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May 1, 2024

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:

SUPPLEMENTAL REPORT REGARDING APPEAL OF CASE NO. ENV-2022-6486-CE-1A AND THE SUSTAINABLE COMMUNITIES PROJECT EXEMPTION NO. ENV-2024-1649-SCPE FOR PROPERTY LOCATED AT 5240 NORTH LANKERSHIM BOULEVARD WITHIN THE NORTH HOLLYWOOD-VALLEY VILLAGE COMMUNITY PLAN AREA (CFS 23-1419 and 23-1419-S1)

The project involves the demolition of an existing movie theater for the construction, use, and maintenance of a new seven-story approximately 92 feet high mixed-use building with 128 residential units above approximately 5,000 square feet of commercial space on the ground floor. 13 units will be set aside for Extremely Low Income households. The project proposes to provide 71 vehicle parking spaces in one subterranean level and a portion of the ground floor.

The Director of Planning approved the project on April 28, 2023. Subsequently, the Supporters Alliance for Environmental Responsibility (SAFER) appealed the Director of Planning's determination to the City Planning Commission. At its meeting of September 28, 2023, the Los Angeles City Planning Commission denied the appeal and upheld the Director of Planning's approval of the project. The City Planning Commission found that the appellant's appeal justification, which primarily concerned potential environmental impacts, did not provide any substantial evidence of any deficiencies in the project's environmental clearance or error in the Director of Planning's determination.

Following the City Planning Commission's denial of the first appeal, SAFER appealed the project's environmental clearance, a Class 32 Categorical Exemption. For the appeal herein, the appellant submitted the same comments that were previously submitted to and evaluated by the City Planning Commission. Responses to the appellant's comments are provided in detail by the applicant's environmental consultant, CAJA Environmental Services, in correspondence previously submitted to the City Planning Commission and also included in the subject council file; a summary is provided as follows:

The appellant contends that the City improperly approved the Site Plan Review request for the project because the project does not qualify for a Class 32 Categorical Exemption and thus was not properly analyzed under CEQA. The appellant specifically states that the project does not qualify for a Class 32 Categorical Exemption because the project will have significant air quality, noise, and soil contamination impacts. However, the project's environmental impacts were fully analyzed in the Categorical Exemption document dated November 2022 prepared by CAJA Environmental Services.

In addition, the applicant has submitted an additional environmental clearance for the proposed project, a Sustainable Communities Project Exemption (SCPE) under Case No. ENV-2024-1649-SCPE. Planning has reviewed the project and the SCPE and has determined that the project qualifies for a SCPE pursuant to Public Resources Code Section 21155(b).

In summary, the appeal does not provide any substantial evidence of any significant environmental impacts. Planning has evaluated the proposed project and determined that it qualifies for a Class 32 Categorical Exemption under CEQA. Therefore, Planning recommends that the Planning and Land Use Management Committee deny the appeal and sustain the City Planning Commission's decision, as well as adopt the SCPE ENV-2024-1649-SCPE as an additional environmental clearance for the proposed project.

Sincerely,

VINCENT P. BERTONI, AICP
Director of Planning

A handwritten signature in black ink, appearing to read 'V. Bertoni', with a large, stylized loop at the end.

MORE SONG
City Planner