



# City of Culver City

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## Staff Report

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**File #:** 19-1139, **Version:** 1

**Item #:** PH-1.

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**PC: Administrative Site Plan Review and Tentative Tract Map No. 77092, P2018-0056, for the Development of a 9-Unit Townhome Style Condominium Subdivision at 4051 and 4055 Jackson Avenue in the Medium Density Multiple-Family Residential (RMD) Zone**

**Meeting Date:** April 10, 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:** (Mailed) Property owners and occupants within a 500 foot radius of the site (03/20/19); (Sign) Posted on the Site (03/21/19); (E-Mail) Meetings and Agendas - Planning Commission (03/20/19); (Posted) City Website (03/20/19).

**Department Approval:** Sol Blumenfeld, Community Development Director (04/02/2019)

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### **RECOMMENDATION:**

Staff recommends that the Planning Commission either disapprove the project or consider: 1) Adoption of a Class 32 Categorical Exemption pursuant to the California Environmental Quality Act; 2) Approval of an Administrative Site Plan Review, P2018-0056-ASPR and a recommendation to the City Council of approval of a Tentative Tract Map, P2018-0056-TTM, subject to the Conditions of Approval as stated in Resolution No. 2018-P005.

### **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 March 5, 2018, Shakil Patel and Associates (Architects/Applicant) submitted an application for an Administrative Site Plan Review and Tentative Tract Map to allow the development of 9 townhome style residential condominiums.

### Planning Commission Meeting

The Planning Commission held a public hearing on July 11, 2018, to receive public testimony and consider the project. During the public hearing, the following issues were raised by the Planning Commission, which were reviewed in detail with the applicant:

a) *Construction Activity Impacting Jackson Avenue*

Under supply of existing curb parking along Jackson Avenue will be exacerbated by project construction.

*Response: Standard conditions of approval require a construction management plan, pedestrian protection plan, and construction traffic management plan which must be submitted to City staff for review during the building permit phase of the project. Also, standard condition No. 47 requires that off-site parking be secured for construction employee parking and that such parking cannot be located on surrounding neighborhood streets.*

b) *Extra Subterranean Storage*

Extra area in the subterranean parking garages can be converted to illegal accessory dwelling units (ADU) resulting in code violations. Under the City's ADU standards a property eligible for an ADU must have at least one single family dwelling; this development does not have a single family dwelling. The Commission wanted the garage doors to be clear glass to prevent this outcome.

*Response: A covenant condition has been added to the project conditions that restricts this extra subterranean area to storage only. The plan sections show some partial glass on the garage doors.*

c) *Project Plans*

The Planning Commission indicated that it could not act on the project because the plans contained numerous mistakes that required corrections. 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. Additionally the architect's power point presentation was not consistent with the project plans attached to the agenda item.

*Response: The Preliminary Development Plans (Attachment No. 4) reflect revisions made by the applicant that are intended to address inconsistencies and mistakes noted by the Planning Commission in the July 11, 2018 meeting. After several iterations of plan reviews and corrections, Staff indicated that it could not continue addressing problems with drawing conventions, auto-cad layer corrections, call-out corrections, and nomenclature/labeling conventions since it is the responsibility of the project design professional to properly prepared plans for Planning Commission considerations. The applicant has insisted on submittal of project plans without fully correcting them.*

d) *Solar Compliance*

The Planning Commission was concerned that the project was not in compliance with solar regulations because the roof plans did not include solar panels.

*Response: The roof plans submitted with the Preliminary Development Plans (Attachment No.4) shows solar panels for each unit. Compliance with solar regulations require installation of roof top solar panels for proposed developments. Compliance with specific solar regulations as it relates to a multi-family development will be reviewed during the building permit phase of the project.*

e) *Interior Courtyards and Overall Design*

The site plan in the plan submittal does not clearly communicate the proposed use of the interior courtyards. While the proposed BBQ area would invite active use of the space, the rest of the courtyard appears to be designed for more passive uses. The intent of the courtyards was not made clear, and there was concern over conflicting passive and active uses as a desirable design objective. The Commission wanted the applicant to be more definitive on how the courtyards could be used and suggested a more passive use. BBQ's are already located in the roof top decks of each unit.

There was concern that the overall architectural project design may not fit into the character of the community.

*Response: The basic architectural design for the project has not changed and the original design features such as massing broken up with courtyards, units located in multiple structures instead of one building, subterranean parking that is out of view from neighboring properties and public rights of way, and building step backs resulting in articulation comply with neighborhood design guideline principals. The courtyard has been revised to provide a more simple design using concrete and eliminating pavers. The landscape plans have been revised with one less potted tree in the courtyard and no landscaping in rear unit areas. The landscape plans remain inconsistent with the overall site plan.*

f) *Appropriate Vehicular Accessibility and Accessible Paths to the Elevator and Dwellings*

It is unclear where the subterranean parking garages were located and car templates were not clearly shown. The courtyard deck had pavers that appeared to obstruct the accessible path from the elevator to the dwelling units and the elevator door was obstructed by walls.

*Response: Car templates are included in the garages and each garage has a standard 16-foot-wide opening and a minimum 24 foot back up. With a simplified courtyard deck the accessible path from the elevator to the units is provided without pavers acting as an obstruction. The revised plans show the elevator clearance from walls.*

g) *Fire Life/Safety Access to Rear Portions of Units*

The rear portions of units were blocked off with walls resulting in a potential fire life safety access conflict.

*Response: The Fire Department reviewed the revised plans and determined that they do not require access to the rear of the units. Their preferred emergency response strategy will be to stage from either the street or the interior courtyard.*

A summary of the July 11, 2018, Planning Commission Minutes are included in Attachment No. 6.

### Existing Conditions

The site is located on the west side of Jackson Avenue, between Culver Boulevard and Braddock Drive, as shown on the Vicinity Map (Attachment No. 2) with Jackson Avenue oriented in a north/south direction. The site includes two adjacent lots, generally flat in topography, rectangular in shape, and with dimensions of

100 feet in width by 135 feet in depth. It contains a single family dwelling on one lot and a 4-unit apartment building on the other lot. All structures on the site will be demolished.

#### Surrounding Area/General Plan/Zoning

The surrounding area includes a mix of 1 and 2 story single family and multi-family apartment, condominium, and single family dwellings. The City's General Plan Land Use Element designates the site as Medium Density Multiple Family and the site is zoned Medium Density Multiple-Family Residential (RMD). Surrounding zoning and existing land uses are outlined below (Duquesne Avenue is considered north/south orientated):

<u>Location</u>	<u>Zoning</u>	<u>Land Use</u>
West:	R2	1 & 2 story single & two family dwellings.
East:	RMD	1 & 2 story single & two family dwellings.
North:	RMD	1 & 2 story single & two family dwellings.
South:	RMD	1 & 2 story single & two family dwellings.

#### Project Description

The development is designed with four separate structures; three of the structures contain two units each and the fourth structure has three units. One three-unit building and one two-unit building front the street, and the other two-unit buildings are located at the rear of the property. The four buildings are separated by two intersecting open courtyards creating an interior quad that varies in width from 10 feet to 23 feet. The dwelling units are two-stories above a semi-subterranean driveway and parking garage level that will project a maximum of three feet above grade. The units have a maximum overall height of 24 feet to the roof deck and 29 feet to the top of the parapet wall. Each unit has a two car garage, private storage space (in the garage level) with parking spaces generally located below the corresponding units. The garage is accessed from a single driveway along at the street fronting north side of the project site. Front entrances are accessed from the courtyards. The project development program is summarized in the table below:

	Building A		Building B		Building C		Building D		
	Unit 1	Unit 2	Unit 3	Unit 4	Unit 5	Unit 6	Unit 7	Unit 8	Unit 9
Size 1 <sup>st</sup> & 2 <sup>nd</sup> Floor Only (SQ.FT)	1,429	1,429	1,429	1,429.	1,429	1,429	1,421	1,452	1,372
Bedrooms	2	2	2	2	2	2	2	2	2
Bath	2.5	2.5	2.5	2.5	2.5	2.5	2.5	2.5	2.5
Private Roof Top Open Space (SQ.FT)	235	235	235	235	235	235	235	235	235

#### ANALYSIS/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 lot area of 13,500 square feet, a maximum of 9 units are allowed on the site; the applicant is proposing 9 units. As illustrated in the Project Summary (Attachment No. 3), the proposed development conforms to all regulations of the RMD Zone.

#### 1. ADMINISTRATIVE SITE PLAN REVIEW

### Architectural Design

The structures have a contemporary style with straight lines and multiple surfaces positioned at right angles creating articulated facades. The four structures make use of large window surfaces facing the street and the interior courtyards while minimizing glazing on elevations that face neighboring properties. The open courtyards and glazing allow considerable amount of natural light into the dwellings. The articulated surfaces in the project include a mix of natural wood siding, white and gray finished stucco, cement plaster, and patterned planter walls for the street facing buildings. Project colors are mainly natural wood, gray, beige, and white to off-white. Roof top decks are set in from the roof edges and are bounded by parapet walls, mechanical equipment, stairwells, and may not be occupied. Solar panels area also located on the roof of each unit. These perimeter features enhance privacy for both project residents and neighboring properties because they obscure line of site in both directions. The project massing is broken up by the separation of the nine units into four 4 buildings that are bounded by perimeter setback landscaping and the courtyards. Buildings have a compact look with development oriented towards the project center minimizing the 29 foot height from ground to top of parapet wall that is still below the overall 30 foot maximum height limit for the RMD zone. Perimeter and courtyard landscaping and the use of articulated surfaces with varying material elements noted above diminish the project massing. Overall, the project design, building height, and massing is consistent with the RMD Zone standards.

### Landscaping

The landscape plan incorporates 11 raised planter trees in the two courtyards and five crape myrtle trees in the front setback area. There is substantial ground cover within the front setback area. Trees, shrubs and ground cover in the front common area will contribute to the project's sustainable feature and will be conditioned to include drought tolerant planting. The project is subject to the City's Street Tree Master Plan and will provide street tree and parkway landscape improvements. The roof top decks will include planter boxes.

### Open Space

In the RMD Zone a minimum 100 square foot open space area is required per unit. As noted in the project description above and below, each unit provides more than the minimum open space requirement (in addition to small balconies for the units). The project site's two ground level courtyards are approximately 2,235 square feet combined and provide common space.

	Building A		Building B		Building C		Building D		
Private Open Space In Sq. Ft.	Unit 1	Unit 2	Unit 3	Unit 4	Unit 5	Unit 6	Unit 7	Unit 8	Unit 9
Ground Level Private Yard	260	115	115	485.	330	440	160	140	64
Private Roof Top Open Space	235	235	235	235	235	235	235	235	235

Private open spaces for each unit include ground and first floor private decks/yards and roof top decks open-to-the-sky that include BBQ and sink facilities; the private decks are accessed from the units with no shared common entry.

### Neighborhood Compatibility and Multifamily Guidelines

The proposed development is in Block B of the Gateway Adjacent Neighborhood Design Multifamily Guidelines. Below is a comparison of the project with Block B's guideline typologies:

Guideline Variable	Project	Average	Prevailing
Lot Coverage	52%	44%.	41-60%.
Units Pattern	9*	2.7	1
Front Setback	North Building 17 Ft South Building 20 ft.	22.ft.	25.ft.
Building Height	24 ft./2 stories	17 ft.	1 stories

\*The Code allows up to 9 units for this lot.

Overall the project complies with guidelines; its massing is separated with nine units distributed within four structures that are separated by ample interior courtyards as encouraged in the guidelines. Parking is subterranean with no visibility from side or rear yards and setback and courtyard areas are landscaped. Front entrances for each unit face the courtyards instead of the side or rear yards of adjoining properties and the project windows do not align with neighboring property windows. Privacy for both project users and adjacent properties is further maintained on the roof top decks by parapet walls and setbacks from roof edges with mechanical equipment.

In regard to prevailing front setback and building height conditions, the guidelines are intended to be used as a baseline to inform the project design to ensure neighborhood and block level compatibility. The goal is to make sure that new structures are not out of scale with the block and adjacent parcels. The overall 24 foot height to roof deck and 29 feet to the top of parapet wall is taller than the majority of the buildings on the block where the average height is 17 feet, however, potential height impacts are addressed by the offset of the two street fronting buildings with setbacks at 17 and 20 feet. This offset in combination with the breakup of the project into four buildings is intended to reduce impacts of massing and building height upon neighboring properties. These design features also help mitigate impacts from the front setbacks which are less than the block average. Prevailing setbacks in the immediate area range from 10 feet to 15 feet for several parcels, less than the project's minimum 17 foot front setback.

The project's density and number of stories is compatible with some surrounding areas based on existing land use patterns. Also several older multi-family buildings along the street have a mix of box like and articulated architecture. Overall the project incorporates architectural features and materials that break-up the massing and bulk of the development and which are compatible with the various development types in the adjoining neighborhood.

#### Traffic, Parking, Storage and Circulation

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. Each garage has the code required minimum width, length, and overhead clearance and additional clearance for overhead lockable areas. The subterranean level also has extra storage space and room for two bicycle parking spaces per unit; this extra space can also serve as a recreation room for some units and is noted as "Media" on the plans. A minimum code required 24 foot back-up drive aisle provides sufficient turning radius and circulation area to maneuver in and out of each parking stalls. At-grade pedestrian walkways are located along the two central courtyards allowing residents to enter off of the sidewalk; stairs in the garages lead directly to the units.

The proposed means of vehicle and pedestrian ingress/egress to and from the site and units 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. The density of the development will not create significant traffic impacts and is below the threshold for requiring a traffic study.

#### Regional Housing Needs Assessment (RHNA)

This project will address a portion of Culver City's share of the RHNA by constructing four net new market rate dwelling units. This will further the intent of the 5<sup>th</sup> Cycle Regional Housing Needs Assessment (RHNA), 2014 to 2021, as prepared by the Southern California Association of Governments and the State of California Housing and Community Development Department, which call for an addition of 185 housing units in Culver City in the RHNA planning period ending in 2021. By addressing Culver City's share of new housing units as stipulated in the RHNA and the Housing Element, the new dwelling units are considered to be within the expected development threshold for the City during the current Housing Element cycle (2014 to 2021).

### Mobility/Sustainability

The project is located near transit stops and bicycle friendly streets providing mobility options for the residents. Sustainability concerns will be addressed with the project's inclusion of infrastructure for future electric vehicle charging stations in all four garage stalls and two bicycle parking spaces per unit. Applicable green building code requirements will also apply. The project is 0.30 miles south of bicycle routes and paths along Washington Boulevard which provides access to other local and regional bicycle circulation connectors. The Venice Boulevard Bicycle Lane which connects to the Metro Exposition Light Rail Culver City Station (Culver City Expo Light Rail Station) is an additional 0.14 miles north of the intersection of Washington Boulevard and Clarrington Avenue. The project is about 0.30 miles from Culver City Bus Line 1 Washington Boulevard and Madison Avenue stop. Line 1 connects to Venice Beach on the west and to Downtown Culver City, the Culver City Expo Light Rail Station, and the West L.A. Transit Center to the east. The bus line connects to other local and regional bus lines and rail lines including Culver City Rapid Line 6 which travels between UCLA and L.A.X./Aviation Green Line Park and Ride.

## **2. TENTATIVE PARCEL MAP**

The State Subdivision Map Act and CCMC Chapter 15.10 regulate land subdivisions and require the submittal of a tentative tract map. In addition, CCMC Section 17.210.020 - Table 2-4, Residential District Development Standards (RLD, RMD, and RHD), requires a minimum lot area of 5,000 square feet or the average area of residential lots within a 500-foot radius of proposed subdivision. However this section also states that condominium, townhome, or planned development projects may be subdivided with smaller parcel sizes for ownership purposes, with the minimum lot area determined through the subdivision review process, provided that the overall development site complies with the minimum lot size requirements of the Zoning Code. As a one lot subdivision for condominium purposes, the Project site will maintain its current 13,500 square foot lot area. The 100 foot lot width and 135 foot lot depth will remain and the project lot configuration - area, width, and length will comply with the RMD development standards. Through the subdivision process 9 condominium air spaces will be created within the existing conforming lot.

A key objective of the tentative parcel map process is to allow the City to review the proposed subdivision to ensure all necessary improvements and requirements are provided. The Public Works Department reviewed the tentative tract map (Attachment No. 5) for the proposed subdivision and found it to be in compliance with all applicable State and local regulations as more specifically outlined in the recommended conditions of approval. In condominium or townhome developments the driveway along with the land surrounding the units are held in common and vehicular access easements will be secured through the condominium association Covenants, Restrictions, and Conditions (CC&Rs).

## **PUBLIC OUTREACH**

As part of the project review process, two community meetings were held on March 15, 2018 and September 26, 2017 at the Senior Center and Veterans Memorial Complex respectively. The applicant invited interested persons to learn about the development project, provide comments and feedback, and share any concerns

regarding the proposed project. About 15 people who live in the project neighborhood attended the community meetings. Below is a summary of each meeting:

1<sup>st</sup> community meeting September 26, 2017

1. Attendees were concerned about building height and questioned a trellis structure over the rooftop decks.
2. There were several comments about safety and cars exiting up the ramp from the underground parking potentially creating conflicts with pedestrian traffic on the street due to Jackson Market.
3. The overall size of the structure was a concern and attendees felt it conflicted with the mass and scale of the neighborhood and lack of street parking was a concern.
4. Concerns were raised about the existing families and their ability to afford new residences, once the construction begins.
5. Attendees asked the City if parking permits would be issued to project occupants and City staff stated that would be a process implemented by the Public Works Department.
6. Concerns were voiced about the aesthetics of the overall neighborhood

2<sup>nd</sup> community meeting March 15<sup>th</sup> 2018

1. The public expressed concerns about the amount of increased parking on the street that the extra units will cause. The developer explained that there will be 18 on-site parking spaces and two guest space. Some of the attendees felt that the underground parking would not be used. Some attendees asked about a traffic study and City staff explained that based on the size of the project a traffic study will not be required.
2. After the architect explained the design changes based on comments from the previous community meeting, attendees commented on overall mansionization in Culver City. The project design changed from a Mediterranean style with more bulk and mass and with a roof top trellis to the current modern design.
3. Some single-family homeowners on Jackson Avenue were upset that larger multi-unit properties are being constructed around them. The developer explained that the area is zoned for multi-family homes.

Overall the community had concerns about the project as a whole. City staff worked with applicant to revise the original design presented at the first community meeting because that design was considered too massive and lacked the type of articulation and open courtyard areas shown in the current design.

Comments Received During Public Comment Period

As of the writing of this report, staff has not received any written public comments on the proposed project.

**SUMMARY:**

The proposed development will result in code compliant structures and parking. The prior architectural design creates four buildings, reduces massing and allows light and air to penetrate the interior courtyards. Staff has worked with the applicant to ensure the project is more compatible with the neighborhood and the immediately abutting properties. The applicant has redesigned and modified the project to address neighborhood concerns and meet both the specific Zoning Code requirements and the spirit and intent of the Multifamily Neighborhood Design Guidelines including unit separation, massing towards the center of the project site, and use of multiple



building materials and color. However the plans are still incomplete and lack design details; should the Planning Commission decide to approve the project, an approval resolution is included in Attachment No. 1 which requires that complete plans must be submitted to the Current Planning Division prior to submittal for a Building Permit.

### **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 and the project has been determined to be Categorical Exempt per CEQA Section 15332, Class 32, In-Fill Development, because the proposed project is consistent with the General Plan Medium Density Multiple Family Land Use Designation and the RMD Zone; the proposed project is in Culver City surrounded by urban uses; currently, as a single family and 4-unit apartment building with paved driveways and parking areas and vegetation consistent with residential lawns in urban areas, it has no value as a habitat for endangered, rare, or threatened species; trip generation analysis using the 10<sup>th</sup> Edition of the Institute of Transportation Engineers Trip Generation Manual determined that the project will not have significant traffic impacts and vehicle trips for any one peak period will be less than 50; as a multi-family use surrounded by multi-family housing, noise and air quality impacts generated by the project will be within established thresholds for existing multi-family neighborhoods; implementation of public works storm water run-off standards and the depth of the water table will result in less than significant impacts to water quality; and the project can be adequately served by utilities and public services.

### **ALTERNATIVE OPTIONS:**

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

1. Approve the proposed project with the recommended conditions of approval if the applications are deemed to meet the required findings.
2. Approve the proposed project with additional and/or different conditions of approval if deemed necessary to meet the required findings and mitigate any new project impacts identified at the meeting.
3. Disapprove the proposed project if the applications do not meet the required findings.

### **ATTACHMENTS:**

1. Planning Commission Resolution No. 2018-P005 and Exhibit A, Conditions of Approval
2. Vicinity Map
3. Project Summary
4. Preliminary Development Plans dated June 29, 2018
5. Tentative Tract Map No. 77092
6. July 11, 2018, Planning Commission Minutes

### **MOTION**

That the Planning Commission disapprove the project or consider:

- 1) Adoption of a Class 32, Categorical Exemption;
- 2) Approval of an the Administrative Site Plan Review, subject to the Conditions of Approval stated in the proposed Planning Commission Resolution; and
- 3) Recommendation to the City Council of approval of the Tentative Tract Map, subject to the Conditions of Approval stated in proposed Planning Commission Resolution.