

SPECIAL MEETING OF THE
CULVER CITY
BOARD OF ZONING ADJUSTMENT
CULVER CITY, CALIFORNIA

May 4, 2022
5:00 p.m.

Call to Order & Roll Call

Erika Ramirez, Current Planning Manager called the meeting of the Culver City Board of Zoning Adjustment to order at 5:00 PM.

Present: Nancy Barba, Board of Zoning Adjustment Member
Andrew Reilman, Board of Zoning Adjustment Member

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Erika Ramirez, Current Planning Manager, stated the meeting's house rules, public speaker procedure, and mentioned that the meeting room was reserved until 6:30 PM.

Sol Blumenfeld, Community Development Director, welcomed applicants and participants, explained the purpose of the Board of Zoning Adjustment (BZA), provided an overview of the process of referrals and appeals to the BZA, and introduced the BZA members.

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Order of the Agenda

No changes were made.

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Action Item

Item A-1

BZA - Review and discuss appeal of director's zoning code interpretation regarding classification of proposed land use, zoning code interpretation No. 22-01 at 5659 Selmaraine Drive.

Andrea Fleck, Planning Technician, provided a summary of the material of record. She presented 3 different options for the BZA to consider . 1) to uphold the Director's determination of the classification of the use as Outdoor Commercial recreation, 2) to provide alternate direction to the Director as to a land use classification, or 3) refer the matter to the Planning Commission; and reported that 17 email comments were received from members of the public prior to the meeting.

Andrew Reilman, BZA Member, requested further information on potential outcomes of the meeting, including referring the item to the Planning Commission, determining that the use fits into a different land use category.

Discussion ensued between staff and Members regarding potential code amendments, applicable processes, and that the land use and parking were open to interpretation.

Rafael Alvarez, CFO of The Culver City Football Club, thanked the BZA members and staff for agreeing to review the item and provided background on Futsal (Futbol de Salon) and on the Club; discussed the need to use Culver City Unified School District (CCUSD) facilities and Culver City Parks Recreation and Community Services (PRCS) fields; the need for extra space to provide services; finding the perfect location for the court; training would start after 5 PM; parking needs would be during off-peak; a training schedule will be used so only a certain amount of children are present at a given time; the Club's non-profit status; mission to eliminate pay to play; all-inclusive; and creating extra revenue for the Club.

Sara Houghton, Land Use Consultant for three6ixty, presented where the site is on the Zoning Map and identified the site as being in the IG Zone; the site's proximity to Commercial General zoning districts; that the use is a Health and Fitness use; Club membership structure and operations; similarities with sports that require a court; the project

site; intimate training; nuances of the code; the land use type of Recreation, Education, and Public Assembly; applying the parking requirement for tennis, handball, and racquetball courts; and existing site conditions and potential improvements.

Rafael Alvarez described the tenant improvements including activity, security, and lighting; revitalizing the area; warehouse is abandoned, with several break-ins in the past; and club members having to travel up to 20 miles to find a training facility.

Sara Houghton stated that they think that a similarity interpretation can be made for this use.

Andrew Reilman, BZA Member, stated that he understood the need for this use; appreciated the interest in providing new areas to train in; and inquired about the process to allow speakers.

Rafael Alvarez stated that the use is similar to handball with 7 to 7 players on each side; handball court and futsal courts are the same size; parking should be similar for Futsal courts; the Director's interpretation required a Conditional Use Permit (CUP) requirement for the indoor and outdoor facility; the option for phasing the project; and asked why phasing was not an option during previous discussions.

Sol Blumenfeld, Community Development Director, explained that the initial proposal was to operate indoors and outdoors; that consideration of phasing the project came from the applicant and provided a new avenue to analyze the use; recommended focusing on the present considerations.

Rafael Alvarez stated that his request is for an interpretation that would allow the Culver City Football Club to start operating in full, or in phases if necessary; uncertainty and timing of beginning operations.

Sol Blumenfeld explained that the issue is categorizing the land use to determine how it will be permitted in the City and how it should be parked; how land use laws are organized; and asked the board to consider the applicant's request on the PowerPoint slides.

JM Herman, Parent of a Culver City Football Club Member, was called to speak and noted the value of Futsal; the club's

non-profit status; scholarships the club offers; and the similarity with other indoor court sports.

Nancy Barba, BZA Member asked to proceed with the discussion, and noted that there was an understanding that all other meeting attendees were in agreement with the comment made by JM Herman and discussed the request to classify the indoor futsal court as a Health and Fitness Facility; that the indoor use aligns with the definition of a Health and Fitness Facility more than Outdoor Commercial Recreation; the applicant's comparison between futsal and handball courts.

Andrew Reilman, BZA Member discussed CrossFit gyms that have outdoor spaces, and similarities with Futsal; that both the indoor and outdoor futsal courts are a Health and Fitness use; challenge of parking.

Discussion ensued between BZA Members and staff on whether the Health and Fitness Facility definition includes outdoor facilities; the parking provisions in the parking ordinance in the Zoning Code; land use informs the required number of parking spaces which need to be provided for the use; alternative parking provisions; and provisions in zoning code requiring uses to be conducted indoors only unless otherwise specified.

Susan Herbertson, Senior Planner, added that the intent of the language in the Health and Fitness Facilities Zoning Code definition is to allow indoor facilities only.

Discussion ensued between BZA member and staff on the frequency of code amendments; the possible need to amend the code definition to allow the outdoor Health/Fitness Facility; parking demand being off-peak is not mentioned in the code; assumption of reduced parking demand due to drop-offs and pick-ups; parking requirements being declarative rather than optional; potential for the applicant to prove that the use requires less parking than the code requires through a parking study; that the Zoning Code Interpretation section of the code requires that an interpretation be prepared in writing and distributed to City Council, Planning Commission, City Attorney and pertinent staff; that if an interpretation warrants a code revisions, then a Zoning Code amendment is required; parking requirements for Tennis, Racquetball, and other courts; ; reference to Table 3-3 in the Zoning Code; required number of parking spaces for each use; how the parking table relates to the land use table; whether a code

amendment is necessary as part of the interpretation that futsal courts should be parked as tennis, handball, racquetball, or other courts.

Discussion ensued between members and staff on the number of players in American and International handball; lack of definitions in the Zoning Code for handball or futsal; adding Futsal to the Code under "Other Courts"; amending the Code based on the BZA's determination; possibility for the applicant to proceed on a temporary basis before the Code is amended; if the final outcome was not to amend the Zoning Code, the use could not continue; and the process to initiate the Zoning Code Amendment; whether it is necessary to amend the code section related to parking for tennis, handball, and racquetball courts; the intention of the parking requirement for tennis, racquetball, handball and other courts; that the term "court" is unclear; evolution of the code; process for allowing the project to move forward on a temporary basis while the code amendment is in progress; the agreement that the applicant would need to sign to move forward with tenant improvement plans; uncertainty related to a code amendment; timeline for a code amendment; potential code sections that would need to be amended; ensuring that the Zoning Code is internally consistent; quantifying the number of parking spaces that will be required for the project; how the General Plan Update (GPU) might impact the resulting code amendment and parking requirements.

Andrew Reilman, BZA Member, explained that the interpretation by the BZA was that the use (both indoor and outdoor) is classified as a Health/Fitness Facility, and that the use would be parked at the rate for tennis, handball, racquetball, and other courts.

Sol Blumenfeld, Community Development Director, added that the code would need to be amended accordingly, and asked if the applicant had any questions.

Rafael Alvarez asked what the next steps would be.

Sol Blumenfeld, Community Development Director explained that if the applicant would like to proceed before there is a code change, the applicant would need to sign an agreement assuming the risk associated with the Zoning Code Amendment not being adopted, and this would allow the applicant to move forward; that staff will take the amendment to Planning

Commission first and to the City Council for final consideration.

Sara Houghton asked for clarification on why a code amendment was needed if the BZA determined that the use meets the definition for Health/Fitness Facilities.

Erika Ramirez, Current Planning Manager explained that there are sections of the code that may need to be amended, such as the section that requires that all commercial activities be conducted indoors unless the code specifies otherwise.

Discussion ensued between the applicant team and staff on whether the applicant will be able to review the draft code language; that there will be a public hearing; and reflecting the outcome of the BZA meeting in the staff report that goes before the Planning Commission; that the point of the amendment would be to accommodate the use, but that there are no guarantees.

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Adjournment

There being no further business, at 6:24 p.m., the Board of Zoning Adjustment adjourned.

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RUTH MARTIN DEL CAMPO
ADMINISTRATIVE CLERK of the CULVER CITY PLANNING COMMISSION

APPROVED

May 25, 2022

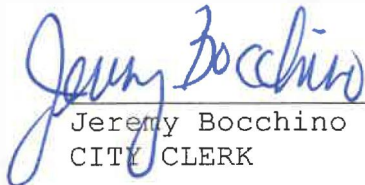


Nancy Barba
Board of Zoning Adjustment Member
Culver City, California



Andrew Reilman
Board of Zoning Adjustment Member
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 Bocchino
CITY CLERK

June 8, 2022
Date