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June 20, 2025

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:

**REVISED APPEAL SUMMARY AND STAFF RESPONSE; 550 SOUTH SHATTO PLACE;  
3119 WEST 6TH STREET; CPC-2024-4111-DB-PR-VHCA-1A; CF 25-0473.**

**Project Background**

The proposed project involves the demolition of the existing uses, and the re-purposing of the existing church building for the construction, use, and maintenance of a new eight-story, 262,638 square-foot mixed-use building. The project is comprised of 318 dwelling units, including 35 dwelling units set aside for Very Low Income households and 21,482 square feet of commercial space, with a maximum building height of 96 feet over two (2) subterranean levels of parking. The project includes 234 vehicle parking spaces and a total of 171 bicycle parking spaces (155 long-term spaces and 16 short-term spaces); and 24,431 square feet of open space, including indoor open space areas, common outdoor open space areas, and private balconies.

At its meeting on March 13, 2025, the City Planning Commission (CPC) approved the requested Density Bonus and Project Review under Case No. CPC-2024-4111-DB-PR-VHCA. The CPC also determined that the proposed housing project is within the scope of the program approved with the 2021-2029 Housing Element for which the 2021-2029 Housing Element Environmental Impact Report No. ENV-2020-6762-EIR; SCH No. 2021010130 (EIR), certified on November 24, 2021, and Addendum No. ENV-2020-6762-EIR-ADD1 adopted on June 14, 2022 and the Addendum No. ENV-2020-6762-EIR-ADD2 adopted on December 10, 2024 under Case No. ENV-2024-4112-HES, and the corresponding Mitigation Monitoring Program. The Letter of Determination was issued on April 2, 2025, which established an appeal period of April 17, 2025.

On April 4, 2025, within the required 15-day appeal period, an appeal was filed by Supporters Alliance for Environmental Responsibility ("SAFER") for part of the City Planning Commission's determination, as filed under Council File No. 25-0473. The instant appeal justification included points raised by SAFER prior to the CPC meeting and included the letter that was submitted to the CPC. It should be noted that the Appellant only appealed the Project Review entitlement as the Density Bonus incentives and waivers, and the Housing Element Streamlining Checklist were not further appealable. No appeal points were provided by the Appellant regarding the Project Review entitlement and refer only to the project's environmental impacts and the applicability of the Density Bonus Review.

## **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 that determined in the independent judgment of the decision maker, pursuant to CEQA Guidelines Section 15168(c), based on the whole of the administrative record, including the Housing Element Checklist, and all its appendices, prepared for this proposed housing project, the proposed housing project is within the scope of the program approved with the 2021-2029 Housing Element for which the 2021-2029 Housing Element Environmental Impact Report No. ENV-2020-6762-EIR; SCH No. 2021010130 (EIR), certified on November 24, 2021, and Addendum No. ENV-2020-6762-EIR-ADD1 adopted on June 14, 2022, and the Addendum No. ENV-2020-6762-EIR-ADD2 adopted on December 10, 2024, the Proposed Housing Development project was adequately described in the EIR, and the impacts of the proposed housing project are within the scope of the EIR and the Addendum; and Adopted the Mitigation Monitoring Program (MMP) for the proposed housing project.

## **Appeal Summary**

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

### **1. Appeal Point:**

Density Bonus law does not apply because the project seeks no density bonus at all and is building below the density allowed by existing zoning.

#### **Staff Response:**

There is no requirement for a project to provide the maximum allowed density in order for the project to utilize requested incentives and waivers. Government Code § 65915(b)(1) allows incentives and waivers for housing projects that include the statutorily required amount of affordable housing to qualify for a density bonus which includes the requisite number of affordable units. In general, the Density Bonus relief is "to cover at least some of the financing gap of affordable housing with regulatory incentives, rather than additional public subsidy" and "to ensure that any additional benefits conferred upon a developer are balanced with the receipt of a public benefit in the form of adequate levels of affordable housing." Gov't Code § 65915(u)(1) and (2). Furthermore, on December 10, 2024, the City Council-approved Affordable Housing Incentives Guidelines that allow a density bonus with less than the maximum permitted density. In instances where the housing development uses less than the maximum density allowed in the zone, the percentage of set-aside units is based upon the number of units in the development; and, in conformance with State law, at least one incentive or concession must be provided to projects that set aside affordable units.

### **2. Appeal Point:**

The 550 Shatto project was not addressed in the HE EIR and is a separate project from the project addressed in the HE EIR.

#### **Staff Response:**

On November 24, 2021, the City Council certified the Citywide Housing Element 2021-2029 and Safety Element Updates Final Environmental Impact Report (EIR), SCH No. 2021010130, EIR No. ENV-2020-6762-EIR (Program 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). Using CEQA Guidelines Section 15168, subsequent projects may use a program EIR as their environmental clearance if the project can be shown 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. In the case of the Housing Element EIR, any project involving new housing anywhere within the City will be within the scope of the

Housing Element Program, and generally, most housing projects will be within the scope of the environmental effects assessed in the Program EIR.

The Housing Element EIR analyzed multi-family and mixed-use housing development City-wide. In adopting the Housing Element EIR findings, the City Council found that the EIR did program level and project level analysis by looking at dozens of prior environmental clearances for projects of all size and scope across the City. Moreover, in particular one of the case studies considered in the Housing Element EIR was the Soul Project at the project site which included over 255 dwelling units in a high-rise building with greater height and depth than the proposed project, with the same exact soil and historic resource considerations, with fewer impacts now given the lower height and depth of the proposed project. Additionally, the project site is included in the Housing Element Sites Inventory.

Pursuant to CEQA Guidelines Sections 15168(c)(4) and 15168(d), the subject Proposed Housing Project has been 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 as determined by the completed Housing Element Streamlining Checklist form with Appendices.

Using the Housing Element Streamlining Checklist, project and site-specific features are analyzed to determine if the impacts are within the scope of the impacts analyzed in the EIR. Pursuant to the requirements of preparing the checklist for the subject project, a series of environmental technical reports were required and conducted on the subject property. The technical reports included in the environmental assessment of the proposed project include Air Quality Studies, Cultural Assessment, Tree Report, Historical Resource Assessment, Hazards Report, Noise Report and a Transportation Study. All the studies evaluated potential site-specific impacts that may be caused by the proposed project.

### **3. Appeal Point:**

The City must abide by CEQA's tiering requirements and prepare a new EIR for the proposed 550 Shatto Project.

#### **Staff Response:**

As previously mentioned, a thorough environmental analysis has been prepared for the proposed project under the Housing Element Program EIR. The analysis and associated appendices are included in the Council File. The project has been determined to be within the scope of the Housing Element Program EIR and therefore, a new EIR is not required. The appellant does not provide any evidence to prove there are in fact environmental impacts as a result of the proposed project required to prepare a tiered environmental clearance.

### **4. Appeal Point:**

Because the project is inconsistent with the development plan addressed in the HE EIR, the City cannot tier the 550 Shatto project's environmental analysis from the HE EIR and must prepare a full EIR for the project.

#### **Staff Response:**

The Housing Element EIR analyzed multi-family and mixed-use housing developments City-wide in anticipation of building 420,000 housing units in eight years to accommodate the City's Regional Housing Needs Assessment. This analysis included developments that would utilize the State Density Bonus law to build these housing units. Moreover, the Housing Element EIR considered the Soul Project at the project site which included a high-rise housing development with greater height and depth than the proposed project, with the same soil and historic resource considerations, with fewer impacts now given the lower height and depth of the proposed project. The project site is also included in the Housing Element Sites Inventory.

The environmental analysis (ENV-2024-4112-HES), project and site-specific features may be analyzed to determine if the impacts are within the scope of the impacts analyzed in the EIR. Pursuant to the requirements of preparing the checklist for the subject project, a series of environmental technical reports were required and conducted on the subject property and applicable mitigation measures from the EIR, and substituted mitigation measures were included in the Mitigation Monitoring Plan for the proposed project.

## **5. Appeal Point:**

Whether tiering to the HE EIR is available to the City or a stand alone CEQA document must be prepared for the project, the record contains substantial evidence of several fair arguments that the project may have significant environmental impacts, requiring the preparation of an EIR.

### **Staff Response:**

The associated Housing Element Streamlining Checklist provides substantial evidence that the project is within the scope of the Housing Element Program EIR. These claims presented in the appeal justification, are the same claims which has already been fully rebutted with substantial evidence which is included in the case file. Specifically, SAFER submitted the exact same objections to the use of the Housing Element Streamlining Checklist in a comment letter submitted to the City Planning Commission. Those comments were reviewed and fully responded to by the Project's expert CEQA consultants in the response to SAFER's comments. The subject appeal provides no new arguments and simply states: "For the specific reasons set forth in the attached comment letter dated March 11, 2025, the Project is not consistent nor is it within the scope of the Housing Element Programmatic EIR on which the Project relies."

On March 13, 2025, after consideration of all of the evidence in the record, including all comments and letters received from the Appellant as well as correspondence from the Applicant responding to the Appellant's objections (all letters are included in the case file), the CPC granted approval of the project and determined that the project was within the scope of the Program EIR. The Appellant's objections regarding the project and the use of the Housing Element Streamlining Checklist are not supported by substantial evidence and do not demonstrate any deficiency in the environmental review of the Project. Accordingly, the Appellant has not met their burden of proof and their claim lacks merit.

## **Conclusion**

Based on the information in the record and after consideration of the appellant's arguments for the 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 there is no substantial evidence in the record that the impacts of the project are outside the scope of the Housing Element EIR. Therefore, it is recommended that the PLUM Committee deny the appeal and affirm that the project is compliant with the Los Angeles Municipal Code, State Density Bonus law, and CEQA.

Sincerely,

VINCENT P. BERTONI, AICP  
Director of Planning



Michelle Carter  
City Planner

VPB:HB:MC