



City of Culver City

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Staff Report

File #: 21-626, **Version:** 1

Item #: PH-2

CC - PUBLIC HEARING: (1) Introduction of an Ordinance Amending the Culver City Zoning Map, as Referenced in Title 17, Zoning, of the Culver City Municipal Code (CCMC), Section 17.200.015 - Zoning Map (P2019-0291-ZCMA); and (2) Adoption of a Resolution Approving a Density and Other Bonus Incentives (P2019-0291-DOBI) and a Parking Reduction, for the Construction of a 5-Story Mixed-Use Development, Consisting of 12 Dwelling Units, 6,820 Square Feet of Commercial Space, and Subterranean Parking at 3727 Robertson Boulevard (Project).

Meeting Date: February 8, 2021

Contact Person/Dept: Sol Blumenfeld, Community Development Director;
Michael Allen, Current Planning Manager;
Gabriela Silva, Associate Planner

Phone Number: (310) 253-5736 / (310) 253-5727

Fiscal Impact: Yes ☐ No ☒

General Fund: Yes ☐ No ☒

Public Hearing: ☒

Action Item: ☐

Attachments: ☒

Commission Action Required: Yes ☒ No ☐

Date: December 9, 2020

Commission Name: Planning Commission

Public Notification: (Mailed) Property owners and occupants within a 1,000-foot radius and extended (01/14/2021); (Posted) City website (01/14/2021), Onsite Sign (01/15/2021); (Published) in Culver City News (01/21/2021); (Email) Master Notification List (01/14/2021), Meetings and Agendas - City Council (02/04/2021).

Department Approval: Sol Blumenfeld, Community Development Director (01/28/2021)

RECOMMENDATION

Staff recommends the City Council (1) introduce an Ordinance approving Zoning Code Map Amendment P2019-0291-ZCMA; and (2) adopt a Resolution approving Density and Other Bonus Incentives P2019-0291-DOBI and a parking reduction, subject to the conditions of approval contained in Planning Commission Resolution No. 2020-P016, for the development of a 5-story, 12-unit, mixed-use development.

PROCEDURE

1. The Mayor seeks motion to receive and file the affidavit of mailing, publishing, and posting of public notice.
2. The Mayor calls on staff for a brief staff report and City Council poses questions to staff as desired.
3. The Mayor seeks a motion to open the public hearing and the City Council receives public comment, providing the applicant the first opportunity to speak followed by the remaining general public.
4. The Mayor seeks a motion to close the public hearing after all testimony has been presented.
5. The City Council discusses the matter and arrives at its decision.

BACKGROUND

Request

On November 1, 2019, 3727 Robertson LLC (the “Applicant” and the “Property Owner”) applied for a Site Plan Review, Density and Other Bonus Incentives, Zoning Code Map Amendment, Administrative Use Permit, and Administrative Modification to allow the construction of a 5-story, 12-unit, mixed-use development on a site located in the Industrial General (IG) Zone (Attachment No. 1 and No 2). In addition, the Project also includes a Community Benefit consistent with the provisions of the Mixed-Use standards within the TOD district, as well as a request to utilize Zoning Code provisions to waive residential off-street parking requirements of the Project by City Council resolution.

More specifically, the Project includes the following applications and scope:

- Applications/Approvals
 - Site Plan Review (SPR) - to construct a project of three (3) dwelling units or more, or exceeding 4,999 sq. ft. of non-residential floor area, as further detailed below (approved by the Planning Commission on December 9, 2020);
 - Density and Other Bonus Incentives (DOBI) - to increase the project density, resulting in a total of twelve (12) dwelling units for the site, including one (1) low-income unit, and to request certain concessions such as a height increase, setback encroachments, and adjustment to parking;
 - Zoning Code Map Amendment (ZMCA) - to bring the site zoning into conformance with the General Plan Land Use designation, changing the zone from IG to Commercial General;
 - Administrative Use Permit (AUP) - to implement a tandem parking configuration (approved by the Planning Commission on December 9, 2020);

- Administrative Modification (AM) - to reduce the minimum required dimensions for tandem stalls (width) and parking drive aisles/backup (approved by the Planning Commission on December 9, 2020);
- Parking Reduction - to eliminate the parking requirement for the residential component of the Project (27 parking spaces) per Zoning Code Section 17.400.065 - Mixed Use Development Standards
- Scope
 - Demolition of an existing one-story, 2,850 sq. ft., non-residential structure (sound studio/media production)
 - New 5-story, 60'-9" high, mixed use project in a modern architectural style
 - Floors 1 and 2 containing a total of 6,820 square feet of retail (ground floor) and office (second floor)
 - Floors 3 through 5 containing four (4) dwelling units each, for a total of twelve (12) dwelling units, of which three (3) units will be affordable
 - Three (3) at-grade public parking spaces and one (1) car-share space to be maintained for a 25-year period
 - Nineteen (19) subterranean parking spaces for the commercial component, including nine (9) tandem sets and one (1) accessible space (no parking for the residential component)

Site and Project History

Several years ago, the former Culver City Redevelopment Agency (RDA) considered methods to increase the supply of affordable housing by repurposing RDA surface parking lots. The Project grew out of this concept to promote land assembly of underutilized property with RDA property and to encourage the development of housing near transit. Following the wind down of redevelopment, the small RDA-owned remnant parcel located at 3725 Robertson Boulevard was recommended for assembly with the adjacent parcel 3727 Robertson Boulevard when the remnant property was transferred to the City.

The Project includes this City-owned remnant and is subject to the terms of a Disposition and Development Agreement ("Agreement") entered by and between the City of Culver City and 3727 ROBERTSON, LLC, the developer (Developer), and approved by the City Council on June 10, 2019. The Agreement requires that the developer develop the Project and maintain public parking spaces for a specified term. Specifically, the Project must include three (3) at-grade public parking spaces and one (1) car-share space to be maintained for a 25-year period, consistent with the requirements of the former Culver City Redevelopment Agency Long-Range Property Management Plan. In order to make the Project feasible to develop on the relatively small land parcel, the approved Agreement also authorized the Project to include certain subsurface and airspace encroachments through an encroachment permit to offset the land lost due to a required 10-foot street dedication.

The Project site is located on the west side of Robertson Boulevard, south of Venice Boulevard and north of Washington Boulevard, and measures 6,108 square feet in area. The Project site is currently developed with one (1) single-story (2,850 sq. ft.) non-residential structure, surface parking,

and site improvements including landscape and hardscape; the City-owned (remnant) parcel is fully paved and is used to provide three (3) tandem public parking spaces.

Planning Commission Public Hearing and Recommendation

On December 9, 2020, the Planning Commission adopted Resolution No. 2020-P016 (Attachment No. 3) recommending to the City Council approval of Zoning Code Map Amendment P2019-0291-ZCMA, and Density and Other Bonus Incentives P2019-0291-DOBI; approving Site Plan Review P2019-0291-SPR, Administrative Use Permit P2019-0291-AUP, and Administrative Modification P2019-0291-AM; and adopting a Categorical Exemption (in order to take action on the Site Plan Review, Administrative Use Permit, and Administrative Modification), for proposed Project described above. During the public hearing, the Planning Commission considered the staff report, comments from the public, and requests from the Applicant. The Planning Commission decision on the SPR, AUP, and AM is final as no appeals were filed.

The City Council is requested to act only on the ZCMA, DOBI, and the Parking Reduction. Please reference the Planning Commission staff report, preliminary development plans, and minutes for a detailed review of the Project (Attachment Nos. 4 to 6).

ANALYSIS

Zoning Code Map Amendment

The site's current General Plan Land Use designation is General Corridor, which allows for a range of small-to-medium scale commercial uses, with an emphasis on community-serving retail. It is intended to support desirable existing and future neighborhood and community serving commercial uses, and limited medium-density housing opportunities compatible with adjacent residential neighborhoods. The existing area is characterized by two-to-three-story structures reflecting the generally under-developed property condition of much of Robertson Boulevard while further east, the area is experiencing a significant amount of larger scale construction as part of the City's planned Transit Oriented Development (TOD) District where development is more aligned with a 56-foot height limit. The General Corridor designation is generally applied to sections of Sepulveda, Washington, Venice and Jefferson Boulevards, Centinela and Slauson Avenues.

The site's current Zoning designation is Industrial General (IG). The IG Zoning District is applied to areas appropriate for a wide variety of industrial uses. The current IG Zoning District designation is inconsistent with the General Corridor commercial land use designation of the General Plan. The current General Plan designation allows housing through mixed-use, while the Zoning designation does not. Additionally, the current IG zoning designation is inconsistent with development trends in the area currently transitioning to more intense commercial and residential land uses and will likely experience accelerated change to mixed-use. Therefore, the proposed Zoning Code Map Amendment (ZCMA) would change the zone to Commercial General (CG) to bring the site zoning into conformance with the General Plan land use designation and with development trends in the area. In addition, the zoning consistency with the General Plan Land Use will allow the Project base height to increase from the 43-ft allowed by the IG Zone to 56-ft allowed in the CG Zone, consistent with development activity within the TOD District and intent of the General Corridor land use designation.

Density and Other Bonus Incentives (DOBI), Concessions and Waivers***Density***

As a mixed-use development within the Transit Oriented Development (TOD) district, the Project base density may increase from 35 dwelling units per acre to 65, provided the Project incorporates a Community Benefit with one (1) moderate income unit and one (1) workforce unit. In addition, a density bonus will be provided under State Density Bonus for one low income unit commensurate with the City's methods for calculating density on a lot size of 6,108 square feet (i.e. 0.1402 acres),

In addition, under State law, 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. Further, a developer of a qualified affordable project may also request multiple waivers or reductions in the development standards that would otherwise preclude the construction of the project with the density bonus or with the concessions/incentives requested.

In accordance with State Law and CCMC Chapter 17.580, the Project proposes a total of twelve (12) dwelling units. In order to comply with the minimum requirements from the State, only one (1) low-income dwelling unit is required while granting a density increase of twenty (20) percent (as shown below).

Table 1 – Density Calculation					
Lot Area	Density	CB Base Density	Bonus	Total Units	Affordability
6,108 sq. ft./ 0.14022 acres	35 du/acre = 4.9 = 5	65 du/acre = 9.11 = 10*	20% = 2 units	10 + 2 = 12	10% of 10 = 1 Low Income for 55 years

*The Community Benefit (CB) Density is considered the base density allowed by Culver City; all percentage calculations are taken from this number.

Developer Concession, Waivers, and Development Agreement

Based on providing ten (10) percent of the base density as affordable for low income housing, the Project may seek one (1) concession and is not limited as to the number of development standard waivers which would result in an infeasible project.

- Front Setback Reduction and Dedication Encroachment***

As a mixed-use project, the minimum required front setback on the ground floor is fifteen (15) feet, to accommodate pedestrian amenities. The minimum required front step back for the portion of the building above fifteen (15) feet is five (5) feet, to create visual interest at the pedestrian level of the building façade. The Project proposes a building front setback of zero for the ground floor, measured to the new/proposed property line after the proposed dedication. The building cantilevers beyond the proposed property line at the floors above, to allow for occupiable space, storage, and balcony extensions.

The ground floor area will provide pedestrian amenities along the street frontage rather than within a pedestrian setback to permit sufficient space for ground floor leasable area and the balance of the development program. Floors three (3) to five (5) are proposed to have portions of the dwelling units encroaching into the 10-ft dedication by 4.5 feet, with asymmetrical balconies encroaching further into the dedication to the original property line to create a more

visually interesting building façade and building massing. In addition, the subterranean parking will also encroach into the ten (10) feet dedication, to make the provision of off-street parking feasible given the small lot area. These encroachments are necessary to implement the Project and will be reflected in the Project Development Agreement and Encroachment Permits to be considered by City Council.

- *Height Increase*

The maximum allowed building height for the proposed CG Zone is fifty-six (56) feet. The proposed maximum roof height is 60'-9", excluding projections for stairwell, elevator, architectural features, parapets and guardrails. The stairwell and elevator projections measure up to 10'-8" and 13'-6" respectively, although the Zoning Code allows up to 13'-6" and 19'-6" respectively, while the architectural feature is 7'-0" and parapets/guardrails extend forty-two (42) inches, which results in a maximum height of 74.25 feet to the top of the highest proposed projection. By allowing a waiver of the height to provide an additional five (5) feet, the Project may incorporate an additional story, which includes four (4) dwelling units and approximately equivalent to the number of affordable units, pursuant to State Density Bonus law.

- *Parking Dimensions and Spacing*

As discussed further below, the development will not incorporate any off-street parking for the residential component of the Project if an exception is granted by City Council. The parking proposed for the commercial (retail/office) component will be provided in tandem, which requires a minimum dimension of nine (9) feet in width. In addition, the Zoning Code requires that any parking space that is adjoined on either side of its longer dimension by a wall, column/post or similar obstruction, shall have a minimum buffer of at least ten (10) inches on the side of the obstruction. However, due to the small size of the lot, as well as the area necessary for access (e.g. driveway, stairwells, elevator), structural support columns, and other required features, the garage space is insufficient to accommodate all the minimum parking standard dimensions. If these standards were strictly applied, they would further diminish the overall parking supply for the commercial component of the Project. The reduction in stall size would apply to a select number of stalls providing the width of a compact stall (i.e. 7'-6"). Similarly, the elimination/reduction in buffer will occur at select locations as shown in the preliminary development plans (Attachment No. 5).

Financial Analysis of Concession and Waivers

Based on the mix of affordable housing units proposed to be included in the Project, the City is obligated to allow twelve (12) residential units on the Site. In addition, the project must include a commercial component that meets minimum area requirements to be eligible to use CCMC Section 17.400.065 - Mixed Use Development Standards, and to be allowed in a non-residential zone as the Zoning Code does not currently allow standalone residential in such zones.

The Applicant provided a financial analysis which has been reviewed by the City's financial consultant, Keyser Marston Associates (KMA), to determine if the development concessions are needed to reduce the costs of providing the affordable housing. The applicant's financial analysis is a pro forma detailing expected costs and profits for the Project. The analysis by KMA concluded that the requested incentive/concession and development standards waivers are necessary to physically accommodate the proposed scope of development. The only way to eliminate the need for the requested development standards waivers would be to significantly reduce the sizes of the residential

units, which would make the Project infeasible and inconsistent with similar developments in the area and create an undue hardship on the project economics. Given that the proposed unit sizes fall within the typical range for newly constructed two-bedroom units in the area, it is KMA's opinion that requiring a reduction in the unit sizes would create an undue hardship on the project economics.

It is the conclusion of KMA that approving the requested incentive/concession and development standard waivers will not provide a windfall profit to the Applicant. As such, on strictly financial grounds, KMA concludes that the Applicant's proposal is supported by the Proposed Project's economic characteristics.

Community Benefits

Pursuant to CCMC Section 17.400.065 - Mixed Use Development Standards, an applicant may request an increase of the base density as illustrated in the density calculation above (Table 1), if located within the TOD district and if the proposal incorporates a Community Benefit. Accordingly, the City Council established the Washington/National TOD Community Benefit District on May 12, 2008 and adopted Resolution No. 2008-R053 on July 28, 2008, establishing the allowable community benefits for the district. Subsequently, the City Council adopted Resolution No. 2017-R108 on December 11, 2017, expanding the boundaries of the subject Community Benefit District, and amending the allowable community benefits to include affordable housing and funding for mobility measures.

In accordance with the adopted resolution, the Project is incorporating two (2) affordable dwelling units in addition to the one (1) low-income unit required to fulfill the affordability requirements from the State and the City's DOBI regulations. The Project will have one (1) moderate income unit and one (1) workforce unit. This will serve to increase the housing stock in the TOD district and improve the income mix of housing in the City.

Parking Reduction

The Zoning Code requires, one (1) space per 350 square feet of gross floor area for the commercial component (retail/office), as well as two (2) spaces per unit and one (1) guest parking space for every four (4) dwellings. Given the proposed area of 6,820 square feet and the number of dwellings, the Project would be required to provide a total of nineteen (19) spaces for the commercial component and twenty-seven (27) parking spaces for the residential component. Accordingly, the Project provides the minimum required nineteen (19) spaces for the retail/office floor area, within the subterranean garage, and in tandem configuration per the approved AUP and subject to the associated conditions of approval. The Project proposes to implement the provisions of Zoning Code Section 17.320.025.A, to request a waiver of all residential parking.

Per the Zoning Code, "within a designated TOD District, or within transit oriented developments, parking may be reduced by resolution of the City Council based upon consideration of proximity to transit and/or a shared parking analysis, which demonstrates that such parking reduction will not negatively impact surrounding commercial or residential neighborhoods". Accordingly, the request is made based on the Project's mobility measures, which include Metro Tap Cards, carshare, and bicycle parking, as well as the Site's location in the TOD district, and proximity to the Culver City Expo Station. The attached Parking Sufficiency Report (Attachment No. 7), prepared by Crain and Associates, provides a summary of research that supports the basis for the parking reduction

request, and specifically, that developments within proximity of transit have significantly lower parking demand. Further, given the mixed-use nature of the Project, including uses with differing patterns of peak parking demand, and the incorporation of the noted mobility measures, the report concludes that the extensive literature on the subject supports the proposed parking reduction.

ENVIRONMENTAL REVIEW:

Pursuant to the California Environmental Quality Act (CEQA) guidelines, a Categorical Exemption, Class 32-In-Fill Development Projects, was adopted by the Planning Commission on December 9, 2020, which determined that the Project will not have a significant adverse impact on the environment. The Zoning Code Map Amendment, Density and Other Bonus Incentives, and parking reduction are within the scope of the adopted Categorical Exemption and the circumstances have not significantly changed and no new significant information has been found that would impact the environmental determination. Therefore, no new or additional CEQA analysis is required.

CONCLUSION:

The Project will add a total of twelve (12) net new dwelling units to Culver City's housing stock in the TOD District, including affordable housing. In addition, the proposed development will repurpose a small City-owned surface parking lot to a higher and better use and result in a project that provides complementary commercial uses and additional housing near transit. at a density consistent with the proposed Zoning and current General Plan Land Use designations. The ZCMA, to change the Zoning to CG, will create consistency with the General Plan Land Use designation and allow for housing development, while the DOBI and Community Benefits will allow an increase in density, and the parking reduction will eliminate parking requirements for the proposed housing. The addition of housing with increased density and reduced parking is consistent with the City's revitalization planning goals for the area and good planning practice. The building is a modern style design with a minimalist material and color pattern, incorporating balconies to articulate the building plane at the front and rear elevations. Based on the proposed preliminary development plans and recommended conditions of approval, staff considers the Project to provide a layout, architectural design, and landscape improvements consistent with applicable development standards and guidelines. Therefore, Staff recommends approval of the proposed Project including the findings for Zoning Code Map Amendment, P2019-0291-ZCMA, and Density and Other Bonus Incentives, P2019-0291-DOBI, as outlined in Resolution No. 2020-P016 (Attachment No. 1).

FISCAL ANALYSIS

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

ATTACHMENTS

1. Proposed Ordinance (including Exhibit A: Zoning Code Map)
2. Proposed City Council Resolution
3. Planning Commission Resolution No. 2020-P016 with Exhibit A - Conditions of Approval

4. December 9, 2020, Planning Commission Staff Report (without attachments)
5. Preliminary Development Plans dated December 4, 2020
6. December 9, 2020, Planning Commission Minutes
7. Parking Sufficiency Report
8. Class 32 Exemption Report
9. Public Comments

MOTION

That the City Council:

1. Introduce an Ordinance approving a Zoning Code Map Amendment; and
2. Adopt a Resolution approving Density and Other Bonus Incentives and a parking reduction, subject to conditions of approval set forth in Planning Commission Resolution No. 2020-P016, for the construction of a 5-story, 12-Unit Mixed-use Development.