

City of Culver City, California  
**Planning Commission Agenda Item Report**

**ATTACHMENT NO. 4**

Meeting Date: May 13, 2009

Item Number: \_\_\_\_\_ PH 1

**AGENDA ITEM: Site Plan Review and Mitigated Negative Declaration to Allow the Construction of a 43 Foot High, Commercial Building and Parking Structure with 775 Parking Spaces, 41,520 Square Feet of Retail, and 10,000 Square Feet of Restaurant at 8511 Warner Drive in the Industrial General (IG) Zone.**

Contact Person/Dept.: Jose Mendivil,  
Associate Planner; Planning Division

Phone Number: (310) 253-5757

Public Hearing: ☒ [X]

Action Item: ☐ [ ]

Attachments: ☒ [X]

Public Notification: April 22, 2009: sign posted on site; notices mailed to all the property owners and occupants in Hayden Tract and Schaefer Street (beyond 500-foot radius; and notice emailed to the Master Notification List.

Planning Approval:

Thomas Gorham, Planning Manager on 5/4/09  
Sol Blumenfeld, Director

**RECOMMENDATION:**

That the Planning Commission:

1. Adopt a Mitigated Negative Declaration based on the Initial Study (Attachment No. 4) finding that the project will not have a significant adverse impact on the environment provided certain mitigations are implemented; and,
2. Approve Site Plan Review, SPR P-2008047, subject to the Conditions of Approval as stated in Resolution No. 2009-P002 (Attachment No. 7).

**PROCEDURES:**

1. Chair calls on staff for a brief staff report and Commission poses questions to staff as desired.
2. Chair opens the public hearing, providing the applicant the first opportunity to speak, followed by the general public.
3. Chair seeks a motion to close the public hearing after all testimony has been presented.
4. Commission discusses the matter and arrives at its decision.

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**BACKGROUND:**

The proposed project request is a Site Plan Review, to allow the construction of a 43 foot high, commercial building and parking structure with 775 parking spaces, 41,520 square feet of retail, and 10,000 square feet of restaurant in the Hayden Tract at 8511 Warner Drive in the Industrial General (IG) Zone. The project proposes to include:

- Three levels of subterranean parking with some retail;
- One at-grade level with parking and retail/restaurant;
- Second level above grade with parking and retail.

Originally the site was a City owned parking lot that was sold to the applicant/owner. The applicant/owner originally planned to construct a much larger multi-story theatre complex and parking structure on the site. That project request was discontinued in favor of the proposed project. As part of the sale of the lot, the City required that the 242 parking spaces on the lot be covenanted to allow their availability to surrounding businesses.

*Brief History on 8511 Warner Land Sale*

On March 27, 2006 the City sold the 8511 Warner Drive parking lot to Conjunctive Points Warner Development (CPWD), the current property owner, through a Purchase and Sale Agreement. As part of the Purchase and Sale Agreement the City:

- a. Preserved ownership of its half of the adjacent Spur (formally Metro right of way) area (25 feet of its 50 foot total width); and
- b. Required the recording of a covenant upon the property that for a period of ten years:
  - CPWD would be required to lease the existing 242 parking spaces to the public in a fair, equitable, reasonable, and balanced manner.
  - Of the 242 parking spaces, the Willows School is specifically allocated 20 of them.
  - CPWD may relocate the 242 parking spaces anywhere else within the Hayden Tract if they find it necessary to do so.
  - CPWD is required to find substitute parking during redevelopment construction of the site.
  - CPWD may charge a parking rate that is adjusted "from time to time to the then fair market rate based on comparable parking rates charged by public and private parking facilities within the Culver City Downtown area and Hayden Tract" (When the Warner Parking Lot was sold to CPWD a

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rate of \$60 per month per space was being charged by the City. CPWD now charges \$90-\$100 per month, with a new reserved parking option at a cost of \$120 per month).

General Information

See Attachment No. 1, Project Summary

Existing Conditions

The Hayden Tract was historically a manufacturing area that has over the years transitioned to creative office uses. The change from traditional manufacturing to creative office use has created a severe undersupply of parking since the new uses generally have occupied existing buildings without adding additional parking.

The project site, approximately 74,663 square feet in area, is a flat, surface parking lot with 242 parking spaces and is located near the center of Warner Drive, on the north side, between Hayden Avenue and Eastham Drive. The project site is surrounded by commercial, industrial, and educational institutions. More specifically, the site is surrounded to the west by the UCLA School of Art building, to the east by a single story commercial building (currently undergoing tenant improvements), to the north by the former Los Angeles County Metropolitan Transit Authority (Metro) easement (now City Owned) and single story industrial buildings beyond, and to the south by single story commercial and industrial buildings and portions of an elementary school and school gym.

Project Description

The proposed project consists of a 5-level (3 subterranean levels), 2-story, 43-foot high, commercial building and parking structure with 41,520 square feet of retail space, 10,000 square feet of restaurant space, and 775 parking spaces. The parking structure wraps around the retail/restaurant space with 16,371 square feet of retail in the first subterranean level, 5,715 square feet of retail and 10,000 square feet of restaurant in the 1<sup>st</sup> floor ground-level, and 19,434 square feet of retail on the second level. The building/parking structure has a zero setback on all sides except the front street facing façade which is setback five feet.

In the first subterranean level, the retail space surrounds an open courtyard with the first and second levels of retail/restaurant space setback to allow light to enter the subterranean courtyard. This open courtyard along with the first and

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second story decks overlooking the courtyard will serve as potential outdoor dining space. At the very top, in the center of the parking structure, overlooking the second level parking (which is open to the air) is a planned green roof with vegetation and a glass canopy above the courtyard.

The project will provide: code required 119 retail parking spaces and 100 restaurant parking spaces; 242 City covenanted parking spaces to made available for lease to surrounding businesses(if not provided elsewhere in the Hayden Tract during the 10 year covenant period subject to City approval; and 314 excess parking spaces for a total of 775 parking spaces. In addition, several street parking spaces will be eliminated as a result of project related conditions that will require lane restriping and reconfiguration. These street parking spaces to be eliminated will be accommodated within the parking structure which, as noted above, has 314 excess parking spaces.

The project also provides offsite improvements including new curb, gutter, sidewalk, and street trees and will dedicate 3 feet of its street fronting property in order to accommodate an 8 foot wide public sidewalk. Currently the sidewalk fronting the project site on Warner Drive has a substandard width.

**ANALYSIS:**

**Architectural Design**

The project has been designed to conform to all applicable provisions of the Industrial General (IG) Zone and all City development standards. The proposed building will be 43 feet high at the highest point with the second level surface parking deck (open to the sky) built at 14 feet above street grade. Along the Warner Drive street frontage the project will be set back 5 feet and will include a deck area for outdoor dining or lounging. On the sides the project will be built at a zero setback with property line walls and at the rear facing the City owned-former Metro spur, a concrete wall with openings into the parking structure will be built. Currently there are no plans for pedestrian or vehicular access to the former Metro spur area and the Redevelopment Agency is exploring methods to provide additional surface parking in this area

The front façade along with the green roof will offer the most detailed architectural nuances. The portion of the structure that surrounds the retail restaurant space will have an aluminum storefront system with clear glazing, essentially a glass wall with aluminum mullions. At both the street grade and second story level at the front and along the length of the retail/restaurant structure, there will be a concrete deck/catwalk that overlooks the public street on

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one side and the subterranean courtyard on the other side. A portion of the roof over the subterranean courtyard will be open and the rest of the roof will be covered with glass, creating a canopy effect over the courtyard. In the open section over the courtyard, there will be a series of crisscrossed steel beams from which laminated curved glass cylinders will be suspended. These suspended glass cylinders will be about 2 feet in diameter with varying lengths (the longest cylinders will be approximately 16 feet). The glass ceiling and suspended cylinders will satisfy the Art in Public Places requirement for this project. In addition to the glass ceiling/glass cylinders, the rest of the roof will be a "green roof" with extensive low profile vegetation to moderate temperature in the structure. Overall the project will have a low profile modern look with the second level parking (surrounding the second level retail space) positioned 14 feet above grade at its highest point about. With perimeter walls the height of the second story parking will be at most 22 feet above grade surrounding a structure that is 43 feet above grade at its highest point. The key material features of the structure are concrete, glass, aluminum, and low profile vegetation.

#### Parking

The project's on-site parking meets the parking requirements of the Zoning Code for commercial uses (retail and restaurant), including the total number of vehicle spaces, the dimensions of those spaces, and the drive aisle width. Per the Zoning Code, the retail portion of the project requires 119 parking spaces and the restaurant portion requires 100 parking spaces. In addition, per a Redevelopment Agency sale agreement an additional 242 parking spaces must be covenanted and made available for lease to surrounding businesses. At a total of 775 parking spaces provided, there is an excess of 314 parking spaces, thereby providing more than the minimum code required parking. The applicant intends to make the excess parking available to the public and surrounding businesses. Bicycle parking will also be provided within the parking structure.

Approximately 20 to 23 street parking spaces will be lost along Warner Drive as a result of traffic mitigations that will require re-striping of Warner Drive to add left and right turn lanes. This re-striping will require that un-metered angled street parking spaces be re-striped as parallel street parking spaces or that parallel street parking spaces be eliminated all together. Although the loss of public parking spaces may seem significant, the project as noted has 314 excess parking spaces that will be made available to the public and surrounding businesses. In addition, parallel parking is desirable from a safety standpoint, in lieu of angled parking as is the case currently on Warner Drive.

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Traffic and Circulation

A traffic impact analysis was conducted for the project by KOA Corporation and reviewed and accepted for scope and content by the City's Traffic Engineer.

According to the KOA February 23, 2009 Traffic Impact Analysis (Traffic Study) for the proposed project, the project is expected to generate 2,006 Daily Trips, 43 AM Peak Hour trips, and 140 PM Peak Hour trips. This estimated future PM Peak trip count is above 50 trips and a traffic study was required for the project. The City of Culver City has established guidelines to determine if a project will have significant impact at a specific location in terms of project related increases in volume-to-capacity (V/C) ratio. The threshold criteria is as follows:

| Level Of Service* | Final V/C**   | Project Related V/C Increase (or threshold of significant impact) |
|-------------------|---------------|---|
| D                 | 0.801 – 0.900 | Equal to or greater than 0.040                                    |
| E and F           | 0.901 or more | Equal to or greater than 0.020                                    |

\* LOS D is Fair Traffic Movement; LOS E is Poor Traffic Movement; LOS F is Failed Traffic Movement (tremendous traffic delays).

\*\* Final V/C is the ratio at an intersection, considering traffic from the project, ambient and related project growth, and without proposed traffic mitigations.

Of the 19 intersections studied, only one was determined to be significantly impacted in the AM Peak because of the project related traffic along with traffic from related projects and future growth. The intersection of Hayden Avenue and Warner Drive is expected to have a V/C increase of 0.028 and is further expected to go from LOS E to LOS F. The V/C increase of 0.028 is greater than the 0.020 V/C threshold of significance. None of the 19 intersections are expected to meet or exceed the V/C ratio increase level of significance for the PM peak.

Proposed mitigations that are expected to lessen the impact to less than significant includes the following restriping actions: along Warner Drive between Hayden Avenue and the project entrance, installation of a left turn lane into the project site; on westbound Warner Drive, installation of a left turn lane onto south bound Hayden Avenue; on southbound Hayden Avenue, installation of a left turn lane onto east bound Warner Drive; and on north bound Hayden Avenue, installation of a right turn lane onto east bound Warner Drive.

The Traffic Study shows that the restriping mitigations, which will result in a smoother flow of traffic, will also result in a V/C decrease for the AM Peak at the

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Hayden Avenue/Warner Drive intersection of -0.068 – well below the threshold of significance. The PM Peak V/C decrease result of -0.018 is also below the threshold of significance. In addition to these mitigations, the project applicant will be required to post a bond for the future installation of a traffic signal at the Hayden Avenue/Warner Drive intersection. The Metro Exposition Light Rail Project, expected to be completed in 2010, will include signalization of National Boulevard and Eastham Drive and traffic signal modifications at National Boulevard and Jefferson Boulevard. These traffic enhancements may affect the traffic patterns at the intersection of Hayden Avenue/Warner Drive and therefore after full occupancy of the project, the City will conduct traffic counts at the intersection to determine if a traffic signal is warranted. If warranted the project applicant will be responsible for the design and construction of the signal; if not warranted the bond will be returned to the applicant.

During construction inadequate emergency access could occur because of construction related street closures and traffic delays. In order to mitigate this impact to less than significant, the applicant will be required to submit a Construction Staging and Traffic Plan prior to issuance City permits. This plan will include information on staging and local haul routes; number of truck trips such as material evacuation, steel delivery, concrete pour and other deliveries; street/lance closures; pedestrian circulation and traffic control; duration of construction activities/hours of operation; construction parking plan; prohibition of on-street parking by construction workers; and a parking plan.

With both the re-striping mitigations, the bond for a potential future Traffic Signal at Hayden Avenue and Warner Drive, and the Construction Staging and Traffic Plan, overall traffic impacts to the surrounding area will be reduced.

With regards to Congestion Management Plan (CMP) requirements, the nearest CMP arterial monitoring intersections (implemented by the Los Angeles County Metropolitan Transportation Authority - Metro) to the project site are the intersections of La Cienega Boulevard and Jefferson Boulevard and Venice Boulevard and Overland Avenue. Based on the incremental project trip generation estimates, the proposed project is not expected to add 50 or more new trips per hour to these locations in either direction during morning and afternoon peak hours which is below Metro's threshold for further CMP analysis.

With the lane restriping as noted above, access to and from the site will be adequate and traffic is expected to flow easier than had no re-striping been required. Further, parking spaces and aisle widths all meet code minimum dimensions assuring internal circulation will be adequate. With several businesses in the Hayden Tract that are within walking distance to the site, adequate public sidewalks and pedestrian crosswalks exist that will allow easy

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pedestrian access and circulation to and from the site. Further, with excess parking, there exists the possibility that local businesses will have the ability to lease parking spaces at the site. This could potentially relieve street parking in the Hayden Tract, thereby lessening street parking congestion and easing circulation overall in the area.

Security

The project will be required to have in place a security plan that includes on-site security and the plan will require that it be approved by the Culver City Police Department and the Planning Division. In addition there will be lighting throughout the parking structure as well as a parking toll booth that will act as a security measure.

Area Compatibility

The project site is located in the Industrial General (IG) Zone and is within an area consisting of light industrial and commercial uses. The proposed project is consistent with the Culver City General Plan Land Use Element which has a General Plan land use designation of Industrial. Although there are industrial uses in the areas surrounding the project site, there is a trend in the area to convert traditional industrial uses to light and clean industrial and commercial uses (office, design, and architecture). The proposed project with its restaurant and retail spaces would be consistent with this trend and would provide a resource to the nearby community by adding parking spaces, retail space, and restaurant amenities. Such a commercial community serving resource is encouraged in the Industrial description of the Land Use Element. The project as proposed is consistent with the Zoning Code – the height, setbacks, parking, and proposed uses are all allowed in the IG Zone as noted in the code.

At a maximum of 43 feet in height towards the center of the structure and 22 to 24 feet in height from grade to the second level parapet wall (and outside parking deck), the development will blend in the area that has surrounding single and two story industrial designed buildings with uses ranging from a private school and a university art school to industrial and office uses. With several buildings in the Hayden Tract having gone through façade improvements (or that are currently undergoing such improvements), this project with its modern concrete material, glass walls, and angled edges will compliment those structures that have been given façade improvements with similar modern designs, lines, and material. The convex like shape of portions of the roof containing the green roof will mimic some of the bow tress roofs in the area that are common for industrial buildings. There are no residential uses in the Hayden Tract and as such the project's design should not create impacts to residential uses. The street facing façade



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with the modern glass walls, courtyard, and suspended glass cylinders will provide a strong presence in the neighborhood. The parking structure portion of the project with its concrete look and straight lines is designed to be functional and consistent with surrounding bow tress, industrial and warehouse designed buildings.

Landscaping

As a parking structure surrounding retail and restaurant space there is not much room for landscaping. Public Works will require that the sidewalk fronting the project be planted with street trees consistent with the Street Tree Master Plan. A key on-site feature will be a green roof that will provide low profile and sun tolerant vegetation. This green roof will be above the second level retail space and will surround the glass roof and suspended glass cylinders. Although the applicant has not indicated that the project will be submitted for LEED certification, this added green roof feature will provide an aesthetic visual contrast to the concrete and glass walls and to the surrounding industrial buildings while moderating temperature in the building

Community Outreach

In June of 2006, the applicant sent letters to all Hayden Tract property owners informing them of their plan to develop 8511 Warner Drive and further surveyed the property owners on their current and future parking needs. Follow up correspondence and meetings have occurred with Hayden Tract property owners who are interested in acquiring more parking for their businesses. On October 28, 2008 a meeting was held with the majority of the immediately surrounding property owners who were briefed on the current proposal. According to the applicant the response of the property owners was favorable. One and one meetings with specific property owners have also occurred – according to the applicant reactions by property owners at these one on one meetings have been favorable. See Attachment No. 6 for more details. As of the writing of this staff report no community meeting with the residents of Schaefer Street has been scheduled. On May 7<sup>th</sup> (after delivery of this staff report) a meeting with the Schaefer Street residents is scheduled and staff will provide a verbal summary at the public hearing. It is the understanding of staff that the various community meetings did not result any major changes to the proposed project. Recently, a group of area business and property owners also have reviewed project plans in the Planning Division and some have expressed concern about the termination of parking covenants in several years that will allow the owner to set parking rates without price regulations. The issue of pricing for parking is not within the jurisdiction of the Commission according to Legal Counsel.

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**CONCLUSION:**

As outlined herein staff believes the findings for a Site Plan Review can be made as outlined in proposed Resolution No. 2009-P002 (Attachment No. 7) and recommends project approval. In addition to maintaining the currently covenanted 242 parking spaces for the 10 year term (seven years remaining), the project will provide excess parking in an area that currently is deficient in parking. Further, the project will provide a community resource by adding retail and restaurant space on a currently underdeveloped lot. Such commercial community serving amenities are lacking in the Hayden Tract and once completed will partly address this deficiency and provide said amenities, within walking distance, to the nearby residential community.

**ENVIRONMENTAL DETERMINATION:**

Pursuant to the California Environmental Quality Act (CEQA) guidelines a Mitigated Negative Declaration has been prepared; the project has been determined to have less than significant impacts on the community provided certain mitigations are implemented. The project is consistent with the Zoning Code regulations, and the traffic study determined that expected increased traffic will be below thresholds of significance with appropriate mitigations.

**ALTERNATIVE OPTIONS:**

The following alternative actions may be considered by the Planning Commission:

1. Approve the application with the recommended conditions of approval if the application is deemed to meet the required findings.
2. Approve the application with additional or different conditions of approval, if deemed necessary to meet the required findings and mitigate any new project impacts identified at the meeting.
3. Disapprove the application if it does not meet the required findings.

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**ATTACHMENTS:**

1. Project Summary
2. Public Notice Area Map
3. Aerial Map
4. Draft Initial Study/Mitigated Negative Declaration dated April 22, 2009
5. Traffic Study prepared by KOA, dated February 23, 2009
6. Summary Community Outreach by the Applicant
7. Draft Resolution No. 2009-P002 (SPR P-2008047)
8. Development Plans date stamped June 30, 2008