



# City of Culver City

## Staff Report Details (With Text)

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**File created:** 5/28/2019      **In control:** PLANNING COMMISSION  
**On agenda:** 6/12/2019      **Final action:** 6/12/2019  
**Title:** PC: Extension of Time, P2019-0085-ET to Allow a One-Year Extension of Tentative Parcel Map, P2015-0122-TPM at 4241 Duquesne Street.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 19-06-12-ATT NO 1\_Planning Commission Resolution, 2. 19-06-12-ATT NO 2\_Vicinity Map, 3. 19-06-12-ATT NO 3\_Tentative Parcel Map No 73789, 4. 19-06-12-ATT NO 4\_City Council Resolution No 2016 R036, 5. 19-06-12-ATT NO 5\_Planning Commission Resolution No 2016 P003

Date	Ver.	Action By	Action	Result
6/12/2019	1	PLANNING COMMISSION		
6/12/2019	1	PLANNING COMMISSION		
6/12/2019	1	PLANNING COMMISSION		

**PC: Extension of Time, P2019-0085-ET to Allow a One-Year Extension of Tentative Parcel Map, P2015-0122-TPM at 4241 Duquesne Street.**

**Meeting Date:** June 12, 2019

**Contact Person/Dept:** Jose Mendivil, Associate Planner  
Michael Allen, Current Planning Manager

**Phone Number:** (310) 253-5757 / (310) 253-5727

**Fiscal Impact:** Yes  No

**General Fund:** Yes  No

**Public Hearing:**       **Action Item:**       **Attachments:**

**Public Notification:** (E-Mail) Meetings and Agendas - Planning Commission (06/06/19).

**Department Approval:** Sol Blumenfeld, Community Development Director (06/03/2019)

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### RECOMMENDATION

Staff recommends that the Planning Commission approve Extension of Time, P2019-0085-ET to allow a one-year extension of Tentative Parcel Map, P2015-0122-TPM, subject to the previously approved Conditions of Approval as stated in Resolution No. 2016-P003.

## **BACKGROUND**

### Request

On April 2, 2019, the developer for the three-unit townhome style and small lot subdivision development at 4241 Duquesne Avenue applied for an extension to Tentative Parcel Map P2015-0122-TPM. In the extension request, the developer has not requested a specific expiration date, however staff has suggested a one-year extension consistent with CCMC Section 17.595.030 Time Limits and Extensions.

### Background and Previous Entitlements

On October 23, 2015, Work Plays Architects (Applicant) submitted an application for an Administrative Site Plan Review and Tentative Parcel Map to allow the development of 3 detached townhome style residential units. The Project required approval of an:

- Administrative Site Plan Review (ASPR) to build three residential units (Planning Commission Approval on March 9, 2016);
- Tentative Parcel Map (TPM) to allow the creation of a 3-Unit Townhome Style Subdivision (Planning Commission Approval on March 9, 2016);
- Exception to the subdivision design standard (CCMC Section 15.10.700.C) requiring lot frontage along a dedicated public street or access to same via a certain sized “stem” of a “flag lot” (City Council approval May 9, 2016).

On June 5, 2017, a building permit was issued and the project is under construction.

## **ANALYSIS:**

A developer has three years from the date of final approval by the Planning Commission (or City Council) to record with the Los Angeles County Assessor, a tentative map. If the map is not recorded by that date, the map entitlement expires. Pursuant to California Government Section 66452.6(e), the expiration date of an approved tentative map may be extended for a period or periods not exceeding six years. Further, upon an application to extend a map, the map shall automatically be extended for 60 days.

Condition No. 4 of Planning Commission Resolution No. 2016-P003 (Attachment No. 5) states that

The land use permit to which these Conditions of Approval apply (the “Land Use Permit”) shall expire (3) three years from the date of final approval of said Land Use Permit, if the use has not been exercised. As provided in CCMC Section 17.595.030 -“Time Limits and Extensions”, an applicant may request an extension of said expiration date by filing a written request with the Planning Division prior to the expiration of the land use permit.

City Council approval was necessary because the Tentative Parcel Map creating three small lots required an exception to the City’s Subdivision Ordinance. The project entitlement expiration date was May 9, 2019. The administrative site plan review entitlement was exercised upon the June 5, 2017 building permit issuance. The tentative parcel map entitlement would have been exercised upon its recordation on or before May 9, 2019. However internal review of the map by the Los Angeles County Department of Public Works (required after Planning Commission Approval and prior to map recordation) could not be completed before the May 9, 2019 expiration date.

The applicant submitted a timely map extension request on April 2, 2019, and as stipulated in California Subdivision law the tentative map was automatically extended to July 8, 2019 (60 days after May 9, 2019). Staff recommends the map be extended for one year from July 8, 2019 to July 8, 2020.

The map expiration date is considered to be three years from the City Council exception approval of May 9, 2016 (with an additional 60 days after the extension request submission date). Although the Public Works tentative map conditions of approval stipulate the tentative map expiration date was to be three (3) years from the Planning Commission, March 9, 2016 approval, the City Council approval date is the correct date to measure the expiration of the map.

#### Conditions of Approval

Resolution No. 2016-P003 with Exhibit A includes project conditions of approval from 2016. Resolution No. 2019-P006 only extends the expiration date of the tentative parcel map with no additional conditions.

#### **CONCLUSION/SUMMARY:**

The Project is currently under construction and the applicant has complied with deadline dates in good faith. The map is under review with the Los Angeles County Department of Public Works and that agency is unable to complete its review prior to the expiration date. The extension approval will not confer onto the developer additional entitlements beyond the 2016 approval and staff recommends approval of the extension request.

#### **ENVIRONMENTAL DETERMINATION**

Pursuant to the California Environmental Quality Act (CEQA) guidelines, a Categorical Exemption (Class 3 - New Construction or Conversion of Small Structures) was adopted by the Planning Commission on March 9, 2016, which determined that the Project will not have a significant adverse impact on the environment. The map extension is within the scope of the adopted Categorical Exemption (CE), the circumstances under which the CE was prepared have not significantly changed, and no new significant information has been found that would impact the CE; therefore, no new environmental analysis is required.

#### **ALTERNATIVE OPTIONS**

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

1. Approve the proposed extension for one year if the application is deemed to meet the required findings.
2. Approve the proposed extension with a different expiration date if deemed necessary to meet the required findings and mitigate any new Project impacts identified at the meeting.
3. Disapprove the proposed extension request if the application does not meet the required findings.

#### **ATTACHMENTS**

1. Draft Planning Commission Resolution No. 2019-P006
2. Vicinity Map
3. Tentative Parcel Map no. 73789
4. City Council Resolution No. 2016-R036
5. Planning Commission Resolution No. 2016-P003

#### **MOTION**

That the Planning Commission:

Approve Extension of Time, P2019-0085-ET to allow a one-year extension of Tentative Parcel Map, P2015-0122-TPM, subject to previously approved Conditions of Approval as stated in Resolution No. 2016-P003.