



# City of Culver City

## Staff Report

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**File #:** 23-136, **Version:** 1

**Item #:** PH-1.

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**PC - PUBLIC HEARING: Consideration of a Site Plan Review, Administrative Use Permit, & Density and Other Bonus Incentives, to allow construction of a 104-unit residential mixed-use development with ground floor commercial uses at 12727 Washington Boulevard (Project).**

**Meeting Date:** August 24, 2022

**Contact Person/Dept:** Jose Mendivil, Associate Planner  
Erika Ramirez, Current Planning Manager

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

**Fiscal Impact:** Yes  No  **General Fund:** Yes  No

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

**City Council Action Required:** Yes  No  Date [DOBI- TBD]

**Public Notification:** (E-Mail) Meetings and Agendas-Planning Commission (08/19/22); (Posted) City Website (03/03/22); (Mailed) Property owners and occupants within a 500 ft radius extended (08/03/22); (Posted) On-site along Meier Street, Zanja Street, and Washington Boulevards (08/03/22).

**Department Approval:** Sol Blumenfeld, Community Development Director, (08/18/2022)

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### RECOMMENDATION

Staff recommends the Planning Commission approve Site Plan Review and Administrative Use Permit, P2021-0103-SPR/AUP, subject to conditions of approval as stated in the proposed resolution, adopt a Sustainable Communities Strategy CEQA Exemption, (CEQA Statues 21155 through 21155.4); and recommend City Council approval of Density and Other Bonus Incentives, P2021-0103-DOBI, to allow construction of a 104-unit residential mixed-use development with ground floor commercial uses.

### PROCEDURES

1. Chair calls on staff for a brief staff report and the Planning 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. Planning Commission discusses the matter and arrives at its decision.

## **BACKGROUND**

### **Project Site**

The proposed project site is approximately 57,342 SF or 1.32 acres and is mostly flat, rectangular in shape, and located near the convergence of Washington Boulevard and Washington Place or 12727 Washington Boulevard ("Project Site"). The Project Site is partly in Culver City and party in Los Angeles as follows:

- Culver City Portion - 33,858 SF or 0.78 acres with a vacant lot, surface parking, and a 2,900 SF commercial retail building, and
- Los Angeles Portion - a 23,484 SF or 0.54 acres with surface parking and an abutting alley.

The City of Culver City and City of Los Angeles are processing and coordinating required entitlements in parallel to ensure good planning and well-integrated review process. The Planning Commission's action and subsequent City Council decision involves the Culver City portion, but plans include the whole project development site for context. Project background and analysis of the staff report concentrates on the Culver City requirements except as otherwise noted.

### **Request**

The Applicant requests a Site Plan Review (SPR) to build ground floor commercial space with 104 dwelling units above, an Administrative Use Permit (AUP) to allow residential tandem parking, Density and Other Bonus Incentive (DOBI) to allow an increase in residential density in return for restricting a certain number of affordable units within the development for a period of 55 years. All commercial ground floor space is in Culver City. The 104 units are built in 5 levels above the ground floor commercial level. Most of the Project parking is in 2 subterranean levels with some surface parking. The Project Summary (Attachment No. 2) and Preliminary Development Plans (Attachment No. 4) provide a synopsis of the Project details and plan lay out.

### **Surrounding Area/Zoning/General Plan**

The Project Site is in the Culver West neighborhood of Culver City, an urbanized area with commercial retail and restaurant, mixed use, and apartment uses. The Project Site is zoned Commercial General (CG) with a General Corridor General Plan Land Use designation. The uses are allowed in the zone with an approved SPR to permit construction of the Project, an AUP to allow tandem parking, and a DOBI for the increased residential density.

### **Project Description**

The Project includes demolition of all existing improvements on the Project Site and merging the Los Angeles portion, including the alley with the Culver City portion. The mixed-use development contains 104 dwelling units and 19,012 SF of ground floor commercial spaces within a 6 story, 67-foot-high building. There are 16 affordable units in Culver City, 5 Very Low Income and 11 Workforce units. The building extends across the City limits into Los Angeles as one structure of 5 stories and 56 feet in height. In Los Angeles there are 40 dwelling units with 3 Extremely Low-Income units and the Project has a total of 144 residential units. Surface parking and 2 levels of subterranean garage contain 234 parking spaces and are in both cities. Parking consists of 56 commercial parking spaces and 129 residential parking spaces (121 spaces in Culver City and 47 in Los Angeles). In addition, there are 23 bicycle parking spaces in Culver City and 46 bicycle parking spaces in Los Angeles.

Ground floor commercial uses have direct access off Washington Boulevard and the Culver City portion of Zanja Street. Ground level commercial parking is accessed from Meier and Zanja Streets and part of the commercial parking and all the residential parking is accessed from Meier Street. Los Angeles units are on the ground level facing Zanja Street and open space residential amenities are on the second level. Residential units border the second level open space on the west or Meier Street frontage and south or Washington Boulevard frontage forming an L shaped structure across both jurisdictions. An additional amenity deck is located on the roof in the Los Angeles part of the building.

### Los Angeles Parcels

The Los Angeles Parcels are located within the Palm -Mar Vista- Del Rey Community Plan Area in Los Angeles and have a General Plan Land Use designation of Medium Residential, and are zoned R3-1 (Multiple Dwelling, Height District 1), consistent with the designation and zoning of neighboring parcels. The zoning allows construction of medium density residential dwelling units, consistent with the Project's proposed development and the surrounding neighboring developments. The Los Angeles portion has a floor area of 41,624 SF.

The Los Angeles portion utilizes State Density Bonus law to increase base density of 29 units to 40 units (a 35% increase) including 3 Very Low-Income units (11% of the base density). Pursuant to State Density law, the Los Angeles portion is granted 2 incentives:

- Increase in height of 11 feet;
- Density Calculation based on the pre-highway dedication site area (gross lot area before dedication or net lot area).

Entitlements for the Los Angeles portion include merging the alley into the existing Los Angeles parcels via a Tentative Tract Map and a Conditional Use Permit to allow for commercial parking in the R3 zone. Environmental Certification by Los Angeles is processed with a Sustainable Communities Project Exemption and separately approved by Los Angeles.

## **ANALYSIS/DISCUSSION**

### Density and Other Bonus Incentives (DOBI) and Concessions

Culver City Municipal Code (CCMC) Chapter 17.580 - Density and Other Bonus Incentives - requires the City to follow State Density law for DOBI applications. Under State Density Bonus law, the City is required to grant up to a 50% dwelling density bonus increase if a developer agrees to reserve a percentage of affordable units for low-income households for up to 55 years. Low-income categories for affordable housing include very low income, low income, and moderate income. The State of California Housing and Community Development Department (HCD) annually establishes the income level criteria. Development standards such as height, setbacks, parking, and ground floor restrictions, cannot be applied if they prevent project construction with the increased density. Concessions and waivers, which are relief from these standards, must be granted by the City unless the City makes specified findings justifying the denial. The number of concessions and the density increase is based on the percentage of affordable units within the development. There is no limit on waivers, but they must relate to development of the affordable units. State allowed density increases and the concessions/waivers act as incentives to provide affordable housing. Many mechanisms once available to cities, including direct funding for construction of affordable housing, were limited by the dissolution of redevelopment agencies. Density Bonus Law is one method to incentivize market rate housing developers to provide affordable housing within an otherwise market rate development, even if such housing is a small percentage of the proposed project.

Density is calculated based on the Project’s acreage of 0.78, and State Density law requiring the rounding up of fractions. The applicant is providing 5 very low-income units, 11 workforce units, and 88 market rate units in Culver City (in Los Angeles there are 3 extremely low-income units and 37 market rate units on 0.54 acres). The Project’s base density increases from 35 dwellings units per acre, or 28 units, to 65 dwelling units per acre because it is providing 11 workforce units as a community benefit (Culver City Municipal Code (CCMC) 17.400.065.E.3 - Residential Density). The percentage of the base 28 units that are affordable (5 very low income) is 18% and the total number of incentives or concessions that the Project is entitled is identified in the chart below:

<b>Incentives and Concessions Tiers</b>			
<i>Number Entitled</i>	<i>Very Low Income</i>	<i>Low Income</i>	<i>Moderate Income</i>
1	5%	10%	10%
2	10%	20% → 17%	20%**
3	15%	30% → 24%	30%**
** applies to a common interest development, as defined in Section 4100 of the Civil Code			

The Project is entitled to 3 concessions because at least 15% of the base units are Very Low Income. The Applicant requests only 2 concessions:

1. Relief from the 56 FT height limit to allow a height of 67 FT and an additional 5 FT of parapet wall.
2. Relief from setbacks to:
  - Allow a 0-setback on portions of the street facing levels above the ground floor that normally require a 5-foot setback above the street facing ground level.
  - Allow a 0-setback for the rear portion of the Project abutting the Los Angeles portion of the Project that has a residential Zone and that would normally require a 10-foot setback for the first 15 feet of height followed by a 60-degree clear zone above the 15 feet.

The Project’s height increase is required to accommodate 104 units in Culver City. The Project is designed with a mix of unit types including studios, 1-bedroom, 1-bedroom with a den, 2-bedroom, and 2-bedroom with a den. This varied unit type makes the Project more marketable by providing different housing types that meet the needs of various target populations from single person to multi-person households. Limiting height to 56 feet reduces the total area per dwelling within the 104 units which limits the potential number of overall housing units including affordable units.

Setbacks further limit area per unit. Finally, the Project is designed as one unified development and subjecting the rear to a 10-foot setback with a 60-degree clear zone would eliminate this design objective and require elimination of units.

The total maximum number of dwelling units allowed in Culver City was calculated based the total area of the Project Site of 1.32 acres, which includes the Los Angeles portion. This approach is consistent with split jurisdictional projects, such as the Ivy Station project within the City’s Transit Oriented Development District. This allows the applicant to request an additional 27 units for a total of 104 units proposed in Culver City.

Architectural Design

The Project's building design uses the irregular, triangle-shaped Site to create an irregular "L" shaped structure above a 2-story podium that fills most of the Site. The bottom leg of the L-shape is in Culver City and is 6 levels when combined with the 2-story podium underneath it. The rest of the structure is in Los Angeles and is 5 levels (3 stories above the podium). Both sections of the building share a residential garden terrace and swimming pool above the 2-story podium, a ground floor garage and loading area, and 2 levels of subterranean parking.

The design is modern using broad straight and vertical lines. Parapets, recessed balconies, and offset street facing building frontages break up the structure massing. A 7-foot building step back for 64 feet along Washington Boulevard results in the appearance of 2 separate structures when viewed from either east or west of the Project Site. Ground floor commercial spaces, outdoor dining along Washington Boulevard, and setbacks ranging from 8 to 16 feet provide outdoor seating opportunities which enhance the adjacent streetscape and area walkability.

Finished exteriors include stucco, exterior cladding, wood color panels, exposed concrete wall, metal store fronts, roof screens, clear glass, and dark gray handrails, creating a varied façade. The color palette consists of yellow, grey, and tan or wood tones. The Washington Boulevard pedestrian-oriented streetscape is continuous, unbroken sidewalk from Meier to Zanja Streets because surface and subterranean garage access is off Meier and Zanja Streets. This condition also enhances the Washington Boulevard frontage which is free from parking garage entries and driveways.

The Project design is compatible with the surrounding commercial corridor and revitalizes a currently vacant lot and dilapidated building. The building design and massing is consistent with the zoning standards of the CG Zone and State Density Bonus law required concessions and waivers.

#### Site Plan/Floor Plan

A lot tie covenant is required as a condition of approval to tie the Project Site's various lots into one unified Project Site. As noted, the Project footprint takes up most of the Project boundary with ground floor setbacks up to 16 feet to accommodate pedestrian amenities. Setbacks in the Culver City portion of Meier and Zanja Streets are not required, and the building is setback 32 feet along Zanja Street to accommodate large outdoor seating. The building has no setback along Meier Street. Commercial spaces are entirely in Culver City with tenant space depth up to 75 FT, greater than the minimum 30-foot depth required per the mixed-use ordinance. Most of the ground level commercial parking and several dwelling units are in the Los Angeles side of the ground level. Levels above follow the ground level façade footprint with step backs to accommodate balconies. There are various dwelling floor plans to accommodate studio, 1-bedroom, and 2-bedroom units. Each unit includes washers and dryers and except for the studio units, all the dwellings have private balconies. Code required outside private storage for each unit is in the subterranean parking.

#### Lighting/Security

The project uses shielded fixtures for all code-required site lighting and for general outdoor illumination to reduce light trespass beyond the property line. A project condition will require 24-hour security cameras and secured key entrances to the residential lobbies further provide security residences. A gate in the subterranean level separates the residential parking from the commercial parking.

#### Open Space

The Project proposes commercial spaces, a residential lobby, parking spaces, and back of house uses on the ground floor within the City. The Culver City portion requires 8,325 SF of private and common open space pursuant to CCMC Section 17.400.060-G.3 and the Project provides 13,012 SF in Culver City. The residential dwelling units within the City are located on the second through sixth floor of the six-story building. With

exception of studio units, the Project's residential units within the City have private balconies. Approximately 10,272 sf of open space is provided as private balconies, and an additional 2,537 sf of open space is provided on the second floor on the podium. While the common open space within the City limits is 2,537 sf, the common open space is designed to be shared with the Project's Los Angeles units, and approximately 7,256 sf of this podium garden terrace is located within the City of Los Angeles.

The entire podium garden terrace is 9,793 sf. It features a swimming pool, an activity deck, a spa, a barbecue area, and an abundance of trees, shrubs, and ground covering plants. All residents of the Project would have access to this shared podium garden terrace.

### Landscaping/Hardscaping

The Project includes street trees along Meier Street, Washington Boulevard, and Zanja Street within the City and Los Angeles. An additional landscape strip along Zanja Street provides an additional buffer between the sidewalk and the Zanja Street frontage. Pedestrian oriented plazas and outdoor seating in front of the retail spaces on Washington Boulevard creates opportunities for sidewalk café and public spaces, promoting an active pedestrian friendly street. Landscape features, including trees, shrubs, and ground covering are on the second-floor residential opens spaces deck. A sixth-floor open space, landscaped deck offers a leisure and lounge area with a fire-pit table and seating and dining areas for Project residents. The landscape tree palette comprises London Plane, Purple Orchard, Peppermint Willow, Brisbane Box, Princeton Sentry Ginkgo, and Marina Strawberry. A wide variety of drought tolerant shrubs like Foxtail Agave, Blue Flame Agave, Dawe's Aloe, and Island Bush Snapdragon provide additional landscape accents and buffering.

### Sustainability

The project minimizes environmental impacts with a focus on sustainable design. The sustainable design elements include energy efficiency measures, water efficient fixtures, drought tolerant plantings and durable and low-impact material selection. This project exceeds State minimum energy efficiency thresholds for new developments (Title 24) by 15% as required for Sustainable Community Strategies (SCS) Projects. The Project complies with SCS objectives that encourage high density development in major transportation corridors that have access to mass transit and alternate transit options.

On September 3, 2020, the Southern California Association of Governments' (SCAG) Regional Council adopted Connect SoCal 2020-2045 (2020-2045 Regional Transportation Plan/Sustainable Communities Strategy). Connect SoCal is a long-range visioning plan that builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. Consistent with SCS strategies, the Project's gross square feet is more than 50% residential by use, provides a minimum net density greater than 20 units per acre, and is within one-half mile of a major transit stop.

The Project is in a Transit Priority Area (TPA) and several bus lines are near it. Culver City Bus Line 1 goes from Venice to the West LA Transit Center and stops in front of the Project Site. Los Angeles Metro Bus Line 33 runs along Venice Boulevard from Downtown Los Angeles and Union Station to Venice and Santa Monica. Both Culver City 1 and Metro 33 connect with Metro E (Expo Line) that goes from Downtown Los Angeles to Santa Monica and Culver City 6 and Rapid 6 that goes from Los Angeles International Airport to UCLA via Sepulveda Boulevard. The Project is equally accessible to bicycle lanes. The June 2020 Culver City Bicycle and Pedestrian Action Plan shows there is a Class II bicycle lane just east of the Site on Washington Boulevard and the Project will extend the Class II lane further west. Another Class II lane lies along Venice Boulevard, 0.35 miles from the Site. The Bicycle and Pedestrian Action Plan proposes a Class IV separated bicycle lane just east of the Project Site on Washington Place.

Finally, the mixed-use development is a sustainable development because it is close to various restaurant,

retail, entertainment, and grocery market options, reducing auto dependency.

### Traffic, Parking, Circulation

The Project Traffic Study determined a Vehicle Miles Travel (VMT) study is not required because it complies with 2 of the 5 criteria that screen out the VMT analysis (Attachment No. 5):

- The Project is located within a TPA and at least 15% of the residential units are affordable.
- The retail component of the Project is less than 50,000 square feet in size.

Traffic impacts are considered less than significant and presumed to have no impact as outlined in CEQA.

A supplemental traffic analysis is required because daily trips exceed 250. The Study includes a Level of Service (LOS) review and no impacts are identified. Study conclusions indicate that nominal queues are expected for inbound vehicles turning left into Project driveways and improvements in the multi-modal circulation and access around the Project Site are expected. The Project is expected to generate approximately 189 transit riders per day, including approximately 17 transit riders during the AM peak hour and 17 transit riders during the PM peak hour based on the Los Angeles County Congestion Management Plan (CMP) methodologies for estimation of transit riders,

The Project includes 66 commercial parking spaces, consistent with the Zoning Code commercial required parking. The spaces are on the ground floor behind the commercial tenant spaces and in the first subterranean level. The surface parking is accessed from 2 driveways off Meier and Zanja Streets that are located approximately at the City Limit Line between Culver City and Los Angeles. One driveway at the north end of Meier Street leads to the two subterranean parking levels. Residential parking is compliant with the reduced State Density Law parking provisions that is less than the Zoning Code required parking. The Project includes 168 residential spaces and is in both subterranean levels. It is separated from the first subterranean level commercial parking by a security gate.

### Mobility/Transportation Demand Management (TDM)

The Project is required to implement TDM measures to encourage use of public and alternate modes of transportation, reduction of single person auto dependency, and use of clean fuel vehicle. The following Trip Reduction Measures are incorporated into the project conditions:

- End of trip facilities for ground floor employees including Employee Bicycle Lockers.
- Reserved area for ground floor micro transit for both employees and customers.
- Public Transportation and Shared-ride Uber/Lift Information Kiosks for both commercial users and residents that includes a touch screen media device which can provide real time arrivals for various bus lines and other public transit and/or Shared-ride related information.
- At least two low/zero emission vehicle designated parking spaces at each parking level and at least one carpool/vanpool designated parking; infrastructure ready EV spaces may be used.
- Designated loading areas for shared-ride vehicles along project adjacent public streets or an onsite designated loading area for shared-ride vehicles subject to review and approval from Public Works Department and as proposed on the Preliminary Development Plans.
- Subsidized Shared-Ride/Uber/Lift Service - The Project provides ground floor employees with a voucher or similar system for Uber/Lift ridesharing services to facilitate use of rideshare services. The subsidy is for two years after Certificate of Occupancy over a two-year period. The Project owner or

property management firm shall provide evidence and/or accounting annually to the City of such subsidy.

- Two bicycle sharing spaces, one for the residences and one for the ground floor employees, with accompanying bicycles to be owned, insured, and maintained by the Project's property management company.
- Other potential measures consistent with City mobility measures which may be adopted by Planning Commission.
- The Project provides 12 electric vehicle ("EV") capable spaces, 6 EV ready spaces, and 6 EV charging spaces for the commercial parking area, as required by the Zoning Code.
- The Project provides 26 EV capable spaces, 13 EV ready spaces, and 13 EV charging spaces, for the residential parking area, as required by the Zoning Code.
- For the Los Angeles portion, there are 12 EV ready spaces, and 4 EV charging spaces.
- The Project provides at least 4 retail bicycle parking spaces and 14 residential parking spaces for the residential and commercial development in Culver City and an additional 46 residential bicycle parking spaces for the residential units within Los Angeles for a total of 64 bicycle parking spaces, in addition to the two shared bicycles noted above.
- The applicant has voluntarily agreed to provide car share parking spaces and accompanying car(s) to be owned or leased, insured, and maintained by the Project's property management company. Prior to Certificate of Occupancy the Applicant shall submit a car share plan to the Current Planning Division that indicates the number of car share vehicles, reserved car share parking spaces, the target users which shall include Project residents and could also include a combination of ground floor employees and the general public, and a copy of the car share agreement if the Project property management company enters into a contract for an outside car share service. Car share vehicles shall be clean fuel or hybrid clean fuel.

#### Trash Removal and Loading

The residential and commercial trash enclosures are located on the ground floor behind the commercial tenant spaces at the east end of the Project Site. They are accessed and serviced off the Zanja Street driveway. An additional residential recycling enclosure is located on the ground level at the west end in the Los Angeles portion. A project condition of approval requires the applicant to submit a waste management plan to City's Environmental Programs and Operation (EPO) Division for review and approval during the Building Permit review process. Delivery vehicles park on the ground level in a designated medium sized loading space 13 feet wide by 34 feet deep that is located at the east end behind tenant spaces and next to the trash enclosures. Smaller vehicles such as taxi cabs and ride share cars have designated curbside spaces on Washington Boulevard. Final configuration of the curbside loading requires Public Works Mobility and Traffic Engineering approval during the building permit plan check phase.

#### Neighborhood Compatibility

The Project design is compatible with the surrounding commercial neighborhood and contributes to the revitalization of the commercial corridor with development of a vacant lot, an old, underutilized commercial building, and surface parking lot. The building design and massing is consistent with the CG Zone standards,

applicable concessions/waivers, and State Density law.

The 67 foot, 6-story structure in Culver City and the 56 foot, 5-story portion in Los Angeles is designed to respect the scale of existing developments. The 6-story building is oriented toward Washington Boulevard, a primary arterial and commercial corridor that is developed with 1 to 5-story commercial and mixed-use developments. The ground floor commercial uses are the same as surrounding ground floor commercial uses in the area, including the mixed-use project west of the Project Site.

The 5-story portion faces Zanja and Meier Streets in Los Angeles and this area includes 1 to 3 story medium density residential developments with limited commercial uses. Residential units are located on the ground floor with outdoor porches on the Zanja Street frontage, consistent with the residential character of Zanja Street. The 6-story portion with ground floor retail and greater residential density faces Washington Boulevard and is a continuation of the medium to high density commercial uses along the commercial corridor. The Project is the third mixed use project within a quarter mile radius, adding to the Project's compatibility with surrounding mixed-use developments.

## **PUBLIC OUTREACH**

### **Community Meetings and Public Outreach**

The applicant held 3 community meetings pursuant to the City's Community Meeting Guidelines. Consistent with CCMC Chapter 17.630, a notice of community meeting was mailed to all property owners and occupants within 500-feet from the Project Site boundaries. The community meetings were held at 6:30 PM on Tuesday, December 4, 2018, Thursday, April 15, 2021, and Tuesday, May 24, 2022. At the meetings, the Applicant gave a brief overview of the Project and provided opportunity for discussion with meeting attendants. See Attachment No. 6 for a summary bullet point of the Community Meetings.

### **Comments Received During Public Comment Period**

A public notice was mailed to all property owners and occupants within a 500-foot radius of the Project Site on August 3, 2022, advising the public of a hearing at the regularly scheduled Planning Commission meeting of August 24, 2022. As of the writing of this staff report, no comments have been submitted.

## **ENVIRONMENTAL DETERMINATION**

Senate Bill (SB) 375, also known as "The Sustainable Communities Climate Protection Act of 2008", states projects that combine transportation and land use planning to achieve State Green House Gas ("GHG") emission reduction targets and meet certain criteria may pursue a streamlined California Environmental Quality Act ("CEQA") review.

The Applicant submitted a CEQA Sustainable Communities Project Exemption report prepared by Meridian Consultants (Attachment No. 7). The report determined the Project meets SB375 requirements because it is in an area with a Regional Transportation Plan and Sustainability Communities Strategy ("RTP/SCS") approved by the Southern California Association of Governments ("SCAG") and updated every four years. The Project is also consistent with the requirements of the RTP/SCS because it is in a SCAG High Quality Transit Area (HQTA) and is near a major transit stop where intersecting fixed route bus lines have service intervals of 15 minutes or less during peak commute hours.

State Public Resources Code Section 21155.1(a) requires projects seeking an SB375 exemption to meet eight environmental criteria to be eligible for the exemption. The Project meets all eight requirements because:

1. The Site is adequately serviced by existing utilities and is connected to existing utility infrastructures.
2. The Site is in an urbanized area with existing building and surface parking.
3. The Site is not on the California Department of Toxic Substances Control's EnviroStor database.
4. The Site's Phase 1 Environmental Site Assessment ("ESA") and Phase 2 ESA did not indicate a release or presence of hazardous materials.
5. The Site does not contain historic resources.
6. The Site is not located in a Fire District, a Very High Fire Hazard Severity Zone, an Earthquake Fault Zone, or a flood zone. Further, the Site is not in an area with risk of explosions or health exposure to asbestos.
7. The Site is not designated for open space.
8. The Project is 15% more energy efficient than required by Title 24, and the buildings and landscaping is designed to achieve 25% less water usage than the average household use in the region.

State Public Resources Code Section 21155.1(b) requires that exempt projects also meet seven land use criteria. The Project meets them due to the following reasons:

1. The Site is approximately 1.32 acres in size (combining Los Angeles Parcels and Culver City Parcels), which is less than 8 acres.
2. The Project contains 144 residential units, which is less than the maximum 200 allowed (combined both Los Angeles and Culver City units).
3. The Project results in no net loss of affordable housing units. The Project provides a total of 19 restricted affordable units, including 5 Very Low-Income units and 11 Workforce Income units in the Culver City, and 3 Extremely Low-Income units in Los Angeles.
4. The Project's single-level buildings do not exceed 75,000 sf in size. Instead, the Project consists of a 5-story to 6-story building atop 2 subterranean parking levels.
5. The Project is subject to the City's General Plan Environmental Impact Report ("EIR"), SCAG 2016 RTP/SCS, and the City of Los Angeles Coastal Transportation Corridor Specific Plan, and the West Los Angeles Transportation Improvement and Mitigation Specific Plan ("CTCSP/WLA TIMP") EIR.
6. The Site is surrounded by commercial, retail, and residential uses, and is not near operating industrial uses.
7. The Site is located within the SCAG HQTAs.

State Public Resources Code Section 21155.1(c) further requires the Project to meet one of three additional criteria to be eligible for the SB375 exemption. The Project will provide 8 Low Income or lower units resulting in more than 5% of the 144-overall number of dwelling units provided to Very Low Income or lower households. All restricted affordable units within the Project, both in Culver City and Los Angeles, is covenanted for 55 years. The August 10, 2022 Sustainable Communities Project Exemption Report (Attachment No.7) describes in detail the SB 375 streamlined CEQA review and the Project's eligibility for a Sustainable Communities Project Exemption.

Pursuant to CEQA Guidelines, initial review of the Project established there are no potentially significant adverse impacts upon the environment, and the Project is considered exempt from CEQA as a Sustainable Communities Project based on:

- I. The Proposed Project qualifies as a transit priority project pursuant to Public Resources Code Section 21155(b) because the Proposed Project is consistent with the general use designations, density, building intensity, and applicable policies specified for the project area in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) prepared by the Southern California Association of Governments (SCAG) pursuant to Public Resources Code Section 21155(a); and contains more than 50% residential use; provides a minimum net density greater than 20 units an acre; and is within one-half mile of a major transit stop or high-quality transit corridor included in the SCAG RTP/SCS per PRC

Section 21155(b);

- II. All criteria in 21155.1(a) and (b) are met by the Proposed Project, including environmental criteria, land use criteria, and at least one criterion (affordable housing) in PRC Section 21155.1(c).

### **CONCLUSION/SUMMARY**

Based on the proposed preliminary development plans and recommended conditions of approval, the Project is compatible with the surrounding neighborhood, adequately served by public facilities and consistent with State Density law, the General Plan, Zoning Code, and all CCMC requirements. The findings for Site Plan Review, P2021-0103-SPR, Administrative Use Permit, P2021-0103-AUP, and Density and Other Bonus Incentives, P2021-0103-DOBI are made as outlined in proposed Planning Commission Resolution No. 2022-P017 (Attachment No. 1).

### **FISCAL ANALYSIS**

There is no fiscal impact to the City resulting from the Project, consisting of the SPR, AUP, and DOBI, that is before the Planning Commission.

### **ATTACHMENTS:**

1. Proposed Planning Commission Resolution No. 2022-P017 with Exhibit A, Conditions of Approval and Exhibit B, Code Requirements.
2. Project Summary.
3. Vicinity Map.
4. Preliminary Development Plans dated April 22, 2022.
5. Transportation Study by RK Engineering, February 28, 2022.
6. Community Meeting Summary.
7. CEQA Sustainable Communities Project Exemption Report, by Meridian, August 10, 2022.
8. Preliminary Construction Management Plan, by Bastion Development, August 2022.
9. Public Comments.

### **MOTION**

That the Planning Commission:

Approve a Site Plan Review subject to conditions of approval, Administrative Use Permit and adopt a Sustainable Communities Project Exemption and recommend City Council approval of Density and Other Bonus Incentives.