

RESOLUTION NO. 2017-R\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, APPROVING DENSITY BONUSES AND OTHER BONUS INCENTIVES, P2016-0072-DOBI, AS REQUIRED BY STATE DENSITY BONUS LAW, ALLOWING AN INCREASE IN RESIDENTIAL DENSITY IN RETURN FOR THE INCLUSION OF TWO LOW INCOME AFFORDABLE UNITS WITHIN A MIXED USE PROJECT CONSISTING OF A FOUR-STORY, 48,422 SQUARE FOOT BUILDING WITH 14 MULTI-FAMILY RESIDENTIAL DWELLING UNITS ABOVE 4,898 SQUARE FEET OF GROUND FLOOR RETAIL COMMERCIAL SPACE AND 14 AT GRADE AND 31 SUBTERRANEAN PARKING SPACES, WHICH INCLUDES TANDEM PARKING SPACES, AT 11281 WASHINGTON PLACE IN THE COMMERCIAL GENERAL (CG) ZONE.

(Density Bonuses and Other Bonus Incentives, P2016-0072-DOBI)

WHEREAS, on April 20, 2016, Washington Place, LLC (the "Applicant") filed applications for a Site Plan Review (SPR), Administrative Use Permit (AUP), and Density Bonuses and Other Bonus Incentives (DOBI) to allow the development of a new four-story, 48,422 square foot mixed use project building consisting of 14 multi-family residential dwelling units with two of those units reserved as low income affordable, above 4,898 square feet of ground floor retail commercial space with surface and subterranean parking, including tandem parking (the "Project"). The Project site is located at 11281 Washington Place and is described as Lots 371, 372, 373, 374 and 375 of Tract No. 6936 and with Los Angeles County Assessors Number 4214-002-040, in the City of Culver City, County of Los Angeles, State of California; and,

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

1           1.     Site Plan Review: for the construction of the proposed mixed use building  
2 consisting of 14 multi-family residential dwelling units above 4,898 square feet of ground  
3 floor retail commercial space with surface and subterranean parking, to ensure the Project  
4 complies with all required standards and City ordinances, and to establish all onsite and  
5 offsite conditions of approval necessary to address the site features and ensure  
6 compatibility of the proposed Project with the development on adjoining properties and in  
7 the surrounding neighborhood;

8           2.     Density Bonuses and Other Bonus Incentives: for the construction of the  
9 proposed mixed use building consisting of 14 multi-family residential dwelling units, two  
10 of which will be reserved as affordable units, to ensure implementation of State law  
11 requirements for density bonuses and other bonus incentives and the goals and policies  
12 of the Housing Element of the City's General Plan and,

13           3.     Administrative Use Permit: for the striping of tandem parking spaces in the  
14 subterranean parking level, to ensure that the use of tandem parking spaces for some of  
15 the Project's required parking is in compliance with all required standards and City  
16 ordinances and establish conditions of approval to ensure the use is compatible with the  
17 Project site and surrounding area; and,

18           WHEREAS, on March 22, 2017, after a duly noticed public hearing on the  
19 subject applications, including full consideration of the applications, plans, staff report,  
20 environmental information and all testimony presented, the Planning Commission (i)  
21 adopted a Class 32 Categorical Exemption, in accordance with the California  
22 Environmental Quality Act (CEQA), finding the Project will not result in significant adverse  
23 environmental impacts; and (ii) adopted Resolution No. 2017-P007, conditionally  
24 approving Site Plan Review, P2016-0072-SPR and Administrative Use Permit, P2016-  
25 0072-AUP, and recommending to the City Council approval of Density Bonuses and  
26 Other Bonus Incentives, P2016-0072-DOBI; and,

27           WHEREAS, on May 30, 2017, after conducting a duly noticed public hearing  
28 on the aforementioned DOBI request, including full consideration of the applications,  
plans, staff reports, environmental finding, Planning Commission recommendation, and  
all testimony presented; the City Council (i) by a vote of \_\_\_\_ to \_\_\_\_, determined that no  
new information has become available and no changes in the proposed Project have

1 been made since the Planning Commission adopted the Class 32 Categorical Exemption  
2 and, therefore, no additional environmental analysis is required and (ii) by a vote of \_\_\_\_  
3 to \_\_\_\_, approved Density Bonuses and Other Bonus Incentives, P2016-0072-DOBI,  
4 subject to Conditions of Approval referenced herein below.

5  
6 NOW, THEREFORE, the City Council of the City of Culver City, California,  
7 DOES HEREBY RESOLVE as follows:

8 Section 1. Pursuant to the foregoing recitations and the provisions of  
9 Culver City Municipal Code (CCMC) Title 17, Section 17.580.020, the following required  
10 findings for a Density Bonuses and Other Bonus Incentives request are hereby made:  
11

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

14 The mixed use project with ground floor commercial retail uses is consistent with  
15 General Plan Land Use Objective 24, Objective 5, and Objective 6, because it will  
16 protect and enhance residential and business uses within the City's Western Sub-  
17 Area, encourage new business opportunities, and revitalize the physical character  
18 and economic wellbeing of this specific commercial corridor. This Project is  
19 consistent with the General Plan Housing Element which calls for an increase in  
20 the City's housing stock, especially affordable housing. The City's allocation for  
21 the current California State Regional Housing Needs Assessment (RHNA) cycle is  
22 185 units. Of those 185 expected units, 29 are targeted for low income households  
23 and 77 are targeted for market rates. This Project will address a portion of Culver  
24 City's share of the RHNA by constructing 12 market rate units and two low income  
25 affordable units. The Project is consistent with Housing Element Objective 2 –  
26 Housing Supply/Policy 2.D – because it will promote mixed use residential  
27 development in an area that allows mixed use while being sensitive to adjacent  
28 residential uses. Policy 2.D also calls for reinforcing the commercial nature of the  
area which the ground floor retail accomplishes. The Project is consistent with  
Objective 3 of the Land Use Element which encourages affordable housing  
because the Project is providing two low income affordable units. The granting of  
a density increase and a concession or relief from CCMC required setbacks and  
encroachment limits are consistent with Land Use Element Policy 3.A and Housing  
Element Policy 3A that call for providing incentives for the development of new  
affordable housing consistent with State Density Bonus Law. Support for the  
construction of two low income residential units within a private development  
project that includes twelve other market rate residential units is consistent with  
Housing Element Policy 3B – active support of affordable housing development by  
private developers, and Housing Element Policy 3C – balanced geographical

1 distribution of low-income housing in order to eliminate high concentration of any  
2 one type of household. The Project is consistent with General Plan Housing  
3 Element Measure 4.A. which calls for the City to work with developers who wish to  
4 process DOBI applications.

5 The density increase that results in two low income affordable dwellings is  
6 consistent with state and local laws and policies as noted above. The density  
7 increase is consistent with expected thresholds of development and build-out  
8 projections as delineated in the General Plan Land Use Element, the SCAG 2016-  
9 2040 RTP/SCS, the SCAG/HCD Regional Housing Needs Assessment for the  
10 2013-2021 Housing Cycle, and the SCAQMD 2012 AQMP.

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

14 The site provides adequate onsite circulation and parking in compliance with all  
15 Zoning Code requirements and will not produce any vehicular or pedestrian  
16 hazards. No off-site circulation hazards are presented by the proposed Project  
17 since access points are designed to ensure elimination of conflicts between the  
18 majority of vehicles entering the surface parking and vehicles entering the  
19 subterranean parking. Adequate sidewalks, an elevator and lobby, and interior  
20 courtyards and walkways assure pedestrian access that is separated from the  
21 vehicular access points. The use and enjoyment of neighboring development is  
22 not negatively impacted or interfered with, as the building is separated by a 20 foot  
23 wide alley at the rear facing residential areas, is stepped backed from this rear  
24 section by a code compliant 60 degree clear zone, and is treated with minimal  
25 glazing and articulated surfaces and colors to lessen a sense of massing at the  
26 east property line adjacent to a multi-unit residential building.

27 Reduction in the east facing setback and allowed balcony and landing  
28 encroachments into the five foot step back above the ground floor commercial level  
will not be detrimental to the public interest, health, safety, and general welfare  
because such relief of code requirements allowed under State Density Bonus Law  
will result in two low income units, which is needed in the area. Further, massing  
of the Project is shifted towards Washington Place and Sawtelle Boulevard and  
away from residences, with the code compliant 60 degree clear zone step back at  
the rear, build out to property lines at the street facing and east facing frontages  
with a five foot step back above the ground floor commercial level, absence of  
storefront glazing at the east frontage facing an apartment, and articulated  
surfaces and color patterns with minimal glazing above the ground floor  
commercial level at the east frontage. The 45 foot height limit and zero setback at  
the street frontages is consistent with Mixed Use standards and Commercial  
General development standards. Articulation with some street level commercial  
alcoves, residential balconies, and exposed residential landings, catwalks, and  
stair cases help soften the overall building massing.

1 The Project's articulated surfaces and colors, code compliant maximum height,  
2 use of landscaping where possible, street trees, and potted plants will provide an  
3 additional buffer between adjoining properties and the Project. The conditions of  
4 approval and compliance with all CCMC requirements and other City standards  
5 and guidelines will ensure that the proposed Project will not be a detriment to the  
6 public interest, health, safety, or general welfare, or injurious to persons, property,  
7 or improvements in the vicinity and zoning district in which the property is located.  
8 The use of State Density Bonus Law to increase density will compliment any future  
9 proposed mixed use projects in nearby commercial properties that may seek to  
10 increase their density in similar fashion. Further, by increasing housing density on  
11 the site and providing two affordable housing units the Project will be in the best  
12 interest of the public health, and general welfare.

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

15 The site is located in an existing urbanized neighborhood, and is currently vacant  
16 with a dilapidated building. However, public facilities for the site currently exist and  
17 will be upgraded, augmented, and/or replaced as needed. City review of the  
18 Project did not determine that upgrades to the existing facilities could not be  
19 achieved. Further, the existing and proposed public service facilities necessary to  
20 accommodate the Project such as: the width and pavement of the adjoining  
21 streets, traffic control devices, sewers, storm drains, sidewalks, street lights,  
22 proposed street trees, fire protection devices, and public utilities are provided for  
23 adequately as confirmed by the City agencies that reviewed the Project during the  
24 interdepartmental review process. Finally, the Project will result in upgrades to the  
25 surrounding sidewalks, curbs, gutters, public street parking, and alley paving  
26 directly north of the site.

27 **D. Adequate evidence exists to ensure that the development of the property**  
28 **would result in the provision of affordable housing in a manner consistent**  
**with Government Code, Section 65915, or as may be amended, and the**  
**purpose and intent of this Title.**

The Project's base density per the Zoning Code is 10 units. Based on State  
Density Bonus Law, the applicant is requesting a 35% density increase in return  
for reservation of at least 20% of the total base density units for low income  
households. The Project proposes a density increase of 4 units for a total of 14  
units. Twenty percent of the base 10 units will be made affordable to low income  
households or individuals. This equates to  $20\% \times 10 = \text{two units}$ . The Project will  
result in 14 units with two of those 14 units covenanted for 55 years for low income  
individuals or households. The covenant requiring affordability for 55 years will be  
a Project condition. Adequate evidence exists to ensure that the development of  
the property would result in the provision of affordable housing 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 The Project will result in 14 units with two of those 14 units covenanted for 55 years  
4 for low income individuals or households. The covenant requiring affordability for  
5 55 years will be a Project condition and will be administered by the City's Housing  
6 Authority to ensure compliance with State affordable housing law including  
7 residents of these units meeting low income criteria.

8 SECTION 2. Pursuant to the foregoing recitations and findings, the City  
9 Council of the City of Culver City, California, hereby approves Density Bonuses and Other  
10 Bonus Incentives, P2016-0072-DOBI; subject to the conditions of approval set forth in  
11 Exhibit A to Planning Commission Resolution No. 2017-P007.

12 APPROVED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

13  
14 \_\_\_\_\_  
15 JEFFREY COOPER, Mayor  
16 City of Culver City, California

17 ATTESTED BY:

18 APPROVED AS TO FORM:

19 \_\_\_\_\_  
20 JEREMY GREEN, City Clerk

21   
22 CAROL A. SCHWAB, City Attorney

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24  
25  
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