

OSHDP Office of Statewide Health Planning and Development**Facilities Development Division**

2020 West El Camino Avenue, Suite 800

Sacramento, CA 95833

(916) 440-8300

(916) 324-9188 Fax

www.oshpd.ca.gov/fdd**ATTACHMENT NO. 19**

March 27, 2018

Craig Johnson
Building Official,
City of Culver City
9770 Culver Boulevard,
Culver City, CA 90232

Re: Adjacent Commercial Development
11848 - Southern California Hospital at Culver City
3828 Delmas Terrace
Culver City, CA 90232

Dear Mr. Johnson,

The Office of Statewide Health Development and Planning (Office) has been informed that a developer is planning to build a commercial building immediately adjacent (± 3 feet away) to and south of a hospital building (Pavilion Building, BLD-00356) at Southern California Hospital at Culver City (11848, formally known as Brotman Medical Center). The Office has jurisdiction of this hospital building based the authority provided by the Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983 (California Health and Safety Code, Section 12700 to 130070).

The southern end of the Pavilion Building is at the property line (see attached site plan). The Pavilion Building has one level of basement while the commercial building would have three levels of basement. The developer would be excavating approximately two stories below the lowest level of the Pavilion Building. A copy of the conceptual shoring details that was shared with us by the developer, is included herewith.

According to the 2016 California Building Code, Section 1804A, a non-hospital building cannot support a hospital building. Therefore, this conceptual shoring plan is not acceptable. The developer can excavate two stories below the lowest level of the hospital provided the hospital building is adequately "underpinned" to have an independent gravity support system without having to rely on the proposed non-hospital building. Furthermore, Section 3307 of the 2016 California Building Code requires adjoining property be protected from excavation. Section 832 of California Civil Law further clarifies this requirement.

Therefore, the Office of Statewide Health Planning and Development, Facility Development Division requests that:

1. City of Culver City not grant a permit for the excavation adjacent to the Pavilion Building (a hospital building which is part of Southern California Hospital at Culver City) until an underpinning and shoring system that is acceptable to the Office, the owners of

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Southern California Hospital at Culver City, the developer and the City of Culver City is designed and approved.

2. The new underpinning and shoring system for the Pavilion Building is separate and independent of the new development, thus providing a clear line of demarcation of the jurisdiction of the Office and the City of Culver City. This will ensure that future modifications made on either side do not affect the adjoining structure.

If you need further assistance regarding this issue, please do not hesitate to contact me at 916-440-8381.

Sincerely,

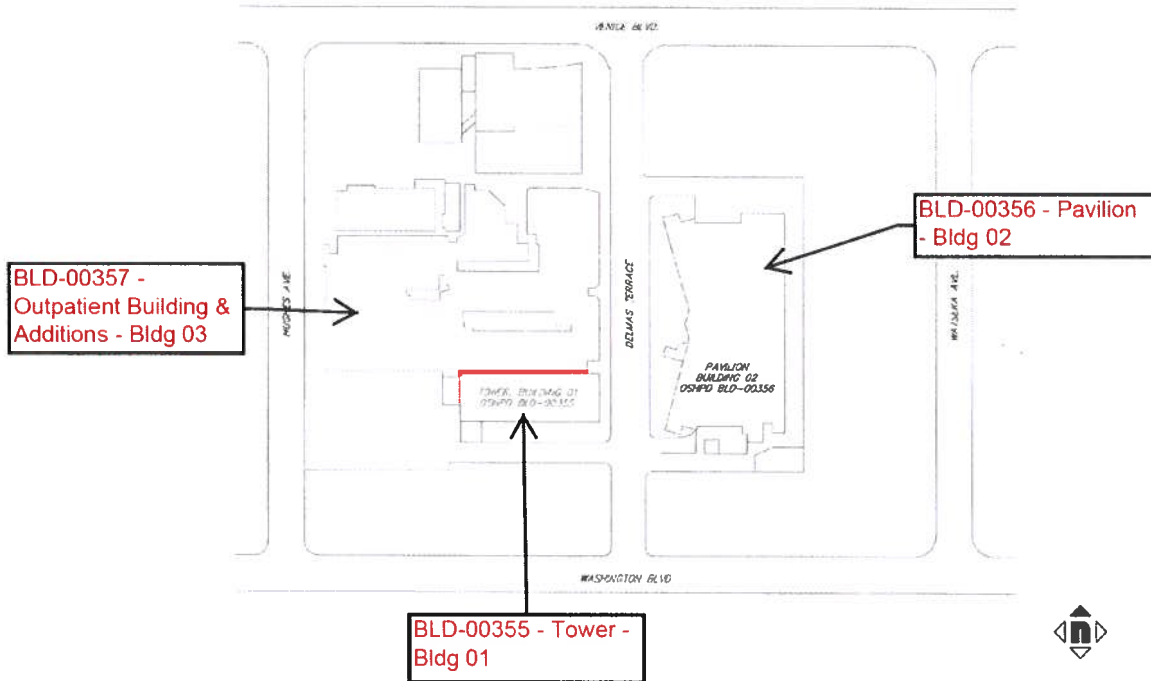


PAUL A. COLEMAN, Architect
Deputy Director, FDD

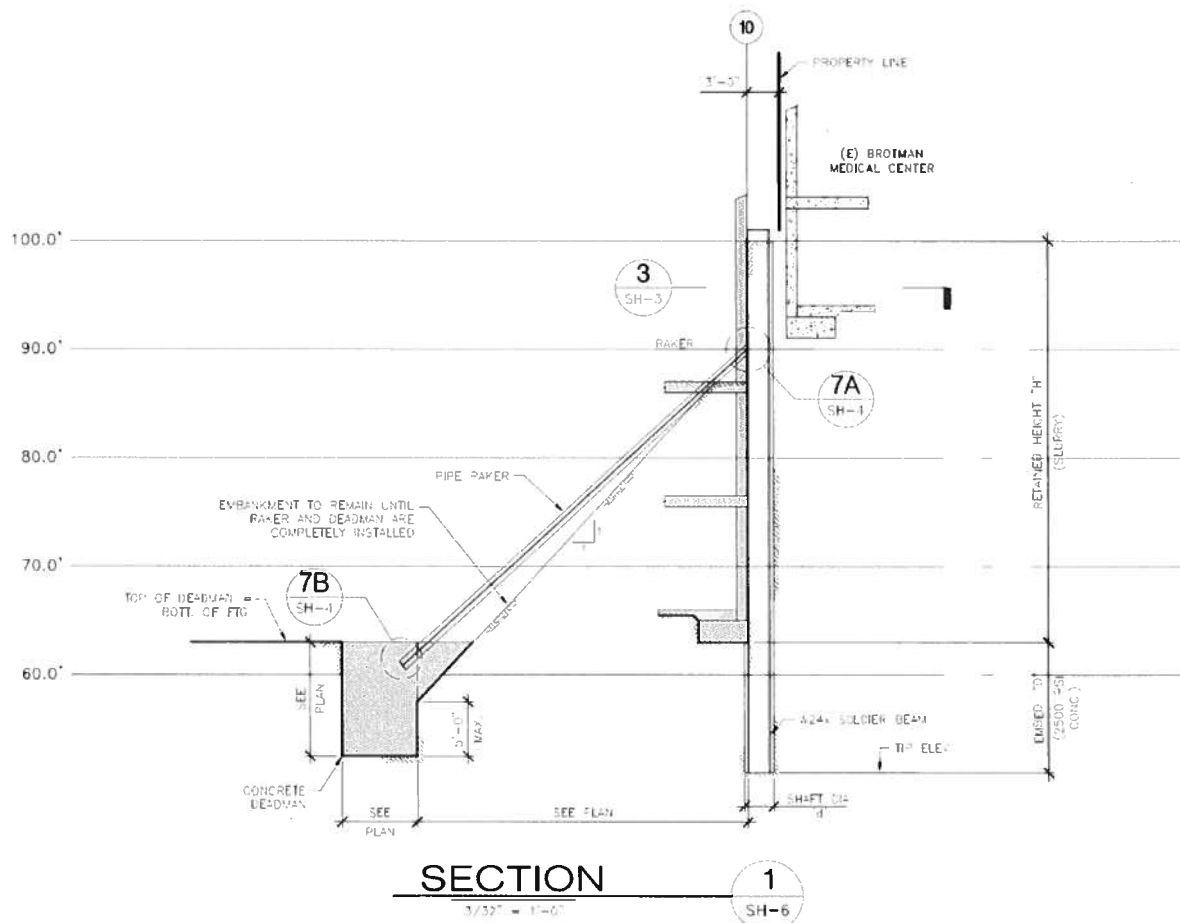
cc: Michael Allen, Current Planning Manager, City of Culver City
Farrell Johnson, Alta Corp
Frank Saidara, Vice President, Corporate Development, Prospect Medical Holdings
Balram Gupta, Principal, Structural, IMEG Corporation
Elizabeth Wied, Chief Counsel, OSHPD
Hussain Bhatia, Supervisor, Seismic Compliance Unit, OSHPD-FDD
OSHPD-FDD file

Enclosures: Site Plan showing hospital buildings under OSHPD jurisdiction
Conceptual shoring plan shared by the developer
2016 California Building Code, Sections 1804A and 3307
California Civil Law, Section 832

Southern California Hospital At Culver City Facility No. 11848



Site Plan showing hospital buildings under OSHPD jurisdiction



Conceptual shoring plan shared by the developer

2016 California Building Code:

SECTION 1804A

EXCAVATION, GRADING AND FILL

1804A.1 Excavation near Foundations. Excavation for any purpose shall not reduce lateral support from any foundation or adjacent foundation without first underpinning or protecting the foundation against detrimental lateral or vertical movement, or both.

1804A.2 Underpinning. Where underpinning is chosen to provide the protection or support of adjacent structures, the underpinning system shall be designed and installed in accordance with provisions of this chapter and Chapter 33.

1804A.2.1 Underpinning sequencing. Underpinning shall be installed in a sequential manner that protects the neighboring structure and the working construction site. The sequence of installation shall be identified in the approved construction documents.

SECTION 3307

PROTECTION OF ADJOINING PROPERTY

3307.1 Protection required. *Adjoining public and private property shall be protected from damage during construction, remodeling and demolition work. Protection shall be provided for footings, foundations, party walls, chimneys, skylights and roofs. Provisions shall be made to control water runoff and erosion during construction or demolition activities. The person making or causing an excavation to be made shall provide written notice to the owners of adjoining buildings advising them that the excavation is to be made and that the adjoining buildings should be protected. Said notification shall be delivered not less than 10 days prior to the scheduled starting date of the excavation.*

California Civil Law, Section 832

832. Each coterminous owner is entitled to the lateral and subjacent support which his land receives from the adjoining land, subject to the right of the owner of the adjoining land to make proper and usual excavations on the same for purposes of construction or improvement, under the following conditions:

- 1. Any owner of land or his lessee intending to make or to permit an excavation shall give reasonable notice to the owner or owners of adjoining lands and of buildings or other structures, stating the depth to which such excavation is intended to be made, and when the excavating will begin.*
- 2. In making any excavation, ordinary care and skill shall be used, and reasonable precautions taken to sustain the adjoining land as such, without regard to any building or other structure which may be thereon, and there shall be no liability for damage done to any such building or other structure by reason of the excavation, except as otherwise provided or allowed by law.*
- 3. If at any time it appears that the excavation is to be of a greater depth than are the walls or foundations of any adjoining building or other structure, and is to be so close as to endanger the building or other structure in any way, then the owner of the building or other structure must be allowed at least 30 days, if he so desires, in which to take measures to protect the same from any damage, or in which to extend the foundations thereof, and he must be given for the same purposes reasonable license to enter on the land on which the excavation is to be or is being made.*
- 4. If the excavation is intended to be or is deeper than the standard depth of foundations, which depth is defined to be a depth of nine feet below the adjacent curb level, at the point where the joint property line intersects the curb and if on the land of the coterminous owner there is any building or other structure the wall or foundation of which goes to standard depth or deeper then the owner of the land on which the excavation is being made shall, if given the necessary license to enter on the adjoining land, protect the said adjoining land and any such building or other structure thereon without cost to the owner thereof, from any damage by reason of the excavation, and shall be liable to the owner of such property for any such damage, excepting only for minor settlement cracks in buildings or other structures.*

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May 14, 2018

Mr. Craig Johnson
Building Official
City of Culver City
9770 Culver Boulevard
Culver City, CA 90232

RE: Adjacent Development
Facility Identification Number: 11848 – Southern California Hospital at Culver City
3828 Delmas Terrace
Culver City, CA 90232

Dear Mr. Johnson:

In a letter dated March 27, 2018, the Office of Statewide Health Planning and Development (OSHPD) expressed its concerns regarding the proposed shoring of the hospital building and its foundation at the Southern California Hospital at Culver City (the hospital) by the developer of the adjacent property. As the State Building Department and Official for hospitals, OSHPD reported concerns about whether the temporary shoring and permanent foundation wall of the proposed structure on the adjacent property would be adequate to comply with the applicable requirements of the California Building Standards Code for hospital buildings including, but not limited to, Sections 1804A, 1812A, and 3307, as well as statutory requirements in Health and Safety Code §129680 and California Civil Code §832.4.

On April 20, 2018, OSHPD had a meeting/telephone conference with the interested parties to discuss the planned excavation for the development adjacent to the hospital. The meeting brought together all parties to work together in good faith to identify a solution that would comply with the California Building Standards Code and ensure the structural stability of the hospital building and the safety of its patients, staff, and visitors.

OSHPD will continue working with the hospital and developer representatives as needed. We are also available to provide technical assistance to your office upon request.

Sincerely,

Paul A. Coleman, Architect, Deputy Director
Facilities Development Division

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Adjacent Development
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cc: Michael Allen, Current Planning Manager, City of Culver City
Farrell Johnson, Alta Corp
Frank Saidara, Vice President, Corporate Development, Prospect Medical Holdings
Balram Gupta, Principal, Structural, IMEG Corporation
Von Crockett, Prospect Medical Holdings
Don Kreitz, Senior Vice President, California Hospitals
Mohammad Davani, Project Manager
Aram Nadjarian, Vectis Strategies
Frank Stephan, DLJ Real Estate Capital Partners
Fran Mueller, Chief Deputy Director, OSHPD
Chris Tokas, Deputy Division Chief, Facilities Development Division, OSHPD
Hussain Bhatia, Supervisor, Seismic Compliance Unit, OSHPD-FDD
Elizabeth Wied, Chief Counsel, OSHPD
Julie Souliere, Assistant Secretary, California Health and Human Services Agency

File: Facility Identification Number: 11848 – Southern California Hospital at Culver City