

MOTION

PLANNING & LAND USE MANAGEMENT

At its meeting on April 10, 2025, the Los Angeles City Planning Commission (CPC) denied an Appeal (Case No. DIR-2023-2587-TOC-SPP-HCA) and sustained the Director of Planning Determination dated December 11, 2024 which approved the demolition of four existing rent-stabilized units and the construction of a new 4-story, 19-unit multifamily building with ground floor retail at 5271-5277 W Sunset Boulevard, located within Council District 13. The subsequent Letter of Determination was released by the Planning Department on May 5, 2025.

On February 5, 2024, the owners filed a Notice to Withdraw under the Ellis Act for the four occupied units at the site, while entitlements were still in review. The tenants were given 12 months to remain in their units, but as of the date of their Notice to Quit, which was February 5th of this year, the appeal of the project was awaiting its hearing by the City Planning Commission and had not yet concluded. As of today, two of the tenants remain in their units and have been served with unlawful detainers.

Prior to the CPC hearing, Council District 13 submitted a letter to the City Planning Commission which detailed our concerns with this project and the resulting removal of RSO units at this site. Of primary concern is the right to remain under the Housing Crisis Act of 2019 (SB 330) ensures that any "existing residents will be allowed to occupy their units until six months before the start of construction activities with proper notice". However, the existing tenants were served with a Notice to Quit over a year before the case was determined.

Though the City of Los Angeles has limited ability to deny a housing project, the Housing Crisis Act provides local municipalities with the ability to deny a housing project if the denial "is required in order to comply with specific state or federal law." In this case, we believe that the approval of these projects erred due to a failure to comply with the Housing Crisis Act in permitting an eviction of these tenants to move forward without ensuring their right to remain as enumerated in State Law.

However, on April 10, 2025 the CPC denied the existing tenant's appeal of this project and sustained the Director's Determination to approve this project. Action is needed to further verify that the existing tenants' rights that they are guaranteed under State Law are being upheld in practice by the City of Los Angeles.

According to Section 245 of the City of Los Angeles Charter, "Actions of boards of commissioners shall become final at the expiration of the next five meeting days of the Council during which the Council has convened in regular session, unless the Council acts within that time by two-thirds vote to bring the action before it or to waive review of the action ... If the Council timely asserts jurisdiction over the action, the Council may, by two-thirds vote, veto the action of the board within 21 calendar days of voting to bring the matter before it, or the action of the board shall become final, Except as provided in subsection (e), the Council may not amend, or take any other action with respect to the board's action."


MAY 06 2025

ORIGINAL

Section 245, subsection (e) provides that "Council shall not be limited to veto of actions of the City Planning Commission or Area Planning Commissions, but, subject to the time limits and other limitations of this section, after voting to bring the matter before it, shall have the same authority to act on a matter as that originally held by the City Planning Commission or Area Planning Commission."

I THEREFORE MOVE that pursuant to Section 245 of the Los Angeles City Charter, the Council assert jurisdiction over the April 10, 2025 (Letter of Determination date: May 5, 2025) Los Angeles City Planning Commission action to deny an appeal filed by the 5271 W Sunset Tenants Union; and sustain the Director of Planning's determination dated December 11, 2024, for the construction of a new 19-unit apartment building at 5271-5277 Sunset Boulevard in Council District 13.

I FURTHER MOVE that upon assertion of jurisdiction, this matter be referred to Committee for further review.

PRESENTED BY:



HUGO SOTO-MARTÍNEZ
Councilmember, 13th District

SECONDED BY:



ORIGINAL