

1 RESOLUTION NO. 2023-P001

2 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER
3 CITY, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP NO. 83986,
4 P2022-0335-TPM TO ALLOW THE CREATION OF TWO (2) AIRSPACE LOTS
5 AT 4464 SEPULVEDA BOULEVARD

6 (Tentative Parcel Map No. 83986, P2023-0335-TPM)

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8 WHEREAS, on October 27, 2022, Community Corporation of Santa Monica, (the
9 “Applicant”), filed an application for a Tentative Parcel Map to allow the subdivision of a 1.4-
10 acre parcel into two (2) airspace lots to develop a 95 unit 100% affordable mixed used
11 development deemed eligible under Senate Bill 35 (SB 35). The proposed development located
12 at 4464 Sepulveda Boulevard is legally described as Parcel 1 as shown on Parcel Map No.
13 2018, in the City of Culver City, in the County of Los Angeles, State of California, filed in book
14 34 page 56 of Parcel maps, in the office of the County Recorder of Said County, APN: 4215-
15 009-016; and,
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18 WHEREAS, to implement the proposed development, approval of a Tentative Parcel
19 Map is required to ensure the subdivision complies with all required objective standards, City
20 ordinances, and state law to ensure compliance with state legislation SB 35; and
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23 WHEREAS, the development is statutorily exempt from the California Environmental
24 Quality Act (CEQA) as a ministerial project pursuant to SB 35; and

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26 WHEREAS, on January 25, 2023, after conducting a duly noticed public hearing on the
27 subject application, including full consideration of the application, plans, staff report,
28 environmental information and all testimony presented, the Planning Commission by a vote of
29 ___ to ___, conditionally approved Tentative Parcel Map No. 83986, P2022-0335-TPM; as set
forth herein below.

1 NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CULVER
2 CITY, CALIFORNIA, RESOLVES AS FOLLOWS:

3 SECTION 1. Pursuant to the foregoing recitations and the provisions of Culver City
4 Municipal Code (CCMC), the following findings are hereby made:
5

6 **Tentative Parcel Map No. 83986:**

7 As outlined in CCMC Title 15, Section 15.10.630, the following required findings for a Tentative
8 Parcel Map are hereby made:

9 **A. The proposed division will not be materially detrimental to the public welfare nor
10 injurious to the property or improvements in the immediate vicinity.**

11 Per Section 17.220.015 Table 2-5, the CG and CN zones permit mixed use
12 developments. The proposed airspace subdivision does not increase the proposed
13 number of units allowed on the site under the SB 35 ministerially approved mixed-use
14 project or cause any physical changes to surrounding lots of similar zoning and density
15 potential. The subdivision for airspace lots will occur on an existing land parcel and will
16 not result in any new land parcels or physical divisions of existing commercial and
17 residential neighborhoods beyond this property. Therefore, is not expected to have any
18 detrimental impacts to the public welfare or to property improvements in the vicinity. The
19 mixed-use development will comply with the approvals issued on June 16, 2022, in the
20 Letter of Compliance and will comply with all applicable provisions of the Zoning Code
21 and is permitted in the CG and CN zoning.

22 **B. The proposed division will not be contrary to any official plan adopted by the
23 Council of the City of Culver City or to any policies or standards adopted by the
24 Commission or Council and on file in the office of the City Clerk at or prior to the
25 time of the filing of the application hereunder.**

26 The proposed subdivision follows the policies and standards of the City including the
27 City's Municipal Code and General Plan. The City has reviewed Tentative Parcel Map
28 No. 83986 and determined it will not be contrary to any adopted public improvements
29 plans. There is no overlay or Specific Plan designated for this area, and the proposed
subdivision will not conflict with any adopted plans.

**C. Each proposed lot conforms in area and dimension to the provisions of the
Zoning Code requirements, as set forth in Title 17 of this Code.**

The General Plan Land Use Element designates the site as General Corridor, which
corresponds to the CG Zone. Per the Land Use Element, the General Corridor
designation is intended to provide additional opportunity for mixed use housing and

1 commercial developments. Per CCMC Section 17.220.020, minimum lot area is
2 determined through the subdivision review process. The subject site was legally
3 established. The proposed map is consistent with the applicable general plan and there
4 is no applicable specific plan.

5 **D. Each lot in the proposed division will front on a dedicated street or have a vehicular**
6 **access to a dedicated street approved by the City.**

7 The proposed development has vehicular access from Sepulveda Boulevard via an
8 existing 20 foot wide driveway shared with the neighboring parcel (4500 Sepulveda
9 Boulevard). The existing shared access agreement will remain in place. The site
10 provides adequate on-site circulation and parking in compliance with the Zoning Code
11 and applicable State laws. Each proposed airspace lot will have access to an existing
12 dedicated street approved by the City.

13 **E. Each lot in the proposed division is so designed and arranged that drainage to an**
14 **approved drainage facility is provided for each lot.**

15 A Site Improvement Plan is required to be submitted to the City with construction plans
16 for review and approval as stated in the Letter of Compliance issued on June 16, 2022.
17 The Site Improvement Plan shall include detailed on-site drainage and grading of the
18 site indicated by topographical lines and spot elevations. The review and required
19 approval will ensure the proposed development will be in conformance with this required
20 finding prior to any final approval of the proposed subdivision.

21 **F. The proposed division will not interfere with the widening, extension, or opening**
22 **of any street or Master Plan highway.**

23 Located within an existing urbanized commercial neighborhood, the proposed
24 subdivision is provided access by means of the existing public right-of-way, Sepulveda
25 Boulevard. Further, there were no items of potential interference identified between the
26 proposed subdivision and any street or Master Plan highway.

27 **G. Lot lines are so designed that easements will be located in such positions as to**
28 **be suitable for the proposed use.**

29 The existing parcel is currently developed with a religious facility and preschool building
and has easements to provide vehicular access for the subject parcel and the adjoining
parcel, to permit the crossing of emergency vehicles, as well as utility easements. The
proposed subdivision will not encroach into or interfere with these existing easements.
Further the site layout is designed such that the proposed lots associated with the
development are located to allow access and open space where future required
easements may be adequately placed.

1 SECTION 2. Pursuant to the foregoing recitations and findings, the Planning
2 Commission of the City of Culver City, California, hereby approves Tentative Parcel Map No.
3 83986, P2022-0335-TPM, subject to the conditions of approval as set forth in Exhibit "A"
4 attached hereto and incorporated herein by this reference.
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6
7 APPROVED and ADOPTED this 25th day of January 2023.
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10 _____
11 NANCY BARBA, CHAIRPERSON
12 PLANNING COMMISSION
13 CITY OF CULVER CITY, CALIFORNIA

14 Attested by:

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16 _____
17 RUTH MARTIN DEL CAMPO, ADMINISTRATIVE CLERK
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EXHIBIT A
 RESOLUTION NO. 2023-P001
 Tentative Parcel Map No. 83986, Case No. P2022-0335-TPM
 SB 35 Development at 4464 Sepulveda Blvd

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
1.	Pursuant to CCMC Section 17.630.010.C.4 – “Posted Notice”, the public notification sign(s) installed in accordance with the public notification requirements for the Land Use Permit shall be removed within ten days after the end of the appeal period or the final decision by the City Council on the Land Use Permit, whichever occurs last.	Current Planning	Standard	
2.	All buildings and structures to be constructed as part of the development shall be designed and constructed in accordance with all applicable regulations and standards of the City’s Building Code, Fire Code and any related codes as determined by the Building Official and Fire Marshal; and all other applicable provisions of the CCMC which are adopted and in effect at the time the SB 35 development application was submitted.	All Depts	Standard	
3.	All access easements and covenants with adjacent properties shall remain in effect and in force, excepted as otherwise required by these conditions of approval.	Current Planning	Special	
4.	The Applicant shall obtain all permits and licenses required in connection with the development or use of the development.	Current Planning	Standard	
5.	An easement, common access easement agreement, covenant, or similar instrument deemed appropriate by the City shall be executed to ensure that all parcels or lots within the development have necessary vehicular, pedestrian, and utility, drainage, and sewage access to public rights of way and City and utility main lines.	Current Planning	Special	

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NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
PRIOR TO GRADING / BUILDING PERMIT ISSUANCE				
6.	Prior to issuance of a building permit, the Property Owner shall record a covenant, on a form provided by the Current Planning Division and the City Attorney, modifying the existing Maintenance and Openways Agreement, to allow development over an easement requiring a clear passageway in the rear of the property for the crossing of emergency vehicles. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Current Planning Division	Current Planning	Special	
7.	A covenant and agreement, on a form provided by the Current Planning Division and the City Attorney, acknowledging and agreeing to comply with all terms and conditions established herein, shall be signed by the Property Owner and recorded in the County Recorder's Office. The covenant and agreement shall run with the land and shall be binding on any subsequent owners, and tenants or occupants of the Property. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Current Planning Division.	Current Planning/ City Attorney	Standard	
8.	The Applicant and/or Property Owner shall indemnify, hold harmless and defend (at the Applicant's and Property Owner's sole cost and expense, with legal counsel approved by the City in its sole discretion) the City, its elected and appointed officials, officers, employees, agents, contractors and consultants from and against any and all claims, lawsuits, judgments, liability, injury or damage arising from or in any manner connected to any and all permits or approvals relating to the development, including without limitation associated and reasonably incurred attorneys' fees and court and litigation costs arising out of the defense of any such claims	City Attorney	Standard	

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PRIOR TO GRADING / BUILDING PERMIT ISSUANCE				
	and/or lawsuits, and actual attorneys' fees and court and litigation costs that may be awarded by the court and required to be paid by the City. The obligations required by this Condition shall be set forth in a written instrument in form and substance approved by the City Attorney and signed by the Applicant and Property Owner.			

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PRIOR TO CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION				
9.	All provisions, and requirements set forth in these Conditions of Approval, in the Resolution approving the development, in the CCMC, or in any applicable written comments as provided by City representatives in the SB 35 Letter of Compliance and attachments dated June 16, 2022, and/or as modified, shall be fulfilled and satisfied to the satisfaction of all City departments before the use may be established or the development occupied.	All	Standard	
10.	<p><u>Final Map</u></p> <p>I. The final map shall be prepared by a surveyor, or civil engineer, licensed and authorized to do such work, by the State of California.</p> <p>II. Approval of the tentative map shall be for a period of three years after Planning Commission approval. However, approval of the tentative map shall be voided if the approval of the project under the Streamlined Ministerial Approval Process expires.</p> <p>III. Durable monuments shall be set at all perimeter boundary corners. At least two monuments shall be set on the prolongation of the property's easterly and westerly boundary with the centerline of Sepulveda Boulevard. All required boundary monuments shall be installed prior to the recording of the final map. Centerline monuments shall be "tied" to at least four (4) points, with lead and tags, and centerline tie notes filed with the Engineering Division.</p> <p>IV. All public improvements, as required by the project approval under the</p>	Public Works	Special	

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PRIOR TO CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION				
	<p>Streamlined Ministerial Approval Process, shall be completed and approved prior to the final approval of the final parcel map by the City Council. Otherwise, an agreement and adequate security shall be posted by the subdivider, and accepted by the City, to satisfactorily complete said improvements. The agreement and security shall conform to Sections 66462 and 66499 of the State Subdivision Map Act.</p> <p>V. The final map shall be submitted to the Los Angeles County Department of Public Works for review, approval, and recordation. After approval of the technical aspect of the map by Los Angeles County, and prior to recordation, the final map shall be approved by the Culver City Council. A copy of the first plan check package as submitted to Los Angeles County shall also be submitted concurrently to the Culver City Engineering Division for review. All fees shall be paid to the County and Culver City.</p>			

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NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
ON-GOING				
11.	Pursuant to CCMC Section 17.650.020 - "Inspection", the Property Owner and Applicant shall allow authorized City officials, or their designees, access to the Property where there is reasonable cause to believe the Property is not in compliance with these Conditions of Approval or other requirements of the CCMC.	All	Standard	
12.	The use and development of the Property shall comply with these Conditions of Approval and all applicable local, special district or authority, county, state and federal statutes, codes, standards, regulations, guidelines and policies, including, but not limited to, Building Division, Fire Department, Current Planning Division and Public Works Department requirements, and shall comply with all applicable CCMC requirements and all comments made during the City's building permit plan check review process (collectively, "Applicable Rules"). Failure to comply with Applicable Rules may result in reconstruction work, demolition, stop work orders, withholding of certificate of occupancy, revocation of land use permit approval and/or any other remedies available to the City in law or in equity.	All	Standard	
13.	The proposed development shall comply with all objective general plan, zoning, subdivision, and development standards, and Government Code Section 65913.4. In addition, the development shall comply with all Conditions of Approval and requirements established in the Letter of Compliance and attachments for the SB 35 development dated June 16, 2022, and/or as modified.	Current Planning	Special	

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GLOSSARY OF ABBREVIATIONS

<u>American Public Works Association Standard Plans</u>	<u>APWA Standards.</u>
<u>Construction Management Plan</u>	<u>CMP</u>
<u>Culver City Municipal Code</u>	<u>CCMC</u>
<u>Electrical Vehicle</u>	<u>EV</u>
<u>Homeowner's Association</u>	<u>HOA</u>
<u>Standard Urban Stormwater Mitigation Plan</u>	<u>SUSMP</u>
<u>Stormwater Pollution Prevention Plan</u>	<u>SWPPP</u>
<u>Transit Oriented Development</u>	<u>TOD</u>