



# City of Culver City

## Staff Report

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**File #:** 23-268, **Version:** 1

**Item #:** PH-1

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**PC - PUBLIC HEARING:** Consideration of an Administrative Site Plan Review Modification, to allow construction of a 9-Unit Townhome Style Condominium Subdivision at 4051 and 4055 Jackson Avenue (Project).

**Meeting Date:** October 26, 2022

**Contact Person/Dept:** Jose Mendivil, Current Planning Division  
Erika Ramirez, Current Planning Division

**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

**Public Notification:** (E-Mail) Meetings and Agendas-Planning Commission (10/20/22); (Posted) City Website (10/04/22); (Mailed) Property owners and occupants within a 500 ft radius extended (10/04/22); (Posted) On-site along Jackson Avenue (10/04/22).

**Department Approval:** Jesse Mays, Assistant City Manager (10/19/2022)

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### RECOMMENDATION

Staff recommends the Planning Commission adopt a resolution approving an Administrative Site Plan Review Modification allowing design changes to a previously approved 9-unit condominium Project with subterranean parking.

### 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**

### Request / Project Description

On December 7, 2021, Nabil Salem (Applicant), and Dmitriy Kazakov (Applicant's architect), submitted a modification to a previously approved Administrative Site Plan Review and Tentative Tract Map to allow the development of 9 townhome style residential condominiums with subterranean parking (the Project) at 4051 and 4055 Jackson Avenue (Project Site).

Pursuant to Culver City Municipal Code (CCMC) Section 17.595.035, Changes to an Approved Project, an applicant may request to amend a previously approved entitlement and shall provide an appropriate explanation for the change. The Director has review authority for minor changes and major changes are reviewed by the original review authority. Further, a major change request is processed in the same manner as the original permit or entitlement.

The changes described in this Modification would normally have been considered minor and processed administratively, but the Planning Commission placed a condition on the original approval that any modifications must be approved by the Planning Commission. Therefore, the modifications has been deemed major and is before the Planning Commission for consideration.

The requested modification before the Planning Commission for consideration are changes to the subterranean parking floor plan, façade and siding applications. Also, the overall building geometrics is revised due to required changes in the subterranean level that affect floor plans, support columns, and sheer walls in the levels above the parking.

The applicant requests to modify the approved Site Plan Review by revising the parking layout is to account for building code required structural columns, perimeter shoring, and other structural elements which were lacking in the prior plans. As part of the modification, all floors of the parking structure are revised to coincide with a new parking layout and relocated staircase locations. The modified predevelopment plans dated September 29, 2022, reflect a thorough study of the site and code requirements that apply to the Project (Attachment No. 7).

The Project's components such as density, number of structures, open courtyards, side and rear setbacks, and height remain the same with a few exceptions including changes to building geometrics and façade design, and front setback. The subterranean parking structure includes a combination of open and enclosed parking spaces, lockable storage basement rooms that also accommodate bicycle parking for each unit. There are four 2-story buildings with roof top open space decks and roof top planter areas. A central courtyard runs the depth of the Project Site, and two separate smaller courtyards intersect the central courtyard at 90-degree angles. One of the units is ADA accessible with elevators leading from the subterranean parking structure to interior levels and the roof top deck. Attachment No. 7 provides detailed site, floor, and elevation plans.

### Previous Project Approval

On March 5, 2018, the Applicant submitted a request for an Administrative Site Plan Review and Tentative Tract Map to allow the development of 9 townhome style residential condominiums with subterranean parking.

On the July 11, 2018, the Planning Commission considered and discussed an Administrative Site Plan Review, P2018-0056-ASPR and Tentative Tract Map, P2018-0056-TTM, to allow construction of the Project. The Commission continued the hearing after identifying numerous mistakes and internal inconsistencies in the predevelopment plans. Errors on the plans included inconsistencies between pages such as the site plan

differing from the landscape plans; spelling errors; words printed on top of words; incomplete elevation direction identification (example: Side Left identified as Left); schedule numbers that identify materials and color disagreeing with the corresponding numbers on site, floor, and elevation plans; and listing of numerous notes on pages where such notes do not apply.

On April 10, 2019, the Planning Commission approved the Administrative Site Plan Review and recommended the City council approve Tentative Tract Map, subject to conditions of Planning Commission Resolution No. 2018-P005. The Planning Commission required the architect correct remaining mistakes and submit the plans to the Current Planning Division for review prior to the City Council review of the tentative map. Additionally, they added a Project Condition that requires all modifications to be reviewed by the Planning Commission. Attachment Nos 4, 5, and 6 include the April 10, 2019, Planning Commission Staff Report without Attachments, Meeting Minutes, and Preliminary Development Plans dated June 29, 2018. The proposed resolution with Project conditions supersedes the previous resolution (Attachment No. 1).

In the past 3 years, the Applicant employed various architects. The current Project architect, Dmitriy Kazakov, was retained in March of 2021. The Applicant requested extensions to the entitlement because of impediments with hiring an architect and the COVID 19 Pandemic that significantly prohibited the Applicant from moving forward. The COVID-19 Pandemic in general, delayed several development projects resulting in Building Permit issuance delays throughout the City. The Project architect identified some conflicts between the original plans and the current Building Code and modified the proposed design to comply with Building Code requirements.

Entitlement deadlines are extended to April 10, 2023. City permits necessary to construct the Project have not been submitted to the City's Building and Safety Division and must be issued, with construction begun, prior to April 10, 2023. A Project condition extends this deadline by one year consistent with code language that requires up to one year to exercise an approved project.

#### Project Site / Surrounding Area / Zoning & General Plan

The site is located on the west side of Jackson Avenue, between Culver Boulevard and Braddock Drive with Jackson Avenue oriented in a north/south direction. The site includes two adjacent lots and is generally flat, rectangular in shape, and with standard dimensions of 100 feet in width by 135 feet in depth. It contains a single-family dwelling on the south lot and a 4-unit apartment building on the north lot. All structures on the site will be demolished. The surrounding residential area includes a mix of 1 and 2-story, single and multi-family dwellings. Attachment Nos 2, 3, and 7, include the Project Summary, Vicinity Map, and Preliminary Development Plans and summarize the Project Site, surrounding area, and Zoning and General Plan information.

#### Tentative Tract Map

Typically, after the Planning Commission recommends approval of a tentative tract map, the City takes the recommendation before the City Council shortly after the Commission recommendation. In this case, the City did not take the tentative map to the Council because staff was waiting for corrections to the predevelopment plans which did not occur until later.

California Subdivision law, California Government Code Sections 66452.2 and 66452.4, require a local jurisdiction to approve or disapprove a tentative tract map within 30 days of the Planning Commission recommending approval of the map. These sections further state that a tentative tract map is deemed to be approved if the City does not act on the subdivision request within the 30 days. Once a tentative map is deemed approved pursuant to the above noted Government Code sections, the local jurisdiction must provide a written certification of approval to the Applicant. This means the map taken before the Planning Commission April 10, 2019, is deemed approved and does not need City Council approval. Tract Map No. 77092 is

included in Attachment No. 8 for reference only and no action is required. A Project condition will require a written certification of approval prior to completion of the Project.

## **DISCUSSION**

The RMD Zone allows 1 unit per 1,500 square feet of net lot area, up to a maximum of 9 dwelling units. Based on the Project Site area of 13,500 SF, a maximum of 9 units are allowed on the site; the applicant is proposing 9 units. The Project Summary illustrates that the Project conforms to all regulations of the RMD Zone where the Project is located (Attachment No. 2).

### **Architectural Design**

The structures have a contemporary style with straight lines and multiple surfaces positioned at right angles creating articulated facades. The open courtyards and window glazing allow natural light into the dwellings. The project's articulated surfaces include a mix of fiber cement with a wood like finish, exterior off-white stucco, and exterior light tan stucco. These surfaces are alternatively applied to the Project façade to ensure color and finish are not monolithic. The front street fascia is dominated by the fiber cement with wood like finish which is applied less on the other frontages.

The original Project was designed with straight lines, multiple surfaces, and articulated façades and included similar off-white to light tan stucco and wood siding. The difference between the original Project architecture and the current proposed modified design is the manner in how surfaces are offset because building footprints are in slightly different locations.

Overall, the project design is compatible with other residential structures in the neighborhood and the building height and massing is consistent with the RMD Zone standards.

### **Parking, Circulation, Storage, and Refuse**

The Project provides the code required 20 subterranean parking spaces (2 per unit plus 2 guest spaces) and is accessed from a single driveway on the north side of the Project site. Parking is distributed between open parking and garage style parking; all spaces are consistent with code required minimum width, length, and overhead clearance. The original approved plans included separate garages for each unit and staircase and column design were oriented differently than the modified plans. The minimum code required 24-foot back-up drive aisle provides sufficient turning radius and circulation area to maneuver in and out of each parking stall. At-grade pedestrian walkways are located along the two central courtyards allowing residents to enter off the sidewalk; stairs in the garages lead directly to the units. The proposed vehicle and pedestrian ingress/egress provides adequate access for emergency vehicles and services. The configuration of the proposed onsite driveway and vehicle maneuvering area are designed in accordance with all applicable CCMC standards including Building Code provisions. The main difference between the original subterranean level and the modified subterranean level is that each unit had its own garage and there are callouts for support columns.

A minimum of 100 cubic feet of lockable storage area is provided for each dwelling outside of the unit in the subterranean level walk-in basements. These same walk-in basements accommodate 2 bicycle parking spaces per unit. The subterranean level also contains a trash room that accommodates refuse, recycle, and organic waste.

The development's density will not create significant traffic impacts and is below the threshold for requiring a traffic study.

**PUBLIC OUTREACH****Community Meetings and Public Outreach**

As part of the modification request, the applicant held a community meeting pursuant to the City's Community Meeting Guidelines. Consistent with CCMC Chapter 17.630, a community meeting notice was mailed to all property owners and occupants within 500-feet from the Project Site boundaries. The virtual community meeting was held at 7 PM, on Thursday, August 18, 2022. At the meetings, the Applicant gave a brief overview of the Project and provided opportunity for discussion with meeting attendants. Questions by the community included construction timeline, traffic and parking impacts on Jackson Avenue, and displacement of residents currently living in the 4-unit apartment building that will be demolished.

The Applicant representative responded to questions; they:

- Provided a construction timeline.
- Indicated construction related vehicles will either park on-site, in front of the Project Site, or at off-site locations.
- Explained the Project provides 2 parking spaces per unit and 2 guest spaces on-site in the subterranean level, minimizing Project parking impacts on Jackson Avenue.
- Explained that eviction notices will be issued consistent with local and state laws and that the Project would still need to go through Building Permit plan check review before demolition of existing structures can occur. A Project condition requires the Applicant to provide relocation assistance consistent with local City ordinances.

**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 October 5, 2022, advising the public of a hearing at the regularly scheduled Planning Commission meeting of October 26, 2022. As of the writing of this staff report, no comments have been submitted.

**ENVIRONMENTAL DETERMINATION:**

Pursuant to the California Environmental Quality Act (CEQA) guidelines, initial review of the Project by the City established that there are no potentially significant adverse impacts on the environment. On April 10, 2019, the Planning Commission determined the proposed development to be Categorically Exempt per CEQA Section 15332, Class 32, In-Fill Development. The proposed Project is consistent with the General Plan and Zoning. It is located on a 0.31-acre site surrounded by urban uses and the site has no value as a habitat for endangered, rare, or threatened species. There are no significant traffic, noise, air quality, or water quality impacts and the Project can be served by utilities and public services. The modifications are within the scope of the exemption and the circumstances under which the exemption was prepared have not significantly changed, and no new significant information is found that affects the exemption. Therefore, no additional environmental analysis is required.

**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 the General Plan, Zoning Code, and all CCMC requirements. The findings for Administrative Site Plan Review Modification, P2021-0306-ASPR/M and Related Case No. P2018-0056-ASPR/TTM are made as outlined in

proposed Planning Commission Resolution No. 2022-P022 (Attachment No. 1).

**FISCAL ANALYSIS**

There is no fiscal impact to the City resulting from the Project.

**ATTACHMENTS**

1. Proposed Planning Commission Resolution No. 2022-P022 with Exhibit A, Conditions of Approval and Exhibit B, Code Requirements.
2. Project Summary.
3. Vicinity Map.
4. April 10, 2019, Planning Commission Staff Report without Attachments
5. April 10, 2019, Planning Commission Meeting Minutes
6. April 10, 2019, Planning Commission Preliminary Development Plans dated June 29, 2018
7. Modified Preliminary Development Plans dated September 29, 2022.
8. Tentative Tract Map No. 77092.

**MOTION**

That the Planning Commission:

Approve an Administrative Site Plan Review Modification, subject to conditions of approval, allowing changes to a previously approved 9-unit condominium Project with subterranean parking.