

REGULAR MEETING OF THE
PLANNING COMMISSION
CULVER CITY, CALIFORNIA

March 8, 2017
7:00 p.m.

Call to Order & Roll Call

Chair Voncannon called the meeting of the Planning Commission to order at 7:02 p.m.

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

*Commissioner Ogosta arrived at 7:07 p.m.

Absent: Scott Wyant, Commissioner

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Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Jim B. Clarke.

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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 Special Joint City Council and
Planning Commission Meeting of January 25, 2017**

This item was continued due to the lack of a quorum.

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Public Hearings

Item PH-1

**PC - Zoning Code Amendment P2017-0032-ZCA -Proposed
Amendments to Zoning Code Section 17.210.015 - Residential
Zoning District Land Uses and Permit Requirements and Zoning
Code Section 17.400.095 - Residential Uses - Accessory
Dwelling Units**

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

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: LACHOFF, SAYLES, VONCANNON

NOES: NONE

ABSENT: OGOSTA, WYANT

Chair Voncannon invited public comment.

No cards were received and no speakers came forward.

Chair Voncannon received clarification that the item would be
continued to March 22, 2017.

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Item PH-2

**PC - Administrative Site Plan Review, P2016-0200-ASPR and
Tentative Parcel Map, P2016-0200-TPM, for the construction of
a two-story, three-unit condominium subdivision at 4234
Sawtelle Boulevard in the Medium Density Multiple Family
Residential (RMD) Zone**

Peter Sun, Assistant Planner, provided a summary of the material of record.

Commissioner Ogosta arrived at 7:07 p.m.

Chair Voncannon disclosed that he had discussions with Vicky Balthazar, he had visited the project site, and he reported distribution of information submitted by Ms. Balthazar to Commissioners.

Discussion ensued between staff and Commissioners regarding clarification on the organic waste bin condition.

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:

Aaron Brimmer, project architect, reviewed the evolution of the project; design revisions made in response to community meetings; and he detailed sustainability aspects of the project.

Discussion ensued between the speaker, staff and Commissioners regarding design and programming revisions and whether the applicant felt the product had been compromised; differences in renderings; gates on the driveway and front staircase; traffic and construction management; and noise mitigation due to freeway proximity.

Vicki Batzer, resident, noted that concerns voiced at the community meetings had not been addressed; she discussed concerns with setbacks; deep excavation; the Shell pipe line; safety; parking; congestion; she described the block as very dense and the multi-family project as not in keeping with the single-family neighborhood; she reported that requests for insurance had been denied; discussed a deadly explosion in 1976; she reported cracks and fissures throughout the

neighborhood which the project would exacerbate; and she received clarification that her email had been distributed to the Commission.

Donie Vanitzean, resident, provided background on herself; voiced her opposition to the project noting that it would live in perpetuity; discussed traffic problems; promises that would be made and not kept; lack of accountability; alleys; a recent murder in the area; jurisdictional issues due to the project's proximity to the Los Angeles border; freeway off-ramp and cut-through traffic in the alley; parking issues; she asserted that the lot was distressed; discussed zero lot lines; subsidies; foreclosure rates of common-interest developments; and the project as not in keeping with the single-family home character of the neighborhood.

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 Engineering Services Manager's review of and response to the cracks in the street and driveway; information on the Shell pipeline under Sawtelle Boulevard; and construction requirements.

Donna Paul, resident, provided information on the pond located near the project site.

Further discussion ensued between staff and Commissioners regarding protocol for damage done to adjacent property in the course of construction; measures to allow the Building Official to stop the project until the issue can be examined; and adding a condition to provide an emergency number for the contractor for use in case of any construction emergencies.

MOVED BY COMMISSIONER LACHOFF THAT THE PLANNING COMMISSION RE-OPEN THE PUBLIC HEARING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: LACHOFF, SAYLES, OGOSTA, VONCANNON

NOES: NONE
ABSENT: WYANT

Chair Voncannon invited public comment.

The following members of the audience addressed the Commission:

Lucila Solano, resident, expressed concern with the construction impact on her property and voiced opposition to the project's balconies citing privacy issues with her grandchildren.

Gary Reissman, resident, voiced concern that this project could open the door for more multi-family, multi-floor projects on this section of Sawtelle, which is currently single-family, single-floor homes.

Alan Elliot, Asset Integrity Manager, Shell Pipeline, reported that they were just made aware of the project and he asked for detailed construction drawings to determine any potential impacts.

Discussion ensued between the speaker and Commissioners regarding the pipeline location; contents of the pipeline; the location of the shut off valves; and clarification that the line runs from Carson to Van Nuys where gas is then distributed to local stations via trucks.

Alexia Sparling, resident, voiced opposition to the project due to its potential negative effect on the community as it stands.

Donna Paul, resident, spoke of her love for the community and the amount of time and money they spent to restore her home to its original state in order to stay in keeping with the neighborhood, and she voiced opposition to the project as not fitting in with the neighborhood.

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

Discussion ensued between staff and Commissioners regarding the secondary highway designation, street width and residential components of Sawtelle in this area that may affect requirements; whether any City utilities run alongside and between the Shell pipeline and the sidewalk; concerns regarding construction, construction parking and staging; the amount of revisions to the project; whether the project is appropriate; and observation that the area is not typical of other parts of the City; clarification that the project is in compliance with zoning code; the area problems being a larger issue than this single project; adding conditions to address construction staging and parking; widening Sawtelle; depth of the lot; required setbacks; adding security gates to the stairway and driveway; coordination with Shell on construction including emergency contact information; congestion on Sawtelle; jurisdiction of the Commission; EV charging conditions; bike parking; and an assertion that the project meets all requirements and there is no reason not to approve.

Further discussion ensued between staff and Commissioners regarding requiring pre-construction meetings with the neighbors within one block of the project; photo documentation of existing conditions on three adjacent lots; access; current provisions in the building code regarding damage to adjacent properties; indemnities; attempts to resolve damage claims; and concern with false claims.

The following conditions were agreed upon by Commission:

1. Ensure that offsite staging, construction parking, and hauling is addressed in the Construction Management Plan (CMP).
2. Provide contact information for the builder on the site, with a 24-hour emergency number.
3. Planning Commission review of the CMP as an informational item after it has been vetted by staff.
4. Inclusion of a security gate at the driveway.
5. Having a coordination meeting with Shell Oil to advise of the location and timing of the excavation and obtain information in the shutoff location in the event it is necessary.
6. Sound mitigation in the units through the glazing system.

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

1. ADOPT A CLASS 3 AND CLASS 15 CATEGORICAL EXEMPTION FOR THIS PROJECT PURSUANT TO CALIFORNIA ENVIRONMENTAL QUALITY ACT SECTION 15303 NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES AND SECTION 15315 MINOR LAND DIVISIONS.

2. APPROVE ADMINISTRATIVE SITE PLAN REVIEW, P2016-0188-ASPR AND TENTATIVE PARCEL MAP NO. 74728, P2016-0188-TPM, SUBJECT TO THE CONDITIONS OF APPROVAL AS STATED IN RESOLUTION NO. 2017-P001 (ATTACHMENT NO. 1) AND ADDITIONAL CONDITIONS AS AGREED UPON BY THE PLANNING COMMISSION.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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Consent Calendar

Item C-1

Approval of Minutes for Special Joint City Council and Planning Commission Meeting of January 25, 2017

MOVED BY COMMISSIONER LACHOFF AND SECONDED BY COMMISSIONER OGOSTA THAT THE PLANNING COMMISSION APPROVE THE MINUTES FOR THE SPECIAL JOINT CITY COUNCIL AND PLANNING COMMISSION MEETING OF JANUARY 25, 2017.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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Presentation

Item P-1

Presentation on Traffic Study Criteria

Chair Voncannon explained the origin of the item.

Barry Kurtz, Traffic Engineer, provided details on Culver City's traffic study criteria; discussed new criteria coming with state law SB73; the background of traffic studies; thresholds that trigger traffic studies; the Level of Service (LOS) rating system; delay ratings; trip generations; pass-by trips; internal trip capture; Transit Oriented Development discounts; Transit Demand Management measures; calculations used to determine impacts; significant impact thresholds; the study radius for intersections; residential street criteria; mitigation measures available to developers; traffic criteria due to change in 2019 due to State law requiring the use of Vehicles Miles Travelled (VMT) and greenhouse gases rather than LOS; explanation of VMT and an assertion that it does not tell the whole story; traffic models to assist in gauging VMT; determining impact fees; working towards bringing in a consultant to assist in creating a City model and fee structure based on VMT; and a recommendation that LOS continue to be used in the criteria, even though it would not have an impact nor require mitigation under the California Environmental Quality Act.

Discussion ensued between staff and Commissioners regarding follow-up to traffic studies; the accuracy of traffic study predictions; Culver City as a 'pass-through' city, which makes estimates more difficult; whether developers are being asked to overspend on mitigation based on conservative traffic estimates; the ambient growth estimate; and support for continuing to include LOS in the criteria.

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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

Chair Voncannon reported attending the Planning Academy sponsored by the League of California Cities, and he discussed topics covered.

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Items from Staff

Sol Blumenfeld, Community Development Director, requested that the Commission appoint a representative to participate in the Marijuana Task Force convened by the City Council.

Jesse Mays, City Manager's Office, reported that the first meeting of Marijuana Task Force had not been set.

Susan Yun, Senior Planner, discussed scheduling and items to be considered at upcoming meetings.

Commissioner Lachoff reported that he might be out of town on April 12.

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Adjournment

There being no further business, at 9:01 p.m., the Culver City Planning Commission adjourned to the next regular meeting on Wednesday, March 22, 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