REGULAR MEETING OF THE
CULVER CITY
PLANNING COMMISSION
CULVER CITY, CALIFORNIA

February 28, 2018
7:00 p.m.

Call to Order & Roll Call

Chair Sayles called the meeting of the Culver City Planning Commission to order at 7:06 p.m.

Present: Dana Sayles, Chair, AICP
Ed Ogosta, Vice Chair
Kevin Lachoff, Commissioner
Andrew Reilman, Commissioner
David Voncannon, Commissioner

o0o

Pledge of Allegiance

Michael Allen, Planning Manager, led the Pledge of Allegiance.

o0o

Comments for Items NOT on the Agenda

Chair Sayles invited public input.

Michelle Playford, Fox Hills resident, expressed concerns with the Fox Hills Plaza Development including a need for road improvements, speed bumps, crosswalks, stop signs, parking, and bike lanes; felt that the proposed street improvements would make things worse; asked for an environmental study; noted that there were more issues she wanted to elaborate on but, that given the time limits, she was focused on safety issues on and around Green Valley Circle and the Plaza.

Yumi Mandt-Rauch, Fox Hills resident, spoke of concerns with Bristol Parkway Plaza; questioned whether Commissioners

checked their City email accounts; requested current email addresses; reported on two meetings with the developer resulting in none of the Community concerns being addressed; asked that the traffic study be redone and that a full Environmental Impact Report (EIR) be completed; and she expressed concern that the developer wanted to rush the project to completion.

Daphne Sturrock, Fox Hills resident, spoke of low-density housing and height limits within the City; felt that Fox Hills is higher density and has taller building heights comparatively; she voiced concern with the density of the proposed Plaza; and discussed effects to Fox Hills residents in particular.

Chair Sayles thanked the speakers; indicated that staff would provide email addresses to Ms. Rauch; noted that environmental data had just been released and was available on the City website; she asked for patience with the process as information on the project is often received by Commissioners and the public at the same time; and she received confirmation that email had been received by Commissioner Reilman.

Donna Allison, Fox Hills resident, asked that Commissioners look at environmental studies; discussed the densely populated area; proposed increases to density; concern with existing parking and traffic issues; safety; and she expressed concern that infrastructure would not be able to support the increased load if the project moves forward.

Diane DeMarea, Fox Hills resident, asserted that the project was too large for an already densely populated part of the City, and she asked that the City reconsider what goes into the area.

Debbie Wallace expressed strong opposition to the project and the elimination of existing retail, and she expressed concern with increases to traffic and congestion in an already dense area.

o0o

Presentations

None.

o0o

Consent Calendar

None.

o0o

Order of the Agenda

No changes were made.

o0o

Public Hearings

Item PH-1

PC: Administrative Modification, Administrative Use Permit, Site Plan Review, General Plan Map Amendment, and Zoning Code Map Amendment, Case No. P2017-0021 for the Development of a 3 to 4 Story Office Building with Ground Floor Retail and Restaurant at 9735 Washington Boulevard, and Request for Reduction in the Number of Required Parking Spaces

Jose Mendivil, Associate Planner, provided a summary of the material of record.

Sol Blumenfeld, Community Development Director, provided additional information and a response to the letter from the applicant.

Discussion ensued between staff and the Commissioners regarding accuracy of the parking demand study; unknown factors; in lieu parking; problems with shared parking; lack of a peak hour definition in condition 72C, valet requirements; the Comprehensive Parking Operations Plan; clarification that ground level parking is for office tenants only due to the stackers; and a typo in 72A.

MOVED BY COMMISSIONER VONCANNON, SECONDED BY COMMISSIONER REILMAN AND UNANIMOUSLY CARRIED, THAT THE PLANNING COMMISSION OPEN THE PUBLIC HEARING.

Frank Stephan, Applicant Representative provided a brief history of the company; presented the project's history and objectives; reviewed parking capacity; outlined the

Transportation Demand Management (TDM) plan; and discussed the mobility fund contribution.

Trevor Abramson and Marco Marraccini, Abramson Teiger Architects, provided background on the company; outlined the project design using slides; reviewed the thinking behind the design and reasons for the project name; discussed the ever changing façade of the building; materials used; retail frontage; the public art component; keeping flexibility for the project; potential restaurant space; solar panels; the garden element; vertical integration; interconnectivity; and courtyard and multi-level highlights.

John Bowman, Legal Counsel to the Applicant, addressed the position of the applicant on the in lieu parking fee in Condition 18; discussed efforts on the parking issue; the application for an Administrative Use Permit (AUP); he asserted that the parking study commissioned by the applicant based on the shared parking concept did not find a need for additional parking; indicated that the applicant had not applied for a reduction in parking and is open to alternatives to the in lieu fee which is estimated to be $800,000 and would impact the ability of the project to realize their design goals; he recounted discussions with staff and asserted that the issue is a policy decision for the Commission to make; he asserted that the City could not lawfully require the in lieu fee; acknowledged the desire of the City to provide funding for much needed mobility measures in the downtown area; discussed uncertainty with the shared parking analysis; openness to alternatives; contributions to the City mobility fund; meeting with Southern California Hospital (SCH) regarding their letter outlining concerns with the project; information on shoring and foundation plans shared with SCH; seismic concerns; noise, vibration and traffic concerns addressed by the California Environmental Quality Act (CEQA) consultant; additional vibration reports provided by SCH; refinements to mitigation measures; and he reported that the applicant is satisfied with the mitigation measures.

Discussion ensued between project representatives, staff and Commissioners regarding Commission receipt of the letter four hours before the meeting, leaving little time for review; effects of sliding metal panels on heating and air conditioning; clarification that LEED certification is not currently being sought due to the expense; photovoltaic location and capacity; ability to expand solar use beyond the

code; valet efficiency; industry standards for parking efficiency; construction management and concern with closing lanes on Washington; other area projects and their hauling routes; the potential for the project to start at the end of 2018; and a request that the letter be read for the record.

Chair Sayles invited public comment and explained procedures for public speaking.

The following members of the audience addressed the Commission:

Seena Samimi, Legal Representative of Prospect Medical, read the CEQA legal standard requiring a draft EIR; discussed sensitive use and sensitive receptors; asserted that the Mitigated Negative Declaration (MND) ignored the sensitive use next door; reviewed the evidence listed in their letter including noise and vibrations; discussed sensitive medical equipment susceptible to vibration noting that construction could lead to injury or death; asserted that proposed mitigation measures were ineffective; discussed air quality, structural impacts, traffic and parking; and he requested that the matter be continued with an EIR.

Alana DeLoach provided background on herself noting that she is a Noise and Vibration consultant for the hospital; she asserted that mitigation measures for noise and vibration impacts were inadequate; stated that the conclusions indicating a less than significant impact were not supported; she asserted that the MND was insufficient and vibration sensitive uses within the hospital were not addressed; discussed operating rooms located in the basement making them susceptible to vibrations that would exceed safe operating limits; and she stated that a full EIR was needed.

Von Crockett, Southern California Hospital(SCH), reviewed seismic mitigation efforts currently underway by SCH; stated that development construction could change the ratio by which the seismic compliance is measured and cause them to not be in compliance with the 2020 retrofit deadline; he asked that a condition be added for the developer to keep the Office of Statewide Health Planning and Development (OSHPD) informed of their efforts throughout construction in order to stay within compliance; he discussed their own construction efforts at SCH; coordination; scheduling; and he reiterated their mitigation requests of the developer.

Dr. Jameel Hourani, Southern California Hospital (SCH), relayed hospital physician concerns with vibration and noise adjacent to their operating rooms and labs; detailed the type of work that should not be exposed to noise or vibrations; asserted that the proposed sensor system would not prevent vibration or noise related hazards to operating room patients; and he stated that the air quality could be detrimental to their patients.

Don Kreitz, Prospect Medical, provided background on his history with the company; expressed concern with traffic flow during construction; asserted the entrance to the hospital needed to be clear during construction; and he stated that air quality during construction would have a negative effect on their filtration system.

Dr. Balram Gupta, seismic compliance consultant for SCH, provided background on his experience; discussed the seismic compliance deadline; structural integrity of the pavilion building during and after the development; OSHPD requirements; the need for the hospital building to have its own independent support system and not rely on the commercial development; he reported on a previous meeting with the development engineer on the issues; and the request from OSHPD for a formal seismic mitigation plan from the developer.

Ben Resnik, Legal Counsel for Prospect Medical, asserted the seismic and vibration issues were serious; discussed the ability of the hospital to continue operating under the new strict guidelines from the state; the three levels of subterranean that threaten the certification; operating rooms adjacent to construction; he asserted that the MND used the wrong standards; expressed concern with the cavalier approach of the applicant to the issue; discussed the hospital entrance off of a small street that would be used for construction traffic; consideration of sensitive use when conducting traffic studies; concern with the parking reduction request; and he stated they were not opposed to the project but wanted to coordinate efforts and schedules with the developer in order to protect their patients.

Discussion ensued between the speaker and Commissioners regarding mitigation measures that would satisfy SCH; previous meetings between SCH and developer; and additional concerns beyond the subterranean construction.

MOVED BY COMMISSIONER REILMAN, SECONDED BY COMMISSIONER LACHOFF AND UNANIMOUSLY CARRIED, THAT THE PLANNING COMMISSION CLOSE THE PUBLIC HEARING.

Olivia Chan, ESA, detailed the noise and vibration analysis; provided highlights of their mitigation measures; and the finding that impacts are less than significant with their proposed mitigation measures.

Discussion ensued between the speaker and Commissioners regarding clarification that OSHPD analysis standards for hospitals were not included in the analysis; ESA willingness to modify Mitigation Measure 5 to include a threshold for the OSHPD standard so that monitor alarms would sound before the threshold was reached; clarification that the seismic and vibration standards are two separate issues; and clarification that vehicle traffic was factored into the noise analysis, not the vibration analysis.

Further discussion ensued between the speakers, staff and Commissioners regarding options for resolving the matter; asking for more information from the applicant in order to comply with OSHPD; communication between the applicant and the hospital; continuance of the item twice for similar reasons; the Commission expectation that the item was being heard again because issues had been resolved; distance between the construction and the hospital; buildings built by hospitals all the time; differing standards; setback between buildings; distance from operating rooms and labs; subterranean structure distance; timing of the OSHPD certification; communication between the parties; finding a way to solve engineering issues satisfactory to SCH and to OSHPD; each party described their process; and reasons were given as to why the applicant did not submit an OSHPD application.

Additional discussion ensued between the speakers, staff and Commissioners regarding whether a jurisdiction outside of a project can impose requirements on the project; CEQA considerations addressed within the environmental document; the ability to add hospital considerations; past projects that involved other jurisdictions and their standards; the ability to make findings if sufficient information is provided; clarification on the process; clarification that there is no requirement for the developer to submit their information to OSHPD other than courtesy; the lack of legal authority of the City to require that the project be

submitted to OSHPD; status of SCH in their seismic upgrade; concern that the construction changes the assumptions for the structural analysis at SCH; independent standards; future development on the other side of the hospital; ramifications to decisions made by the Planning Commission; sensor calibration; the project next to NPR; the feeling that the issues are solvable; the effectiveness of stringent construction measures; successful projects currently underway that have addressed concerns; mitigations that make the project work for the hospital; the feeling that the parties need to come to an agreement; articulation of how SCH uses the area; unique circumstances that should be considered; construction; traffic mitigations; and ambulance parking.

Von Crockett discussed hospital parking; loading and unloading of patients; and patient transfer.

Further discussion ensued between staff and Commissioners regarding the pubic street; the loading zone; hauling and construction; coordination of the haul routes with the City; status of the project at Washington and Overland; traffic on westbound Washington during the day; CEQA mitigations; in lieu fees; parking; a suggestion for a contribution to the mobility fund; precedence with other projects; the Transit Oriented Development (TOD) Visioning Study; mobility conditions and recommendations; not reducing parking without an in lieu parking fee; mobility issues; the development proposal to build less than required parking; determining the cost per stall; cost savings for the elimination of 24 stalls; sharing some of the cost savings as a contribution to the mobility fund; capital improvements made by the City to redevelop the area; the critical nature of the issue; other developments moving forward; taking the conditions into consideration; tying the mobility function into the peripheral parking; the connection between parking and traffic; things that replace the need for extra parking; quantifying impacts to the reduced parking that necessitate a fee; the applicant request for shared parking; the shared parking analysis; applicant acknowledgement of substantial savings; agreeability to contributing to the in lieu parking fee; actual parking costs; the lack of a clear-cut peak and off peak period; retail related uses on the ground floor; clarification that there is no longer a redevelopment agency; the need for the developers to help solve mobility issues; making the development community a partner in the process; passing along some of the burden of mobility and parking issues; whether the requested amount is appropriate; cost of

the entire building; a belief that the in lieu fee is justified; acknowledgement that the developer is working to have as little parking as possible; narrow parking space size; exceptions made to the zoning code; benefits to the location that warrant an in lieu fee; the suggestion that the economics of the project are marginal and that a redesign would strip the project of the expensive architectural finishes and details; other ways to save money on a project; the ability to comply with the code; the offer by the City to reduce costs; using a traffic study to determine what the demand is to set the amount of parking the developer would like to provide; clarification that the zoning code sets the number; fair compliance; the margin of error; the great length the applicant went to in order to reduce the amount of parking provided; justification for the reduction in spaces; accuracy of the study; valet mitigation of excess demand; justification of in lieu fees; staff negotiation of the proper amount of in lieu fees; participation of the development community in City mobility funds; the General Plan Update; authority of the City to require an in lieu fee; the reduction in parking allowed subject to approval by the City Council; the election of the City in what to allow to meet requirements, not the developer; clarification that the developer application for the AUP is not solely for shared parking; Condition 18; modification of the AUP to remove the part about the shared parking and be solely approved as to tandem parking; clarification that the in lieu fee would address the requested reduction in parking, not the shared parking; a suggestion to modify the request to approve the AUP for tandem parking and approve an in lieu fee instead of shared parking for the parking reduction based on the position of the City that the options listed to address the reduction in parking are for the City to elect, not a unilateral decision by the applicant to decide which tool they want to use to address the reduction in parking; the discretionary approval; the large distance between the staff proposal and the applicant offer; City Council jurisdiction; allowing for time to work with the applicant towards a mutually acceptable solution; the feeling that the Commission should have a suggestion for the City Council; the suggestion to modify Condition 18; the inability to take action on the item due to outstanding CEQA issues; the low number of bicycles being provided; recent examples of ratios of parking to the use; the number of bicycle stalls required per square foot; long term stalls and short term stalls; consistency with previous projects; Cal Green minimums; EV ready spaces; updates to the bicycle and parking code amendments;

establishment of a consistent methodology; attended parking vs. valet parking; the designated drop area or loading zone; designating a delivery service spot; concern that the narrow parking spaces will not work; designation of the narrow spaces as "compact"; and manned parking spaces.

Additional discussion ensued between John Bowman and Commissioners regarding agreement to work with staff and SCH to resolve issues; additional information provided to the Commission to make a determination and come to a resolution; concern with delegating authority to a private party; previous efforts to come to an agreement; concern that SCH is not motivated to come to an agreement; good faith efforts; a request that the applicant come back with a supplemental analysis to address certain standards; the need to evaluate impacts based on other standards; the urban environment; addressing focused issues; formulation of reasonable conditions; impacts from a CEQA perspective; clarification on construction traffic and hauling; and additional mitigation measures.

Commissioner Voncannon proposed a motion to continue the hearing to a date not certain with changes as suggested including markings to indicate that the narrower parking stalls are "compact" and the expectation that the applicant and SCH would work together to diligently and fairly formulate a set of mitigations that satisfy the requirements.

Further discussion ensued between staff and Commissioners regarding the need for an incentive for SCH to come to resolution; length of time necessary to conduct additional analyses; agreement by the applicant that within three months is a reasonable time frame; a request for a timeline on what happens between the applicant and SCH; communication between the parties; and an observation that the Commission had not discussed the actual project.

MOVED BY COMMISSIONER VONCANNON, SECONDED BY COMMISSIONER REILMAN AND UNANIMOUSLY CARRIED, THAT THE PLANNING COMMISSION: CONTINUE THE PUBLIC HEARING TO A DATE UNCERTAIN. HOWEVER, THAT IN THREE MONTHS TIME FROM THIS PLANNING COMMISSIOM MEETING, THE APPLICANT SHALL RETURN TO THE COMMISSION WITH SUGGESTED CHANGES TO THE TDM CONDITIONS AND THAT DURING THIS THREE MONTH PERIOD, THE APPLICANT AND THE HOSPITAL WILL WORK TOGETHER DILIGENTLY AND FAIRLY TO RESOLVE

ISSUES AND TO FORMULATE A SET OF MITIGATION MEASURES THAT ADEQUATELY ADDRESS REQUIREMENTS.

o0o

Public Comment for Items Not on the Agenda

None.

o0o

Receipt of Correspondence

None.

o0o

Items from Planning Commissioners/Staff

Discussion ensued between staff and Commissioners regarding guidelines for submittal of correspondence to the Commission prior to hearings, including timelines; different parameters for different cities; a suggestion that material in excess of 2 pages cannot be submitted less than 48 hours prior to the meeting; prep time for Commissioners; clarification that the policy in place regarding the deadline for receiving comments is the same as the policy for the City Council; an article in the Los Angeles Times regarding Coastal Commissioners being sued for not disclosing ex parte meetings; guidelines for Commissioners; documentation about ex parte communications and discussions to demonstrate that information has been discussed; whether there is a need to agendize a discussion of that topic; additional guidance on disclosure for that and staff agreement to disseminate information on how to address ex parte contacts to Commissioners; other cities that have stopped all ex parte communication with planning bodies; not prejudging; maintaining neutrality; and clarification on what should be disclosed during public hearings.

Michael Allen, Planning Manager, reported that the Advance Planning Manager would make a presentation at the March 14 Commission meeting.

Discussion ensued between staff and Commissioners regarding Commissioner schedules; ensuring a full quorum for consideration of an upcoming large project; a request for materials earlier than one week in advance for larger projects; the Bristol Parkway project; the tight timetable proposed by the applicant; the difficulty of providing materials farther in advance; time constraints; concern with items coming forward that are not fully vetted; working to accommodate the applicant's timeline; concern with the applicant dictating work plans; staff agreement to provide the schedule of upcoming items; projects that jump ahead of the line; a request to get reports as they become available; and requests for hard copies of certain items.

o0o

Adjournment

There being no further business, at 10:27 p.m., the Culver City Planning Commission adjourned to the next regular meeting on Wednesday, March 14, 2018, at 7:00 p.m.

o0o

SUSAN HERBERTSON
SENIOR PLANNER of the CULVER CITY PLANNING COMMISSION

APPROVED 6/13/18

DANA SAYLES, AICP
CHAIR of the CULVER CITY PLANNING COMMISSION
Culver City, California

DATE 6/13/18

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

6/14/18
Date