



# City of Culver City

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

## Staff Report

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**File #:** 20-127, **Version:** 1

**Item #:** PH-1.

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**PC: Conditional Use Permit Modification and Administrative Use Permit, P2018-0320 - CUP, -AUP, to Allow Construction of a 2-Level Subterranean Parking Area and a Playfield and 2- Story Classroom Building above the Subterranean Parking at Park Century School Located at 3939 Landmark Street.**

**Meeting Date:** August 14, 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 Project Site (07/23/19); (E-Mail) Meetings and Agendas - Planning Commission (07/24/19); (Posted) City Website (07/24/19).

**Department Approval:** Sol Blumenfeld, Community Development Director (08/07/2019)

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### RECOMMENDATION

Staff recommends that the Planning Commission:

1. Adopt a Categorical Exemption, in accordance with the California Environmental Quality Act (CEQA), Section 15332, Class 32 - In-Fill Development, finding the Project will not result in significant adverse environmental impacts, and
2. Approve Conditional Use Permit Modification, P2018-0320-CUP/MOD, and Administrative Use Permit, P2018-0320-AUP, subject to the Conditions of Approval as stated in Resolution No. 2019-P007.

### 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, and receives comments from 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 January 3, 2019, Park Century School (the “School”) applied for a modification to the School’s existing Conditional Use Permit (CUP) to allow construction of a 2-level subterranean parking area and installation of a playfield, and a 2-story classroom building over the subterranean parking. These modifications will facilitate implementation of Phase I of three total phases to the proposed Master Plan (Attachment Nos. 3 and 4).

### **Original Entitlement**

On November 14, 2005, the City Council approved the School’s proposed CUP request (See Attachment No. 5). The approval allowed the School to operate a private elementary school, grades two (2) through eight (8), at the project site with a maximum enrollment of 120 students, 47 staff members, inclusive of 47 at grade parking spaces. The original 2005 CUP development plans are included on pages A-1 through A-3.1 of the proposed Development Plans (Attachment No. 3).

After the 2005 CUP and adoption of the current Zoning Code new schools were prohibited in the IG Zone. Consequently, the School is currently a legal non-conforming use due to its underlying zoning designation of IG. However, Culver City Municipal Code (CCMC) Section 17.610.010.F allows a school in the IG Zone with an existing Conditional Use Permit, including modifications to its approval and/or expand its operations, provided they receive approval of a Conditional Use Permit Modification and a Master Plan that guides future development of the school.

### **Project Description**

The School’s proposed Master Plan consists of the following three (3) phases.

#### *Phase 1*

Phase 1 is the current CUP Modification and AUP for tandem parking for the existing school property located at 3939 Landmark Street and is summarized below:

- a) Increase student enrollment from 120 students to 170 students.
- b) Increase staff from 47 to 67.
- c) Demolish the at grade parking lot and construct 69 parking space in two (2) subterranean levels under the former surface parking lot.
- d) Construct over the subterranean parking, a playfield, play structures, outdoor seating and bleachers, and a two (2) story, 2,024 square foot building that will contain three (3) classrooms which includes a club house.

#### *Phase 2*

In Phase 2, the School will purchase the adjacent property located at 3947 Landmark Street. Under Phase 2, the School does not propose a student enrollment increase or campus expansion onto the adjacent property and anticipates purchase of the property within five (5) years of the CUP modification approval.

#### *Phase 3*

Phase 3 is conceptual at this time and is anticipated to increase student enrolment to a maximum of 300 students with building expansion onto 3947 Landmark Street (property acquired in Phase 2 above). Use of 3947 Landmark Street could potentially include a play area, subterranean parking, and a new 15,000 square foot building.

Phase 3 will require a subsequent CUP modification that reviews potential traffic and economic impacts resulting from a change of use at 3947 Landmark Street. Phase 3 implementation will be approved only if parking, traffic, circulation, and other pertinent environmental impacts have been identified and addressed through the CUP modification process.

### Existing Conditions

The Phase 1 project site is 53,838 square feet and is currently improved with a 2-story, 43,000-square foot building and a surface lot with 47 parking spaces. The building was previously used for industrial purposes. With approval of the 2005 CUP, the building was converted to a school with all improvements completed in September 2008. The project site contains all of the School's operations including 14 classrooms, multipurpose rooms, individual tutoring rooms, a performance arts center, indoor gymnasium/basketball court, and school offices and conference rooms. The School building is located in the eastern half of the project site with the surface parking lot occupying the western half. Ingress/egress to the project site is available via a two-way driveway located on the north side, off of Landmark Street and an emergency only ingress/egress for the Fire Department on the south side, off of Lindblade Street.

### ANALYSIS:

The proposed CUP modification and analysis is for Phase 1 implementation. The School's purchase of the property at 3947 Landmark Street (Phase 2) can occur at any time.

### Implementation of Phase 1

The proposed CUP modification and Master Plan objective is to increase student enrollment and staffing, and provide an outdoor play and exercise area for the School students. Additional classroom space is needed in order for the school to maintain a low teacher to student ratio to continue providing focused efforts in teaching children with learning differences.

The three classrooms in the new School building will provide the additional space for 50 more students and an increase of up to 20 new staffing positions. Building subterranean parking provides an opportunity to utilize the surface level with a play field, new classroom building, and outdoor seating. The expansion does not require additional land, however the proposed modification does intensify existing land uses as it relates to student capacity and staffing levels. The existing School building from the 2005 CUP will be maintained without modifications.

### Classroom Building

The new 2,024 square foot classroom building is designed to complement the existing School building. It is a contemporary building with off-white stucco finish. Full height glazing, similar to the existing school building's street facing frontage, will comprise the north elevation facing Landmark Street and the west (Platform facing) elevation. The south or rear facing elevation, and the east or interior facing elevation includes less glazing, responsive to the proximity to residential properties southeast of the School. At 28 feet, the height to the parapet wall of the new classroom building will be similar to the height of the existing classroom building. The proposed classroom does not have a large footprint and will be situated at the rear with field and outdoor seating occupying the area above the subterranean parking levels.

### Playfield

The School reports in their Master Plan that outdoor play is essential for a child's proper educational development. However, it currently does not have sufficient space for an outdoor play area. The playfield is proposed to address this deficiency. According to the Proposed Development Plans, it measures approximately 133.5 feet long by 64.5 feet wide or 8,610 square feet. The primary use of the outdoor playfield will include a physical education area, practice field, casual outdoor play, and a place for School events. The playfield is not planned for competitive league matches, is generally smaller than regulation sized soccer fields used for sporting events, and will not have nighttime lighting or a public address system which are usually required for athletic events.

Trees located at the rear of the playfield facing industrial properties to the south and the new school building at the southeast corner of the current surface parking lot will help to attenuate noise and obstruct visibility of the playfield. Landscape elements will include four (4) Marina Strawberry trees at the rear in raised concrete pots, and five (5) smaller trees along either side of the ramp leading to the subterranean parking. The smaller trees are comprised of two (2) White Fragrant Himalayan Champaca trees and three (3) Little Gem Dwarf Southern Magnolia trees. Additionally, sixty (60) bamboo plants will be planted along the west property line facing the Platform project, and fifteen (15) vine bushes will be installed along the existing school building facing the proposed playfield. The playfield will have an artificial turf surface. The School stated that the field must be available for Fire Department vehicles in the event of an emergency and artificial turf would provide a firm surface for emergency vehicles.

The playfield is proposed to be constructed in order to support the weight of fire department vehicles, and emergency vehicular access is provided by a ramp directly west of the access point leading to the subterranean parking.

### Noise and Lighting

#### *Noise*

Newson Brown Acoustics prepared a noise study for the project (Attachment No. 7). The playfield and bleacher seating located at the north end of the field will be approximately 70 feet and 180 feet respectively, from the closest residential property. The new classroom building, at 28 feet to 30 feet in height to top of parapet wall and located at the southeast corner of the playfield, will soften noise before it reaches residential properties located southeast from the project site. The study found that noise generated by the use of the playfield will not significantly impact the surrounding commercial and residential properties, especially with the new classroom building serving as a noise barrier.

#### *Light*

A project condition of approval will require that lighting associated with the new classroom building, and any proposed future playfield lighting, be designed with shielding and fixture heads directing light downwards and away from nearby commercial and residential areas. The condition also requires that a light study be prepared for staff review should nighttime playfield lighting be proposed in the future.

### Traffic, Parking, and Circulation

#### *Traffic*

A traffic study was prepared for the CUP modification by Fehr and Peers (Attachment No. 6) and did not identify any significant impacts resulting from the CUP Modification and Master Plan Phase 1 implementation. The study found that Phase 1 will generate an estimated 62 trips (30 inbound/32 outbound) during the AM peak hour, 38 trips (22 inbound/16 outbound) during the Mid-Day peak hour, and 19 trips (8 inbound/11 outbound) during the PM peak hour. The Level of Service analysis for the existing plus project and future plus project scenarios (using City of Culver City and/or City of Los Angeles significance criteria, as applicable) determined that the proposed project will not result in significant impacts for vehicle traffic at the eight study intersections reviewed in the study.

The project location is served by numerous existing transit routes and project-related impacts on the regional transit system are not expected to be significant. The study found that existing queuing at the project driveway is minimal and has negligible effect on traffic operations on Landmark Street. The new subterranean parking levels will increase on-site vehicle queuing capacity and will prevent any vehicle queues onto Landmark Street. A project condition of approval will require that the School revise its drop-off and pick-up plan should significant queuing occur on the street once Phase 1 of the School's Master Plan is completed and operations begin.

The westbound left-turn pocket on Washington Boulevard at Landmark Street currently has 100 feet of storage space. Queues at this approach exceed the storage space during the AM and PM peak hours in the existing scenario, and are expected to increase with the project. A project condition of approval will require the School to design and restripe the turn lanes and striped center median on Washington Boulevard between Landmark Street and National Boulevard. This will result in increased left-turn lane storage capacity for both westbound Washington Boulevard at Landmark Street and eastbound Washington Boulevard at National Boulevard. The condition will further state that in the future, the City may restripe this stretch of Washington Boulevard to facilitate bicycle traffic.

### *Parking*

The School's proposed modification implementing Phase 1 complies with the Zoning Code's required parking for elementary schools. The required parking is 1.5 spaces per classroom and 1 space per 200 square feet of indoor assembly area. Phase 1 proposes to construct three (3) classrooms in the new school building. There are two (2) classrooms in the second level and a club house in the first level which can be converted to a classroom without structural modifications. The modifications do not propose additional indoor assembly area and the net new required parking is five (5) spaces.

The School's current required parking, based on Zoning Code provisions in place at the time of the 2005 CUP approval is 47 spaces, which was calculated as one space for each full time and part time staff. Total required parking for the CUP modification is 63 spaces, which includes bringing the required parking based on the 2005 CUP up to current code and the parking required for the new expansion based on today's parking requirements.

Phase 1 Proposed Development Plans indicate there will be a total of 69 parking spaces in two (2) subterranean levels. The surplus in parking currently provided, results in conforming parking for the school. The new baseline count of 63 parking stalls is considered conforming parking, with an excess of 6 parking stalls above code required (1.5/classroom and 1/200 s.f. of assembly area). Any further modification or expansion which results in required parking will be calculated using net new methodology with 63 existing stalls. Additionally, as part of the CUP Modification, there are two pairs of tandem parking spaces, one per level, and are reserved for School employees only. The tandem parking requires approval of an AUP.

### *Circulation/Drop off and Pick Up*

The current drop off and pick up plan requires vehicles to enter off Landmark Street between 7:45 AM and 8:30 AM and 3:00 PM and 3:15 PM respectively. On-site queuing accommodates 22 vehicles that upon entering the site, drive to the rear of the parking lot and turn around facing Landmark Street. Vehicles then queue adjacent to the School building entrance facing the parking lot, where students are dropped off or picked up (see Page A-1.1 of the Proposed Development Plans, in Attachment No. 3).

The new drop off and pick up plan, shown on Page A-101 of the proposed Development Plans, follows the same pattern as the current circulation system except that vehicles will drop off and pick up students in the first subterranean parking level. A total of 34 vehicles will queue on-site and School staff will be present at the drop off and pick up area to safely guide parents and students. The traffic study determined that a staggered drop off and pick up schedule would not be needed due to the number of vehicles that can be accommodated on-site. A project condition of approval will require that the School implement a staggered drop off and pick schedule should queuing occur on Landmark Street after Phase 1 becomes operational. Staff will review the staggered drop off and pick schedule prior to its implementation, should it be necessary.

#### Construction Related Parking, Drop Off/Pick Up, and Noise

##### *Parking*

During construction, the school's parking lot will be temporarily closed both as part of the construction itself, and to stage construction equipment. Temporary employee and parent parking, student drop off and pick up, and construction worker parking will be addressed with standard conditions of approval and special project conditions of approval. A standard condition requires that during construction, all construction workers, contractors and others involved with the Project, park on the Property or at designated offsite locations approved by the City. This condition will be revised to include provisions to secure off-site parking for School employees and parents. The School noted that the property owners of 3947 Landmark Street agreed to allow the School access to their site during the anticipated 10 to 12 month construction period. The City will review all proposed off-site parking and will require a Temporary Use Permit for off-site parking located in the City.

##### *Drop Off/Pick Up*

Another special project condition of approval will require that during construction a temporary student drop-off and pick-up area be located on metered parking spaces in front of the School which can accommodate five (5) vehicles. These spaces will be temporarily restricted for a maximum of three hours per day during the week covering both drop-off and pick-up time periods. Regular operation of the parking meters will continue outside of the drop-off and pick-up periods and will fully be restored after the subterranean parking is available for use. The School will pay for the cost of parking sign removal and installation and will pay for the lost parking meter revenue.

In addition, the School will be required to manage drop off and pick up activities with trained volunteers and/or school staff at staggered times, to minimize the drop off and pick up period and queuing demand on the south side Landmark Street. Prior to implementation of the temporary drop off and pick up activities, the School will submit a plan to the City for review. The School will also inform parents in writing of the temporary schedule.

Finally, the School is exploring the option of securing a private bus that can pick up and drop off students living near each other.

##### *Noise*

Construction generated noise will be subject to noise related standard conditions of approval. Additionally, project conditions of approval will require noise barriers that block line-of-site between construction equipment and residences southeast of the project site; use of low-impact construction technology; and mechanical and

parking structure design that complies with the Culver City Noise Ordinance. The Acoustical Study (Attachment No. 7) contains a detailed review of construction related noise.

### Mobility Efforts

During construction the School proposes to provide staff with subsidized transit passes and monetary incentives with the goal of reducing vehicle trips by 10%. However, the City will require mobility measures on a permanent basis. The School is located one block from the Culver City Expo Light Rail Station; is close to several local, rapid, and express bus stops; and presents an opportunity to enhance mobility. The School will be required to incorporate the following Mobility related features as part of its operations:

- a. End of trip facilities including:
  - i. Employee Bicycle Lockers
  - ii. One unisex locker room and one unisex ADA compliant shower facility large enough to include a bench, hanger rod, and shelf.
- b. A Public Transportation and Shared-ride Uber/Lift Information Kiosk for school employees; the information kiosk shall include 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.
- c. Subterranean parking shall be constructed consistent with the City Council May 28, 2019, EV related amendments.
- d. At least one carpool/vanpool designated parking space shall be installed.
- e. Subsidized Shared-Ride/Uber/Lift Service - The Project shall provide employees with a voucher or similar system for Uber/Lift ridesharing services to facilitate use of rideshare services. The subsidy shall be for two years after C of O and provide up to \$12 per day (or \$5 to \$6 per trip per day with a trip limit of two per day) for up to 10% of the School staff. The Project owner or property management firm shall provide evidence and/or accounting annually to the City of such subsidy.
- g. Promotion of walking through a “walk to work” program in coordination with the on-site office employees and a posted neighborhood map with approximate walking distances and times to local neighborhood amenities.
- h. Other potential Measures which may be required consistent with City mobility measures, if adopted, prior to Certificate of Occupancy:
  - i. TAP Card Subsidy - Project will subsidize the purchase TAP cards for of up to 10% of the School staff for a period of three years for employees who opt to take Metro instead of personal vehicles, and will not be provided on-site parking accommodations and not receive a car share subsidy as noted above.
  - ii. Cash-Out Alternative - Project will offer a cash-out bonus to individuals who opt to use other modes of commuting options such as carpools, shuttles, bicycles, or walking. The cash-out bonus will count towards the 10% of the School staff obligation.
  - iii. TAP Card Maintenance the School will procure and register TAP cards.
  - iv. Additional long term bicycle lockers.
  - v. The Project owner shall provide evidence and/or accounting annually to the City of such subsidy.

### Economic Report.

HR&A prepared an Economic Report dated May 10, 2018 (Attachment No. 9) pursuant to Zoning Code

requirements for schools with existing CUPs in the IG Zone that request a modification or expansion. An economic report was not prepared for the School's 2005 CUP because at that time the code did not have that provision.

The City defines "fiscal opportunity cost" to mean any potential loss of tax revenues resulting from a proposed school campus modification, as compared with the next best alternatives: (1) a "no change" scenario in which the proposed school campus project does not proceed; and (2) an alternative scenario in which the land or building area involved in the school campus could be redeveloped for an alternative commercial use. In the School's case, the land area is located entirely on the School's existing campus and there is no lost opportunity for redevelopment as a commercial use. The "fiscal opportunity cost" assessment is limited to any difference in City tax revenues associated with the Project as compared with a "no-change" scenario.

According to the report the School generates a modest amount of tax revenue to the City's General Fund from three sources:

- a. An annual payment is made in lieu of taxes, based on the property tax received by the City from the site in fiscal year 2005-06. The original estimated amount of the annual payment was \$3,218, and escalated in each subsequent year by two percent, as required by Condition No. 48 of the School's 2005 CUP.
- b. A Utility User's Tax (11 percent) is paid on the cost of natural gas, electricity and telephone use at the School.
- c. A Sales tax is generated by School expenditures for locally purchased food and consumable supplies, and incidental local purchases by School faculty and staff, non-resident parents and School visitors, which are subject to the State's sales and use tax, from which the City derives one percent.

After Phase 1 and Phase 2 are completed the School will continue operating as it does today, and it will not result in a reduction in City tax revenue as compared with the a "no change" scenario. There could be a small increase in City tax revenues associated with:

- a. One-time business license tax revenues generated by construction contractor earnings.
- b. One-time sales tax revenue associated with any locally purchased construction materials.
- c. A small increase in annual sales tax and Utility User Tax associated with the School population increase.

The report concluded that the Project will not result in any fiscal opportunity cost to the City, and alternatively, it may yield a slight increase in City tax revenues.

#### Approval of the CUP Modification and Master Plan

The Proposed Development Plans reflect Phase 1 and 2 implementation and the Master Plan Phase 3 describes conceptual build out and expansion. Approval of the CUP Modification will only allow implementation Phase 1 and 2 of the Master Plan.

#### Conditions of Approval

Resolution No. 2019-P007 and Exhibit A "Conditions of Approval" (Attachment No. 1) includes all conditions of approval from the 2005 approval, incorporating revisions and new conditions as necessary for Phases 1 and 2 of the 2019 Master Plan. Several standard conditions are added that did not exist at the time of the 2005 CUP approval. Resolution No. 2019-P007 supersedes the 2005 resolutions.

#### **Public Outreach**



As part of the project review process, a community meeting was held on Tuesday, December 25, 2017, at 6:30 pm, at the School. Only two people attended the Community Meeting, both local property owners. They had some questions for the School, did not object to the project, and expressed support for it. The meeting was informal due to the lack of attendants and the two individuals individually engaged in conversation with School staff and the Architect with no formal presentation. Therefore notes were not taken.

#### Comments Received During Public Comment Period

No comments were received during the public comment period.

### **CONCLUSION**

The proposed 2019 Master Plan Phase 1 implementation with the 50 student increase can be achieved without creating significant impacts. Phase 2 does not involve a student increase and Phase 3 will require a separate CUP modification approval. The Phase 1 modifications result in increased classroom size and additional onsite parking without expanding the School campus. CUP findings can be made and project conditions will reduce potential impacts; staff recommends approval of the project.

### **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 Categorically Exempt per CEQA Section 15332, Class 32 - In-Fill Development. The project is consistent with the General Plan and Zoning in that through an approved CUP Modification and Master Plan allows a school in the Industrial General Zone to expand provided the school has an existing CUP (pursuant to code). The project is within Culver City City limits on a site less than 5 acres (1.23 acres) in an urbanized area. The project site is on a developed property in an urbanized area and is not a habitat for rare or endangered species. Focused studies provided by the School did not indicate there would be traffic, noise, air quality, or water quality significant impacts. The project can be adequately served by public utilities and services and nothing in the internal city review indicated such services cannot be met.

### **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 application is 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 application does not meet the required findings.

### **ATTACHMENTS**

- 1) Draft Planning Commission Resolution No. 2019-P007 and Exhibit A "Conditions of Approval"
- 2) Vicinity Map
- 3) Proposed Development Plans
- 4) 2019 Master Plan

- 5) November 14, 2005, City Council Resolution and July 13, 2005, Planning Commission Approved Resolution
- 6) Fehr and Peers October 2018 Traffic Impact Analysis
- 7) Acoustical Study Prepared by Newson Brown and dated August 3, 2019
- 8) Economic Report - Prepared by HR&A and dated May 10, 2018

**MOTION**

That the Planning Commission:

- 1. Adopt a Categorical Exemption, in accordance with the California Environmental Quality Act (CEQA), Section 15332, Class 32 - In-Fill Development, finding the Project will not result in significant adverse environmental impacts, and
- 2. Approve Conditional Use Permit Modification, P2018-0320-CUP/MOD, and Administrative Use Permit, P2018-0320-AUP, subject to the Conditions of Approval as stated in Resolution No. 2019-P007.