



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: FEBRUARY 24, 2026

Case No.: CPC-2025-3618-DB-VHCA
CEQA: ENV-2025-3619-HES
Plan Area: Wilshire

Council District: 5 – Yaroslavsky

Project Site: 834 – 844 South Holt Avenue

Applicant: c/o Chandler Sooferian, Imperian Investment Group, LLC / Meridian Investments Holdings, LLC / Emerald Sierra Group, LLC

Representative: Matthew Hayden, Hayden Planning

At its meeting **January 22, 2026**, the Los Angeles City Planning Commission took the actions below in conjunction with the following Project:

Demolition of three buildings containing a total of 15-units for the construction, use, and maintenance of a new six-story (66 feet and six inches), 87,099 square-foot residential development consisting of 47 units, including one unit set aside for Extremely Low Income Households, four units set aside for Very Low-Income Households and three units set aside for Low-Income Households. The Project would include 68 off-street parking spaces in a two-level garage, along with four short- and 40 long-term bicycle parking spaces. The Project would include 3,455 square feet of private and common open space.


1. **Determined**, in the independent judgment of the decisionmaker, pursuant to California Environmental Quality Act (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), was certified on November 24, 2021, and Addendum No. ENV-2020-6762-EIR-ADD1 was adopted on June 14, 2022 and the Addendum No. ENV-2020-6762-EIR-ADD2 was 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;
2. **Approved**, pursuant to Section 12.22 A.25 of the Los Angeles Municipal Code (LAMC) and Assembly Bill 1287, a by-right Density Bonus to allow a 50 percent density increase and an additional 50 percent stackable increase for a total 100 percent density bonus with the following Off-Menu Incentives and Waivers or Modification of Development Standards:
 - a. An Off-Menu Incentive pursuant to LAMC Section 12.22 A.25(g)(3) to permit a reduced front yard to allow 10-feet in lieu of the otherwise required 20-feet per Section 2, No. 8 of Ordinance No. 167335;
 - b. An Off-Menu Incentive pursuant to LAMC Section 12.22 A.25(g)(3) to permit a reduced east side yard to allow six-feet, four-inches in lieu of the otherwise required nine-feet;

- c. An Off-Menu Incentive pursuant to LAMC Section 12.22 A.25(g)(3) to permit a reduced west side yard to allow six-feet, four-inches in lieu of the otherwise required nine-feet;
 - d. An Off-Menu Incentive pursuant to LAMC Section 12.22 A.25(g)(3) to permit reduced Open Space to allow 3,455-square feet in lieu of the otherwise required 5,650-square feet;
 - e. A Waiver or Modification of Development Standards pursuant to LAMC Section 12.22 A.25(g)(3) to permit an increased Floor Area Ratio (FAR) to allow a 5.25:1 FAR in lieu of the otherwise required 3:1 FAR; and
 - f. A Waiver or Modification of Development Standards pursuant to LAMC Section 12.22 A.25(g)(3) to permit an increase in height to allow 67-feet in lieu of the otherwise required 45-feet;
3. **Adopted** the attached Modified Conditions of Approval; and
 4. **Adopted** the attached Findings.

The vote proceeded as follows:

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

Vote: 8 – 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 as it relates to the Density Bonus Off-Menu Incentives and Waivers of Development Standards are not further appealable. Therefore, the decision is final and effective upon the mailing of this determination.

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable** and the decision is final.

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, as well as the South Los Angeles DSC on Tuesdays and Thursdays only, 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 |
| South LA DSC | 8475 S. Vermont Ave, <i>Tuesday and Thursday Only</i> 1st Floor Los Angeles, CA 90044 | (213) 978-1465 | planning.southla@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.

DETERMINATION EFFECTIVE DATE

This determination will become effective after the end of the appeal period date on the first page of this document unless an appeal is filed with the Department of City Planning.

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: Modified Conditions of Approval, Findings

cc: Heather Bleemers, Senior City Planner
Michelle Carter, City Planner
Stephanie Escobar, City Planning Associate

CONDITIONS OF APPROVAL

(As Modified by the City Planning Commission at its meeting on January 22, 2026)

Pursuant to Section 12.22.A.25 of the Los Angeles Municipal Code and State Law (Government Code Section 65915 and Assembly Bill 1287), the following conditions are hereby imposed upon the use of the subject property:

Development Conditions

Density Bonus

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans dated November 28, 2025, 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, Expedited Processing Section, 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 47 dwelling units.
3. **Affordable Units.**
 - a. A minimum of one (1) unit, shall be reserved for Extremely Low Income Households, and four (4) units, shall be reserved as a Very Low-Income Households, that is a total of at least 22 percent of the base dwelling units permitted and a minimum of three (3) units, that is at least 13 percent of the base density shall be reserved as Low Income Households, as defined by the State Density Bonus Law per Government Code Section 65915(c)(2).
 - b. **Changes in Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or reduce parking numbers shall be consistent with LAMC Section 12.22.A.25 and the approvals set forth herein.
4. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of LAHD to make one (1) unit available to Extremely Low Income Households, four (4) units available to Very Low Income Households and three (3) units available for Low Income Households, 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 of the project, the number of required reserved on-site Restricted Units may be adjusted, consistent with LAMC Section 12.22 A.25, to the satisfaction of LAHD, and in consideration of the project's RUD Determination, dated November 25, 2024 (or any subsequent update to that letter as deemed necessary by LAHD). Enforcement of the terms of said covenant shall be the responsibility of LAHD. The applicant shall present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with any monitoring requirements established by the LAHD. Refer to the Density Bonus Legislation Background section of this determination.

- 5. Housing Replacement.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department (LAHD), and in compliance with LAHD's November 25, 2024, RUD Determination Letter (or any subsequent update to that letter as deemed necessary by LAHD in order to comply with SB 8), to make one (1) unit, for sale or rental as determined to be an Extremely Low Income Household, four (4) units for Very Low Income Households, and three (3) units for Low Income Households by LAHD for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of LAHD. The applicant will present 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. Refer to the Density Bonus Legislation Background section of this determination for more information.

On-site Restricted Affordable Units may be used to satisfy the Housing Replacement units required pursuant to SB 8 provided such units meet the income levels, to the satisfaction of LAHD.

6. Incentives.

- a. **Front Yard Setback.** The project shall be permitted a reduced front yard of 10-feet.
- b. **Easterly Side Yard.** The project shall be permitted an easterly side yard of six-feet, four-inches.
- c. **Westerly Side Yard.** The project shall be permitted a reduced west side yard to allow 6-feet, 4-inches in lieu of the otherwise required 9-feet; and
- d. **Open Space.** The project shall be permitted a maximum of 39 percent reduction in the required open space to allow 3,455-square feet of open space.

7. Waivers of Development Standards.

- a. **Floor Area Ratio.** The project shall be permitted a maximum FAR of 5.25:1 in lieu of the otherwise required 3:1 FAR.
- b. **Height.** The project shall be permitted a maximum height of 67 feet in lieu of the otherwise permitted 45 feet in height.

8. Parking.

- a. No minimum residential parking shall be required pursuant to Assembly Bill 2097, however, the project voluntarily provides 68 vehicle parking spaces.
- b. **Bicycle Parking.** Bicycle parking shall be provided in compliance with the Municipal Code and to the satisfaction of the Department of Building and Safety.
- c. **Electric Vehicle Parking.** All electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Sections 99.04.106 and 99.05.106 of Article 9, Chapter IX of the LAMC.

9. Trees.

- a. **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 Section 12.21.G.3 (Chapter 1, Open Space Requirement for Six or More Residential Units). Per Exhibit A and LAMC Section 12.21.G.3, five (5) Street trees shall be provided.
- b. The 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.
- c. 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.

10. 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. The landscaping shall be sufficient to qualify for the number of landscape points equivalent to 10% more than otherwise required by the Landscape Ordinance (Ordinance No. 170,978), codified at LAMC Section 12.40 of this Code and Landscape Ordinance Guidelines "O".
- c. **Tree Wells.**
 - i. The minimum depth of tree wells on the rooftop or any other location where planters are used shall be as follows:
 - (1) Minimum depth for trees shall be 42 inches.
 - (2) Minimum depth for shrubs shall be 30 inches.
 - (3) Minimum depth for herbaceous plantings and ground cover shall be 18 inches.
 - (4) Minimum depth for an extensive green roof shall be 3 inches.
 - ii. The minimum amount of soil volume for tree wells on the rooftop or any other location where planters are used shall be based on the size of the tree at maturity:
 - (1) 600 cubic feet for a small tree (less than 25 feet tall at maturity).
 - (2) 900 cubic feet for a medium tree (25-40 feet tall at maturity).
 - (3) 1,200 cubic feet for a large tree (more than 40 feet tall at maturity).

11. **Circulation.** The applicant shall submit a parking and driveway plan to the Los Angeles Department of Transportation (LADOT) for approval.
12. **Solar.** The project shall comply with the Los Angeles Green Building Code, Section 95.05.211, to the satisfaction of the Department of Building and Safety.
13. **Materials.** A variety of high-quality exterior building materials, consistent with Exhibit A, shall be used. The variety of materials used shall include at least the following: crystal white stucco, grey white stucco, clear tempered glass, metal fence and gate, woodgrain siding and artificial green wall. Substitutes of an equal quality shall be permitted, to the satisfaction of the Department of City Planning.
14. **Mechanical Equipment.** All mechanical equipment on the roof shall be screened from view by any abutting properties. 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 (those not adjacent to a building wall).
15. **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.
16. **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.
17. **Trash.** Trash receptacles shall be stored within a fully enclosed portion of the building at all times. Trash/recycling containers shall be locked when not in use and shall not be placed in or block access to required parking.

Environmental Conditions

18. The Mitigation Monitoring and Reporting Program (MMRP) included in the Housing Element Streamlining Checklist (Case No. ENV-2025-3619-HES) have been incorporated into this project and shall be enforced through all phases of the project. The applicant shall be responsible for implementing each Mitigation Measure (MM), Substitute Mitigation Measure, and Implementing Mitigation Measure identified in the MMRP and shall be obligated to provide certification to the appropriate monitoring and enforcement agencies that each MM has been implemented.

Administrative Conditions

19. **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 "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
20. **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 attached herein as a cover sheet and shall include any modifications or notations required herein.

- 21. 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.
- 22. 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 12.27.1 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.
- 23. Approvals, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
- 24. Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.
- 25. Department of Water and Power.** Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Rules Governing Water and Electric Service. Any corrections and/or modifications to plans made subsequent to this determination in order to accommodate changes to the project due to the under-grounding of utility lines, that are outside of substantial compliance or that affect any part of the exterior design or appearance of the project as approved by the Director, 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.
- 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 with the Los Angeles 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. Definitions.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
- 28. Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
- 29. Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
- 30. Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- a. 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.
- b. 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.
- c. 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 (b).
- d. 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 (b).
- e. 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 include 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 Compliance Findings

1. Pursuant to Section 12.22.A.25(g)(2)(i)(c) of the LAMC and Section 65915(e) of the California Government Code, the decision-maker shall approve a density bonus and requested off-menu incentive(s) unless the Commission finds that:
 - a. *The Incentives do not result in identifiable and actual cost 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 incentives do not result in identifiable and actual cost to provide for affordable housing costs per State Law. The California Health and 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 depending on affordability levels.

Based on the five (5) units, that is at least 22 percent of the base dwelling units permitted, shall be reserved as Very Low-Income Households and a minimum of three (3) units, that is at least 13 percent of the base density shall be reserved as Low Income Households, the applicant is entitled to four (4) incentives under both Government Code Section 65915 and the LAMC. The request for a reduced front yard, reduced westerly side yard, reduced easterly side yard and reduced open space qualify as requested incentives. The remaining requests to allow for an increase in FAR and increase in height are requested as a waiver of development standards.

Front Yard Setback

The subject property's [Q]R3-1 Zone requires a front yard setback of 20 feet. The project has requested an Off-Menu Incentive to allow a reduced front yard setback of 10 feet in lieu of the otherwise required 20 feet.

As proposed, the reduced front yard will allow an additional 10 feet in building depth and will accommodate the construction of affordable units in addition to larger-sized dwelling units. Granting of the Off-Menu Incentive would result in a building design and construction efficiencies that provide for affordable housing costs given the limited size of the lot; it enables the developer to expand the building envelope so that additional affordable units can be constructed and the overall space dedicated to residential uses is increased. The increased building envelope also ensures that all dwelling units are of a habitable size while providing a variety of unit types. This Incentive supports the applicant's decision to set aside a minimum of five (5) dwelling units for Very Low-Income Households and three (3) dwelling units for Low-Income Households for 55 years.

Easterly Side Yard Setback

The subject property's [Q]R3-1 Zone requires a side yard setback of nine (9) feet. The project has requested an Off-Menu Incentive to allow a reduced easterly side yard setback of six (6) feet and four (4) inches in lieu of the otherwise required nine (9) feet.

As proposed, the reduced easterly side yard will allow an additional three (3) feet and eight (8) inches in building width and will accommodate the construction of affordable units in addition to larger-sized dwelling units. Granting of the Off-Menu Incentive would result in a building design and construction efficiencies that provide for affordable housing costs given the limited size of the lot; it enables the developer to expand the building envelope so that additional affordable units can be constructed and the overall space dedicated to residential uses is increased. The increased building envelope also ensures that all dwelling units are of a habitable size while providing a variety of unit types. The increased building envelope also ensures that all dwelling units are of a habitable size while providing a variety of unit types. This Incentive supports the applicant's decision to set aside a minimum of five (5) dwelling units for Very Low-Income Households and three (3) dwelling units for Low-Income Households for 55 years.

Westerly Side Yard Setback

The subject property's [Q]R3-1 Zone requires a side yard setback of nine (9) feet. The project has requested an Off-Menu Incentive to allow a reduced westerly side yard setback of six (6) feet and four (4) inches in lieu of the otherwise required nine (9) feet.

As proposed, the reduced westerly side yard will allow an additional three (3) feet and eight (8) inches in building width and will accommodate the construction of affordable units in addition to larger-sized dwelling units. Granting of the Off-Menu Incentive would result in a building design and construction efficiencies that provide for affordable housing costs given the limited size of the lot; it enables the developer to expand the building envelope so that additional affordable units can be constructed and the overall space dedicated to residential uses is increased. The increased building envelope also ensures that all dwelling units are of a habitable size while providing a variety of unit types. This Incentive supports the applicant's decision to set aside a minimum of five (5) dwelling units for Very Low-Income Households and three (3) dwelling units for Low-Income Households for 55 years.

Open Space

Based upon the project's proposed 47 dwelling units, including nine (9) one-bedroom units and 38 two-bedroom units, a total of 5,650 square feet of open space would be required per LAMC Section 12.21 G.2. In order to develop the housing development including the five (5) units set aside for Very Low-Income households and three (3) units set aside for Low-Income households, the Applicant requests an off-menu incentive to permit a 39 percent reduction in the required amount of open space to instead be required 3,455 square feet of open space. The project proposes a total of 3,455 square feet of open space to comply with this incentive and development standard.

As proposed, the reduced open space requirement will allow for the construction of affordable residential units. This incentive will allow the developer to utilize more floor area within the building envelope for the provision of affordable units, and the overall space dedicated to residential units is increased.

- b. *The Incentive will have a Specific Adverse Impact upon public health and safety or the physical environment or 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 general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.***

There is no evidence that the proposed density bonus incentives will have a specific adverse impact upon public health and safety or the physical environment, or any real property that is listed in the California Register of Historical Resources. 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 Section 12.22-A,25(b)).

The project does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. The project is not located on a substandard street in a Hillside area or a Very High Fire Hazard Severity Zone. There is no evidence in the record which identifies a written objective health and safety standard that has been exceeded or violated. Based on the above, there is no basis to deny the requested incentives. 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.

- c. *The incentives are contrary to State or Federal law.***

None of the incentives are contrary to State or Federal law.

- 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 that:**

- a. *The Waiver(s) will have specific adverse impact upon public health and safety 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 of a development standard will have a specific adverse impact upon public health and safety or the physical environment, or any real property that is listed in the California Register of Historical Resources. 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 Section 12.22 A.25(b)). The record does not identify a public health and safety standard in relation to this finding.

The project does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. The project is not located on a substandard street in a Hillside area or a Very High Fire Hazard

Severity Zone. There is no evidence in the record which identifies any 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. Based on the above, there is no basis to deny the requested waivers.

- b. The waiver[s] or reduction[s] of development standards will not have the effect of 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)).***

A Density Bonus project may request other "waiver[s] or reduction[s] of development standards that will have the effect of 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)).

Floor Area Ratio

The subject property is zoned [Q]R3-1. The property's residential zoning and designation of Height District No. 1VL permit a maximum FAR of 3 to 1, equal to a maximum of 53,871 square feet of total building area. In lieu of this requirement, given the limited size of the property, the applicant has requested a waiver or modification of development standard to allow a 5.25:1 FAR in lieu of the otherwise required 3:1 FAR. The requirement of a 3:1 maximum FAR would limit the ability to construct the residential dwelling units and the Restricted Affordable Units of a sufficient size.

The application of FAR limitations would have the effect of physically precluding construction of the proposed development providing 47 dwelling units with the requested incentives, of which a minimum of five (5) units will be set aside for Very Low-Income Households and three (3) units will be set aside for Low-Income households for a total of eight (8) affordable units. The waiver for an increase in FAR enables the project to increase the overall space dedicated to residential use, thereby allowing for the provision of affordable residential units.

As proposed, the granting of the waiver will allow for the development of the proposed residential building with the inclusion of the affordable residential units because the quantity of units allowed under the density bonus with incentives allows for the development of the affordable units. As presented by the applicant, without the requested increase in height the development would be physically precluded from the project preventing the construction of the proposed floor area and units described in the plans.

Height

The subject property's [Q]R3-1 Zone and Height District permits a maximum height of 45 feet for a project containing residential units. In lieu of this requirement, given the limited size of the property, the applicant has requested a waiver or modification of development standard to allow a 22-foot height increase for a maximum height of 67-feet tall. The requirement of 45-foot-tall maximum height would limit the ability to construct the residential dwelling units and the Restricted Affordable Units of a sufficient size.

Application of height limitations would have the effect of physically precluding construction of the proposed development providing 47 dwelling units with the requested incentives, of which a minimum. The waiver for an increase in height enables the project to increase the overall space dedicated to residential use, thereby allowing for the provision of affordable residential units.

As proposed, the granting of the waiver will allow for the development of the proposed residential building with the inclusion of the affordable residential units because the quantity of units allowed under the density bonus with incentives allows for the development of the affordable units. As presented by the applicant, without the requested increase in height the development would be physically precluded from the project preventing the construction of the proposed floor area and units described in the plans.

c. *The Waivers are contrary to State or Federal law.*

There is no substantial evidence in the record indicating that the requested waivers are contrary to any State or Federal laws.

Environmental Findings

3. The proposed project was found to be within the scope of the 2021-2029 Housing Element Environmental Impact Report (EIR), SCH No. 2021010130, ENV-2020-6762-EIR, certified on November 24, 2021 (Housing Element EIR), inclusive of adopted Addenda (ENV-2020-6762EIR-ADD1 and ENV-2020-6762-EIR-ADD2). The proposed project, which includes the development of a new six (6)-story (66 feet and six (6) inches), 87,099 square-foot residential development consisting of 47 units including five (5) units set aside for Very Low-Income Households and three (3) units set aside for Low-Income Households. The project is within the scope of the 2021-2029 Housing Element as it will build out the City's regional housing needs assessment (RHNA) of 456,643 housing units. A CEQA Checklist for a Project Within the Scope of the Housing Element Program EIR, ENV Case No. ENV-2025-3619-HES (HE Checklist), was prepared for the proposed project, pursuant to CEQA Guidelines Section 15168(c). Section 15168(c) provides for limited environmental review of subsequent projects under a Program EIR, where the project is found to be an activity within the scope of the program for which the EIR was prepared and the impacts of the project are within the scope of the impacts analyzed in the EIR. Council found that the Housing Element EIR analyzed the impacts of the build-out of the RHNA, which involves the development of housing citywide. The HE Checklist was prepared by staff to determine whether the impacts of the proposed project are within the scope of the Housing Element EIR. The prepared HE Checklist supports that the impacts of the proposed project are within the scope of the Housing Element EIR and that no significant environmental effects not examined in the Program EIR will occur from the proposed project. All required mitigation measures from the Housing Element EIR Mitigation Monitoring Program (MMP) will be imposed on the proposed project. An MMP for the proposed project has been prepared for adoption by the decisionmaker.
4. **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. 172,081, have been reviewed and it has been determined that this project is located in Zone X, areas of 0.2 percent annual chance flood hazard, areas of 1 percent annual chance flood with average depth less than one foot or with drainage areas of less than one square mile.