



City of Glendale
Community Development Department
Planning Division

633 E. Broadway, Room 103
Glendale, CA 91206-4386
Tel (818) 548-2140 or (818) 548-2115
Fax (818) 240-0392 glendaleca.gov

April 14, 2017

Mr. Michael and Dr. Lena Assadourian
c/o LMA-2, LLC
3100 Mesaloe Lane
Pasadena, CA 91107

&

Armik Shahnazarians
639 West Broadway
Glendale, CA 91204

RE: 913-921 SOUTH ADAMS STREET
DENSITY BONUS HOUSING PLAN CASE NO. PDBP 1529626

Dear Sirs/Ladies:

On March 29, 2017, the Planning Hearing Officer conducted and closed a public hearing for your application for concessions and waivers for development standards pursuant to provisions of the Glendale Municipal Code, Title 30, Chapter 30.36. The Community Development Department has processed your application for a Density Bonus Housing Plan (PDBP1529626), to construct a new 4-story 18-unit affordable rental housing project with three concessions and one waiver pursuant to Government Code Section 65915 and GMC Section 30.36 with two units being reserved for very low income households, in the "R-1650" - Medium-High Density Residential Zone, located at **913-921 South Adams Street**, Glendale, California 91201, described as Lots 4, 5 and 6, Block B, Tract No. 5940, in the City of Glendale, in the County of Los Angeles, in the City of Glendale, County of Los Angeles.

NOTE: Development of the project requires the demolition of three existing single-family residences, and Design Review Board approval.

CODE REQUIRES

Concessions (Incentives)

- (1) Maximum building height and stories of 36 feet and three (3) stories.
- (2) Maximum floor area ratio (FAR) of 1.0.
- (3) Minimum and average setbacks:
 - a. Interior Setbacks
 - i. Five feet minimum and eight feet average for the first residential floor.
 - ii. Eight feet minimum and 11 feet average for the second residential floor.

- iii. Eleven (11) feet minimum and 14 feet average for the third residential floor.

Modification of Development Standards (Waivers)

- (4) Additional Open Space: Minimum of 900 square-feet of additional open space for lots greater than 90 feet in width that exceed density plus an additional 20 square feet for each foot of lot width thereafter (2,080 square feet required).

APPLICANT'S PROPOSAL

Concessions (Incentives)

- (1) Increase the maximum height and stories to 41 feet and 4-stories.
- (2) Increase the maximum allowable floor area ratio (FAR) to 1.8.
- (3) Decrease the minimum and average required setbacks:
 - a. Interior Setbacks
 - i. Zero (0) feet minimum for the ground level garage, and 8-feet zero-inches minimum and 12.6-feet average for the first residential floor.
 - ii. Nine (9) feet, zero (0)-inches, minimum and 13.0-feet average for the second residential floor.
 - iii. Ten (10) feet, zero (0) inches, minimum and 13.8-feet average for the third residential floor.

Modification of Development Standards (Waivers)

- (4) Not provide the additional open space for additional density gained by having a lot width greater than 90 feet wide.

ENVIRONMENTAL DETERMINATION

The project is exempt from CEQA review as a Class 32 "In-fill Development Projects" exemption pursuant to State CEQA Guidelines Section 15332.

CONCESSIONS (INCENTIVES)

Concessions (Incentives)

- (1) Increase the maximum height and stories to 41 feet and four (4) stories.
- (2) Increase the maximum allowable floor area ratio (FAR) to 1.8
- (3) Decrease the minimum and average required setbacks:
 - a. Interior Setbacks
 - i. Zero (0) feet minimum for the ground level garage, and 8 feet minimum and 12.6 feet average for the first residential floor.
 - ii. Nine (9) feet minimum and 13.0 feet average for the second residential floor.
 - iii. Ten (10) feet minimum and 13.8 feet average for the third residential floor.

WAIVERS & MODIFICATIONS

Modification of Development Standards (Waivers)

- (1) Not provide the additional open space for additional density gained by having a lot width greater than 90 feet wide.

REQUIRED/MANDATED FINDINGS

The granting of density bonus requests is subject to findings of Section 30.36.080 of the Glendale Municipal Code and Government Code Section 65915. After consideration of the staff report, public testimony and review of the proposal, the Planning Hearing Officer determined that findings for the requested concessions and waiver can be made. Therefore, the three concessions and one waiver are approved subject to following findings and the attached conditions:

1. (Concessions) The incentive or concession results in identifiable and actual cost reductions to provide for affordable housing costs or to provide affordable rents; and,

The three concessions for additional height up to 41 feet (where 36 is permitted) and an additional story to four (4) stories (where three (3) stories are permitted), for a floor area ratio (FAR) of 1.8 (where a FAR of 1.0 is permitted), and for reduced setbacks of zero(0) feet minimum for the ground level garage, eight feet minimum and 12.6 feet average for the first residential floor, nine feet minimum and 13.0 feet average for the second residential floor, and ten feet minimum and 13.8 feet average for the third residential floor (where five feet minimum and eight feet average is required for the first residential floor, eight feet minimum and 11 feet average is required for the second residential floor, and 11 feet minimum and 14 feet average is required for the third residential floor), are required in order to provide an affordable housing project. The Density Bonus Housing Plan meets the requirements of GMC Section 30.36.050 because at least 11% of the total units are for very low income households, as defined in Section 50105 of the Health and Safety Code. The applicant is requesting the maximum density bonus of 35% that allows five additional units beyond the ten (10) units permitted by code, for a total of eighteen (18) units. Two of the units will be restricted affordable for very low income households.

The requested concessions for additional height, an additional story, additional floor area ratio (FAR), and reduced setbacks at all levels and the requested waiver to not provide any of the required additional 2,080 square feet of open space will result in identifiable and actual cost reductions to provide affordable costs or to provide affordable rents.

2. (Concessions and Waiver) The incentive or concession would not 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 low and moderate-income households. As used herein, "specific adverse impact upon public health or safety" means a significant, quantifiable, direct; and unavoidable impact, based on conditions as they existed on the date the application was deemed complete. Inconsistency with the zoning ordinance or the land use designation in the general plan shall not constitute a specific, adverse impact upon public health or safety; and,

Granting the three concessions outlined above and granting the waiver to not provide any of the required additional 2,080 square feet of open space for lots exceeding 90 feet in width that exceed density will not have a specific adverse impact upon public health and safety or the physical environment or on any real property listed in the California Register of Historic Places and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low income households. While taller than surrounding structures, the building will meet building and safety codes and there are similarly sized residential buildings elsewhere in the City.

The building exceeds height/story and floor area ratio because parking is provided at-grade, rather than in a subterranean garage. State law permits at-grade parking for affordable housing projects in order to reduce the cost of housing construction. Since the parking is not subterranean, the parking garage is included in calculations of building height/story and as floor area, even though this area is used for parking, rather than living space. The requested concessions for additional height/story, increase in allowable floor area ratio, and reduced minimum and average setbacks will allow for larger apartment units to accommodate larger families and reduce unit turnover.

Glendale's Zoning Code requirements for additional open space for development on lots greater than 90 feet in width that exceed density was established with the corresponding standard that parking for the project will be subterranean. State law provides that parking for affordable housing projects may be at-grade in order to lower costs of construction. Since the applicant is proposing parking at-grade, the waiver of additional open space is necessary because the area that would otherwise have been open space is being used for parking.

While concerns were raised about lack of available street parking and traffic on Adams Street and neighboring streets, these are existing neighborhood conditions and are not caused by this project which has code-compliant parking and driveway access. This development will provide 36 off-street parking spaces. To deny these concessions would render the project financially infeasible due to the cost of construction and preclude the creation of this affordable housing development at the proposed density which is permitted.

No properties on the project site or adjacent to it are listed on the California Register of Historic Places, nor is any portion of the subject site listed on the Glendale Register.

3. (Waiver) The application of said development standard(s) will have the effect of physically precluding the construction of the housing development at the density and with the incentives or concessions granted pursuant; and,

To provide the additional open space for additional density gained by having a lot width greater than 90-feet wide (2,080 square feet) would have the effect of physically precluding the construction of the housing development at the density and with the concessions requested. The at-grade parking is physically located in the area where additional open space would be required. Since parking is at-grade there is no other space available for the parking and the parking cannot be located in a subterranean garage because the cost of building subterranean parking would make the project, including the other concessions, fiscally infeasible.

4. (Concessions and Waiver) The incentive or concession would be contrary to state or federal law.

The granting of the above concessions and waiver will not be contrary to state or federal law. The project is designed to comply with building and safety codes and the project density is consistent with the City of Glendale General Plan.

CONDITIONS OF APPROVAL

Conditions of Approval for Density Bonus Incentives and Waivers:

1. That the development shall be in substantial accord with the plans submitted with the application and presented at the hearing except for any modifications as may be required to meet specific Code standards or other conditions stipulated herein to the satisfaction of the Planning Hearing Officer.
2. That all necessary permits shall be obtained from the Permit Services Center and all construction shall be in compliance with the Glendale Building Code and all other applicable regulations.
3. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash and graffiti.
4. That any expansion or modification of the facility or use shall require a new variance application. Expansion shall constitute adding of additional units, floor area, or any physical change as determined by the Planning Hearing Officer.

5. That the applicant shall work with the City's Housing Division to execute a Density Bonus Housing Agreement pursuant to GMC Section 30.36.140 for approval by the Community Development Director and/or the City Attorney restricting the rental or sale of the required percentage of dwelling units in the housing development to persons or families of very-low income households identified in this grant of concessions and waiver. The applicant shall record such Density Bonus Housing Agreement prior to issuance of any and all required building permits.
6. That all Affordable Units shall be reasonably dispersed throughout the Project (e.g. throughout the different floors) and shall be comparable with the other dwellings units in the Project in terms of appearance, finished quality and material. All Affordable Units and assigned parking spaces shall be of a number, size, location and quality to the satisfaction of the City's Housing Division.
7. That the affordability term shall not start until the date of recordation of the Housing Notice of Completion. The applicant shall notify the City's Housing Division at least six months prior to the anticipated date of the Certificate of Occupancy so that affordable units may be marketed in a timely manner.
8. That the minimum required common outdoor space of 200 square feet per unit shall be provided (Section 30.11.050).
9. That approval of the Design Review Board shall be obtained.

APPEAL PERIOD

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper City and public agency.

Under the provisions of the Glendale Municipal Code, Title 30, Chapter 30.62, any person affected by the above decision has the right to appeal said decision to the Planning Commission if it is believed that the decision is in error or that procedural errors have occurred, or if there is substantial new evidence which could not have been reasonably presented.

It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms within **fifteen (15) days** following the actual date of the decision. Information regarding appeals and appeal forms will be provided by the Building and Safety Division upon request and must be filed with the prescribed fee **prior to expiration of the 15-day period, on or before MAY 1, 2017** in the Building and Safety Division, 633 East Broadway, Room 101.

APPEAL FORMS available on-line <http://www.ci.glendaleca.GOV/appeals>

TRANSFERABILITY

This authorization runs with the land or the use for which it was intended for and approved. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions and/or limitations of this grant.

VIOLATIONS OF THESE CONDITIONS

Violations of conditions required by this determination may constitute a misdemeanor or infraction under section 1.20.010 of the Glendale Municipal Code (GMC) and/or a violation of other local, State or Federal laws or regulations.

Unless a specific penalty is provided, any person convicted of a misdemeanor shall be punished by a fine not to exceed one thousand dollars (\$1,000.00), or imprisonment for a term not to exceed six (6) months, or by both fine and imprisonment. Infractions are punishable by a fine not exceeding the sum of five hundred dollars (\$500.00) for each violation. Violations of conditions required by this determination may be grounds for a revocation.

GMC CHAPTER 30.41 PROVIDES FOR

Termination

Every right or privilege authorized by a Density Bonus Housing shall terminate two (2) years after the granting of such, unless the exercise of such right or privilege has commenced in good faith prior to such time, except as otherwise provided for.

Extension

An extension of the Density Bonus Housing may be requested one time and extended for up to a maximum of one (1) additional year upon receipt of a written request from the applicant and demonstration that a reasonable effort to act on such right and privilege has commenced within the two (2) years of the approval date. In granting such extension the applicable review authority shall make a written finding that neighborhood conditions have not substantially changed since the granting of the Density Bonus Housing.

Cessation

A Density Bonus Housing may be terminated by the review authority upon any interruption or cessation of the use permitted by the Density Bonus Housing for one year or more in the continuous exercise in good faith of such right and privilege.

REVOCATION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over Density Bonus Housing. To consider the revocation, the Director of Community Development shall hold a public hearing after giving notice by the same procedure as for consideration of a Density Bonus Housing at least ten (10) days' notice by mail to the applicant or permittee.

NOTICE – subsequent contacts with this office

The Applicant is further advised that all subsequent contacts with this office regarding this determination must be with the Case Planner. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **By Appointment Only**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

Should you have any questions regarding this issue, please do not hesitate to contact the case planner, Chris Baghdikian, during normal business hours at (818) 937-8181 or via email at cbaghdikian@GlendaleCA.Gov.

Sincerely,
Philip Lanzafame
Director of Community Development



Laura Stotler
Planning Hearing Officer

LS:CB:sm

CC: City Clerk (K. Cruz); City Attorney's Dept. (G. van Muyden); Fire Prevention Engineering Section-(J. Halpert); Dir. Of Public Works (R.Golanian); Traffic & Transportation Section (W. Ko/S. Vartanian); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S. Boghosian); Glendale Water & Power--Electric Section (V. Avedian/B. Ortiz); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (S. Mirzaians); Integrated Waste Management Admin. (D. Hartwell); Maintenance Services Section Admin. (D. Hardgrove); Street and Field Services Admin.; Engineering and Environmental Management (C.Chew/R. Villaluna); and case planner-Chris Baghdikian.