

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

October 22, 2008
7:00 p.m.

Call to Order & Roll Call

The meeting of the Planning Commission was called to order
at 7:00 p.m.

Present: John Kuechle, Vice Chair
Linda Smith Frost, Commissioner
Anthony Pleskow, Commissioner

Absent: David Rockwell, Chair (Excused)
Marcus Tiggs, Commissioner (Recused)

Staff Present:

Sol Blumenfeld, Community Development Director
Thomas Gorham, Planning Manager
Heather Baker, Assistant City Attorney
Barry Kurtz, Engineering Traffic Consultant
Joseph Montoya, Associate Planner
Yvonne Hunt, Administrative Secretary

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Invocation/Pledge of Allegiance

Assistant City Attorney, Heather Baker led the Pledge of
Allegiance.

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Comments NOT on the Agenda

None.

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PUBLIC HEARING

Item PH-1

Site Plan Review, Administrative Use Permit, Negative
Declaration, recommended Height Exception and Tentative
Tract Map for the Construction of a Terraced/Split-Level 4-

5 Story Condominium Office Building located at 8665 Hayden Place

Staff provided a summary of the material of record.

Vice Chair Kuechle received agreement from staff regarding re-wording the tandem parking language; inquired about a specific plan for the property and the area to the west and required setbacks; and asked about potential traffic mitigation requirements from the owner.

Present for the applicant:

Greg Reitz, Re-Think Development
Jonathan Watts, Cunningham Group Architecture
Jasper Domingo, KOA Corporation
Steve Edwards, Re-Think Development

Vice Chair Kuechle received clarification that the applicant would be willing to participate in a traffic calming fund to be applied to existing traffic issues.

Commissioner Smith Frost received clarification that the 1% traffic increase pertained to the area along Higuera Street; asked about the shade and shadow study; and asked about the plan to provide additional parking and their ability to sell those spaces.

Commissioner Pleskow received clarification that although the applicant could have built to 115,000 square feet, the proposal is for approximately 62,000 square feet.

Vice Chair Kuechle invited public comment.

The following public speakers spoke in opposition to the project as proposed:

Chris Brown
Sylvia David
Laura Bethal
David Hauptman
Lauren Laster
Ron LeBlanc
Donna LeBlanc
Abe Sheik
Monica Granadas
Mary Ellen Nugent

Melanie Weber
Michael Miller
Chris Walchesen
Linda Messner
Stacy Narni
Jennifer Edwards
Holly Connors
Eleanor Osgood
Laurie Garcia
Peggie Shue
Gerald Anguez
George Shaultus
Cary Anderson

The public speakers' concerns with the project included: the scale of the building and compatibility with the surrounding neighborhood; the height exception; exacerbating existing congested and dangerous traffic conditions; unclear traffic figures from the applicant; view obstruction; breeze blockages; increased noise and pollution; decreased property values; decreased privacy; parking issues; the proposed parking sticker program; incompatibility with zoning; danger to handicapped residents in the area; concerns with unknown usage of the building and the number tenants and employees; a suggestion to impose a moratorium on development in the Hayden Tract on both sides until there is a plan in place for development; concern that the building would become residential; assertions that the courtyard space be used so the building height can be reduced; objections to Expo credits for the project; a request that an EIR be done; concern that a full traffic study was not conducted; skepticism that the project will have no impact on the area; the number of deliveries to the building; questions about who ensures compliance once the building is sold; the cumulative impact of developments in the neighborhood; concern that not enough options are being considered; accountability and fines for exceeding traffic projections; concern that a conflict of interest may exist as applicant Greg Reitz had previously advised the City on green building issues; a suggestion to work with the building already on the site; and a suggestion to create a cul de sac.

The following public speakers spoke in support of the project:

Dino Parks

Brenden McEnemy, Green Building Program Advisor, City of Santa Monica, Board Member, Los Angeles Chapter, United States Green Building Chapter

Al Rosen, an investor in the project, member of Santa Monica Sustainable City Task Force, and former Santa Monica Housing Commissioner

Seth Willisette

Margaret Griffin

Dorian Byby

James Lehy, Member of the Board of Directors of the local Chapter of the U.S. Green Building Council

Timothy Bourget

Sean Bourquist

Rollin Gennick

Greg Sears

Tyson Sales

Francie Stephan

Lund Smith

The public speakers' reasons for support of the project included: amenities provided to bicyclists; the project as a great example of green building; environmental and sustainable aspects of the project; increased property values; the importance of nurturing growth in the City; the developer's restraint in not building to the maximum square footage; the developer should not be held responsible for the area's pre-existing traffic issues; the fact that the project is seeking Leed Gold Certification; assertions that the applicant worked with the neighborhood to address their concerns; the project addresses Ballona Creek pollution issues; increased tax revenue for the City; the applicant followed the rules and worked within the established General Plan and zoning code; and a suggestion that revenue from the project could be put into a fund to solve traffic issues in the area.

Recess/Reconvene:

Vice Chair Kuechle called a brief recess from 10:02 p.m. to 10:22 p.m.

Yvonne Hunt reported that 18 comment cards in support of the project and 29 comment cards against would be incorporated as part of the public record.

Greg Reitz addressed speaker issues regarding: the traffic study; credits for transit oriented development; parking issues; working on solutions for the area; funding a crossing guard; and additional stop signs.

Comments from Commissioners:

Commissioner Smith Frost

- Asked about oversight of the building
- Requested an update on the status of a request for permit parking in the area

Vice Chair Kuechle

- Asked about covenants to follow the building

Commissioner Pleskow

- Questioned whether a non-height exception had been explored and asked about ways to address speaker concerns with height
- Suggested using horizontal fins to reflect light back into the building
- Received clarification that there were no parapets on the building due to minimization of mechanical needs
- Suggested a café in the building to decrease traffic at lunchtime
- Wanted to see the traffic impact of the project neutralized at zero

Commissioners, staff and the applicants discussed the previous plans and the applicant indicated that it was not economically feasible to make the building smaller as they had already compressed the design leaving little room for change.

Greg Reitz confirmed the following conditions that would be added to the resolution:

- parking passes
- a stakeholders group to work on the traffic solution with other businesses and residents in the area
- CC&Rs to follow the project
- an office owners association established to maintain and enforce CC&Rs
- a doggy drinking fountain and bench in the area for the many people who walk their dogs

Greg Reitz explained the building's green building features and asserted that their design was necessary for those elements to work.

Community Development Director Blumenfeld stated that a cul de sac on Higuera Street would require additional study and that the project could be conditioned to require evaluating and contributing to the actual implementation of such a program. He indicated that trip mitigation would require paying a trip fee to help deal with larger scale trip generation issues if certain targets weren't met.

Traffic Engineering Consultant Kurtz suggested traffic mitigations such as making Higuera Street one way towards Lucerne at Hayden Place on a test basis with input from residents, or posting signs limiting turns during peak hours.

Vice Chair Kuechle

- Received clarification that the land was not zoned residential
- Received clarification that an exception to the height limit was allowed because it is within a redevelopment area
- Asked about traffic accountability

Community Development Director Blumenfeld suggested an annualized monitoring program, done at the owners' expense.

Commissioner Pleskow received clarification that one-way traffic on Higuera Street had not been considered by residents.

Commissioner Smith Frost

- Complimented the applicant on the public participation and outreach, and good design
- Commented that Leed Gold Certification is important for the City
- Was comfortable with the traffic study
- Felt the project was consistent with the mixed use nature of the area
- Felt granting a variance to the code called for extraordinary circumstance
- Wanted the project within the height limits
- Wanted to see contribution to future traffic mitigation

- Wanted to see a Plan C

Assistant City Attorney Baker clarified for the record that this was a height exception rather than a height variance, which requires a stricter standard in order to grant it. She added that height exceptions were considered on their own and did not set a precedent.

Commissioner Pleskow

- Appreciated the extensive outreach and redesign of the project after the outreach
- Appreciated the high-performing building and wanted the code to require that buildings in Culver City meet a minimum certified level
- Observed that the developer was trying to mask the building as much as possible behind green screen and vegetation even though they were not required to do so
- Felt the project would provide tax revenue for the City
- Felt it important to build with multiple uses, enabling people to work in their community and reduce car trips
- Supported the project knowing that it is a height exception
- Felt it important that, as a condition of approval, the traffic be mitigated as much as possible to make the project traffic neutral or reverse consequence

Vice Chair Kuechle

- Felt Culver City benefited from having a first rate project in the area
- Emphasized the importance of making sure that developers take all reasonable measures to mitigate the impact of the projects on their neighbors
- Questioned what reasonable additional steps could be imposed to provide more mitigation
- Acknowledged general consensus among the neighbors that the building is bigger than they would like but noted it was 40% smaller than what would be allowed on the site and stated that he did not want to have a system where developers routinely asked for 125% of what they wanted so that the Planning Commission could reduce the project's size and look like heroes. He doubted that reducing this project's size by a set

percentage would fundamentally reduce its impact on the neighborhood.

- Expressed concerns with parking and wanted to make sure that no one who came to the project would park on the street.
- Wanted a condition stating they can't charge for parking if there is a problem since this would insure there would be no reason to park on the street.
- Did not think this project would have a key impact on the traffic problem that already exists near the site, and expressed hope that the traffic mitigations for the entire neighborhood that had been discussed by staff, would alleviate the existing traffic problems.
- Supported the project with trepidation and conditions imposed.

Staff and the Commission discussed possible traffic mitigations and reasonable requirements of the applicant.

The Commission agreed to have staff work with the applicant on possible methods to address neighborhood traffic issues, and if substantive issues arise, return it to the Commission for consideration of additional mitigations or conditions.

Moved by Commissioner Smith Frost, seconded by Commissioner Pleskow, and unanimously passed (absent Chair Rockwell and Commissioner Tiggs) to close the public hearing.

MOVED BY COMMISSIONER SMITH FROST TO ADOPT A NEGATIVE DECLARATION BASED ON THE INITIAL STUDY FINDING THE PROJECT WILL NOT HAVE SIGNIFICANT ADVERSE IMPACT UPON THE ENVIRONMENT (ATTACHMENT NO. 15) AND APPROVE SITE PLAN REVIEW SPR P-2007183 AND ADMINISTRATIVE USE PERMIT (AUP P-2007184) SUBJECT TO THE CONDITIONS OF APPROVAL AS OUTLINED IN RESOLUTION 2008-P012 (ATTACHMENT NO. 1), AS AMENDED AND RECOMMEND TO THE CITY COUNCIL CONDITIONAL APPROVAL OF HEIGHT EXCEPTION (HTEX P-2008111) AND TENTATIVE TRACT MAP NO. 69769 (TTM P-2007184) SUBJECT TO THE CONDITIONS OF APPROVAL AS OUTLINED IN RESOLUTION 2008-P012 (ATTACHMENT NO. 1), AS AMENDED.

Staff clarified amendments and revisions to conditions 63 and 118, and the new condition 9D, a trip mitigation and trip monitoring condition, linking of the project to any potential future neighborhood traffic mitigation efforts or programs, there was also discussion of CC&Rs and an office

owners association; as well as a program to pay for preferential parking in residential area if warranted, and the dog amenities.

COMMISSIONER PLESKOW SECONDED THE MOTION.

Vice Chair Kuechle requested that clarification of support notification and upgrade of adjacent properties be included in the resolution as well as clarification of condition 118.

VOTING ON THE MOTION WAS UNANIMOUS (ABSENT CHAIR ROCKWELL AND COMMISSIONER TIGGS).

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Consent Calendar

MOVED BY COMMISSIONER PLESKOW, SECONDED BY COUNCILMEMBER SMITH FROST AND UNANIMOUSLY PASSED (ABSENT CHAIR ROCKWELL AND COMMISSIONER TIGGS) TO APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-2.

Item C-1

Secretary's Report

The Commission received and filed the report of the secretary regarding posting of the agenda for this meeting.

Item C-2

Meeting Minutes

The Planning Commission approved minutes for the Regular Meeting of September 24, 2008.

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Items from Staff

Planning Manager Gorham indicated that he would keep Commissioners updated as to whether traffic criteria would be addressed on November 12 and that the work plan on the multi-family design guidelines would be brought back at the December meeting along with a proposed text amendment

regarding car wash uses in the East Washington overlay area.

The Commission received clarification that no actual projects would come before them for the rest of the year.

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Items from Commissioners:

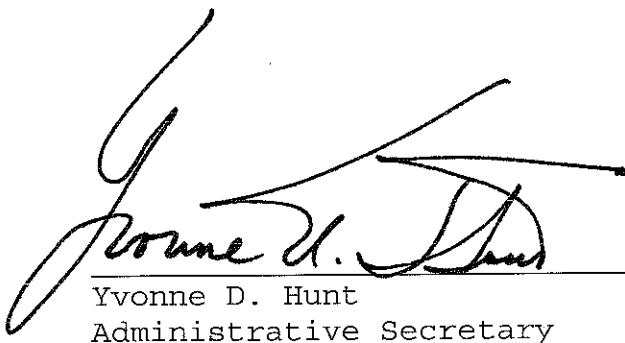
Vice Chair Keuchle reported that residents had asked about accessing attachments to the agenda online. Planning Manager Gorham indicated that staff was working on that issue with IT.

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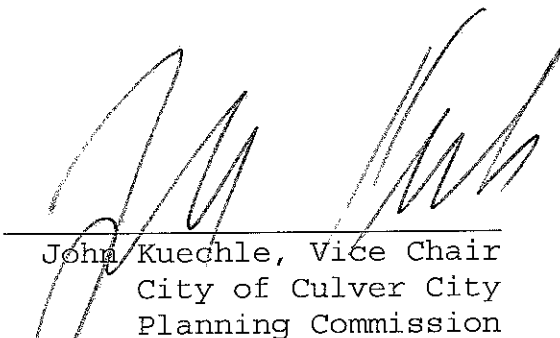
Adjournment

There being no further business, at 11:49 p.m., the Culver City Planning Commission adjourned to the next regular meeting on Wednesday, November 12, 2008, at 7:00 p.m. in the Mike Balkman Council Chambers.

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Yvonne D. Hunt
Administrative Secretary



John Kuechle, Vice Chair
City of Culver City
Planning Commission