

1 RESOLUTION NO. 2026-R____

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3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
4 CULVER CITY, CALIFORNIA, GRANTING IN PART AN APPEAL
5 FILED BY SOL Y LUNA MONTESSORI SCHOOL, AND
6 OVERTURNING IN PART THE PLANNING COMMISSION'S
7 ADOPTION OF RESOLUTION NO. 2024-P007, APPROVING
8 CONDITIONAL USE PERMIT MODIFICATION, P2021-0135-
9 CUP/M, AND A CLASS 32 CATEGORICAL EXEMPTION FROM
10 THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)
11 FOR THE RELOCATION AND EXPANSION OF A FUELING
12 STATION AT 13431-13463 WASHINGTON BOULEVARD

13 (P2024-0191-Appeal of Conditional Use Permit Modification P2021-0135-CUP/M)

14 WHEREAS, on May 17, 2021, Costco Wholesale (the "Applicant") filed an
15 application for a Conditional Use Permit Modification (CUP/M), to allow demolition of existing
16 (eight dispenser) fueling station and two commercial structures ($\pm 8,480$ square feet); and the
17 construction of a new expanded (15-dispenser) and relocated fueling station and associated
18 project design feature and site improvements (the "Project"). The Project Site is more
19 specifically described as a ± 3.2 -acre portion of land within the parcels identified by Los Angeles
20 County Assessor's Parcel Numbers 4236-029-003, 4236-029-008, and 4236-029-009, in the
21 City of Culver City, County of Los Angeles, State of California; and

22 WHEREAS, on July 24, 2024, the Planning Commission, by a vote of 3 to 2,
23 adopted Resolution No. 2024-P007, which adopted a Class 32 Categorical Exemption finding
24 the Project exempt from the California Environmental Quality Act (CEQA), and conditionally
25 approved Conditional Use Permit Modification, P2021-0135-CUP/M; and

26 WHEREAS, on August 8, 2024, Frank P. Angel of Angel Law on behalf of Sol y
27 Luna Montessori School ("Appellant") filed a timely appeal of the Planning Commission's
28 adoption of Resolution No. 2024-P007, pursuant to Culver City Municipal Code (CCMC)

1 Section 17.640.030, claiming that the City cannot rely on a Class 32 Categorical Exemption
2 and that the required findings for a CUP/M are not adequately made, and that the City should
3 instead conduct further environmental study under CEQA and that the City should not approve
4 the Project until the appropriate level of environmental review is completed; and

5 WHEREAS, on October 13, 2025, the City Council held a duly noticed public
6 hearing on the Appeal of the Planning Commission's adoption of Resolution No. 2024-P007,
7 at which the City Council received evidence, including written statements and comments from
8 speakers that the Project location was within 300 feet of two daycare and preschool facilities,
9 and that the unusual size of the Project would present potentially significant air quality risks for
10 sensitive receptors in an economically disadvantaged neighborhood; and

11 WHEREAS, on March 9, 2026, after considering the Appeal of the Planning
12 Commission's adoption of Resolution No. 2024-P007, fully considering the whole
13 administrative record, including, but not limited to, the Planning Commission's decision,
14 application materials, plans, staff report, Appellant Appeal letter, Applicant response, Peer
15 Review Memorandum, environmental information, written and verbal public comments, and all
16 testimony presented, the City Council by a vote of ___ to ___, granted in part the appeal filed
17 by the Appellant, and overturned in part the Planning Commission's adoption of Resolution No.
18 2024-P007 to the extent that it found the Project exempt from CEQA.

19 NOW, THEREFORE, the City Council of the City of Culver City, California, DOES
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HEREBY RESOLVE as follows:

1 SECTION 1. New significant information has been found that would impact the
2 Class 32 Categorical Exemption; therefore, additional environmental analysis is required.
3 CEQA Guidelines section 15300.2, subdivision (c) provides: "A categorical exemption shall not
4 be used for an activity where there is a reasonable possibility that the activity will have a
5 significant effect on the environment due to unusual circumstances." Based on the written
6 public comments and the testimony at the City Council's public hearing, the City Council finds
7 that there is substantial evidence that there is a reasonable possibility that the Project will have
8 a significant effect on the environment due to unusual circumstances, specifically the Project's
9 size and proximity to two daycare facilities. The Class 32 Categorical Exemption therefore does
10 not apply to exempt this Project from CEQA.
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13 SECTION 2. Pursuant to all of the foregoing, the City Council of the City of Culver
14 City, California, hereby grants in part the appeal filed by the Appellant, and overturns in part
15 the Planning Commission's adoption of Resolution No. 2024-P007, approving Conditional Use
16 Permit Modification, P2021-0135-CUP/M, and a Class 32 Categorical Exemption from the
17 California Environmental Quality Act (CEQA) for the relocation and expansion of an existing
18 fueling station at 13431-13463 Washington Boulevard as to the CEQA findings and conclusions
19 only.
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1 SECTION 3. The Project Applicant shall proceed with CEQA analysis and
2 resubmit the Application, including all appropriate environmental analysis, to the Planning
3 Commission for further review and consideration.
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5 APPROVED and ADOPTED this ____ day of March, 2026.
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8 _____
9 FREDDY PUZA, Mayor
10 City of Culver City, California

11 ATTEST:

12 APPROVED AS TO FORM:

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14 JEREMY BOCCHINO, City Clerk

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18 HEATHER BAKER, City Attorney
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