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May 20, 2026

Los Angeles City Council
c/o Office of the City Clerk
City Hall, Room 395
Los Angeles, California 90012

Attention: PLUM Committee

Dear Honorable Members:

APPEAL SUMMARY AND STAFF RESPONSE; 757–787 SOUTH ALAMEDA STREET, 1318–1396 EAST 7TH STREET, 136–196 SOUTH CENTRAL AVENUE, 1301–1327 EAST 8th STREET, 700–760 SOUTH MARKET COURT, 720–746 SOUTH TERMINAL STREET, 760 SOUTH WAREHOUSE STREET; CPC-2025-4306-DB-PR-ZV; CF 26-0340

Project Background

The project involves the demolition of existing surface parking lots and the construction of three 8-story buildings containing a total of 1,000 residential dwelling units, of which 114 units would be restricted to Very Low-Income Households. The project would have a total of 844,278 square feet of floor area (including 6,547 square feet of commercial floor area) as follows: 1) South Building A would contain 410 dwelling units and 337,620 square feet of floor area (including 1,119 square feet of ground floor commercial space), and would rise to a height of 102 feet over two levels of subterranean parking; 2) South Building B would contain 214 dwelling units and 182,605 square feet of floor area, and would rise to a height of 100 feet over two levels of subterranean parking; and 3) North Building C would contain 376 dwelling units and 324,053 square feet of floor area (including 5,428 square feet of ground floor commercial space), and would rise to a height of 101 feet over two levels of subterranean parking. The project proposes to include a total of 1,092 vehicular parking spaces within the subterranean garages.

At its meeting on February 12, 2026, the City Planning Commission approved the requested Density Bonus, Project Review, and Zone Variance, under Case No. CPC-2025-4306-DB-PR-ZV, to develop the project. The City Planning Commission also determined that the associated Housing Element Checklist, under Case No. ENV-2024-8218-HES, adequately assessed the scope of the project while adopting the Mitigation Monitoring Program for the proposed housing project. The City Planning Commission's approval letter was issued on February 18, 2026, which established an appeal period until March 5, 2026.

On March 5, 2026, within the required 15-day appeal period, an appeal was filed by Supporters Alliance for Environmental Responsibility (“SAFER”) for the Project Review and Zone Variance portions of the City Planning Commission determination, as filed under Council File No. 26-0340.

On May 18, 2026, the Applicant submitted a request to withdraw the Zone Variance entitlement. As such, the appeal of the Zone Variance is no longer under consideration. The Project Review entitlement should be considered appealed and has been responded to within this staff report.

Staff Recommendation

Staff recommends that the PLUM Committee recommend for Council Action to deny the submitted appeal and sustain the City Planning Commission’s determination. Staff also recommends that the PLUM Committee and City Council consider the Zone Variance grant withdrawn, as requested by the Applicant. Based on the whole of the administrative record, there is substantial evidence to make all required findings related to the requested Density Bonus and Project Review and find that the project has been adequately assessed, per CEQA, under ENV-2024-8218-HES.

Appeal Summary

The following appeal statements have been compiled and summarized from the submitted appeal and responded to below:

1. Appeal Point:

The City failed to prepare an environmental review document and the City does not require CEQA review for this project.

Staff Response:

The project was assessed utilizing the Housing Element Streamlining Checklist under Planning Case No. ENV-2024-8218-HES. On November 24, 2021, the City Council certified the Citywide Housing Element 2021-2029 and Safety Element Updates Final Environmental Impact Report, SCH No. 2021010130, EIR No. ENV-2020-6762-EIR (Housing Element EIR), to adopt the 2021-2029 Citywide Housing Element and the Updates to the Safety Element and the Plan for a Healthy LA (Health Element). Pursuant to CEQA Guidelines Sections 15168(c)(4) and 15168(d), the project was found to be within the scope of the program analyzed in the Program EIR and its environmental effects are within the scope of environmental impacts assessed in the Program EIR, and Addendum No. ENV-2020-6762-ADD1 and ENV-2020-6762-ADD2. As demonstrated in the responses below, the project fits squarely within the parameters set forth in the Housing Element Streamlining Checklist as envisioned to be used by the City to streamline housing projects using the Housing Element EIR.

2. Appeal Point:

The Housing Element Update EIR was a programmatic-level EIR, not a project-level EIR, and therefore did not analyze this project. Project-level CEQA review is required for the project.

Staff Response:

Pursuant to CEQA Guidelines Sections 15168(c)(4) and 15168(d), the project is within the scope of the program analyzed in the Housing Element EIR and its environmental effects are

within the scope of environmental impacts assessed in the Housing Element EIR. The Housing Element EIR analyzed the program-level impacts from the full build out of the City's Regional Housing Needs Allocation (RHNA), as well as the project-level impacts that occur from the development of the types of housing projects that will be developed from build out of the RHNA. The Housing Element EIR also analyzed the impacts from various locations, geographies, and environments where build-out of the RHNA could occur. The project fits within the types of housing project and geographies evaluated in the Housing Element EIR. In addition, the project is consistent with the type of allowable land uses, and overall planned building intensity set forth in the Housing Element EIR.

In addition, in accordance with the mitigation measures included in the Housing Element EIR, further technical studies have been completed for the project. Specifically, separate analyses were conducted that demonstrate the project is within the scope of the Housing Element EIR and that the project would not result in significant environmental impacts. These include studies related to air quality, trees, historic resources, noise, cultural and tribal resources, hazards and transportation. Furthermore, although not required, additional supplemental analyses regarding hydrology and water quality, energy, noise, greenhouse gas emissions, and utilities were conducted by the Applicant and are included as part of the administrative record for the project. These supplemental analyses further demonstrate that the project would not result in significant impacts and support the fact that the project would not have additional impacts not already covered in the Housing Element EIR.

Overall, pursuant to CEQA Guidelines Section 15168(c)(2), which is cited in the appeal document, the City can approve a later activity (i.e., the ROW project) as being within the scope of the project covered by the program EIR, and no new environmental document would be required. Specifically, as set forth in CEQA Guidelines Section 15168(c)(2), the substantial evidence to support this includes the fact that the project is consistent with "the type of allowable land use, overall planned density and building intensity, geographic area analyzed for environmental impacts, and covered infrastructure, as described in the program EIR." Also consistent with CEQA Guidelines Section 15168(c)(3), all feasible mitigation measures have been incorporated into the project. Furthermore, as specified in CEQA Guidelines Section 15158(c)(4), the City has used a written checklist or similar device (the Housing Checklist) to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were within the scope of the program EIR. Thus, use of the Hosing Element EIR for the environmental clearance for the project has been conducted in full compliance with CEQA.

3. Appeal Point:

The project is outside the scope of the Housing Element EIR because it is inconsistent with the Housing Element EIR, particularly due to the requested Density Bonus waivers and zone variance.

Staff Response:

Contrary to what the Appellant alleges, the project is fully within the scope of the Housing Element EIR. As discussed on Page 3-31 of the Housing Element Draft EIR, new housing "units may occur anywhere in the City where residential uses are permitted." In addition, the Housing Element EIR further states that the new units may include several types of developments including "multi-family residential development, ranging from small apartment buildings with two to 10 units, medium apartment buildings with between 11-49 units, large apartment buildings with between 50-200 units, or larger apartment buildings and high-rise

structures with more than 200 units” and “mixed-use development [that] ranges in size and scale from neighborhood commercial mixed-use with smaller nonresidential uses, to high-rise mixed-use with larger nonresidential uses.” The Housing Element EIR also analyzes various types of project sites that permit residential uses, including infill development sites. In addition, as part of preparation of the Housing Element EIR, the City surveyed the thousands of environmental assessments that have been prepared in the last five years for housing developments of the type that will build out the RHNA and selected 54 case studies to discuss in the Housing Element EIR that identify both the typical- and worst-case environmental impacts from housing developments. The intent was to be conservative and identify all of the reasonably foreseeable ways housing can result in environmental impacts in the City, as well as identify the best mitigation measures developed to address those impacts. The City found the case studies reviewed in the Housing Element EIR and their identified level of impacts (i.e., no impacts, less than significant impacts, less than significant impacts with mitigation, and significant and unavoidable impacts) are representative of the typical- and worst-case environmental impacts of housing development to be built to accommodate the City’s housing needs.

Based on the above, the project, which includes 1,000 residential units and 6,547 square feet of retail/restaurant uses, is fully consistent with the type of residential development envisioned by the Housing Element EIR. In addition, the project site, which is already zoned to permit residential uses and is an infill site, is also consistent with the type of sites evaluated in the Housing Element EIR.

The proposed Incentives and Waivers of Development Standard are permitted in accordance with State Density Bonus laws, which are intended to address the state’s housing crisis. These Incentives and Waivers do not result in the project being inconsistent with existing zoning. Rather case law, including *Lytton v. City of Los Angeles*, confirms that density bonuses do not require local zoning changes or general plan amendments.

With regard to the requested Zone Variance, this request has been withdrawn and should not be considered part of the project approvals, as discussed above under “Project Background” and “Staff Recommendation.”

Based on the above, the project is consistent with the type of project envisioned and evaluated in the Housing Element Draft EIR. With regard to the statement that the project would result in significant impacts that were not addressed in the Housing Element EIR, the Appellant provides no substantial evidence to support this statement. Furthermore, the Applicant conducted additional environmental analysis, as described in Response No. 2 above, which demonstrates that the project would not result in any significant impacts on the environment.

4. Appeal Point:

The project is not eligible for any Waivers because it would have significant impacts on a historical resource, and the project requires separate CEQA review to analyze these potentially significant impacts on historic resources.

Staff Response:

A historic resources report was prepared by Architectural Resources Group and is included as Appendix D.3 to the Housing Checklist for the project. The historic resources report clearly demonstrates that the project would not result in significant impacts to historical resources, including direct and indirect impacts to the Los Angeles Union Terminal District. Specifically,

the historic resources report demonstrates that the project will not materially impair the significance of the Los Angeles Union Terminal District or any of its seven contributing buildings. All character-defining features of the Los Angeles Union Terminal District and its contributors would be retained under the project, as would important viewsheds of District contributors. Specifically, the project's three eight-story buildings would be built on existing non-historic surface parking lots. The proposed buildings would be compatible in size, scale, proportions, massing, and exterior materials and features of the Los Angeles Union Terminal District and its contributing buildings. The Los Angeles Union Terminal District would continue to be eligible for listing in the National Register and California Register upon the ROW Project's completion. As such, the Density Bonus waivers are available to the project and the project has been adequately analyzed under CEQA with regard to historic resources.

Conclusion

Based on the information in the record and after consideration of the appellant's arguments for appeal, Staff concurs with the determination by the City Planning Commission which found that the project complied with all requirements under the Los Angeles Municipal Code and CEQA and that there is no substantial evidence that the project would result in a significant effect on the environment. Therefore, it is recommended that the PLUM Committee deny the appeal, consider the Zone Variance withdrawn, and affirm that the project is compliant with the Los Angeles Municipal Code and CEQA.

Sincerely,

VINCENT P. BERTONI, AICP
Director of Planning



Esther Ahn
City Planner

VPB:HB:EA