

March 10, 2016

Glenoaks #7 LLC
ATTN: Patrick Chraghchian
139 S. Los Robles Avenue, Unit 107
Pasadena, CA 91104

**RE: 1407 West Glenoaks Blvd. Glendale CA 91201
Density Bonus Application PDBP 1603450**

Dear Mr. Chraghchian:

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 to construct a multi-family residential project that includes 55 apartment units with 5 units being reserved for very-low income households in the C2 (Community Commercial) Height District I Zone, located at **1407 West Glenoaks Boulevard**, being Parcel Map as per Book 116, Page 77 of Parcel Map Lot B, in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL DETERMINATION: The Mitigated Negative Declaration was adopted by the Planning Hearing Officer on February 27, 2015.

REQUIRED/MANDATED FINDINGS

The applicant is seeking approval of two concessions pursuant to Government Code § 65915 and GMC Section 30.36 (Density Bonus Incentives) to allow for a decrease in the street-front setback to 5 feet where a minimum of 20 feet is required and an increase in floor area ratio to 1.26 where a maximum floor area ratio of 1.2 is allowed. The applicant is requesting the parking provisions provided in Government Code Section 65915(p) and GMC Section 30.36.090. The Project will provide 84 parking spaces for the 55 multi-family residential units (33 one-bedroom units and 22 two-bedroom units). The required parking for the residential units is seven spaces above what is required by the provisions of AB2222 Sections 65915 and 65915.5 of the Government Code and Glendale Municipal Code Section 30.36.090.

After considering the evidence presented with respect to this application, the Director of Community Development was unable to make the necessary two required findings to deny the requested concessions for approval of the Density Bonus Housing Plan. The requested concessions are required in this case to reduce costs to the developer. The savings that the developer realizes will be significant and will allow the affordable housing costs and rents to be reduced. The City's General Plan Housing Element encourages the production of affordable housing and provides for flexibility in creating such units. As a result, the Director of Community Development has **GRANTED** the following concessions pursuant to Government Code Section 65915(d), because at least 5% of the units are reserved for very-low income households

(Section 65915(d)(2)(C)) as outlined in the Density Bonus Housing Plan and subject to the attached conditions.

- 1. The incentive or concession is not required in order to provide for affordable housing costs or to provide affordable rents. The Director of Community Development shall consult with the Director of Community Redevelopment and Housing prior to determining whether an incentive or concession is required to provide for affordable housing.**

The incentives or concessions are required in order to provide for affordable housing costs or to provide affordable rents. The Density Bonus Housing Plan meets the requirements of Government Code Section 65915 and Section 30.36.050 because at least 5% of the total units of the housing development are for very-low income households, as defined in Section 50105 of the Health and Safety Code. The project is located in the C2 (Community Commercial) zone that permits a maximum density of one dwelling unit for each 1,000 square feet of site area for lots greater than 90 feet in width. A total of 41 units are permitted by right on the 41,331 square-foot (0.95 acre) project site. Under this proposal, 5 of the total 55 units will be affordable to very- low income households as provided in the Density Bonus Housing Plan, which has been reviewed and found acceptable by the Community Development Department, Housing Division. The Density Bonus Housing Plan (attached) meets the requirements of Section 30.36.050. This project will include a Density Bonus Housing Agreement subject to approval by the Housing Authority and the City Attorney, which provides for long-term affordability.

The applicant is seeking approval of two concessions pursuant to Government Code § 65915 and GMC Section 30.36 (Density Bonus Incentives) to allow for a decrease in the street-front setback to 5 feet where a minimum of 20 feet is required and an increase in the floor area ratio to 1.26 where a maximum of 1.20 is permitted. The requested concessions would allow for larger units to attract longer-term tenants to the project, minimizing unit turnover, and to distinguish the project from the large number of smaller market rate units within the City. The larger apartment units would ensure the viability of the project area by providing a variety of available rental units. The requested concessions are required in this case to allow for higher rents that could be gained with large units that would reduce the cost of providing affordable units to the developer. The savings that the developer realizes will be significant and will allow the affordable housing costs and rents to be reduced.

- 2. The incentive or concession would 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.**

The applicant is seeking approval of two concessions pursuant to Government Code § 65915 and GMC Section 30.36 (Density Bonus Incentives) to allow for a decrease in street-front setback to 5 feet where a minimum of 20 feet is required and an increase in floor area ratio to 1.26 where a maximum of 1.2 is permitted. No specific adverse impact upon public health or safety or on the physical environment or on any real property that is listed in the

California Register of Historical Resources would occur by granting the requested concessions. The requested concessions do not include waivers of any Building and Safety, Fire Department, Engineering or other requirements pertaining to health or safety.

CONDITIONS OF APPROVAL

APPROVAL of this State Density Bonus Law shall be subject to the following conditions:

1. That the development shall be in substantial accord with the plans submitted with the application except for any modifications as may be required to meet specific Code standards or other conditions stipulated herein as approved by the Director of Community Development.
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 be maintained in a clean and orderly condition, free of weeds, trash, and graffiti.
4. That any expansion or modification of the structure or use shall require a new Density Bonus application. Expansion shall constitute adding of new floor area, reduction of parking and open spaces, or any physical changes as determined by the Director of Community Development.
5. That the applicant shall work with the Housing Division to execute a Density Bonus Housing Agreement approved 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. The applicant shall record such 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 dwelling units in the Project in terms of appearance, finished quality and materials.
7. That the affordability term shall not start until the date of recordation of the Housing Notice of Completion. The applicant shall notify the 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.

APPEAL PERIOD, TIME LIMITS, LAPSE OF PRIVILEGES, TIME EXTENSIONS

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 Permit Services Center (PSC) or the Community Development Department (CDD) upon request and must be filed with the prescribed fee **prior to expiration of the 15-day period, on or before March 25, 2016** at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday through Friday 7:00 am to 12:00 pm, or at the Community Development Department (CDD), 633 East Broadway, Room 103, Monday through Friday 12:00pm to 5:00 pm.

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

To save you time and a trip - please note that some of our FORMS are available on line and may be downloaded. AGENDAS and other NOTICES are also posted on our website.

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.

REVOCATION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over variances, conditional use permits and administrative exceptions (individual cases heard and decided upon by the Hearing Officer). To consider the revocation, the Hearing Officer shall hold a public hearing after giving notice by the same procedure as for consideration of a variance at least 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 first and then, the Hearing Officer who acted on this case. 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, Roger Kiesel during normal business hours at (818) 937-8152 or via email at rkiesel@glendaleca.gov.

Sincerely,



For Philip Lanzafame
Director of Community Development

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Attachment: Density Bonus Housing Plan 1407 W. Glenoaks.

cc: City Attorney's Office (Mike Garcia); and Community Development Department (Peter Zovak)