

1 RESOLUTION NO. 2016-P010

2 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER
3 CITY, CALIFORNIA, RECOMMENDING TO THE CULVER CITY CITY COUNCIL
4 APPROVAL OF TENTATIVE TRACT MAP, P2016-0070-TTM ALLOWING A
5 ONE LOT SUBDIVISION FOR THE CREATION OF FIVE RESIDENTIAL AND
6 ONE COMMERCIAL AIR SPACE UNITS AT 12712 – 12718 WASHINGTON
7 BOULEVARD IN THE COMMERCIAL GENERAL (CG) ZONE.

8 (Tentative Tract Map, P2016-0070-TTM)

9 WHEREAS, on April 19, 2016, Farrokh Kayvan (the “Applicant”) filed a Tentative Tract
10 Map application to create five residential and one commercial airspace units for a mixed use
11 project that is currently under construction per approved Administrative Site Plan Review,
12 ASPR P-2010100 and Building Permit No. 85856. The Project site is described as Lots 40 and
13 41 of Tract No. 5740 and with Los Angeles County Assessors Numbers 4231-028-056, in the
14 City of Culver City, County of Los Angeles, State of California; and,

15 WHEREAS, in order to implement the proposed Project, approval of the following
16 application is required:

17 Tentative Tract Map: To ensure the subdivision complies with State and local
18 subdivision law and ordinances; and,

19 WHEREAS, pursuant to the California Environmental Quality Act (CEQA), Section
20 Section 15301, – Class 1 – Existing Facilities, the Project is Categorically Exempt; and

21 WHEREAS, on July 27, 2016, after conducting a duly noticed public hearing on the
22 subject applications, including full consideration of the applications, plans, staff report,
23 environmental information and all testimony presented, the Planning Commission (i) by a vote
24 of ___to ___, adopted a Categorical Exemption, in accordance with the California Environmental
25 Quality Act (CEQA), finding the Project will not result in significant adverse environmental
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1 impacts; and (ii) by a vote of ___ to ___, recommended to the Culver City City Council approval
2 of Tentative Tract Map, P2016-0070-TTM, as set forth herein below.

3 NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CULVER
4 CITY, CALIFORNIA, RESOLVES AS FOLLOWS:

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

7
8 **Tentative Tract Map:**

9 As outlined in CCMC Title 15, Section 15.10.260 and 15.10.265.D, the following required
10 findings for a Tentative Tract Map (Tentative Tract Map No. 74081) are hereby made:

11 **1. The proposed map is consistent with applicable general and specific plans.**

12 The proposed Tentative Tract Map will consist of an airspace subdivision to allow
13 separate ownership of the residential units and commercial space of a mixed use project
14 currently under construction on the subject site. The General Plan Land Use Element
15 designates the site as General Corridor, which corresponds to the Commercial General
16 (CG) Zone, and per the Land Use Element is intended to allow commercial uses and
17 medium density housing opportunities. Per the Zoning Code, lot areas in the CG zone
18 are determined by the subdivision process with no minimum lot area thereby
19 acknowledging the one lot subdivision of properties for condominium or air space units.
20 The subject site is consistent with the other commercial properties that have been
21 subdivided for air space units in the surrounding area; its lot area will not be modified as
22 a result of the proposed map. Therefore, the proposed map is consistent with the
23 applicable General Plan, and there is no applicable specific plan.

24 **2. The design or improvement of the proposed subdivision is consistent with
25 applicable general and specific plans.**

26 The design and improvement of the proposed airspace subdivision is in compliance with
27 applicable General Plan objectives and elements. The subdivision for a mixed used
28 project is consistent the General Corridor land use designation and respects all
29 provisions and development regulations of the Zoning Code and the General Plan. The
Project is consistent with Objective 2 of the Land Use Element which encourages the
creation of housing throughout the City.

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

The subject site is a trapezoidal, generally flat parcel, with an approximate area of 7,611
square feet, and is in the Commercial General (CG) Zone. The site conforms to typical

1 lot dimensions and lot area required for a mixed use project of this size and is consistent
2 with the Zoning Code that does not provide a minimum commercial lot area but rather
3 relies on the subdivision process for this standard. The site is absent of physical or
4 topographic constraints. The site is accessed by Washington Boulevard, a commercial
5 street of adequate width and carrying capacity. The site is served by necessary utilities.
6 Therefore, the subject site is physically suitable for the proposed subdivision for a mixed
7 use project.

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

9 The under construction mixed use project consists of five dwelling units with commercial
10 ground floor uses and is consistent with Zoning Code allowable mixed use residential
11 density. The site is physically suitable and of sufficient size to construct the five
12 residential units and ground floor commercial space. The proposed condominium
13 subdivision will not result in a change to the allowable density.

14 **5. The design of the subdivision or the proposed improvements are not likely to
15 cause substantial environmental damage or substantially and avoidably injure
16 fish or wildlife or their habitat.**

17 The proposed subdivision is for airspace lots only and not of actual land parcels, and is
18 designed in conformance with all required Zoning Code standards. The subject site is
19 located in an existing urbanized area and there is no known fish or wildlife habitat on the
20 subject site or surrounding area. Therefore, the proposed condominium subdivision and
21 improvements will not cause any damage to any fish or wildlife or their habitat.

22 **6. The design of the subdivision or the type of improvements is not likely to cause
23 serious public health problems.**

24 The proposed condominium subdivision is in compliance with the CG Zone standards.
25 The subdivision and mixed use development project including all physical improvements
26 will be in compliance with all applicable federal, state, and local codes and statutes, as
27 well as all conditions of approval required by reviewing City divisions/departments
28 including the Fire Prevention Division, the Building and Safety Division, and the
29 Engineering Division. Therefore, the subdivision and the improvements are unlikely to
cause any known serious public health problems.

**7. The design of the subdivision or the type of improvements will not conflict with
easements, acquired by the public at large, for access through or use of, property
within the proposed subdivision or alternate easements, for access or for use, will
be provided, that are substantially equivalent to ones previously acquired by the
public.**

The proposed Tentative Tract Map is for the purpose of creating airspace lots for a
condominium subdivision. There are no on-site easements other than an access
easement for an adjoining property that will continue in force and effect. Furthermore,

1 the proposed design of the subdivision and the on-site and off-site improvements will
2 not conflict with any existing and/or proposed easements. Public right-of-way access
3 and placement of utilities will not be affected or impaired by the proposed condominium
4 subdivision.

5 SECTION 2. Pursuant to the foregoing recitations and findings, the Planning
6 Commission of the City of Culver City, California, hereby; (i) adopts a Categorical Exemption,
7 in accordance with the California Environmental Quality Act (CEQA), finding the Project will not
8 result in significant adverse environmental impacts and (ii) recommends to the City Council
9 approval of Tentative Tract Map, P2016-0070–TTM, subject to the conditions of approval set
10 forth in Exhibit A attached hereto and incorporated in herein by this reference.

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12 APPROVED and ADOPTED this 27th day of July 2016.

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17 _____
18 KEVIN LACHOFF, CHAIRPERSON
19 PLANNING COMMISSION
20 CITY OF CULVER CITY, CALIFORNIA

21 Attested by:

22 _____
23 Yvonne Hunt, Administrative Secretary
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NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
1.	These Conditions of Approval are being imposed on a Tentative Tract Map for a four-story, five-unit mixed use building currently under construction (the "Project"), for the property located at 12712-12718 Washington Boulevard (the "Property").	All	Standard	
2.	<p>a. The final map shall be prepared by a licensed engineer or surveyor authorized to prepare maps by the State of California and submitted to the Los Angeles County Department of Public Works for review and approval of the technical aspects of the map. 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 along with the administrative review fee.</p> <p>b. A preliminary title report and subdivision guarantee shall be submitted showing all fee interest holders, all interest holders whose interest could ripen into a fee, all trust deeds, together with the names of the trustee and all easement holders. The account for this title report shall remain open until the final map is filed with the County Recorder. No easements shall be granted and recorded until after the final map is recorded, unless approved by the City Engineer and subordinated to any City easements by a certification upon the title sheet of the final map, prior to the grant.</p> <p>c. The final map shall comply with all requirements of the State of California Subdivision Map Act, as most recently amended.</p> <p>d. All required boundary monuments shall be installed prior to the recordation of the final map. At a minimum, a spike and washer, or other approved monument, shall be placed on</p>	Public Works	Special	

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	<p>the prolongation of the northerly property line and the centerline of Washington Boulevard.</p> <p>e. All centerline monuments shall be tied to at least four points. Centerline tie notes shall be submitted to the City Engineer prior to the approval of the map.</p> <p>f. The Tentative Map shall expire thirty-six (36) months after its approval or conditional approval by the City Council.</p> <p>g. The final map shall be recorded prior to the issuance of any Certificate of Occupancy for any residential air space unit.</p>			
3.	All access easements and covenants with adjacent properties shall remain in effect and in force.	Public Works Planning	Special	
4.	All permits and licenses required in connection with the development or use of the Project shall be applied for and obtained separately and shall be consistent with Conditions of Approval for the mixed use project administratively approved on January 10, 2013 (ASPR P-2010100 and AUP P-2010101) and Building Permit No. 85856.	All	Standard/ Special	
5.	Changes to the Project or use approved as part of the Land Use Permit may only be made in accordance with the provisions of CCMC Section 17.595.035 – “Changes to an Approved Project”.	Planning	Standard	
6.	The project shall comply with CCMC Section 17.400.065 – “Mixed Use Development Standards.”	Planning	Special	
7.	All provisions, and requirements set forth in these Conditions of Approval, in the CCMC, or in any applicable written comments as provided by City representatives on November 17, 2011 at the Project Review Committee meeting on the Land Use Permit application, shall be fulfilled and satisfied to the satisfaction of all City departments before the use may be established or the Project occupied.	All	Standard	

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8.	The use and development of the Property shall be in substantial conformance with the plans and materials submitted with the application for the Tentative Tract Map as approved by the Planning Commission on July 27, 2016, except as modified by these Conditions of Approval.	Planning	Standard	
9.	The use and development of the Property shall comply with these Conditions of Approval and all applicable local, special district or authority, county, state and federal statutes, codes, standards, and regulations including, but not limited to, Building Division, Fire Department, Planning Division and Public Works Department requirements, and shall comply with all applicable CCMC requirements and all comments made during the City's building permit plan check review process. Failure to comply with said Conditions, statutes, codes, standards, and regulations may result in reconstruction work, demolition, stop work orders, withholding of certificate of occupancy, revocation of land use permit approval and/or any other lawful action the City might deem reasonable and appropriate to bring about compliance.	All	Standard	