



City of Culver City

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

Staff Report

File #: 20-152, **Version:** 1

Item #: C-8.

CC - Adoption of a Resolution Approving Extension of Time, P2019-0148-ET, to Allow a One-Year Extension of Tentative Tract Map No. 74021, P2016-0041-TTM, for a Five-Unit Condominium Project at 3961 Tilden Avenue.

Meeting Date: August 26, 2019

Contact Person/Dept: Gabriela Silva/Current Planning Division
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Fiscal Impact: Yes ☐ No ☒

General Fund: Yes ☐ No ☒

Public Hearing: ☐ **Action Item:** ☐ **Attachments:** ☒

Commission Action Required: Yes ☐ No ☒ **Date:** N/A

Public Notification: (Email) Meetings and Agendas - City Council (08/21/19)

Department Approval: Sol Blumenfeld, Community Development Director (08/15/19)

RECOMMENDATION

Staff recommends the City Council, adopt a Resolution approving an Extension of Time, P2019-0148-ET, to allow a one-year extension of Tentative Tract Map No. 74021, P2016-0041-TTM, subject to all previously approved Conditions of Approval, as stated in City Council Resolution No. park.

BACKGROUND/DISCUSSION

Request

The applicant is requesting an extension to an existing Tentative Tract Map (P2019-0148-ET) in connection with a five unit condominium located at 3961 Tilden Avenue. The project is currently under construction and will be completed shortly. Due to the sale of the property the project completion has been delayed.

On June 11, 2019, the developer submitted a request for an extension of TTM No, 74021, P2016-

0041 in order to allow time for completion of the Final Map. The written request did not indicate a specific length of time for the extension. Although CCMC Section 15.10.285 - Time Limits, allows for the approval of an extension not exceeding three (3) years, staff recommends a one-year extension consistent with CCMC Section 17.595.030 - Time Limits and Extensions. These limitations are consistent with the Subdivision Map Act (Section 66452.6), which allows an extension (or extensions) not exceeding a total of six (6) years.

Previous Approvals and Current Status

On March 16, 2016, an application was submitted for an Administrative Site Plan Review and Tentative Tract Map to allow the demolition of a triplex and detached garage, the construction of five (5) attached residential dwelling units, and the subdivision of the subject site into a five (5) airspace condominium subdivision (i.e. one (1) dwelling unit on each airspace lot), within the subject site located in the Residential Medium Density Multiple Family (RMD) Zone.

On June 8, 2016, the Planning Commission adopted Resolution No. 2016-P005, subject to certain conditions, approving Administrative Site Plan Review, P2016-0041-ASPR, and recommending to the City Council approval of Tentative Tract Map No. 74021, P2016-0041-TTM, in order to allow the five-unit condominium project to be developed.

On July 25, 2016, the City Council adopted Resolution No. 2016-R074, approving the creation of the five-unit residential condominium subdivision, subject to the Conditions of Approval specified in Planning Commission Resolution No. 2016-P005. Based on the Conditions of Approval for the project, the expiration date for the tentative tract map would be three (3) years after approval, consistent with the CCMC and the Subdivision Map Act. Therefore, the expiration date would be July 25, 2019.

Building permit plans for the project were approved on January 4, 2018, and permits were subsequently issued. The new owner acquired the property in December 2018 and expects to complete construction by the end of 2020. On June 11, 2019, a request to extend the expiration date from July 25, 2019 was submitted, and the tentative map is currently under an automatic 60-day extension as further described below.

ANALYSIS

Pursuant to Section 15.10.0285 of the CCMC, and Section 66452.6 of the Subdivision Map Act, a developer has a maximum of three (3) years from the date of final approval of the tentative map to record the final map with the Los Angeles County Recorder. If the final map is not recorded by that date, the map approval expires, unless an extension is granted. Pursuant to California Government Section 66452.6(e), the expiration date of an approved tentative map may be extended for a period or periods not exceeding six (6) years. Further, upon the submittal of a request for an extension of a tentative map, prior to its expiration, the map shall automatically be extended for sixty (60) days or until the approval of the extension, whichever occurs first.

The map expiration date is considered to be three (3) years from the City Council approval of July 25, 2016, with an additional automatic extension upon submittal of an extension request, of up to sixty (60) days or until extension approval. Although the Public Works tentative map conditions of

approval indicate the map expiration date was to be three (3) years from the Planning Commission June 8, 2016 approval, the City Council approval date is the correct date from which to measure the expiration of the map, because the Planning Commission's action on the tentative map was a recommendation and the actual approval was granted by the City Council on July 25, 2016.

The applicant submitted a timely map extension request on June 11, 2019, prior to the expiration date. Therefore, as stipulated in the Subdivision Map Act, the tentative map was automatically extended for an additional sixty (60) days (September 23, 2019) or until the extension approval date, whichever occurs first. If approved on August 26, 2019, that will end the automatic extension and the time period of the new extension will commence. Staff recommends the tentative map be extended for one (1) year, resulting in an expiration date of August 26, 2020. The proposed Resolution will only extend the map expiration date, all previously approved Conditions of Approval will remain effective.

CONCLUSION/SUMMARY

The applicant submitted a timely request for an extension, and the provisions of the Zoning Code and Subdivision Map Act allow the approving body to grant an extension of the tentative map for a period not exceeding three (3) years. As the subject property is under new ownership, the new owner/developer is in the process of putting together all the necessary materials to complete the final map process. The developer anticipates completion of the construction by the end of 2020. The extension approval will allow the developer to complete the final map process while the development is under construction. The extension will not confer onto the developer any additional entitlements beyond the 2016 approval, nor result in any detrimental effects.

ENVIRONMENTAL DETERMINATION

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, a Class 3 and Class 15 Categorical Exemption as "Construction or Conversion of Small Structures" (Section 15303) and "Minor Land Division" (Section 15315), was adopted in connection with the development project by the Planning Commission on June 8, 2019, thereby determining that the project will not have an adverse impact on the environment. The requested map extension is within the scope of the previously adopted Categorical Exemption, the circumstances under which the exemption was adopted have not significantly changed, and no new significant information has been found that would impact the environmental determination; therefore, no new environmental analysis is required.

FISCAL ANALYSIS

There is no fiscal impact associated with the adoption of the proposed ordinance.

ATTACHMENTS

1. 2019-08-26_ATT - Proposed Resolution
2. 2019-08-26_ATT - Tentative Tract Map No. 74021, P2016-0041-TTM

3. 2019-08-26_ATT - City Council Resolution No. 2016-R074
4. 2019-08-26_ATT - Planning Commission Resolution No. 2016-P005 with Exhibit A: Conditions of Approval

RECOMMENDED MOTION

That the City Council

Adopt a Resolution approving Extension of Time, P2019-0148-ET, allowing a one-year extension of Tentative Tract Map No. 74021, P2016-0041-TTM, subject to all previously approved Conditions of Approval as stated in Planning Commission Resolution No. 2016-P005.