

1 RESOLUTION NO. 2026-R____

2
3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
4 CULVER CITY, CALIFORNIA, DENYING AN APPEAL FILED BY
5 SUPPORTERS ALLIANCE OF ENVIRONMENTAL
6 RESPONSIBILITY, AND AFFIRMING THE PLANNING
7 COMMISSION'S ADOPTION OF RESOLUTION NO. 2025-P013,
8 APPROVING SITE PLAN REVIEW, TENTATIVE PARCEL MAP,
9 AND EXTENDED CONSTRUCTION HOURS, P2024-0190-
10 SPR/TPM, AND A CALIFORNIA ENVIRONMENTAL QUALITY
11 ACT (CEQA) CHECKLIST PURSUANT TO CEQA GUIDELINES
12 15168, FOR A MIXED USE DEVELOPMENT AT 5757 UPLANDER
13 WAY

14 (Appeal of Site Plan Review, Tentative Parcel Map and Extended Construction Hours P2024-
15 0190-SPR/TPM)

16 WHEREAS, on April 11, 2025, Spencer Kallick, representative of B9 Sequoia,
17 Culver City LP (the "Applicant") filed an SB 330 application invoking vesting rights to
18 development standards in place at that date; and,

19 WHEREAS, on July 1, 2025, the Applicant filed an application for a Site Plan
20 Review (SPR), Tentative Parcel Map (TPM) and Extended Construction Hours, to allow
21 construction of a 7-story, mixed-use project with 1,077 units (including 78 very low-income
22 units) and 5,772 square feet of commercial square footage (the "Project") in the Mixed use High
23 (MU-HD) Zone. The Project Site is located at 5757 Uplander Way and more specifically
24 described as Parcel 1 of Parcel Map 12436 and Lots 11,12,13 of Tract Map 22864, in the City
25 of Culver City, with Los Angeles County Assessor numbers of 4134-005-021, 4134-005-002,
26 4134-005-003, and 4134-005-004; and,

27 WHEREAS, to implement the proposed Project, approval of Site Plan Review
28 and Tentative Parcel Map P2024-0190-SPR/TPM is required to ensure the Project complies
with the required standards, design guidelines, and ordinances of the City; minimize potential

1 adverse effects on surrounding properties and the environment; and protect the integrity and
2 character of the residential, commercial, and public areas of the City; and,

3 WHEREAS, three of four existing Project site parcels are identified in the City's
4 Housing Element Sites Inventory with fewer affordable housing units proposed on these
5 parcels than identified in the Housing Element, thus pursuant to Government Code Section
6 65863(b)(2), the City is required to make written findings that there are adequate remaining
7 sites identified in the Housing Element to meet the city's share of the regional housing need;
8 and,
9

10 WHEREAS, the Extended Construction Hours request is for construction start
11 times of 7 AM instead of 8 AM on Monday through Friday, and 8 AM instead of 9 AM on
12 Saturday; and CCMC Section 9.07.035 allows an applicant to request extended construction
13 activity of a specific nature, with a limited duration, in nonresidential zoning districts, on
14 construction sites 1 acre or greater in size, if the exception is determined to be in the public
15 interest; and,
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17 WHEREAS, the Density Bonus and Other Incentives application was subject to
18 administrative approval, pursuant to CCMC Section 17.580.075 and State Density Bonus Law;
19 and,
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21 WHEREAS, the City has prepared a Checklist pursuant to California
22 Environmental Quality Act (CEQA) Guidelines Section 15168 to evaluate that the project's
23 environmental impacts are within the scope of potential environmental impacts analyzed in the
24 Certified Program Environmental Impact Report (PEIR) for the Culver City General Plan 2045
25 and Zoning Code Update, and no further environmental analysis is required pursuant to CEQA
26 Guidelines Section 15162; and
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1 WHEREAS, on November 12, 2025, after conducting a duly noticed public
2 hearing on the subject application, including full consideration of the applications, plans, staff
3 report, environmental information and all testimony presented, the Planning Commission, by a
4 vote of 5 to 0, adopted Resolution No. 2025-P013, which approved a CEQA Checklist pursuant
5 to CEQA Guidelines 15168, finding that the Project’s potential environmental impacts are within
6 the scope of the certified General Plan and Zoning Code Update PEIR, in accordance with
7 CEQA, finding the Project will not result in significant adverse environmental impacts, and
8 conditionally approved Site Plan Review, Tentative Parcel Map and Extended Construction
9 Hours P2024-0190-SPR/TPM; and
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12 WHEREAS, on November 20, 2025, Richard Drury of Lozeau Drury LLP on
13 behalf of Supporters Alliance of Environmental Responsibility (“Appellant”) filed a timely appeal
14 of the Planning Commission’s adoption of Resolution No. 2025-P013, pursuant to Culver City
15 Municipal Code (CCMC) Section 17.640.030, claiming that the City cannot rely on the 2045
16 General Plan PEIR for the CEQA Process, and that the City should prepare a project-specific
17 EIR for the Project and circulate the draft for public review and comment prior to considering
18 approval of the Project; and
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20 WHEREAS, the appeal does not include substantial evidence to demonstrate the
21 inadequacy of the Planning Commission’s decision and CEQA determination; and
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23 WHEREAS, Staff’s response to the appeal is that the Planning Commission
24 adopted Resolution No. 2025-P013, including required findings and approval of the CEQA
25 Checklist pursuant to CEQA Guidelines 15168, was made on the basis of substantial evidence
26 and in accordance with established procedures and methodologies, and no further analysis is
27 required; and
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1 WHEREAS, Environmental Science Associates, submitted a point-by-point
2 response to the appeal on behalf of the City on December 28, 2025, and the response
3 demonstrates the appellant's claims have no merit nor are supported by credible evidence, and
4 confirms the Planning Commission did not err in approving the Project; and

5 WHEREAS, on February 9, 2026, after a duly noticed public hearing on the
6 Appeal of the Planning Commission's adoption of Resolution No. 2025-P013, approving Site
7 Plan Review, Tentative Parcel Map, and Extended Construction Hours, P2024-0190-
8 SPR/TPM, and a Checklist pursuant to CEQA Guidelines 15168 for a mixed use project with
9 1,077 residential units and 5,772 square feet of commercial space at 5757 Uplander Way, fully
10 considering the whole administrative record, including, but no limited to, the Planning
11 Commission's decision, application materials, plans, staff report, Appellant Appeal letter,
12 Applicant response, environmental information and all testimony presented, the City Council
13 by a vote of ___ to ___, denied the appeal filed by the Appellant and affirmed the Planning
14 Commission's adoption of Resolution No. 2025-P013, including the Checklist pursuant to
15 CEQA Guidelines 15168, for Site Plan Review, Tentative Parcel Map, and Extended
16 Construction Hours P2024-0190-SPR/TPM.
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20 NOW, THEREFORE, the City Council of the City of Culver City, California, DOES
21 HEREBY RESOLVE as follows:
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23 SECTION 1. Since the Planning Commission adoption of Resolution No. 2025-
24 P013, which approved the Project and Checklist pursuant to CEQA Guidelines 15168, was
25 made on the basis of substantial evidence and in accordance with established procedures and
26 methodologies; therefore, no additional environmental analysis is required.
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1 SECTION 2. The Appellant has not demonstrated, nor provided, substantial
2 evidence in light of the whole record that the City cannot rely on the 2045 General Plan PEIR
3 for the CEQA Process and that the City should not approve the Project until the appropriate
4 level of environmental review is completed.
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7 SECTION 3. Pursuant to all of the foregoing, the City Council of the City of Culver
8 City, California, hereby denies the appeal filed by the Appellant and affirms the Planning
9 Commission's adoption of Resolution No. 2025-P013, approving Site Plan Review, Tentative
10 Parcel Map, and Extended Construction Hours, P2024-0190-SPRP/TPM, and a Checklist
11 pursuant to California Environmental Quality Act (CEQA) Guidelines 15168 for the mixed use
12 project at 5757 Uplander Way.
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15 APPROVED and ADOPTED this 9th day of February, 2026.
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18 _____
19 FREDDY PUZA, Mayor
20 City of Culver City, California

21 ATTEST:

22 APPROVED AS TO FORM:



23 _____
24 JEREMY BOCCHINO, City Clerk

25 _____
26 HEATHER BAKER, City Attorney
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