

RESOLUTION NO. 2022-R____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, APPROVING DENSITY AND OTHER BONUS INCENTIVES P2021-0103-DOBI, FOR A PROPOSED MIXED-USE PROJECT CONSISTING OF A 6-STORY BUILDING WITH 104 MULTI-FAMILY RESIDENTIAL DWELLING UNITS THAT INCLUDE 5 VERY LOW INCOME AND 11 WORKFORCE UNITS, ABOVE 19,012 SQUARE FEET OF GROUND FLOOR COMMERCIAL SPACE AT 12727 WASHINGTON BOULEVARD IN THE COMMERCIAL GENERAL (CG) ZONE.

(Density and Other Bonus Incentives, P2021-0103-DOBI)

WHEREAS, on April 26, 2021, Bastion Development Corporation (the “Applicant”), filed applications for a Site Plan Review, Administrative Use Permit, and Density and Other Bonus Incentives to allow construction of a new 67 foot high, 6-level, 126,001 square foot mixed use building with 19,012 square foot, ground floor commercial space and 104 residential units that includes 5 very low-income and 11 workforce housing units, in the Commercial General (CG) Zone (the “Project”). The Project site is described as Lots 64 through 68 and a portion of Lot 69 of Tract No. 5951, with Los Angeles County Assessor numbers 4236-020-001 through and 4236-020-006; and,

WHEREAS, the Project includes in the City of Los Angeles, a 56-foot high, 5-level 41,624 square foot, multi-family residential development with 40 units that includes 3 extremely low-income units, in the Los Angeles R3-1 Zone. The Los Angeles portion is described as Lots 70 and 71 of Tract No. 5951, with Los Angeles County Assessor number 4236-020-030 and a 15-foot-wide alley to be vacated to the Applicant by the City of Los Angeles; and,

WHEREAS, while both portions of the Project are designed as one development with integrated vehicular, pedestrian, and residential amenities access, the Project is subject

1 to separate Zoning review and entitlement processing required by the two jurisdictions, City of
2 Culver City and City of Los Angeles, and Culver City is processing the above noted entitlements
3 only for the Project's Culver City portion; and,

4 **WHEREAS**, to implement the proposed Project, approval of the following
5 applications is required:
6

7 1. Site Plan Review P2021-0103-SPR: To ensure the Project is in compliance with
8 the required standards, design guidelines, and ordinances of the City; minimize potential
9 adverse effects on surrounding properties and the environment; and protect the integrity and
10 character of the residential, commercial, and public areas of the City;
11

12 2. Administrative Use Permit P2021-0103-AUP: For residential tandem parking, to
13 ensure that the alternative parking provided for some of the Project's required parking complies
14 with all required standards and City ordinances and to establish conditions of approval to
15 ensure the uses are compatible with the Project site and surrounding area; and,
16

17 3. Density and Other Bonus Incentives P2021-0103-DOBI: To ensure
18 implementation of State law requirements for density bonuses and other bonus incentives
19 comply with the goals and policies of the Housing Element of the City's General Plan; and,
20

21 **WHEREAS**, Pursuant to California Environmental Quality Act (CEQA)
22 Guidelines, initial review by the Planning Commission established there are no potentially
23 significant adverse impacts upon the environment. On August 24, 2022, the Commission
24 adopted a Sustainable Communities Project Exemption (SCPE) pursuant to CEQA Guidelines
25 as analyzed in the SCPE Report dated August 10, 2022. The SCPE report describes in detail
26 the Project's eligibility for said exemption pursuant to SB 375 streamlined CEQA review, and
27
28
29

1 there are no potentially significant adverse impacts upon the environment, based on the CEQA
2 SCPE, as further described below:

- 3 I. The Proposed Project qualifies as a transit priority project pursuant to Public Resources
4 Code Section 21155(b) because the Proposed Project is consistent with the general use
5 designations, density, building intensity, and applicable policies specified for the project
6 area in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)
7 prepared by the Southern California Association of Governments (SCAG) pursuant to
8 Public Resources Code Section 21155(a); and contains more than 50% residential use;
9 provides a minimum net density greater than 20 units an acre; and is within one-half
10 mile of a major transit stop or high-quality transit corridor included in the SCAG
11 RTP/SCS per PRC Section 21155(b) and, as described below, all criteria in 21155.1(a)
12 and (b) are met by the Proposed Project, including environmental criteria, land use
13 criteria, and at least one criterion (affordable housing) in PRC Section 21155.1(c); and
- 14 II. The Proposed Project meets all eight requirements of State Public Resources Code
15 Section 21155.1(a) as described in the SCPE Report that was prepared for the Project;
16 and,
- 17 III. The Proposed Project meets all seven land use criteria of State Public Resources Code
18 Section 21155.1(b) as described in the SCPE Report; and,
- 19 IV. State Public Resources Code Section 21155.1(c) further requires the Project to meet
20 one of three additional criteria to be eligible for the SB375 exemption. The Project will
21 provide 8 Very low Income or lower units resulting in more than 5% of the 144-overall
22 number of dwelling units provided to Very Low Income or lower households. All restricted
23 affordable units within the Project, both in Culver City and Los Angeles, are covenanted
24 for 55 years.

25 The Project is within the scope of the adopted SCPE and the circumstances under which the
26 SCPE was prepared have not significantly changed, and no new significant information is found
27 that affects the SCPE. Therefore, no additional environmental analysis is required; and,

28 **WHEREAS**, on August 24, 2022, after conducting a duly noticed public hearing
29 on the subject application, including full consideration of the application, plans, staff report,
environmental information and all testimony presented, the Planning Commission (i) by a vote
of 4 to 1, adopted Sustainable Communities Project Exemption, in accordance with CEQA,
finding the Project will not result in significant adverse environmental impacts; (ii) by a vote of

1 4 to 1, conditionally approved Site Plan Review and Administrative Use Permit, P2021-0103—
2 SPR/AUP; (iii) by a vote of 4 to 1, recommended to the City Council approval of Density and
3 Other Bonus Incentives, P2021-0103- DOBI; and (iv) by a vote of 4 to 1, as part of the DOBI
4 recommendation, recommended the City Council approval of the following Concessions in
5 return for 5 very low income and 11 workforce units:
6

- 7 I. Relief from the 56 FT height limit to allow a height of 67 FT and an additional 5 FT of
8 parapet wall.
- 9 II. Relief from setbacks to:
 - 10 a. Allow a 0-setback on portions of the street facing levels above the ground floor
11 that normally require a 5-foot setback above the street facing ground level.
 - 12 b. Allow a 0-setback for the rear portion of the Project abutting the Los Angeles
13 portion of the Project that has a residential Zone and that would normally require
14 a 10-foot setback for the first 15 feet of height followed by a 60-degree clear zone
15 above the 15 feet.; and,

16 **WHEREAS**, on October 10, 2022, after conducting a duly noticed appeal hearing,
17 including full consideration of the staff report and all testimony presented, the City Council by
18 a vote of 5 to 0, adopted a Resolution denying an appeal of the CEQA determination and
19 affirming the Planning Commission’s adoption of a CEQA SCPE for the Project 12727
20 Washington Boulevard; and,

21 **WHEREAS**, on October 24, 2022, after conducting a duly noticed public hearing
22 on the aforementioned DOBI, including full consideration of the applications, plans, staff
23 reports, environmental finding, Planning Commission recommendation, and all testimony
24 presented; the City Council (i) by a vote of ___ to ___, determined that the circumstances under
25 which the SCPE was prepared and adopted by the Planning Commission have not significantly
26 changed, and no new significant information has been found that would impact the SCPE;
27 therefore, no additional environmental analysis is required; (ii) by a vote of ___ to ___,
28 approved Density and Other Bonus Incentives, P2021-0103-DOBI, subject to Conditions of
29

1 Approval referenced herein below; and (iii) by a vote of ___ to ___, the City Council approved the
2 following concessions as part of the DOBI approval:

- 3 I. Relief from the 56 FT height limit to allow a height of 67 FT and an additional 5 FT of
4 parapet wall.
- 5 II. Relief from setbacks to:
 - 6 a. Allow a 0-setback on portions of the street facing levels above the ground floor
7 that normally require a 5-foot setback above the street facing ground level.
 - 8 b. Allow a 0-setback for the rear portion of the Project abutting the Los Angeles
9 portion of the Project that has a residential Zone and that would normally require
10 a 10-foot setback for the first 15 feet of height followed by a 60-degree clear zone
11 above the 15 feet.

12 as set forth herein below.

13 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CULVER CITY,
14 CALIFORNIA, RESOLVES AS FOLLOWS:

15 **SECTION 1.** Pursuant to the foregoing recitations and the provisions of the
16 Culver City Municipal Code (CCMC), as outlined in CCMC Title 17, Section 17.580.020, the
17 following required findings for a Density and Other Bonus Incentives are hereby made:

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

20 The Culver City General Plan Land Use Element designates the property General
21 Corridor. The property is zoned Commercial General which permits the proposed mixed-
22 use development. The application includes concessions to allow relief of certain
23 development standards to ensure affordable and workforce housing as required under
24 State Density Law. Both the residential component and commercial ground floor activity
25 are consistent with General Plan Land Use Objective 24 and Policy 24.F that encourage
26 protection and enhancement of residential and business uses in the City's Western Sub-
27 Area and emphasize retail neighborhood uses along Washington Boulevard between
28 Redwood Avenue and Washington Place. The Project is consistent with General Plan
29 Land Use Objective 6 – Commercial Corridors – because the mixed-use development
will revitalize the physical character and economic wellbeing of this specific portion of
the west Washington Boulevard corridor by repurposing vacant dilapidated parcels that
breaks the pattern of an otherwise active corridor.

The Project's housing component is consistent with various Housing Element policies.
It implements the Housing Element quantified objectives and Regional Housing Needs
Assessment (RHNA) 6th Cycle, 2021 to 2029 by providing 5 of the 554 very low-income
units and 99 of the 1,069 above market rate units that includes 11 workforce housing

units, as noted below:

Table 44: Quantified Objectives

	Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
New Construction	554	554	604	560	1,069	3,341
Preservation	30	30	60	0	0	120
Conservation	29	30	134	38	0	231

More specifically, the housing component implements Objective 2 – Housing Supply by expanding opportunities for a variety of housing types such as provisions for studio, one-bedroom, and 2-bedroom units, all of varying sizes. The housing’s proximity to Culver City Bus Line 1 and Metro Line 33, both of which connect with the Metro E Line (Expo) Culver City station furthers Policy 2.B that promotes housing access to the LA Metro E Line Culver City Station. The Project design, as noted above in previous Findings, is compatible with surrounding commercial and mixed-use developments such as the Lucky mixed-use development across Meier Street as called for in Policy 2.C that promotes mixed use residential developments that are compatible with nonresidential uses in the area. Use of State Density Law lower parking requirements is consistent with Policy 2.G that promotes reduced parking requirements to incentivize production of affordable housing. The Project’s 5 very-low-income units, 11 workforce units, and 88 market rate units provides a diverse range of rental housing opportunities meeting the needs of Culver City’s varied socioeconomic segments, consistent with Objective 3. - Housing Affordability. The Project executes Policy 3.A because it involves granting a density increase and relief from Zoning Code required height limits and setbacks through concessions, as called for by the Zoning Code and the State Density Bonus law in return for affordable housing units for a period of 55 years.

These density increases are consistent with expected development thresholds and build-out projections as delineated in the Culver City 1996/2000 General Plan Land Use Element, the SCAG’s Connect SoCal 2020 (2020–2045 Regional Transportation Plan/Sustainable Communities Strategy), the SCAG/HCD Regional Housing Needs Assessment 6th Cycle, 2021 to 2029, and the SCAQMD 2016 Air Quality Management Plan (AQMP).

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

The Site provides adequate onsite pedestrian and vehicular circulation and complies with Zoning Code and State Density Law requirements. Potential off or on-site circulation hazards are reduced because the Project provides adequate space, surface area, and pedestrian and vehicle paths and driveways to ensure elimination of conflicts between Project residents and businesses and surrounding commercial and residential

1 developments. Adequate sidewalks, residential only lobbies with elevators, and interior
2 courtyards and walkways assure pedestrian access that is separated from the Project's
3 ground floor commercial spaces. The use and enjoyment of neighboring developments
4 are not negatively impacted or interfered with, as the new ground floor commercial
5 spaces will add to the existing commercial uses along the west Washington corridor.

6 Concessions will not be detrimental to the public interest, health, safety, and general
7 welfare because such relief of code requirements allowed under State Density Bonus
8 Law will result in 5 very low income and 11 workforce units, which are necessary to
9 achieve Culver City's housing needs and the regional housing needs as directed by the
10 6th RHNA Cycle. Further, massing of the Project, will be oriented to the south and west
11 facing commercial areas, and away from the north and east facing multi-family
12 residential areas. The 67-foot height limit is consistent with the Lucky mixed-use
13 development, across the street, that is only 1 floor less in height than this project. The
14 Project in both Los Angeles and Culver City is designed as one development and
15 setback relief the rear Culver City portion facing the Los Angeles portion does not affect
16 the project and is internal to the Project, thereby no impacting surrounding properties.

17 The Project replaces a dilapidated, semi vacant site to a new ground floor commercial
18 space and 104 residential uses including affordable dwellings. The conditions of
19 approval and compliance with all CCMC requirements and other City standards and
20 guidelines will ensure the Project will not be a detriment to the public interest, health,
21 safety, or general welfare, or injurious to persons, property, or improvements in the
22 vicinity and zoning district in which the property is located. The use of both Community
23 Benefits and State Density Bonus Law density increases will compliment any future
24 mixed-use projects in the west Washington Boulevard corridor that may seek to increase
25 their density in similar fashion. Further, by increasing housing density on the site and
26 providing 5 affordable housing units and 11 workforce housing units, the Project will be
27 in the best interest of the public health, and general welfare.

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

The site is in an existing urbanized neighborhood, and is currently characterized as a
semi vacant, dilapidated site. Public facilities to the site currently exist and will be
upgraded, augmented, and/or replaced as required by project conditions. City review
of the Project did not determine that upgrades to the existing facilities could not be
achieved. Further, the existing and proposed public service facilities necessary to
accommodate the Project such as: the width and pavement of the adjoining streets,
traffic control devices, sewers, storm drains, sidewalks, streetlights, proposed street
trees, fire protection devices, and public utilities are provided for adequately as
confirmed by the City agencies that reviewed the Project during the interdepartmental
review process. Finally, the Project will upgrade a dilapidated and semi vacant property.

**D. Adequate evidence exists to ensure that the development of the property would
result in the provision of affordable housing in a manner consistent with**

1 **Government Code, Section 65915, or as may be amended, and the purpose and**
2 **intent of this Title.**

3 The Project's base density per the Zoning Code Mixed Use standards and after
4 community benefits that provide 11 workforce housing units, is 51 units. Based on State
5 Density Bonus Law, the applicant is requesting a 50% density increase in return for
6 reservation of 5 very low-income households. The Project proposes a density increase
7 of 26 units for a total of 77 units and an additional 27 units using both the Culver City
8 and Los Angeles portions to determine overall maximum density in Culver City. The
9 Project's 5 very low-income units will be covenanted for 55 years for very low-income
10 individuals or households. The covenant requiring affordability for 55 years will be a
11 Project condition. Adequate evidence exists to ensure that the development of the
12 Project site will result in the provision of affordable housing in a manner consistent with
13 Government Code, Section 65915.

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

16 The Project will result in 104 units with 5 of those units covenanted for 55 years for very
17 low-income individuals or households. The covenant requiring affordability for 55 years
18 will be a Project condition and will be administered by the City's Housing Authority to
19 ensure compliance with State affordable housing law including residents of these units
20 meeting very low-income criteria. Certificates of Occupancy will not be granted until
21 covenants are recorded with the County and the Housing Authority has approved the
22 selection process for the tenanting of the Affordable units.

23 **SECTION 2.** Pursuant to the foregoing recitations and findings, the City Council
24 of the City of Culver City, California, hereby approves Density and Other Bonus Incentives,
25 P2021-0103-DOBI,, including concessions noted above; subject to the conditions of approval
26 set forth in Exhibit A to Planning Commission Resolution No. 2022-P017; and the applicable
27 code requirements set forth in Exhibit B to Planning Commission Resolution No. 2022-P017.
28 The site and floor plans approved by the Planning Commission on August 24, 2022, and
29 Exhibits A and B, are collectively referred to as "Project Requirements."

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1 **SECTION 3.** The Project Requirements are hereby imposed on the proposed
2 mixed-use development and Density and Other Bonus Incentives at 12727 Washington
3 Boulevard.


4 APPROVED and ADOPTED this 24th day of October 2022.

7 _____
8 DR. DANIEL LEE, Mayor
9 City of Culver City, California

10 ATTESTED BY:

10 APPROVED AS TO FORM:

11
12 _____
13 JEREMY GREEN, City Clerk

11  for
12 _____
13 HEATHER BAKER, City Attorney