



LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: SEPTEMBER 21, 2026

Case No.: CPC-2025-2081-DB-VHCA

Council District: 14 – Jurado

CEQA: ENV-2025-2082-CE

Plan Area: Northeast Los Angeles

Project Site: 4127 East Supreme Court
(4127 – 4129 East Supreme Court; 4127 – 4129 North Mission Road)

Applicant: Brett Boston, Parkman Apartments, LLC
Representative: Gary Benjamin, Alchemy Planning + Land Use

At its meeting **September 10, 2026**, the Los Angeles City Planning Commission took the actions below in conjunction with the following Project:

Demolition of the existing billboard structure on a 4,500-square-foot lot and the construction, use, and maintenance of a new, six-story 13-unit apartment building with two units reserved for Very Low-Income Households. The Project will include 13 one-bedroom units which will range from 532 square feet to 562 square feet. The building will have 9,499 square feet of floor area and a maximum building height of 78 feet. The Project will provide 1,105 square feet of open space consisting of a community room and rooftop open space.

The Project is eliminating required automobile parking spaces pursuant to California Government Code Section 65863.2 (AB 2097) and will provide 11 automobile parking spaces on the ground floor and a total of 17 bicycle parking spaces (15 long-term and two short-term). The Project also proposes to provide six new trees and to import approximately 215 cubic yards of earth materials.

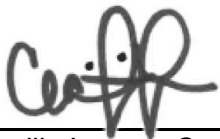
1. **Determined**, based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Article 19, Section 15332 (Class 32), for in-fill development, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies;
2. **Approved**, pursuant to Chapter 1 Section 12.22 A.25(g) of the Los Angeles Municipal Code (LAMC), a Density Bonus for a Housing Development Project totaling 13 units, reserving two units for Very Low-Income Household occupancy for a period of 55 years with the following Off-Menu Incentives and Waivers of Development Standards:
 - a. An Off-Menu Incentive for a 5.6 percent reduced rear yard setback of 17 feet in lieu of the 18 feet required per LAMC Chapter 1 Section 12.14 C.2;
 - b. An Off-Menu Incentive for a 15.0 percent reduced open space of 1,105 square feet in lieu of the 1,300 square feet required per LAMC Chapter 1 Section 12.21 G.2;
 - c. An Off-Menu Incentive for a 100 percent reduced north side yard setback of zero feet in lieu of the required nine feet per LAMC Chapter 1 Section 12.14 C.2;
 - d. An Off-Menu Incentive for relief from Ordinance 173,070 (Subarea 7075A) to permit 100 percent residential development in lieu of prohibiting 100 percent residential development;

- e. A Waiver of Development Standards to permit a zero-foot south side yard setback in lieu of the required nine feet per LAMC Chapter 1 Section 12.14 C.2;
 - f. A Waiver of Development Standards to permit zero-foot landscaped setbacks in lieu of the required five-foot landscaped setbacks (Commercial Corner Development) per LAMC Chapter 1 Section 12.22 A.23(a)(10)(i);
 - g. A Waiver of Development Standards to permit a maximum building height of 78 feet, in lieu of a maximum of 25 feet and 33 feet (Transitional Height) as required per LAMC Chapter 1 Section 12.21.1 A.10;
 - h. A Waiver of Development Standards to permit a maximum building height of 78 feet, in lieu of a maximum of 45 feet (Commercial Corner Development) as required per LAMC Chapter 1 Section 12.22 A.23(a)(1); and
 - i. A Waiver of Development Standards to permit a 41.4 percent increase in the Floor Area Ratio (FAR) to allow 2.12:1 in lieu of the 1.5:1 permitted in a commercial zone in Height District 1 per LAMC Chapter 1 Section 12.21.1 A.1.
- 3. **Adopted** the attached Conditions of Approval; and
 - 4. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Choe
Second: Diaz
Ayes: Lawshe, Rosenstein, Saitman, Zamora
Absent: Chavez, Johnson, Klein

Vote: 6 – 0



Cecilia Lamas, Commission Executive Assistant II
Los Angeles City Planning Commission

APPEAL PERIOD - EFFECTIVE DATE

The decision of the Los Angeles City Planning Commission is final effective upon the mailing of this determination letter and not further appealable.

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination on the CEQA clearance is an appealable clearance under Section 13F.11.1.F.2. (EIR, ND, MND, SCEA, Exemption/No Project) made by a decisionmaker other than the City Council; all available appeals on the entitlement approval(s) have been taken; and the Determination on the entitlement(s) is final and not further appealable.

WHO CAN FILE A CEQA APPEAL

An applicant or any other person may file a CEQA appeal.

HOW TO FILE AN APPEAL

An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure the Development Services Center (DSC) staff has adequate time

to review and accept the documents, and to allow appellants time to submit payment. Appeals may be filed either online or in person as referenced below:

Forms are available online at <http://planning.lacity.gov/development-services/forms>.

ONLINE APPEAL FILINGS THROUGH ONLINE APPLICATION SYSTEM (OAS)



QR Code to
Online Appeal Filing

Online Application System (OAS):

The OAS (<https://planning.lacity.gov/oas>) allows entitlement appeals to be submitted entirely online. Appeal fees may be paid for by credit card or e-check.

IN PERSON APPEAL FILINGS



QR Code to Forms for In-
Person Appeal Filing

Drop off at DSC. Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, and payment can be made by credit card or check.

- a. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications;
- b. Alternatively, appeal applications can be filed with staff at DSC public counters.

CITY PLANNING DEVELOPMENT SERVICES CENTERS – PUBLIC COUNTERS

Office	Address	Phone Number	Email
Metro DSC	201 N. Figueroa St., 4th Floor Los Angeles, CA 90012	(213) 482-7077	planning.figcounter@lacity.org
Van Nuys DSC	6262 Van Nuys Blvd Suite 251 Van Nuys, CA 91401	(818) 374-5050	planning.mbc2@lacity.org

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable LAMC provisions.

If you seek judicial review of any decision of the City pursuant to California Code of Civil procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

This grant is not a permit or license and any permits and/or licenses required by law must be obtained from the proper public agency. If any Condition of this grant is violated or not complied with, then the applicant or their successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Los Angeles Municipal Code (LAMC).

SCHEDULING CASE CONDITION CLEARANCE AND BUILDING PERMIT SIGN-OFFS

QR Code to BuildLA
Appointment Portal for
Condition Clearance

In order to clear conditions and/or obtain building permit sign-offs, you must make an [appointment](#) with the Department of City Planning's Development Services Center (DSC). You may schedule a Case Condition Clearance Appointment with the DSC at appointments.lacity.org after the effective date of the determination.

See instructions on how to prepare for your appointment at planning.lacity.gov/project-review/case-filings

Attachments: Conditions of Approval, Findings

cc: Jane Choi, Principal City Planner
Vanessa Soto, Senior City Planner
Linda Lou, City Planner

CONDITIONS OF APPROVAL

Pursuant to Chapter 1 Section 12.22. A.25 of the Los Angeles Municipal Code (LAMC) in effect on November 11, 2024, the following conditions are hereby imposed upon the use of the subject property:

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the architectural plans, landscape plan, renderings, and materials submitted by the applicant, stamped "Exhibit A", and attached to the subject case file. Minor deviations may be allowed in order to comply with the provisions of the LAMC or the project conditions. Changes beyond minor deviations required by other City Departments or the LAMC may not be made without prior review by the Department of City Planning, Central Project Planning Division, and written approval by the Director of City Planning. Each change shall be identified and justified in writing.
2. **Residential Density.** The project shall be limited to a maximum density of 13 multi-family residential dwelling units, including On-Site Restricted Affordable Units.
3. **On-site Restricted Affordable Units.** Two (2) units shall be reserved for Very Low-Income Households, as defined by the California Government Code Section 65915 and by the Los Angeles Housing Department (LAHD). In the event the SB 8 Replacement Unit condition requires conditional affordable units or more restrictive affordability levels, the most restrictive requirements shall prevail.
4. **Changes in On-Site Restricted Units.** Deviations that increase the number of On-Site Restricted affordable units or that change the composition of units or parking numbers shall be consistent with LAMC Chapter 1 Section 12.22 A.25 and State Density Bonus Law (Government Code Section 65915).
5. **Housing Requirements.** Prior to the issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department (LAHD) to make two (2) units available to Very Low-Income Households or equal to 16 percent of the project's base density allowed, for sale or rental, as determined to be affordable to such households by LAHD for a period of 55 years. In the event the applicant reduces the proposed density, the number of required reserved On-Site Restricted Units may not be adjusted. A new entitlement will be required to adjust the number of required reserved on-site Restricted Units. Enforcement of the terms of said covenant shall be the responsibility of LAHD. The applicant shall submit a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by the LAHD.
6. **Incentives**
 - a. **Use (Incentive).** The project shall be permitted to have 100 percent residential use.
 - b. **Side Yard Setback (Incentive).** The project shall provide a minimum north side yard setback of zero feet per Exhibit "A".
 - c. **Rear Yard Setback (Incentive).** The project shall provide a minimum rear yard setback of 17 feet per Exhibit "A".

- d. **Open Space (Incentive).** The project shall provide a minimum of 1,105 square feet of usable open space per Exhibit "A".

7. **Waivers of Development Standards**

- a. **Floor Area Ratio (Waiver).** The project shall be limited to a maximum Floor Area of 9,499 square feet and FAR of 2.12:1 per Exhibit "A."
- b. **Height (Waivers).** The height of the building shall be limited to 78 feet as shown on the project plans, Exhibit "A", attached to the subject case file.
 - i. No transitional height pursuant to LAMC Chapter 1 Section 12.21 A.10 shall be required.
 - ii. The building height is not subject to the maximum height of 45 feet for a Commercial Corner Development in Height District No. 1, per LAMC Chapter 1 Section 12.22 A.23(a)(1).
- c. **Side Yard Setback (Waiver).** The project shall provide a minimum south side yard setback of zero feet per Exhibit "A".
- d. **Landscaped Setbacks (Waiver).** The project shall provide zero-foot landscaped setbacks along the Mission Road and Supreme Court street frontages of the lot.

8. **Parking.**

- a. **Automobile Parking.** The project shall not be required to provide any minimum required vehicle parking pursuant to California Government Code Section 65863.2 (AB 2097). The project proposes to provide 11 residential parking spaces.
 - b. **Bicycle Parking.** The project shall provide a minimum of two (2) short-term bicycle parking spaces and 13 long-term bicycle parking spaces, in compliance with LAMC Chapter 1 Section 12.21 A.16 and to the satisfaction of the Department of Building and Safety.
9. **Signage.** On-site signs shall comply with the Municipal Code. Signage rights are not part of this approval.
10. **Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source does not illuminate adjacent residential properties or the public right-of-way, nor the above night skies.
11. **Trash and Recycling.** Trash collecting and recycling areas shall be located on-site within a fully enclosed portion of the building at all times. Trash and recycling containers shall be enclosed and/or covered at all times, be locked when not in use and shall not be placed in or block access to required parking.
12. **Solar and Electric Generator.** Generators used during the construction process shall be electric or solar powered. Solar generator and electric generator equipment shall be located as far away from sensitive uses as feasible.
13. **Solar-ready Buildings.** The project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.
14. **Stormwater/irrigation.** The project shall implement on-site stormwater infiltration as feasible based on the site soils conditions, the geotechnical recommendations, and the City of Los

Angeles Department of Building and Safety Guidelines for Storm Water Infiltration. If on-site infiltration is deemed infeasible, the project shall analyze the potential for stormwater capture and reuse for irrigation purposes based on the City Low Impact Development (LID) guidelines.

15. **Maintenance.** The subject property (including all trash storage areas, associated parking facilities, sidewalks, yard areas, parkways, and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.
16. **Mechanical Equipment.** All exterior mechanical equipment shall be screened from view of any abutting properties and the public right-of-way. The transformer, if located in the front yard, shall be screened with landscaping and/or materials consistent with the building façade on all exposed sides to the satisfaction of LADWP.
17. **Graffiti.** All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
18. **Landscaping:**
 - a. All open areas not used for buildings, driveways, parking areas, or walkways shall be attractively landscaped and maintained in accordance with a landscape plan and an automatic irrigation plan, prepared by a licensed Landscape Architect and to the satisfaction of the Department of City Planning.
 - b. **Street Trees.** Street trees shall be provided to the satisfaction of the Urban Forestry Division. Street trees may be used to satisfy on-site tree requirements pursuant to LAMC Article Section 12.21.G.3 (Chapter 1, Open Space Requirement for Six or More Residential Units).
 - c. **Required Trees per LAMC Chapter 1 Section 12.21 G.2.** As conditioned herein, a final submitted landscape plan shall be reviewed to be in substantial conformance with Exhibit "A." There shall be a minimum of four (4) 24-inch box, or larger, trees on site pursuant to LAMC Chapter 1 Section 12.21 G.2. Any required trees pursuant to LAMC Chapter 1 Section 12.21 G.2 shown in the public right of way in Exhibit "A" shall be preliminarily reviewed and approved by the Urban Forestry Division prior to building permit issuance. In-lieu fees pursuant to LAMC Section 62.177 shall be paid if placement of required trees in the public right of way is proven to be infeasible due to City determined physical constraints.
 - d. Project shall preserve all healthy mature street trees whenever possible. All feasible alternatives in project design should be considered and implemented to retain healthy mature street trees. A permit is required for the removal of any street tree and shall be replaced as approved by the Board of Public Works and Urban Forestry Division.
 - e. Plant street trees at all feasible planting locations within dedicated streets as directed and required by the Bureau of Street Services, Urban Forestry Division. All tree plantings shall be installed to current tree planting standards when the City has previously been paid for tree plantings. The subdivider or contractor shall notify the Urban Forestry Division at: (213) 847-3077 upon completion of construction for tree planting direction and instructions.
19. **Utility Connections.** New utility connections shall be undergrounded to the maximum extent feasible.

20. Prior to the issuance of building permits, the Applicant shall demonstrate compliance with Public Resources Code Section 4290 and its implementing regulations in Title 14, Division 1.5, Chapter 7, Subdivision 2 (State Minimum Fire Safe Regulations) and Chapter 7 of the California Building Code.

Administrative Conditions

21. **Approval, Verification and Submittals.** Copies of any approvals guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
22. **Building Plans.** A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
23. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet and shall include any modifications or notations required herein.
24. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Plans Approved". A copy of the Plans Approved, supplied by the applicant, shall be retained in the subject case file.
25. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
26. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs, or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
27. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 13B.6.2. of Chapter 1A of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
28. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building

and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.

29. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designate agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
30. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
31. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

FINDINGS

DENSITY BONUS / AFFORDABLE HOUSING INCENTIVES PROGRAM FINDINGS

1. **Government Code Section 65915 and LAMC Section 12.22 A.25(g)(2)(i)(c) state that the Commission shall approve a Density Bonus and requested incentive(s) unless the Commission finds that:**

- a. ***The incentives do not result in identifiable and actual cost reductions to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5, or Section 50053 for rents for the affordable units.***

The record does not contain substantial evidence that would allow the City Planning Commission to make a finding that the requested off-menu incentives do not result in identifiable and actual cost reduction to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for Very Low, Low, and Moderate-Income households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

Based on the set aside of 16 percent of the base units for Very Low-Income households, the applicant is entitled to four (4) Incentives under the State Density Bonus Law. Therefore, the four (4) Off-Menu incentives qualify as the proposed project's incentives.

Rear Yard Setback

The applicant is requesting an off-menu incentive for a reduction in the rear yard setback to 17 feet in lieu of the 18 feet required for a six-story residential building per LAMC Chapter 1 Section 12.14 C.2. The 5.6 percent setback reduction is needed to accommodate the automated parking system. According to the applicant, parking revenues would be used to help offset affordable housing costs. In addition, although the commercial-zoned lot is not required to provide a front yard setback, the project proposes a front yard setback to accommodate the anticipated clearance required for the nearby utility pole.

Open Space

The applicant is requesting an off-menu incentive for a 15 percent reduction in the required open space to 1,105 square feet in lieu of the 1,300 square feet required for the 13 one-bedroom dwelling units per LAMC Chapter 1 Section 12.21 G.2. The incentive is an identifiable cost reduction to provide for affordable housing costs and would allow more of the building envelope to be used for affordable housing.

Side Yard Setback

The applicant is requesting an off-menu incentive for a 100 percent reduction in the northerly side yard setback to allow a zero-foot side yard setback in lieu of the nine (9) feet required for a six-story residential building per LAMC Chapter 1 Section 12.14 C.2. The granting of the incentive will accommodate the automated parking system at the ground floor. According to the applicant, the parking revenues would be used to help offset the affordable housing costs.

100 Percent Residential Development

The applicant is requesting an off-menu incentive for relief from Ordinance 173,070 (Subarea 7075A) to permit 100 percent residential development in lieu of this ordinance prohibiting 100 percent residential development of the lot. The incentive is an identifiable cost reduction and would allow more of the building envelope to be used for affordable housing.

- b. *The incentives will have a Specific Adverse Impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there are no feasible method to satisfactorily mitigate or avoid the Specific Adverse Impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.***

There is no substantial evidence in the record that the proposed incentives will have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Chapter 1 Section 12.22 A.25(b)). As required by Section 12.22 A.25 (e)(2), the project meets the eligibility criterion that is required for density bonus projects. The previously developed project site currently has a billboard structure and the property is not listed in the California Register of Historical Resources. The lot is not a designated or an eligible historical resource.

During Plan Check, the project will be reviewed for compliance with the Building Code. This review will ensure compliance with Building Code regulations, including but not limited to fire regulations, access, and ADA compliance. No Incentive is granted herein for Building Code regulations. The lot is located within a Very High Fire Hazard Severity Zone and the applicant will need to demonstrate compliance with Public Resources Code Section 4290 and its implementing regulations in Title 14, Division 1.5, Chapter 7, Subdivision 2 (State Minimum Fire Safe Regulations) and Chapter 7 of the California Building Code prior to issuance of building permits. The project will also be required to comply with Special Grading Area regulations.

There is no evidence in the record which identifies a written objective health and safety standard that has been exceeded or violated. Therefore, there is no substantial evidence that the project's proposed incentives will have a specific adverse impact on the physical environment, on public health and safety, or on property listed in the California Register of Historic Resources. Therefore, based on the above, there is no basis to deny the requested incentives.

- c. *The incentives are contrary to state or federal laws.***

There is no evidence in the record that the proposed incentives are contrary to state or federal laws.

- 2. Government Code Section 65915 and LAMC Section 12.22.A.25 state that the Commission shall approve a density bonus and requested Waiver of Development Standard(s) unless the Commission finds any of the following:**

- a. ***The waiver[s] or reduction[s] of development standards will not have the effect or physically precluding the construction of a development meeting the [affordable set-aside percentage] criteria of subdivision (b) at the densities or with the concessions or incentives permitted under [State Density Bonus Law]” (Government Code Section 65915(e)(1)).***

Based on the set aside of 16 percent of base units for Very Low-Income households, the applicant is entitled to four (4) Incentives under the Government Code and LAMC, as discussed above. Therefore, the remaining requests need to be processed as Waivers of Development Standards. Without the requested five (5) Waivers, the existing development standards would physically preclude development of the densities permitted under State Density Bonus Law, and build out of the incentives:

Side Yard Setback

The applicant is requesting a Waiver for a 100 percent reduction of the required south side yard setback to allow a zero-foot side yard setback in lieu of the nine (9) feet required for a six-story residential building per LAMC Chapter 1 Section 12.14 C.2. The request is to accommodate the automated parking system at the ground floor to generate revenues from parking spaces to provide for affordable housing costs. Not granting the waiver would require redesigning the project, according to the applicant, and could physically preclude the development of two units.

Landscaped Setbacks

The applicant is requesting a Waiver to allow zero-foot landscaped setbacks along Mission Road and Supreme Court in lieu of the required five-foot landscaped setbacks along the two street frontages for a Commercial Corner Development project as required by LAMC Chapter 1 Section 12.22 A.23(a)(10)(i). The waiver is needed at the ground floor for portions of the parking area, lobby, trash and recycling area, and stairs. Revenue from the parking spaces would be used to provide for affordable housing costs. Not granting the waiver would require redesigning the project, according to the applicant, and could physically preclude the development of two units.

Transitional Height

The project site is zoned [Q]C2-1 and is located across an alley from an R1 zoned lot to the rear of the site, which requires compliance with transitional height provisions under LAMC Chapter 1 Section 12.21.1 A.10. The applicant is requesting a Waiver to allow a building height of 78 feet in lieu of Transitional Height limits of 25 feet within 49 feet of properties in the R1 zone and 33 feet within 99 feet of properties in the R1 zone as required by LAMC Chapter 1 Section 12.22 A.23(a)(10)(i). The waiver is needed to build the units permitted by State Density Bonus Law and to expand the building envelope so the additional units can be constructed as the Transitional Height limits will physically preclude the development of multiple units. Not granting this waiver could physically preclude the development of nine units, according to the applicant.

Commercial Corner Development Height

The project site is zoned [Q]C2-1, in Height District No. 1 and located across an alley from an R1 zoned lot, which requires compliance with the Commercial Corner Development height provision under LAMC Chapter 1 Section 12.22 A.23. The applicant is requesting a Waiver to allow a building height of 78 feet in lieu of the

Commercial Corner Development maximum height limit of 45 feet as required by LAMC Chapter 1 Section 12.22 A.23(a)(1). The waiver is needed to build the units permitted by State Density Bonus Law, as the Commercial Corner Height limit will physically preclude the development of multiple units.

Floor Area Ratio

The applicant is requesting a maximum floor area of 9,499 square feet (2.12:1 FAR), an increase of 41.4 percent, in lieu of the maximum FAR of 1.5:1 permitted in a commercial zone in Height District 1 as required by LAMC Chapter 1 Section 12.21.1 A.1. The waiver is needed to allow the density permitted by State Density Bonus law. Without the waiver, units would be physically precluded. Two floors of the building would be eliminated, according to the applicant, resulting in the loss of six units.

- b. The waivers will have a Specific Adverse Impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the Specific Adverse Impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.***

There is no substantial evidence in the record that the proposed waivers will have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Chapter 1 Section 12.22 A.25(b)). As required by Section 12.22 A.25 (e)(2), the project meets the eligibility criterion that is required for density bonus projects. The previously developed project site currently has a billboard structure and the property is not listed in the California Register of Historical Resources. The lot is not a designated or an eligible historical resource.

During Plan Check, the project will be reviewed for compliance with the Building Code. This review will ensure compliance with Building Code regulations, including but not limited to fire regulations, access, and ADA compliance. No Waiver is granted herein for Building Code regulations. The lot is located within a Very High Fire Hazard Severity Zone and the applicant will need to demonstrate compliance with Public Resources Code Section 4290 and its implementing regulations in Title 14, Division 1.5, Chapter 7, Subdivision 2 (State Minimum Fire Safe Regulations) and Chapter 7 of the California Building Code prior to issuance of building permits. The project will also be required to comply with Special Grading Area regulations.

There is no evidence in the record which identifies a written objective health and safety standard that has been exceeded or violated. Therefore, there is no substantial evidence that the project's proposed waivers will have a specific adverse impact on the physical environment, on public health and safety, or on property listed in the California Register of Historic Resources. Therefore, based on the above, there is no basis to deny the requested waivers.

- c. The waivers are contrary to state or federal laws.***

There is no evidence in the record that the proposed waivers are contrary to state or federal laws.

ADDITIONAL MANDATORY FINDINGS

Environmental Finding. The Department of City Planning determined that the City of Los Angeles Guidelines for the implementation of the California Environmental Quality Act of 1970 and the State CEQA Guidelines designate the subject Project as Categorical Exempt under Article 19, Section 15332 (Class 32, In-Fill Development Project), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies. See the Justification for Categorical Exemption Case No. ENV-2025-2082-CE (Exhibit E) and/or in the case file for the narrative demonstrating that exceptions do not apply.

Flood Insurance. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 186,952, have been reviewed and it has been determined that this project is located outside of a flood zone.