

RESOLUTION NO. 2017-R__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, APPROVING DENSITY AND OTHER BONUS INCENTIVES, P2016-0087-DOBI; FOR A PROPOSED MIXED USE PROJECT CONSISTING OF A 5-STORY BUILDING WITH 15 RESIDENTIAL DWELLING UNITS INCLUDING 1 VERY LOW INCOME UNIT, ABOVE 14,364 SQUARE FEET OF COMMERCIAL SPACE, AND GROUND FLOOR AND SUBTERRANEAN PARKING AT 3434 WESLEY STREET IN THE INDUSTRIAL GENERAL (IG) ZONE.

(Density Bonuses and Other Bonus Incentives P2016-0087- DOBI)

WHEREAS, on October 28, 2015, Pine, LLC (the "Applicant") filed a Zoning Code Map Amendment (ZCMA), Density and Other Bonus Incentives (DOBI), Site Plan Review (SPR) and Administrative Modification (AM) application to allow a mixed use project consisting of 15 residential dwelling units including 1 very low income unit, above 14,364 square feet of commercial space, and surface and subterranean parking to include 69 spaces (the "Project") at 3434 Wesley Street and is legally described as Lot 20 and 21 of Tract No. 3772 in the City of Culver City, County of Los Angeles, State of California (the "Project Site").

WHEREAS, in order to implement the proposed Project, approval of the following applications are required:

1. Density Bonuses and Other Bonus Incentives: To ensure implementation of State law requirements for density bonuses and other bonus incentives and the goals and policies of the Housing Element of the City's General Plan; and
2. Zoning Code Map Amendment: To change the zoning of the Project Site from Industrial General (IG) to Commercial General (CG); and

1 3. Site Plan Review: To ensure the Project is in compliance with all required
2 standards and City ordinances and establish all onsite and offsite
3 conditions of approval to reflect the site features and compatibility of the
4 proposed Project with the uses on adjoining properties; and

5 4. Administrative Modification: To ensure that reduction in the width
6 requirement of six parking spaces by up to 10% complies with all applicable
7 required standards and City ordinances, and to establish conditions of
8 approval to ensure such modification is compatible with the Project site and
9 surrounding area; and,

10 WHEREAS, on October 26, 2016, after conducting a duly noticed public hearing
11 on the subject applications, including full consideration of the applications, plans, staff
12 report, environmental information and all testimony presented, the Planning Commission
13 (i) by a vote of 5 to 0, adopted a Categorical Exemption, in accordance with the California
14 Environmental Quality Act (CEQA), finding the Project will not result in significant adverse
15 environmental impacts; and (ii) by a vote of 5 to 0, conditionally approved Site Plan
16 Review P2016-0087-SPR and Administrative Modification P2016-00087-AM; and (iii) by
17 a vote of 5 to 0, recommended to the City Council approval of Zoning Code Map
18 Amendment, P2016-0087-ZCMA, and Density and Other Bonus Incentives, P2016-0087-
19 DOBI, as set forth herein below.

20 WHEREAS, on January 9, 2017, after conducting a duly noticed public
21 hearing on the aforementioned DOBI request, including full consideration of the Planning
22 Commission's recommendation, and all applications, plans, staff reports, environmental
23 findings and testimony presented; the City Council (i) by a vote of ____ to ____, determined
24 that no new information has become available and no changes in the proposed Project
25 have been made since the Planning Commission adopted the Categorical Exemption
26 and, therefore, no additional environmental analysis is required; and (ii) by a vote of ____

1 to ____, approved Density Bonuses and Other Bonus Incentives P2016-0087- DOBI
2 subject to Conditions of Approval referenced herein below.

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

5 SECTION 1. Pursuant to the foregoing recitations and the provisions of Culver
6 City Municipal Code (CCMC) Section 17.580.020, the following findings for a Density
7 Bonuses and Other Bonus Incentives are hereby made:

9 **A. The project would be compatible with the purpose and intent of the General**
10 **Plan and the provisions of this Title.**

11 This Project is consistent with the General Plan Housing Element which calls for
12 an increase in the City's housing stock, especially affordable housing. The City's
13 allocation for the current California State Regional Housing Needs Assessment
14 (RHNA) cycle is 185 units. Of those 185 expected units, 24 are targeted for very
15 low income households and 77 are targeted for market rates. This Project will
16 address a portion of Culver City's share of the RHNA by constructing 14 market
17 rate units and one very low income affordable unit. The Project is consistent with
18 Housing Element Objective 2 – Housing Supply/Policy 2.D – because it will
19 promote mixed use residential development in an area that allows mixed use. The
20 Project is consistent with Objective 3 of the Land Use Element which encourages
21 affordable housing because the Project is providing one very low income
22 affordable unit. The granting of a density increase is consistent with Land Use
23 Element Policy 3.A and Housing Element Policy 3A that call for providing
24 incentives for the development of new affordable housing consistent with State
25 Density Bonus Law. The Project is consistent with Housing Element Policy 3.B
26 which calls for support of affordable housing development by private developers.
27 The Project is consistent with General Plan Housing Element Measure 4.A. which
28 calls for the City to work with developers who wish to process Density and Other
Bonus Incentives applications.

Furthermore, the density increase that results in three additional units over the
base density including one very low income unit is consistent with state and local
laws and policies as noted above. The density increase is consistent with
expected thresholds of development and build-out projections as delineated in the
General Plan Land Use Element, the SCAG 2016-2040 RTP/SCS, the SCAG/HCD
Regional Housing Needs Assessment for the 2013-2021 Housing Cycle, and the
SCAQMD 2012 AQMP.

1 **B. The project will not be detrimental to the public interest, health, safety, or**
2 **general welfare, or injurious to persons, property, or improvements in the**
3 **vicinity and zoning district in which the property is located.**

4 The Project will not be detrimental to the public interest, health, safety, or general
5 welfare, or injurious to persons, property, or improvements in the vicinity and the
6 CG zone. No off-site circulation hazards are presented by the proposed Project
7 since access points are designed to ensure elimination of conflicts between
8 vehicles entering the surface parking and vehicles entering the subterranean
9 parking. Adequate sidewalks, elevators, and interior courtyards and walkways
10 assure pedestrian access that is separated from the vehicular access points. The
11 site's immediate vicinity is comprised of mix of commercial, industrial and a new
12 mixed-use development of 115 dwelling units and 31,000 square feet of
13 commercial uses. The Project incorporates uses that are compatible with adjacent
14 properties and is not injurious to the general welfare.

15 **C. The number of dwellings can be accommodated by existing and planned**
16 **infrastructure capacities.**

17 The total number of 15 dwelling units can be accommodated by existing and
18 planned infrastructure. Wesley Street is a 50-foot right-of-way and 36-foot
19 roadway; Washington Boulevard is a 100-foot right-of-way and 76-foot roadway at
20 that intersection. The existing and proposed public service facilities necessary to
21 accommodate the Project such as: the width and pavement of the adjoining
22 streets, traffic control devices, sewers, storm drains, sidewalks, street lights,
23 proposed street trees, fire protection devices, and public utilities are provided for
24 adequately as confirmed by the City agencies that reviewed the Project during the
25 interdepartmental review process. The City Traffic Engineer has reviewed the
26 Project and determined that based on the square footage and proposed uses in
27 the Project, there is less than significant impact to the traffic and no traffic study is
28 required. All other utilities and infrastructure are to be improved by the applicant.

29 **D. Adequate evidence exists to ensure that the development of the property**
30 **would result in the provision of affordable housing in a manner consistent**
31 **with Cal. Gov't Code § 65915, or as may be amended, and the purpose and**
32 **intent of this Title.**

33 The applicant is requesting a density increase of 22.5% of the base density of 35
34 dwelling units per acre or 22.5% of 12 units to provide three additional units. Per
35 California Government Code Section 65915, the Project is required to provide 6%
36 of the 12 units, which equals one unit as a very low-income unit to gain a density
37 bonus of 3 additional units. The proposed Project conforms with all State
38 requirements to be eligible for density bonus. The covenant requiring affordability
39 for 55 years will be a Project condition. Adequate evidence exists to ensure that
40 the development of the property would result in the provision of affordable housing
41 in a manner consistent with Government Code, Section 65915.

1 **E. There are sufficient provisions to guarantee that the designated dwelling**
2 **units would remain affordable in the future.**

3 As part of the approval of the density bonus, the Project must also continue to
4 provide the very low-income unit affordable for a minimum of 55 years at a rental
5 rate that is defined in Section 50053 of the State Health and Safety Code. A
6 covenant shall be recorded on the property to place restrictions on the affordable
7 unit and enforced by the City's Housing Division to ensure conformance with State
8 laws.

9 SECTION 2. Pursuant to the foregoing recitations and findings, the City
10 Council of the City of Culver City, California, hereby approves Density and Other Bonus
11 Incentives, P2016-0087-DOBI; subject to the conditions of approval set forth in Exhibit A
12 to Planning Commission Resolution No. 2016-P017.

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15 APPROVED and ADOPTED this _____ day of _____, 2017.

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17 _____
18 JIM B. CLARKE, MAYOR
19 City of Culver City, California

20 ATTESTED BY:

21 APPROVED AS TO FORM:

22 _____
23 JEREMY GREEN, Deputy City Clerk

24 
25 CAROL A. SCHWAB, City Attorney

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