed?? On or just east of the property line or a significant distance (3 – 5 feet) to the east of the property line or??

From the construction of 4300-4310 Duquesne and other recent buildings, it appears that the first floor of the units may be several feet above ground level and that in some areas a wall can be constructed that is six feet above the "floor level", making the wall 10 – 12 feet above the ground level. The terrain of my property slopes off greatly to the east so that it is approximately five to six feet below the current ground level of the 9650 Lucerne lot. Should I expect a rather "high" wall at this point?

3. I would appreciate if at the time construction commences that I am given the name and phone number of a responsible person or persons (owner, construction supervisor, etc) so that if any problems do arise they can be resolved quickly by someone in authority. Only minimal problems were encountered during construction of 4300-4310 Duquesne by Ron Perkins.

I am enclosing a copy of the site map showing location of the sewer line and man hole.


Albert M. Cutler
4314 ½ Duquesne Avenue
Culver City, CA 90232
Tel: 310-837-8578

LUCERNE

115

TR. 38209

4304-04 1/2

M.B 1005 P. 87-88

4310

125

4314

314 1/2

135

320

135.55

SEWER LINE
UTILITY EASEMENT
SEWER ELEVATION

49.62

2596
2596
2596

96

MAN HOLE

20809

43.01

50'

9646

97

50.03

98

206.38

99

204.68

50'

202.98



THOMAS GORHAM
Deputy Community
Development Director

Culver CITY

PLANNING DIVISION

9770 CULVER BOULEVARD, CULVER CITY, CALIFORNIA 90232-0507

(310) 253-5710

FAX (310) 253-5721
planning@culvercity.c

July 17, 2006

Mr. Albert Cutler
4314 1/2 Duquesne Avenue
Culver City, California
90232

9650 – 9652 LUCERNE AVENUE

Response to July 14, 2006, Letter

Dear Mr. Cutler:

The Planning Division is in receipt of your letter dated July 14, 2006, and received July 17, 2006, regarding the above referenced project filed by Brad Weinstock, Lisa Weinstock and Eric Ross to construct six (6) air space condominium units at the above referenced site. This project is scheduled to be reviewed by the Planning Commission on July 26, 2006, via Site Plan Review, SPR P-2005081, and Tentative Tract Map No. 65569, TTM P-2005082.

Accordingly, the Planning Division offers the following responses to the primary items listed in your letter as follows:

1. Sewer Easement

The property owner / applicant, as well as the Planning and Engineering Divisions, are fully aware that along the westerly property line there exist both a utility easement for the existing overhead electrical service as well as an existing sewer line with a manhole that serves not only the subject site but the other abutting properties along Duquesne Avenue. Therefore, as outlined in the preliminary development plans, a condition of approval is being recommended that the existing electrical service easement shall remain in place and that the applicant record an easement for the existing sewer line as part of the tentative tract map.

2. Perimeter Walls

The property drops in elevation between the front property line along Lucerne Avenue and the rear property line abutting Ballona Creek by approximately fourteen

feet (14' - 0"), thereby exposing a portion of the wall of the subterranean garage to the side and rear property lines of the abutting properties. Therefore, as outlined in the preliminary development plans, a condition of approval is being recommended that split-faced block shall be used along the property line of a color pigment consistent with the overall project. This type of building material, along with the use of landscaping as outlined in the referenced plans, is intended to soften the visual image of the perimeter walls, especially that portion exposed above the heights of the adjoining properties fences, walls and hedges. A separate condition of approval is also being recommended that permits the sewer line to be within the interior of the subterranean parking garage subject to access for maintenance purposes and for the connections to the adjoining properties.

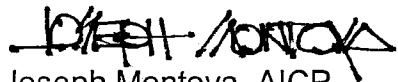
3. Telephone Contacts

In order to insure a project that provides the adjoining residents and property owners with a applicant and City contact for whenever project related questions and/or problems may arise, a condition of approval is being recommended that requires that the name and telephone number of a contact person for the applicant, contractor and the City shall be posted onsite and remain on display during construction.

I hope this information provides you with the necessary responses. I also invite you to visit the Planning Division offices and review the preliminary development plans, the tentative tract map and the recommended conditions of approval for the proposed project prior to the Planning Commission meeting.

If you have any further comments and/or questions, please contact me at (310) 253-5736.

Sincerely,



Joseph Montoya, AICP
Associate Planner

JM/abn

Attachment: Letter dated July 14, 2006 (3 Pages).

Copy with Attachment:

Thomas Gorham, Planning Manager
Andy O'Connell, Senior Civil Engineer

6A

Draft

REGULAR MEETING OF THE
PLANNING COMMISSION
CULVER CITY, CA

July 26, 2006
7:00 p.m.
Mike Balkman Council Chambers

MEMBERS PRESENT:
ADVISORY PRESENT:

•

CALL TO ORDER

Vice Chair Muranaka called the meeting to order at 7:03 p.m.
The Pledge of Allegiance was led by Thomas Gorham.
Roll Call. Muranaka, Tiggs, Rockwell, Kuechle, Weissman.

•

PH-1. Site Plan Review, SPR P-2005081; and Tentative Tract Map No. 65569, TTM P-2005082 to allow the construction of six condominium dwelling units located at 9650 Lucerne Avenue.

Vice Chair Tiggs voluntarily recused himself for this agenda item.

Motion to receive and file the Affidavit of Mailing of Notices was moved by Commissioner Weissman, seconded by Commissioner Rockwell. **Vote 4-0**

Commissioner Kuechle suggested staff provide an actual Affidavit of Mailing of Notices.

Sherry Jordan responded regarding the validity of the mailing of notices. David McCarthy confirmed the need to verify the mailing and posting of notices.

Joseph Montoya gave a summary of the project and pointed out errors in the staff report, plans and resolution.

Commissioner Kuechle

- Inquired if the project is governed by the old zoning code regarding parking spaces.

Joseph Montoya responded stating that this project is governed by the old code.

Chair Muranaka

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These Minutes are not official
until approved
by the Planning Commission

Joseph Montoya responded that the project is scheduled to begin in November and be completed in June 2007.

Commissioner Weissman

- Given the infill nature and site constraints, felt the conditions imposed together with the modifications with regard to reducing the hours of construction, the commission cannot fully determine the impact to the neighborhood.
- The plans were well-done; the façade was well-prepared.

Commissioner Kuechle

- Concerned about legal issues
- Would not be appropriate to approve the project at this stage

Commissioner Rockwell

- Felt the project property is very difficult.
- Had concerns about parking issues.
- Would like to see the option of parking spaces explored.
- City needs to find ways to minimize the impact on the neighborhood.

Chair Muranaka

- Parking concerns; suggested eliminating parking space #14.
- Agreed the project property is difficult.
- Concerned about mix and match issues.
- Would reluctantly approve the project.
- Reminded the Commission that it is also being asked to approve a Class 32 Exemption under CEQA and to recommend approval to the City Council of a Tentative Tract Map.

Conditions of Approval were reviewed and all changes were so noted by the Planning Division staff.

Motion to approve Site Plan Review, SPR P-2005081 and Categorical Exemption Under CEQA, and recommend approval to the City Council of Tentative Tract Map No. 65569, TTM P-2005082 was moved by Commissioner Rockwell, seconded by Commissioner Weissman. Voting results were as follows:

Chair Muranaka	-	Yes
Commissioner Weissman	-	Yes
Commissioner Rockwell	-	Yes
Commissioner Kuechle	-	No
Vice Chair Tiggs	-	Recused

RESOLUTION NO. 2006-R__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, APPROVING TENTATIVE TRACT MAP NO. 65569, TTM P-2005082, FOR THE DEVELOPMENT OF A NEW SIX (6) UNIT CONDOMINIUM PROJECT AT 9650 – 9652 LUCERNE AVENUE IN THE MEDIUM DENSITY MULTIPLE-FAMILY RESIDENTIAL (RMD) ZONE.

WHEREAS, on July 26, 2006, the Planning Commission, after conducting a duly noticed public hearing, fully considering the application, plans, staff reports, environmental information and all testimony presented, adopted Resolution No. 2006-P017, conditionally approving Site Plan Review, SPR P-2005081, and recommending approval of Tentative Tract Map No. 65569, TTM P-2005082, allowing the construction of a six (6) unit condominium project at 9650 – 9652 Lucerne Avenue, described as Lot 96 of the Nolan Park Tract in the Medium Density Multiple-Family Residential (RMD) Zone; and

WHEREAS, Tentative Tract Map No. 65569 meets the development standards of the RMD zone as listed in the City of Culver City Zoning Code; and

WHEREAS, in accordance with the California Environmental Quality Act, the City has determined the applications to be Categorically Exempt [Class 32] in that the proposed project in “infill development”; and

WHEREAS, following conclusion of the public discussion and thorough deliberation of the subject matter, the City Council sustained the Planning Commission’s determination of approval of Tentative Tract Map No. 65569, TTM P-2005082, subject to Conditions of Approval stated herein below.

1 NOW, THEREFORE, the City Council of the City of Culver City, California,
2 DOES HEREBY RESOLVE as follows:

3 1. That pursuant to the foregoing recitations and the provisions of
4 Culver City Municipal Code (CCMC) Title 15, Section 15.10.265, required findings for a
5 Tentative Tract Map, and subject to the Conditions of Approval provided below, the
6 following findings are hereby made:
7

8 A. **The proposed tentative tract map is consistent with the**
9 **General Plan.**

10 The proposed tentative tract map is consistent with the
11 General Plan Land Use and Housing Elements in that the
12 proposed residential subdivision shall provide new
13 residential opportunities upon a parcel that is currently
deemed to be underdeveloped pursuant to the existing RMD
Zoning.

14 B. **The design of the proposed subdivision is consistent**
15 **with the General Plan.**

16 The design of the proposed residential subdivision is
17 consistent with the General Plan Land Use Element in that
18 the proposed uses are consistent with the objectives of the
19 General Plan Medium Density Multiple Family Residential
land use designation that encourages new residential
opportunities.

20 C. **The site is physically suitable for the type of**
21 **development.**

22 The site is physically suitable for the proposed residential
23 subdivision in that the project complies with all zoning
24 standards and the proposed structure shall meet all
25 applicable development standards [i.e., setback, height,
parking and use].

26 D. **The site is physically suitable for the proposed density**
27 **of development.**

28 The site is physically suitable for the density of the proposed
residential subdivision in that the proposed lot configuration
and the existing zoning of the site [i.e., RMD] permit the

1 proposed residential density and the proposed structure
2 shall meet all applicable development standards [i.e.,
3 setback, height, parking and use].

- 4 **E. The design of the subdivision is not likely to cause**
5 **substantial environmental damage or substantially and**
6 **avoidably injure fish or wildlife or their habitat.**

7 The proposed residential tentative tract map subdivision
8 together with the onsite and offsite improvements shall not
9 cause any known environmental damage and shall not
10 damage any fish and/or wildlife habitats because such fish
11 and/or wildlife habitats do not exist on or near the site.

- 12 **F. The design of the subdivision is not likely to cause**
13 **serious public health problems.**

14 The proposed residential tentative tract map subdivision
15 together with the onsite and offsite improvements shall not
16 cause any known serious public health problems because all
17 applicable zoning code development standards shall be met,
18 and the applicant is required to meet all of the conditions of
19 approval that the reviewing agencies of the City, such as the
20 Fire Prevention Division, Planning Division, Building and
21 Safety Division and the Engineering Division have
22 recommended for the project.

- 23 **G. The design of the subdivision will not conflict with**
24 **easements, acquired by the public at large, for access**
25 **through or use of, property within the proposed**
26 **subdivision.**

27 The proposed residential tentative tract map subdivision and
28 the onsite and offsite improvements shall not conflict with
any existing and/or proposed easements.

2. Pursuant to the foregoing recitations and findings, the City Council
of the City of Culver City, California, hereby approves Tentative Tract Map No. 65569,
TTM P-2005082, subject to the following conditions:

- A. All conditions contained in Planning Commission Resolution
No. 2006-P017, pertaining to Tentative Tract Map No.
65569, TTM P-2005082.

1 B. Each unit that is to have separate ownership shall have
2 separate utilities.

3 C. Prior to approval of the Final Map, the subdivider shall pay to
4 the City the prescribed in lieu parkland fee totaling
5 \$53,415.29 based on the calculations outlined in CCMC
6 Section 15.06.300 [i.e., an open space requirement of
7 .04392 acres / 1,913.1552 square feet for the 9,671 square
8 foot site proposed to be developed with six (6) residential
9 condominium units]. The subdivider shall furnish a letter of
10 credit or other form of security, as approved by the City
11 Attorney, to guarantee payment of the required in lieu
12 parkland fee within one (1) year after the date of approval of
13 the Final Map, and guaranteeing the payment of all interest
14 which accrues if the fee is not paid within the one (1) year
15 period, provided that a partial in lieu parkland fee payment
16 based on the in lieu fee outlined above per unit shall be
17 made to the City out of the escrow no later than thirty (30)
18 days following the sale of any unit which may occur within
19 the one (1) year period described herein.

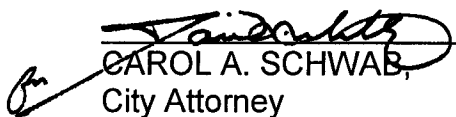
20 APPROVED and ADOPTED this _____ day of _____, 2006.

21 _____
22 GARY SILBIGER, MAYOR
23 City of Culver City, California

24 ATTEST:

25 APPROVED AS TO FORM:

26 _____
27 CHRISTOPHER ARMENTA,
28 City Clerk

29 
30 CAROL A. SCHWAB,
31 City Attorney

A06-00604