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## Public Comments Not Uploaded 8271 W Melrose Ave - CPC-2024-3202-DB-PR-VHCA

1 message

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**Jordan Beroukhim** <jordan@beroukhimco.com>

Tue, Oct 21, 2025 at 3:16 PM

Reply-To: clerk.plumcommittee@lacity.org

To: clerk.plumcommittee@lacity.org

Hello,

Attached, please find our appeal responses in connection with the above project and case number, which I believe to be tentatively scheduled for next week's PLUM meeting (10/28).

Thank you.

Best,

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**Appeal Responses\_Final.pdf**

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- ➔ Appellant claims that the Project and accompanying Letter of Determination fail to demonstrate consistency with all applicable General Plan Policies, further claiming that analysis was only limited to the Framework Element and Community Plan Land Use Element.

The Letter of Determination's project review findings are not only limited to the Framework and Community Plan Land Use Element. The review findings sufficiently provide goals and policies on the following:

**Housing Element**  
**Noise Element**  
**Mobility Element**  
**Plan for a Healthy Los Angeles**  
**Conservation Elements**

In addition to:

**Framework Element**  
**Community Plan Land Use Elements**

All of the above goals and policies are adequately identified on Pages F-3 through F-9 of the Letter of Determination issued on August 6, 2025.

- ➔ Appellant claims that there are conflicts or tensions amongst the applicable General Plan policies.

There were no tensions or conflicts amongst applicable policies raised by the Department of City Planning Department, or any other City department, as part of the Project's 15-month review and processing time. Additionally, there were no tensions or conflicts identified within the Letter of Determination issued August 6, 2025.

- ➔ Appellant claims that Harper Avenue contains existing conditions, such as illegal parking and gridlock, and further claims the Project's driveway is not appropriately proposed.

One project cannot bear the burden if ongoing and/or pre-existing traffic conditions occur within the neighborhood. Certainly, the project cannot bear any burden if any such illegal parking activities occur within the neighborhood, this pertains to the human behavior of other neighbors or residents in the area, this is not a representation of the proposed project.

The project was studied based on its separate and sole scope of work/project description. The project has been determined to fall below the threshold of any significant traffic impacts or analysis. A VMT (Vehicular Miles of Travel) calculation was prepared and reviewed by both the Los Angeles Department of Transportation ("LADOT") as well as the Los Angeles Department of City Planning ("LADCP"), and again, was determined to fall below any significant thresholds, and further determined that no further traffic report or analysis was required.

The Project seeks to replace several existing commercial, retail, and office buildings and uses, totaling nearly 25,000 square feet. The current uses in of itself currently generate north of 800 daily trips. Therefore, sufficient and ample credit is provided toward the new project and new uses proposed. In general, commercial uses generate more daily trips when compared to residential uses. Again, these were all factors included during the time of VMT analysis, which was reviewed and approved by both LADOT and LADCP. Any potential “gridlock” claims are entirely subjective.

Lastly, proposing the driveway and garage entrance along a secondary street (Harper Ave), farthest away from the street intersection, is in line with LADOT best practices. The project is not proposing the main building driveway access from the alley, as to avoid any disruptions or queuing within the alley area.

- ➔ Appellant claims that the Project and accompanying Letter of Determination did not identify the General Plan’s Safety Element, further claiming that geologic/hydrologic hazards, such as high groundwater table and excavation pose settlement risk.

The Applicant is aware of the high groundwater on the property. High groundwater levels in City of Los Angeles are not an “unusual circumstance”, especially on or near Melrose Ave where there is historically a high groundwater. And the Applicant will follow the City’s standard Geotechnical approval process with Building & Safety, as well as best practices for potential groundwater remediation. The Applicant agrees that said Geotechnical report, and potential remediation efforts, must have Building & Safety approval before any related construction can commence.

- ➔ Appellant claims concerns with Noise and Air Quality Elements due to construction, and use of proposed loading dock.

A Noise report as well as an Air Quality report were prepared by CAJA Environmental Services in July 2024, and further updated in May 2025. Both reports concluded that the project fell below any thresholds that would otherwise require mitigation measures. As such, the Project is eligible for a Class 32 Categorical Exemption (in-fill development).

Further, the Applicant would voluntarily contract with a Construction Monitoring company, which would provide for 24-hour on-site construction monitoring services, along with the proper contact information and phone number to be posted on the construction site at all times during construction phases.

The loading dock is a requirement of the Los Angeles Municipal Code (“LAMC”) when a commercial use proposed within a building. The loading dock is in itself a temporary loading area that is used from time to time, designed per LAMC to provide the necessary room for one vehicle to load at a time. Given this is simply a temporary loading area and is a City of LA requirement, there is no warranted concern with the location of this doc.

- ➔ Appellant claims concerns with Housing Element, noting preservation and neighborhood livability during demolition and construction.



The Project would replace several dilapidated commercial buildings, built almost 70+ years ago. Further, the Project would not displace any existing housing stock or require the relocation of any existing residential use or tenant(s).

Again, the Applicant would voluntarily contract with a Construction Monitoring company, which would provide for 24-hour on-site construction monitoring services, along with the proper contact information and phone number to be posted on the construction site at all times during construction phases.

- ➔ Appellant claims concerns with traffic and access, again, claiming concerns with existing traffic conditions and illegal red-zone parking. Again, claiming that the Project's driveway along Harper Avenue is not adequately proposed.

A VMT (Vehicular Miles of Travel) calculation was prepared and reviewed by both the Los Angeles Department of Transportation ("LADOT") as well as the Los Angeles Department of City Planning ("LADCP"), and again, was determined to fall below any significant thresholds, and further determined that no further traffic report or analysis was required.

Proposing the driveway and garage entrance along a secondary street (Harper Ave), farthest away from the street intersection, is in line with LADOT best practices. The project is not proposing the main building entrance driveway off of the alley, as to avoid any disruptions or queuing within the alley area, and to further avoid any access issues with the adjacent neighbors who require garage access via the alleyway at 715 N Harper Avenue and at 714 N Sweetzer Avenue.

- ➔ Appellant claims concerns with noise and air quality, and again, claims concerns with construction and the loading dock.

A Noise report as well as an Air Quality report were prepared by CAJA Environmental Services in July 2024, and further updated in May 2025. Both reports concluded that the project fell below any thresholds that would otherwise require mitigation measures. As such, the Project is eligible for a Class 32 Categorical Exemption (in-fill development).

Again, the Applicant would voluntarily contract with a Construction Monitoring company, which would provide for 24-hour on-site construction monitoring services, along with the proper contact information and phone number to be posted on the construction site at all times during construction phases.

The loading dock is a requirement of the Los Angeles Municipal Code ("LAMC") when a commercial use proposed within a building. The loading dock is in itself a temporary loading area that is used from time to time, designed per LAMC to provide the necessary room for one vehicle to load at a time. Given this is simply a temporary loading area and is a City of LA requirement, there is no warranted concern with the location of this dock.

- ➔ Appellant claims concerns with groundwater and soils, claiming subsequent concerns with settlement risk and structural stability.



Soils reports and calculations, along with structural reports and calculations are not required for the conceptual and entitlement phases of a project.

However, the Applicant has voluntarily agreed to Condition Number 30, identified in the Letter of Determination issued on August 6, 2025, which conditions that prior to the issuance of any building permit or grading permit, the applicant shall submit a geotechnical report prepared by a registered civil engineer or certified engineering geologist to the written satisfaction of the Department of Building and Safety.

➔ Appellant claims that the high groundwater poses an unusual circumstance.

The Letter of Determination issued on August 6, 2025, contains Environmental Condition Number 30, which states that prior to the issuance of any building permit or grading permit, the applicant shall submit a geotechnical report prepared by a registered civil engineer or certified engineering geologist to the written satisfaction of the Department of Building and Safety.

The Applicant is aware of the high groundwater on the property. High groundwater levels in City of Los Angeles are not an “unusual circumstance”, especially on or near Melrose Ave where there is historically a high groundwater. And the Applicant will follow the City’s standard Geotechnical approval process with Building & Safety, as well as best practices for potential groundwater remediation.

➔ Appellant claims that the Project did not analyze cumulative impacts of traffic, noise, and groundwater, making references to several other projects within the area.

A Noise report as well as an Air Quality report were prepared by CAJA Environmental Services in July 2024, and further updated in May 2025. Both reports adequately identified the cumulative impacts of other concurrent projects within both a 1,000-foot radius, as well as a 0.5-mile radius, and again, concluded that the Project fell below any thresholds that would otherwise require mitigation measures. As such, the Project is eligible for a Class 32 Categorical Exemption (in-fill development).

Again, groundwater items such as geotechnical reports and calculations, along with structural reports and calculations are not required for the conceptual and entitlement phases of a project.

However, the Applicant has voluntarily agreed to Condition Number 30, identified in the Letter of Determination issued on August 6, 2025, which conditions that prior to the issuance of any building permit or grading permit, the applicant shall submit a geotechnical report prepared by a registered civil engineer or certified engineering geologist to the written satisfaction of the Department of Building and Safety.

- ➔ Appellant claims structural damage from prior, nearby excavation at 714-728 Sweetzer Avenue, and further claims similar effects from the proposed Project.

The Applicant has no involvement with, or responsibility for, the prior project at 714-728 Sweetzer Avenue. Any claims or concerns relating to that construction must be directed to the owners or managers of that property. The Applicant expressly reserves all rights and affirms it will not assume liability for issues stemming from a neighboring, unrelated development. The Applicant is a well experienced developer in City of Los Angeles, and has no knowledge or bears any responsibility from issues that may have arisen from the 714-728 Sweetzer project.

- ➔ Appellant claims concerns with traffic and access, again, claiming that the Project's driveway along Harper Avenue is not adequately proposed, and further claims concerns with the loading dock.

Again, one project cannot bear the burden if ongoing and/or pre-existing traffic conditions occur within the neighborhood.

Again, the Project is proposing the main building driveway off a secondary street (Harper Ave), farthest away from the street intersection, is in line with LADOT best practices. The project is not proposing the main building driveway access off of the alley, as to avoid any disruptions or queuing within the alley area, and to further avoid any access issues with the adjacent neighbors who require garage access via the alleyway at 715 N Harper Avenue and at 714 N Sweetzer Avenue.

The loading dock is a requirement of the Los Angeles Municipal Code ("LAMC") when there is a commercial use proposed within a building. The loading dock is in itself a temporary loading area that is used from time to time, designed per LAMC to provide the necessary room for only one vehicle to load. Given this is simply a temporary loading area and is a City of LA requirement, there is no warranted concern with the location of this dock.

- ➔ Appellant claims concerns with construction air quality and noise, further claiming concerns with the export of over 20,000 cubic yards dirt, and the associated truck trips

Excavation and the associated export would happen in certain sequencing, and would only be limited to certain days and hours of the week per LAMC. The amount of export is necessary for the feasibility of construction, and a Grading Plan must be completed by a licensed Civil Engineer as well as approved by Los Angeles Building & Safety before any excavation work can commence on the site.

Air and Noise Quality reports were also conducted as referenced above. The Applicant has also voluntarily agreed (as a sign of good faith) to incorporate a Construction Monitoring company and plan, for the duration of the construction of the project.