



# City of Culver City

Mike Balkman Council  
Chambers  
9770 Culver Blvd.  
Culver City, CA 90232

## Staff Report

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**File #:** 16-311, **Version:** 1

**Item #:** PH-3.

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**PH-3: Zoning Code Map Amendment, P2016-0087-ZCMA; Site Plan Review, P2016-0087-SPR; Density Bonus, P2016-0087-DOBI; and Administrative Modification P2016-0087-AM, for the construction of a proposed mixed-use project consisting 15 residential units (including one very low income unit); 14,364 square feet of commercial space; and ground level and subterranean parking totaling 69 parking spaces located at 3434 Wesley Street.**

**Contact Person/Dept:** Peter Sun, Assistant Planner  
Thomas Gorham, Planning Manager

**Phone Number:** 310.253.5710

**Fiscal Impact:** Yes ☐ No ☒

**General Fund:** Yes ☐ No ☒

**Public Hearing:** ☒

**Action Item:** ☐

**Attachments:** ☒

**Public Notification:** Mailed to all property owners and occupants within a 500-foot radius, emailed to the City's master distribution list, and posted on the City's website on October 5, 2016; Published in the Culver City News on October 6, 2016

**Department Approval:** Sol Blumenfeld, Community Development Director (10/13/2016)

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### **RECOMMENDATION**

Staff recommends that the Planning Commission:

1. Adopt a Class 32 Categorical Exemption for this project pursuant to California Environmental Quality Act (CEQA) Section 15332 - In-fill Development Projects.
2. Approve Site Plan Review, P2016-0087-SPR; and Administrative Modification, P2016-0087-AM, and recommend to the City Council approval of Zoning Code Map Amendment, P2016-0087-ZCMA and Density Bonus, P2016-0087-DOBI subject to the Conditions of Approval as stated in Resolution No. 2016-P017 (Attachment No. 1).

### **PROCEDURES**

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

## **BACKGROUND**

### **Request**

On May 19, 2016, an application was submitted for a Zoning Code Map Amendment, Density Bonus, Site Plan Review, and Administrative Modification for a proposed mixed-use project consisting 15 residential units (including one very low income unit); 14,364 square feet of commercial space; and ground level and subterranean parking totaling 69 parking spaces at 3434 Wesley Street.

### **Existing Conditions**

The project site is a currently vacant and undeveloped lot located at 3434 Wesley Street. Wesley Street is a cul-de-sac located off of Washington Boulevard near National Boulevard (See Attachment No. 2 - Vicinity Map) in the City's Washington National Transit Oriented District (TOD). The project site consists of two parcels, both 50 feet in width and 150 feet in depth. With recordation of a lot tie, the project site will have a street frontage and width of 100 feet and depth of 150 feet, and a net developable lot area of 15,000 square feet. Adjacent land uses are as follows: North- existing one story office building; South - existing architecture firm office building and Expo Line elevated train track; West - Access Culver City mixed use project; and East - Exceptional Children's Foundation offices and employee training center facility.

The subject site is zoned Industrial General (IG) and has a General Plan land use designation of General Corridor. The zoning is inconsistent with the General Plan designation and as such a zone change is requested as part of this application.

### **Project Description**

The proposed Project consists of a five-story up to 56 feet in height mixed-use building with gallery and café uses on the ground floor, creative office uses on the second floor, and residential uses on the third, fourth, and fifth floors.

A total of 15 residential units are proposed including studios and one-bedroom apartments with dedicated private outdoor spaces; two-story two-bedroom units with a balcony and private roof decks; and loft units with a mezzanine and balcony. Under the State mandated density bonus incentive, the applicant also proposes to dedicate one unit to a very low income tenant in order to allow for a density increase that resulted in 3 additional units. Vehicular access and circulation is provided by a 20-foot wide driveway on Wesley Street that enters a public parking area on the ground level and ramps down into two subterranean levels of parking. Parking reserved for residential units are located on P2 and separated by an automated gate.

The table below outlines the various uses in the proposed building:

	Units	Square Footage	Open Space
Commercial			
Gallery	1	1,800 SF	164 SF (courtyard)
Café	1	300 SF	
Office	1	12,264 SF	400 SF (balcony, (2) 190 SF± (courtyard)
Total Commercial		14,364 SF	
Residential Type			3,040 SF Common Roof Deck
Studio	2	565 - 580 SF	200 SF± (semi-private deck)
Loft	3	1,067 - 1,080 SF	65 SF (balcony)
1 Bed (Typ. A)	4	725 SF	200 SF± (semi-private deck)
1 Bed (Typ. B)	1	740 SF	200 SF± (semi-private deck)
1 Bed (Typ. C)	1	710 SF	200 SF± (semi-private deck)
2 Bed, 2 Bath	4	1,196 - 1,308 SF	65 SF (balcony), 577 SF (roof deck)
Total Residential	15	13,618 SF	

## **ANALYSIS/DISCUSSION**

### **1. ZONING CODE MAP AMENDMENT**

The project requires a Zoning Code Map Amendment to change the zoning from Industrial General (IG) to Commercial General (CG). Zoning Code Section 17.200.015.C states that the Zoning Map shall implement the General Plan. The zone change to CG will be consistent with the General Plan land use designation of General Corridor and therefore implement the General Plan. In addition, the zone change will allow the proposed mixed use development which pursuant to Zoning Code Sections 17.220.015 and 17.230.015, is permitted in the CG zone but not the IG zone.

The Zoning Code Map Amendment is proposed to change the zoning on the subject property from IG to CG not only allows the use of a mixed-use project, but ensures the consistency of the Zoning Map and General Plan. CCMC Chapter 17.200 explains the relationship of the Zoning Map and General Plan and states that the Zoning Map shall implement the General Plan. Currently, the Zoning Map designates the subject property as IG which is inconsistent with the General Corridor General Plan Land Use Classification. In order to consistently implement the General Plan land use designation for the subject property, the zone of the subject property should be changed to CG.

The Zoning Code Map Amendment would not be detrimental to the public interest, health, safety, convenience,

or welfare of the City. The zone change to CG will allow the proposed mixed use development and will be consistent with uses in the vicinity of the project site. Many of the former industrial, manufacturing and auto related uses in the neighborhood have changed over the past 10 years with the City's TOD land use goals for the area including the promotion of mixed use and higher residential density around the Expo line station in order to address local and region wide sustainability, transit and air quality goals. These adjacent uses include an architectural design office at 3440 Wesley Street to the south on the site of a former auto body shop; and creative office uses at 3431 Wesley Street across the street in a former manufacturing building; as well as the Access Culver City project, a new mixed-use development of 115 units with ground floor retail and commercial uses at 8770 Washington Boulevard on the site of a former lumber supply company. In addition, other properties in the vicinity are being planned for change of uses from industrial and auto related uses to residential, office, and retail uses.

The project site is physically suitable for a mixed-use development consistent with the CG zoning designation. The project site is 15,000 square feet in area, and has 100 feet of street frontage at the front of the lot. The applicant will provide all utilities as part of the project and any street and sidewalk repairs as required by the Public Works Department. Although the project site presents challenges due to limited street frontage, it meets the requirements for a mixed-use project by having a minimum lot width of 100 feet for a lot over 10,000 square feet.

## **2. DENSITY AND OTHER BONUS INCENTIVES (DOBI)**

Pending the Zoning Code Map Amendment, mixed-use development would be a permitted use at the project site under the CG zone and subject to a maximum density of 35 dwelling units per acre as outlined in Zoning Code Section 17.400.065.E.3. Under State Density Bonus law the City is required to grant up to a 35% density bonus increase. Further, specified developer concessions for affordable units must be granted by the City, unless it can be demonstrated that the proposed concession is not required to make the project financially feasible. The City is not permitted to apply any development standard which physically precludes the construction of the project at its permitted density with the granted 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 a DOBI application (and State Density law) a developer can increase the base density for a housing development provided the development reserves, for 55 years, a certain percentage of the units for moderate to very low income households. In addition, a developer can ask for concessions, or relief from development standards such as height, setbacks, and parking if such standards prevent the ability to provide the affordable units within the development. The City cannot deny a concessions request as part of the DOBI if it is clear that such concessions are needed to provide for the project's affordable housing costs. The number of concessions and the density increase that can be granted are based on a sliding scale of the percentage of units devoted to affordability and the percentage density increase. All calculations in a DOBI application are rounded up to the next whole number. It is important to note that the density increase and the concessions are provided per State law as an incentive for developers to provide affordable housing. With the dissolution of redevelopment agencies, several mechanisms that cities once had including direct funding for construction of affordable housing have been eliminated. Density Bonus Law is one method by which market housing developers can provide affordable housing within an otherwise market rate development, even if such housing is only a small percentage of the proposed project.

For purposes of the density bonus calculation, the proposed project's base density based on the 35 du/ac allowance of the mixed use development standards is 12 dwelling units. The income categories for affordable housing include extremely low income, very low income, low income, and moderate income. Every year the State of California Housing and Community Development Department (HCD) establishes for every California County, the income level criteria for extremely low income, very low income, low income, and moderate

income levels.

Based on State Density Law, an applicant must be granted a maximum 35% density increase if they reserve at least 11% of the total base density units for very low income households. However, based on a sliding scale an applicant must be granted a 22.5% density increase if they reserve at least 6% of the total base density units for very low income households

The Applicant is requesting a density increase of 22.5% or  $22.5\% \times 12 \text{ units} = 2.7 = 3 \text{ units}$ . State Density Bonus Law requires that fractional remainders in density calculations be rounded up resulting in a density increase of 3 units. At least 6% of the 12 units must be made affordable to very low income households or individuals. This equates to  $6\% \times 12 = 0.72$  or 1 unit. The project will result in 15 units with one of the 15 units covenanted for 55 years for very low income individuals or households. A condition has been added to ensure conformance to this requirement. A covenant shall be recorded on the property to place restrictions on the affordable unit. The applicant will be required to work with the City's Housing Division to ensure conformance with State laws.

As noted above, State Density Bonus law also requires cities to grant concessions or relief from the development standards (such as setbacks, height, and parking). However, No State mandated concessions related to development standards are being requested by the developer and the project will meet all zoning code development standards.

The mixed-use project with the provision of affordable housing is compatible with the purpose and intent of the General Plan and Zoning Code. The City adopted Housing Element includes goals to improve the affordability of the City's housing stock through making the City requirements reasonably possible for high density mixed use development and implementing State mandated density bonuses. The approval of this project would increase the City's housing stock, provide one affordable unit, improve the City's walkability and pedestrian environment, and encourage the use of alternative modes of transportation in the City.

### 3. SITE PLAN REVIEW

#### Mixed-Use Standards of Development

Pending the Zoning Code Map Amendment, mixed-use development would be a permitted use at the project site under the CG zone and subject to the standards of development outlined in CCMC Section 17.400.065.

The project does not exceed the maximum height of 56 feet in the CG zone and is designed with staggered heights through the design of two floors of commercial space and three floors of residential units. The first floor gallery space and second floor creative office space goes up to a height of 27 feet at the street wall; the third floor residential level steps back 9 feet to a height of 38 feet; the fourth floor residential level steps back 60 feet to a height of 47 feet with the mezzanine level stepping back 112 feet and topping out at 56 feet in height. The third, fourth, and fifth floors are composed of a mix of studios, one, and two-bedroom units. Because the project is not adjacent to any residential zones, the project is not required to provide additional setbacks on the sides, rear, or upper floors.

The building's street wall on the ground floor is set back by 9 feet from the property line to create an arcade type effect to accentuate the front of the gallery space and lobby and increase the amount of pedestrian frontage. The project ground floor setbacks include the addition of special paving and other pedestrian amenities including benches, landscaping and bike racks to enhance the pedestrian experience. The additional setbacks are recommended now as a standard feature of new transit oriented mixed use

developments in the TOD District to ensure a good pedestrian orientation.

The second story wall projects out to the property line, with a 4-foot balcony that projects over the property line. The balconies results in a covered area over the ground floor pedestrian area up to 13 feet in depth. Combined with the 7-foot-wide sidewalk, the pedestrian area on the ground level totals 16 feet in depth providing opportunities for outdoor dining, bike parking, and other active and passive pedestrian uses. This exterior arcade, created by the recessed street wall and balcony overhang will create a pedestrian friendly environment at the street front consistent with the mixed use development standards.

#### Parking/Traffic

The project provides the necessary parking spaces and parking circulation design to meet the requirements of the Zoning Code. A parking tabulation of the commercial and residential components is outlined in the following table.

Parking Required Per Uses				
	Units	Square Footage	Parking Ratio	Parking Required
<b>Commercial</b>				
Gallery	1	1,800 SF	1/350 SF	5.1
Café	1	300 SF	1/350 SF	0.9
Office	1	12,264 SF	1/350 SF	35
Total Commercial		14,364 SF		41
<b>Residential</b>				
Studio	2	565 - 580 SF	1/unit	2
Loft	3	1,067 - 1,080 SF	2/unit	6
1 Bed (Typ. A)	4	725 SF	1/unit	4
1 Bed (Typ. B)	1	740 SF	1/unit	1
1 Bed (Typ. C)	1	710 SF	1/unit	1
2 Bed, 2 Bath	4	1,196 - 1,308 SF	2/unit	8
Total Residential	15	13,618 SF		22
<b>Total Res. Guest</b>				
Total Res. Guest	N/A	N/A	1/every 4 units	3
<b>Total Req. Parking</b>				
Total Req. Parking				66
<b>Total Prov. Parking</b>				
Total Prov. Parking				69

Despite the project's proximity to a transit station, the City requires that all parking standards are met. The project's commercial component, which includes a gallery, café, and creative office, is parked at 1 space per 350 square feet. The project is required 41 commercial spaces, but provides a total of 44 commercial spaces on the ground floor, P1, and P2, netting an additional 3 spaces. The project's residential component is parked at 1 space for every studio or one-bedroom unit up to 900 square feet; and 2 spaces for every unit over 900 square feet. The project provides the 22 residential parking spaces on P3 behind a gate that will only allow

access by tenants. 12 of the spaces are provided in tandem for 6 of the 7 units that require 2 parking spaces. One additional guest space is required for every 4 units. For 15 units, a total of 3 guest spaces are required. The project provides 3 spaces that will be reserved for residential guests on the ground floor.

Parking garage access is provided through two staircases and an elevator in the center of the building. Residential reserved spaces are separated from the commercial spaces. Residential guest spaces are provided on the ground floor. As noted above, the project also provides an additional 3 spaces for shared use.

The City Traffic Engineer has reviewed the project and determined that based on the square footage and uses of the proposed project, the project will not exceed 50 trips in either the AM or PM peak period and therefore per the City's Traffic Study Criteria a traffic study was not required and it has been determined that there is less than significant impact to traffic.

### Landscape

The landscape design for the project emphasizes a California native plant palette. A variegated paving pattern is used to enliven the streetscape and terraces of the project. As seen from Wesley Street and the Expo Line, the landscape features bright, sculptural accents, placed on a surface of hexagonal pavers that range in color from green to yellow to white. The streetscape allows for a social space to overflow from the gallery and café programs with fixed seating, bike parking, and planting. The upper common terraces feature a gradient of textural plantings that emphasize chartreuse accents and frame the shared residential terraces.

### Design Concept

As described by the project architect, the building design and form is simple. The building makes no use of grandiose shapes or ostentatious colors. Instead, the building forces the eyes and mind to focus on the simplicity of the form and evokes a desire to comprehend the building from different sides.

The building is designed with sustainability and functionality in mind. By carving away and stepping down the massing towards the street, the design provides cross-ventilation, optimal natural light, and generous common and private outdoor spaces. Light wells are carved into the podium to bring natural light down to the lobby, gallery, and creative offices below. Each row of units gets sun exposure throughout the day due to the way the light wells are carved and units are terraced. The residential units are clustered into three rows separated by wide bands of outdoor space that allow each unit to be individually accessed from common exterior circulation patterns.

A white metal panel skin emphasizes the bold and porous form of the building. On the north and south elevations, the perforated and solid metal panels have a unique vertical pattern. This panel pattern wraps around the corners of the envelope and expands and contracts throughout the east and west elevations to create a rhythm and shadow that changes with the sun, giving texture to the building. The panels also offer varying degrees of transparency and perforation to further articulate the texture of the building.

### Design Challenges

Since the beginning when the concepts began to take shape, planning staff had found the design concepts agreeable and well communicated. Although the building form and design remained the same throughout the review process, the building's interior circulation has changed several times due to different challenges. The project site's width, limited amount of street front, and landlocked location posed multiple challenges.

The limited amount of land on this project site required that the project be designed to maximize the buildable area by building to the side and rear property lines. However, the project site abuts commercial properties on three sides and none of the units and commercial components that are built to the property line can have any

openings or emergency exits to the exterior. This resulted in the residential component being sculpted with interior corridors of ventilation to allow for openings and emergency exits. Furthermore, the light wells that have been designed to provide natural light and passive open space on the ground floor also posed a source of fire hazard that could allow fire to travel between the residential and commercial components. As a result, the applicant agreed to install custom emergency gates that would close horizontally in the case of a fire to segregate the top and bottom floors.

Providing emergency exits for the units at the rear of the project site was also problematic. Because the rear is landlocked by another commercial property, each of the units at the last row also needed an emergency exit that is 2-hour fire rated connecting to the street in the front. Therefore, a corridor was created for emergency exit and to maintain light ventilation to those units during all hours of the day.

Furthermore, two emergency exits were required for each space depending on the occupancy type and square footage, and each emergency exit needed to be located a minimum distance apart that was determined by the diagonal distance of each of the spaces that the exits were provided for. This resulted in staircases in multiple locations and numerous changes to the project circulation on the ground floor in order to provide safe and separated exits.

In order to balance the interests of providing commercial uses on the ground floor and providing vehicular circulation to and within the garage, compromises were made in several iterations. At submittal, the project was first introduced with two side-by-side driveways, one of 20-feet in width to enter directly into P1 and P2, another of 10-feet in width to enter into ground floor parking behind the gallery. This created a 30-foot wide apron, which is not preferred; and a 10-foot wide driveway where vehicles entering and exiting would have to share. This was a concern and staff asked the applicant to reconsider this design. Ultimately, the applicant was able to combine the driveways into a 20-foot driveway for ingress and egress, and move the ramp into subterranean levels to the other side of the project site.

#### Sustainability/Mobility

Aside from the sustainability incorporated into the building form designed to maximize light and air ventilation, the project was also required to incorporate solar photovoltaic panels that will be installed on the roof of the last row of units in the rear. This requirement was triggered by commercial component being greater than 10,000 square feet. Furthermore, the project also incorporates two bike locker rooms in the parking lot on the ground floor, one for residential tenants and another for commercial tenants. Four additional bike stands will be installed in the sidewalk for public use. The project's location and bike amenities will encourage ridership on the Expo Line.

#### 4. ADMINISTRATIVE MODIFICATION

As part of the application, the applicant requests an Administrative Modification for a reduction of parking space widths on 6 spaces. The spaces widths are reduced from 8'-6" to 7'-10"; no changes to the length are made.

Due to physical limitations of the lot, the parking space width cannot be met in certain spaces. These spaces have been reduced in order to fit at the edges of the structure, allow for vehicle maneuvering, and to avoid conflict with the mechanical gate that separates residential from commercial spaces.

Approval of the Administrative Modification would not be detrimental to the public health, interest, safety, or general welfare, and would not be detrimental to adjacent properties because the reduction of space width does not affect properties outside of the project site or endanger people.



## **PUBLIC OUTREACH**

As part of the project review process, two community meeting were held. The applicant invited interested persons to review the proposed project, provide comments and feedback, as well as to share any concerns regarding the proposed project.

### **Community Meeting**

The first community meeting was held February 18, 2016 at the Veterans Memorial Building at 4117 Overland Avenue. Invitations were sent by the applicant on February 1, 2016 to all property owners and occupants within a 500-foot radius of the project site. Two community members signed in to the meeting.

At the first community meeting, the project presented was slightly different in circulation and was not yet as refined. Nonetheless, the community members liked the generous open spaces, and building modulation to step the highest massing in the rear. They also really liked the idea of an art gallery at this location. The community members also asked some general questions about the project related to the unit affordability, parking requirements and circulation, and signage.

A second community meeting was held on June 28, 2016 at the Helms Building lobby at 8745 Washington Boulevard. No community members attended this meeting. A brief presentation was made to the staff.

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

No comments were received during public comment period.

## **CONCLUSION/SUMMARY**

Since the initial stages of the project, the project team had decided to incorporate affordable housing into the project. Staff met with the project team at the Planning counter and carefully explained the State mandated density bonus law so that the team could take full advantage of its density bonus. Once the design concept had been established, staff worked very closely with the project team to communicate it better in the project plans. Due to challenges to comply with egress requirements and the City's Building Code, several revisions were made to the interior circulation patterns, but the design concept remained the same.

The project would be an improvement to the area because it would bring an arts and culture related use to the neighborhood, and offices and residences close to the Expo Line station consistent with the City's TOD goals. The site has been vacant for many years and the proposed mixed use project will contribute to the City's housing stock, job growth and tax base as well as contributing to sustainability and mobility goals. The project's proximity to the Expo Line station, less than a quarter mile away, provides an opportunity to supplement the neighborhood's diverse commercial and residential activities in a mixed-use transit oriented development. This proximity provides an added opportunity to increase ridership and promote alternative modes of transportation.

Based on the preliminary development plans and recommended conditions of approval, staff finds the project to be compatible with the surrounding neighborhood and consistent with City goals for the TOD area. The projects site plan, architectural design, and landscaping is consistent with applicable development standards and guidelines, and consistent with the Culver City General Plan and the requirements of the Zoning Ordinance. Staff believes the findings for a Zoning Code Map Amendment, P2016-0087-ZCMA, Density and Other Bonus Incentives, P2016-0087-DOBI, Site Plan Review, P2016-0087-SPR, and Administrative Modification P2016-0087-AM, can be made as outlined in Resolution No. 2016-P017 (Attachment No. 1).

## **ENVIRONMENTAL DETERMINATION**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, initial review of the project by staff established that there are no potentially significant adverse impacts on the environment and the proposed project has been determined to be Class 3 and Class 32 Categorical Exemptions as "In-fill Development Projects" (Section 15332). Specifically, as outlined herein, the project consists of the construction of one mixed-use building with 14,364 square feet of commercial space and 15 residential units.

The project is consistent with the General Plan and General Corridor Land Use Designation, which is intended to support desirable existing and future neighborhood and community serving commercial uses, and limited medium-density housing opportunities compatible with adjacent neighborhoods. Pending the Zoning Code Map Amendment, the project would also comply with the standards of development of the CG zone, which appropriately implements the General Corridor Designation.

The project occurs within City limits and on a project site of 0.34 acres, no more than 5 acres, and is substantially surrounded by urban uses. The project site has no value as habitat for endangered, rare, or threatened species. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

The proposed project can be accommodated by existing and planned infrastructure. The City Traffic Engineer has reviewed the project and determined that based on the square footage of the proposed project, there is less than significant impact to the traffic and no traffic study is required. All other utilities and infrastructure are to be improved by the applicant.

## **ATTACHMENTS**

1. Draft Resolution No. 2016-P017 and Exhibit A: Conditions of Approval
2. Vicinity Map
3. Project Summary
4. Preliminary Development Plans dated October 10, 2016
5. Community Meeting Summary

## **MOTION**

That the Planning Commission:

1. Adopt a Class 32 Categorical Exemption for this project pursuant to California Environmental Quality Act (CEQA) Section 15332 - In-fill Development Projects; and
2. Approve Site Plan Review, P2016-0087-SPR; and Administrative Modification, P2016-0087-AM, and recommend to the City Council approval of Zoning Code Map Amendment, P2016-0087-ZCMA and Density Bonus, P2016-0087-DOBI subject to the Conditions of Approval as stated in Resolution No. 2016-P017 (Attachment No. 1).