

REGULAR MEETING OF THE
PLANNING COMMISSION
CULVER CITY, CALIFORNIA

March 22, 2017
7:00 p.m.

Call to Order & Roll Call

Chair Voncannon called the meeting of the Planning Commission to order at 7:06 p.m.

Present: David Voncannon, Chair
Dana Amy Sayles, Vice Chair
Kevin Lachoff, Commissioner
Ed Ogosta, Commissioner

Absent: Scott Wyant, Commissioner

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Pledge of Allegiance

The Pledge of Allegiance was led by Jay Garacochea.

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Comments for Items NOT on the Agenda

Chair Voncannon invited public input.

No cards were received and no speakers came forward.

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Consent Calendar

Item C-1

Approval of Minutes for the Planning Commission Meeting of February 22, 2017

MOVED BY VICE CHAIR SAYLES AND SECONDED BY COMMISSIONER LACHOFF THAT THE PLANNING COMMISSION APPROVE THE MINUTES FOR THE PLANNING COMMISSION MEETING OF FEBRUARY 22, 2017.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: LACHOFF, SAYLES, VONCANNON
NOES: NONE
ABSENT: WYANT
ABSTAIN: OGOSTA

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Public Hearings

Item PH-1

PC: Consideration of a Zoning Code Amendment (P-2017-0052-ZCA), Amending Zoning Code Section 17.210.015, Table 2-2 and Section 17.400.095 related to Accessory Dwelling Units (ADUs)

Sol Blumenfeld, Community Development Director, provided a summary of the material of record.

Discussion ensued between staff and Commissioners regarding clarification on the intention of the City Council regarding hillside standards; ADU standards for existing homes vs. new construction and clarifying the amendment by removing the word existing; garage conversions and restating parking provisions in the amendment; revising section G, the location section, by stating "except as indicated in sections K and L" for clarification; clarification on alley paving in the parking section; single family home requirements; clarification on rental and density issues and revising section M accordingly; and clarification on wording in section H, part 3, and changing the wording from "part of" to read "entirely within" for clarification.

MOVED BY COMMISSIONER LACHOFF AND SECONDED BY VICE CHAIR SAYLES THAT THE PLANNING COMMISSION OPEN THE PUBLIC HEARING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: LACHOFF, OGOSTA, SAYLES, VONCANNON
NOES: NONE
ABSENT: WYANT

Chair Voncannon invited public comment.

The following members of the audience addressed the Commission:

Len Judaken reported on his long-term involvement with the City; complimented City staff on their work; reported on his experience with ADUs; he noted there were no public hearings on the item; and reviewed his areas of concern with the state law concerning ADUs.

Paul Asai stated for the record that the proposed amendment would be detrimental to public health and safety; asserted that expanding the size of ADUs was not in keeping with the character of the City; discussed conformance of the City code with state law; the moratorium enacted by the City Council; discrepancies in maximum size as well as in rental time lengths in the ordinance; he noted that Section M seemed to go against the state law and should be struck; felt Section N was ambiguous and should be rewritten; and he asked that a comprehensive hillside ordinance be prepared.

Daniel Mayeda questioned whether the Planning Commission was aware the moratorium was in response to public outcry over a proposed two-story ADU on an historically unstable hillside in Culver Crest; asked that any ADU ordinance not restrict the barring of future ADU construction on hillsides; asked for the ordinance to reference hillside areas included in the moratorium; he pointed out a typo in the online version of the ordinance; and he reported that the concern his neighborhood has shown with hillside development has been regarded as a hindrance to the process by the City Council and staff rather than an asset.

Peter Erdelyi pointed out discrepancies between state law and the City ordinance, and asserted that, given a 1,200 square-foot size, a one bedroom limit is not realistic.

Steven Gourley expressed concern that the speaker microphone was not audible in the back of Council Chambers; asserted the

City was copying a bad law with the proposed ordinance; found the parking requirements to be unintelligible; stated that the way to affordable housing was to bring back the Redevelopment Agency; and he discussed communication issues with staff.

Jennifer Merlis echoed the comments of previous speakers.

MOVED BY VICE CHAIR SAYLES AND SECONDED BY COMMISSIONER OGOSTA THAT THE PLANNING COMMISSION CLOSE THE PUBLIC HEARING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: LACHOFF, SAYLES, OGOSTA, VONCANNON
NOES: NONE
ABSENT: WYANT

Sol Blumenfeld, Community Development Director discussed speaker concerns with square footage and length of stay discrepancies; state law requirements within the proposed ordinance; whether the two-story ADU had come before the Planning Commission; clarification on the purpose and objective of the moratorium; referencing hillside code amendments in the ordinance; staff's value of public input; staff's public outreach efforts; and clarification on the requirement to act within 120 days.

Discussion ensued between staff and Commissioners regarding clarification on the intent of the law that ADUs are allowed on any residential lots including a lot with a multi-family dwelling as long as the lot has a single-family residence; clarification that an ADU is not allowable on a lot that solely has a multi-family dwelling; ensuring that changes to language do not change the intent; removing the word existing and leaving the word containing; ensuring internal consistency among the sections; and a consensus among Commissioners that including a reference to the hillside moratorium was unnecessary and inappropriate for this amendment.

Chair Voncannon reiterated the changes to the amendment: Section D, removing the word "existing" from the last line of the section; Section G, adding "except as provided in Sections K & L below"; Section H, Part 3, changing "part of" to "entirely within"; changing Section H to reflect parking for the primary "resident" to "residents", and changing the alley paving to from mandatory to discretionary: "the City

may require the applicant to pay a pro rata share for the paving of an unpaved alley", and Section N, adding exceptions for E and J and any other internal discrepancies staff may find before the item goes to the City Council.

MOVED BY VICE CHAIR SAYLES AND SECONDED BY COMMISSIONER LACHOFF THAT THE PLANNING COMMISSION: APPROVE THE ATTACHED RESOLUTION RECOMMENDING TO THE CITY COUNCIL APPROVAL OF ZONING CODE AMENDMENT P-2017-0052-ZCA REGARDING ACCESSORY DWELLING UNITS WITH AGREED UPON CHANGES AS NOTED ABOVE.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: LACHOFF, SAYLES, OGOSTA, VONCANNON
NOES: NONE
ABSENT: WYANT

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Item PH-2

PC - Proposed Density Bonuses and Other Bonus Incentives, Site Plan Review, and Administrative Use Permit, (P2016-0072-DOBI, SPR, and AUP); for a proposed 4-story, 48,422 square foot, mixed use project consisting of 14 multi-family residential dwelling units above 4,898 square feet of ground floor retail commercial space with surface and subterranean parking including tandem parking spaces at 11281 Washington Place

Jose Mendivil, Associate Planner, provided a summary of the material of record.

Discussion ensued between staff and Commissioners regarding the desire of the Commission to see the conditions; taking a moment to assimilate the information; and review of the conditions with the applicant.

MOVED BY COMMISSIONER OGOSTA AND SECONDED BY COMMISSIONER LACHOFF THAT THE PLANNING COMMISSION OPEN THE PUBLIC HEARING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: LACHOFF, OGOSTA, SAYLES, VONCANNON
NOES: NONE
ABSENT: WYANT

Chair Voncannon invited public comment.

The following members of the audience addressed the Commission:

Eddie Bendanahu, developer coordinator, concurred with the comments from Mr. Mendivil and introduced the applicant representatives present.

Farsin Maly, Architect, presented a slide show highlighting the details of the project.

Commissioner Ogosta received clarification regarding inclusion of the elevator overrun on the next roof plan.

Sharon Jansta spoke about parking issues in the area; reported on the current usage of the alley, which is the access to the proposed development, stating it is an accident waiting to happen; and she asserted the building is much bigger than anything in the area.

Laynor Johnson expressed concern with building height; decreased light; the impact of the project on area parking; and construction impacts to surrounding neighbors.

Lorina Santos expressed concern with the impact on parking in the neighborhood and privacy issues.

Russell Guidry, Shell Pipeline, made himself available to everyone involved in regards to their pipeline that runs under Sawtelle.

Chris Wypyski requested permit parking for Globe Avenue, which is already impacted by area businesses, and he reported on the current condition of the site, asking that it be maintained and secured.

Chair Voncannon encouraged Mr. Wypyski to contact staff and acknowledged the condition of the site.

Jay Garacochea thanked the owners for investing in the community; inquired about constructing subterranean parking next to the Shell pipeline; asserted that Sepulveda projects resulted in employee parking in adjacent residential neighborhoods; he wanted to see the alley paved; he questioned whether the entire alley would be considered; and

he voiced concern with parking, traffic safety and the condition of the alley.

Jess Daily expressed opposition to the development based on its size, which he asserted was not in keeping with the neighborhood, and he asked that the volume of the speakers be increased as he could not hear in the back of the room.

Mario Rodriguez asked that, if the project is approved, Sawtelle Boulevard adjacent to the development become permit parking for residents already impacted by area business parking.

Leah Brown expressed concern with the project's impact on parking; stated the project would not fit in with the surrounding homes and businesses; and requested permit or restricted parking for residents if the project is approved.

Andre Viault, objected to the size of the project, and expressed concern with issues related to shadowing and parking.

Megan Novack expressed concern with parking in the area; the condition of the unpaved alley; the size of the project; and she expressed support for sensible, appropriate, progressive development of the lot that takes residents' investments and concerns into consideration.

April Rocke voiced concern with the impact of the project on traffic and she reported on the current usage of the alley.

Maxine Benjamin expressed concern with current parking and traffic issues in the area.

Jeanne Lichtig voiced support for a smaller project on the lot; asserted the project was the size it was due to the two affordable housing units; recounted previous efforts towards permit parking in the area; and asserted the project did nothing to make the City greener as per the Master Plan or address parking and traffic issues in the area.

Gary Reissman echoed comments regarding parking; spoke on the danger of pulling out of the driveway on Sawtelle; asserted that past permit parking efforts did not pan out due to the number of renters in the area; and asked that permit parking be a condition of approval for the project.

Jose Mendivil, Associate Planner, reported receipt of written comments in opposition to the item from:

Carlos and June Piedra

MOVED BY COMMISSIONER LACHOFF AND SECONDED BY COMMISSIONER OGOSTA THAT THE PLANNING COMMISSION CLOSE THE PUBLIC HEARING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: LACHOFF, SAYLES, OGOSTA, VONCANNON
NOES: NONE
ABSENT: WYANT

Discussion ensued between staff and Commissioners regarding the community meeting held the week before; revisions to the item's conditions of approval; construction related parking; contact information; review of construction drawings; DigAlert; project construction schedule; traffic restrictions for the alley; circulation impacts; neighborhood consensus; conducting an accident analysis; the permit parking process and the look back condition; before and after traffic surveys; commercial trash allotment; solid waste storage for a food retail use; resident concern that dumpsters will take up parking spaces; restaurant parking standards; parking for delivery vehicles; size of the two affordable housing units; confirmation that a requirement for electric vehicle charging stations is included in the conditions; clarification on step-back and set-back density bonus concessions; consistency with state density law; and height limits.

Further discussion ensued between staff and Commissioners regarding density; height and building size; categorical exemption under CEQA as precluding traffic or parking conditions; concern with unnecessarily burdening the developer; simplifying the design as a way to make the building seem smaller; consistency with the zoning; preexisting parking conditions; cleaning and securing the lot; a request that the police look into illicit activity in the area; assistance from the City regarding parking issues; the distorted perspective on the before and after renderings; an assertion the design is very average; the developer as not responsible for the baseline condition of area parking; razing and clearing the existing structure; the right turn only condition; making reasonable accommodations; bicycle parking requirements; tandem parking issues; clarification that there is no legal way to deny the project; minimizing

construction impacts; applying the same construction management conditions applied to the condo project on Sawtelle; a request to apply a condition to mitigate noise through triple-glazed windows; a request that the developer work with the owner of the building next door who is directly affected by the project; a request for a condition whereby the developer pays for one year's worth of parking permits including two cars per household if the residents are successful in obtaining a parking district; the number of permits allowed per resident; previous history of the permit process in the area; an assertion the developer has met their parking requirements and should not be burdened with mitigating a pre-existing parking problem in the area; and concern with setting a precedent.

Daniel Rafalian, Developer, spoke of his long history of working in and with the City; provided background on the property in question; detailed their objectives; reviewed their efforts in providing affordable housing without taking advantage of the benefits available to them through state and local law; and he asked they not be burdened with any additional costs as the project cannot afford it.

Discussion ensued between staff and Commissioners regarding a review of the changes and conditions previously discussed including: the modification to Condition #37; Special Condition #48; modification on Condition #55; compliance prior to issuance of the building permit; study of whether to add a requirement for a right turn only out of the alley; requiring a higher STC rating for the units facing the 405 freeway; requiring tandem parking spaces for units and single parking spaces for guests; ensuring that the number of bike rack parking spaces matches the plan not the condition; long term vs. short term residential; a request that the project be built to the plan; solid waste; concern with restricting retail; obtaining confirmation regarding the solid waste area; requiring that the applicant check with the sanitation department to ensure that the trash area is adequately sized to accommodate 4 retail spaces which could include food service; limitations on the amount of food activity; parking for full service restaurants; and clarification that parking conditions would not be required.

MOVED BY COMMISSIONER OGOSTA AND SECONDED BY COMMISSIONER LACHOFF THAT THE PLANNING COMMISSION:

1. ADOPT A CATEGORICAL EXEMPTION AS STIPULATED IN CEQA SECTION 15332, CLASS 32 - IN-FILL DEVELOPMENT, FINDING THAT THERE ARE NO POTENTIALLY SIGNIFICANT ADVERSE IMPACTS ON THE ENVIRONMENT; AND

2. APPROVE SITE PLAN REVIEW AND ADMINISTRATIVE USE PERMIT, P2016-0072-SPR & -AUP; AND RECOMMEND TO THE CITY COUNCIL APPROVAL OF DENSITY BONUSES AND OTHER BONUS INCENTIVES, P2016-0072-DOBI; SUBJECT TO THE CONDITIONS OF APPROVAL AS STATED IN RESOLUTION NO. 2017-P007 (ATTACHMENT NO. 1) AND INCLUDING CHANGES AGREED UPON BY THE COMMISSION.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: LACHOFF, SAYLES, OGOSTA, VONCANNON
NOES: NONE
ABSENT: WYANT

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Recess/Reconvene

Chair Voncannon called a brief recess from 10:21 p.m. to 10:31 p.m.

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Item PH-3

PC - Site Plan Review, P2016-0050-SPR, to construct a 4-story, 93,479 sq. ft. office, retail, and restaurant building including a three-level automated subterranean parking structure at 8888 Washington Boulevard in the Commercial General (CG) Zone

Susan Yun, Senior Planner, provided a summary of the material of record.

Vice Chair Sayles received a summary of feedback received at the two community meetings held.

MOVED BY COMMISSIONER LACHOFF AND SECONDED BY VICE CHAIR SAYLES THAT THE PLANNING COMMISSION OPEN THE PUBLIC HEARING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: LACHOFF, OGOSTA, SAYLES, VONCANNON

NOES: NONE
ABSENT: WYANT

Chair Voncannon invited public comment.

The following members of the audience addressed the Commission:

Joey Miller, applicant, reviewed his family's history of doing business in the City, and he detailed objectives of the project.

Bjorn Schrader, Associate Principal, Abramson Teiger Architects, introduced their team; provided an overview of the project; asserted the building was an extension of Platform; detailed the origins of the design; reviewed the project details using a slide show; discussed setbacks; balconies; lighting; building materials; parking; bike storage; natural light in the building; landscaping; solar panels; the roof deck; and automated parking.

Discussion ensued between the applicant team and Commissioners regarding automated parking; electric vehicle charging within the automated parking system; valet service; the need for a staging area; retrieval times; life expectancy of the automated system; backup systems for automated parking; the rainwater retention and filtration system; Platform operations; capacity and usage; employee transit use; parking use and issues; bike parking; and the bike-sharing program.

Patrick Davenport, MPC, expressed concern with potential negative impacts to his business during construction resulting from noise and vibrations; b construction hours; and insufficient mitigations.

Ken Mand voiced concern with the impact of lane and sidewalk closures due to construction; suggested closures during off hours to reduce impacts; he requested a requirement for standing meetings with adjacent construction teams, City staff, and concerned community members with updated information on lane closures through a website; and he voiced support for the project but felt the traffic studies were not accurate.

MOVED BY COMMISSIONER LACHOFF AND SECONDED BY VICE CHAIR SAYLES THAT THE PLANNING COMMISSION CLOSE THE PUBLIC HEARING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: LACHOFF, SAYLES, OGOSTA, VONCANNON
NOES: NONE
ABSENT: WYANT

Sol Blumenfeld, Community Development Director, discussed Conditions of Approval; restrictions on shoring and excavation; consultations with adjacent owners; peak hours; minimizing impacts; and sensitive receptors.

Discussion ensued between Patrick Davenport, Robert Cavecche with Millie & Severson, staff and Commissioners regarding scheduling changes and accommodations; construction impacts; appropriate mitigation measures; the nature of the adjacent business as the reason any construction during business hours would be detrimental to business; the assertion of the construction representative that they would work with Mr. Davenport's schedule; possible use of a sound wall as a mitigation measure; review of the construction schedule with the applicant and adjacent owner in order to identify critical times; the length of time for shoring and excavation; and staff agreement to establish a condition to address those concerns.

Further discussion ensued between project representatives, staff and Commissioners regarding timeline of construction in the area; standing construction meetings; communication with the community; acknowledgement of the difficulty of multiple projects being constructed in the area at the same time; coordinating hauling of area projects; conditions relating to noise mitigation; the potential construction schedule and phasing; preliminary construction traffic management plans; weekly community meetings; whether turns out of the driveway should be restricted to right turn only; limiting left turn exits to non-peak hours; support for the project and architecture; support for the automated parking element; a request to make the sidewalk area less barren; and a review of the revisions and amendments to the conditions of approval.

Sol Blumenfeld, Community Development Director, read draft wording of a condition for additional noise mitigation related to shoring and excavation: "The applicant shall work with the adjacent property owner to identify those business operational times when adjacent project shoring and

excavation construction will not create excessive disruption to the business and shall provide a schedule to the owner and the City to address these critical construction periods and shall time such construction activities to minimize disruption."

Additional discussion ensued between project representatives, staff and Commissioners regarding minimizing work in the area to the adjacent business; different adjacencies; which point to start on; construction site configuration; practical considerations; the line of shoring; concern with regulating the construction method; allowing the adjacent business owner a sense of what will occur; including a 6-12 month look-back for the potential left turn out of the parking; the current number of driveways on Washington; ensuring that the timing of the look back does not take place while other projects are still under construction and there is still disruption; adding language to indicate that Culver City has the right to restrict turns out of the driveway during certain hours as they deem appropriate; project agreement to coordination meetings; ensuring that sidewalks are available during construction to the extent possible; pedestrian protection; concern with regulating lane closures; coordination with other projects in the area; keeping the public safe during construction; sidewalk signage; and the Pedestrian Protection and Diversion Plan.

Ken Mand wanted to see sidewalk issues addressed more specifically for new projects moving forward.

Further discussion ensued between staff and Commissioners regarding Condition 73, the Construction Management Plan, and a request to update Condition 29 regarding bicycle parking to reflect the actual number of spaces in the plan and indicate 16 long-term spaces instead of the 10 indicated in the condition.

MOVED BY VICE CHAIR SAYLES AND SECONDED BY COMMISSIONER OGOSTA THAT THE PLANNING COMMISSION: ADOPT A MITIGATED NEGATIVE DECLARATION (MND) AND MITIGATION MONITORING AND REPORTING PROGRAM (MMRP) BASED ON THE INITIAL STUDY FINDING THAT THE PROJECT, WITH THE MITIGATION MEASURES INCORPORATED, WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT (ATTACHMENT NO. 2).

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: LACHOFF, OGOSTA, SAYLES, VONCANNON
NOES: NONE
ABSENT: WYANT

MOVED BY VICE CHAIR SAYLES AND SECONDED BY COMMISSIONER OGOSTA THAT THE PLANNING COMMISSION: APPROVE SITE PLAN REVIEW, P2016-0050-SPR, SUBJECT TO THE CONDITIONS OF APPROVAL AS AMENDED AND STATED IN RESOLUTION NO. 2017-P005 (ATTACHMENT NO. 1).

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: LACHOFF, OGOSTA, SAYLES, VONCANNON
NOES: NONE
ABSENT: WYANT

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Action Items

Item A-1

PC: Discussion and Recommendation of a Representative and an Alternate from the Planning Commission to serve on the Marijuana Task Force Established by the City Council

Chair Voncannon invited public comment.

Susan Yun, Senior Planner, read a comment submitted by:

Charles Hinton

Sol Blumenfeld, Community Development Director, provided a summary of the material of record.

Discussion ensued between staff and Commissioners regarding the time commitment and responsibility.

Chair Voncannon volunteered to represent the Planning Commission.

Commissioner Lachoff volunteered to serve as the alternate.

MOVED BY CHAIR VONCANNON AND SECONDED BY VICE CHAIR SAYLES THAT THE PLANNING COMMISSION SELECT CHAIR VONCANNON TO SERVE AS REPRESENTATIVE AND COMMISSIONER LACHOFF TO SERVE AS ALTERNATE ON THE MARIJUANA TASK FORCE.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: LACHOFF, OGOSTA, SAYLES, VONCANNON
NOES: NONE
ABSENT: WYANT

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Item A-2

PC: Review the Proposed Fiscal Year 2017-2018 Community Development Department Work Plans for the Advance Planning Division and Current Planning Division

Sol Blumenfeld, Community Development Director, provided a summary of the material of record and encouraged Commissioners to contact him with any questions.

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Public Comment for Items Not on the Agenda

None.

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Receipt of Correspondence

None.

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Items from Planning Commissioners

None.

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Items from Staff

Sol Blumenfeld, Community Development Director, reported that the Comprehensive Plan for VCN would be coming in the next couple months, and the Market Hall project would hopefully come forward in May.

Discussion ensued between staff and Commissioners regarding scheduling of upcoming meetings.

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Adjournment

There being no further business, at 12:33 a.m., Thursday, March 23, 2017 the Culver City Planning Commission adjourned to the next regular meeting on Wednesday, April 26, 2017, at 7:00 p.m.

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SUSAN YUN
SECRETARY of the CULVER CITY PLANNING COMMISSION

APPROVED _____

DAVID VONCANNON
CHAIR of the CULVER CITY PLANNING COMMISSION
Culver City, California

I declare under penalty of perjury under the laws of the State of California that, on the date below written, these minutes were filed in the Office of the City Clerk, Culver City, California and constitute the Official Minutes of said meeting.

Jeremy Green
CITY CLERK

Date