



CITY OF GLENDALE, CALIFORNIA
Community Development
Planning

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June 17, 2019

Mr. Eddy Allahverdian
Grand Oak LLC
440 W. Colorado Street, #200
Glendale, CA 91204

**RE: Density Bonus Application PDBP1906438
423-429 Oak Street, Glendale CA 91204**

Dear Mr. Allahverdian:

Pursuant to provisions of the Glendale Municipal Code, Title 30, Chapter 30.36, the Planning Division has processed your application for a Density Bonus (PDBP1906438) to construct a new four-story, 18-unit affordable housing project with two units being reserved for very low income households in the R-1250 (High Density Residential) Zone, located at 423 and 429 Oak Street, being on Lots 29 and 30, Block L of Glendale Valley View Tract, as per Map recorded in Book 9, Page 157 of Maps, in the County Recorder's Office, County of Los Angeles, State of California.

ENVIRONMENTAL RECOMMENDATION: Exempt from CEQA review as a Class 32 "In-fill Development Projects" exemption pursuant to State CEQA Guidelines Section 15332 because the project and project site comply with the criteria listed in Section 15332 of the State CEQA Guidelines, as detailed in the attached exemption summary.

REQUIRED/MANDATED FINDINGS

The applicant is seeking a mandatory density bonus under Glendale Municipal Code ("GMC") Chapter 30.36. Under GMC Section 30.36.050(A), upon submittal of an application for a housing development or donation of land, a density bonus and incentives or concessions shall be granted when the applicant agrees to construct and reserve at least 5% of the total units of a housing development for very low income households as defined in Section 50105 of the California Health and Safety Code. The project involves the development of a new, four-story, 18-unit residential rental housing project. The project will reserve two units for very low income households, which is greater than the minimum 5% of the units at rents affordable to very-low income households. The project is located in the R-1250 (High Density Residential) Zone that permits a maximum density of one unit for each 1,000 square feet of lot area when the lot has a width of 90 feet or greater. A total of 13 units (12.5 rounded up) are permitted by right on the 12,500 square-foot project site. Under this proposal, 2 of the 13 base number of units will be affordable to very low income households, as noted in the Density Bonus Housing Plan. Because the developer is agreeing to rent and restrict occupancy of 15% of the total number of units to very-low income households, Government Code Section 65915 and GMC Section 30.36.060 require the City to grant a density bonus of 20% plus 2.5% for each percentage of affordability over 5%, up to a 35% maximum bonus. Since the applicant is providing 15% of the units for very low income households, the project is entitled to receive a 35% density bonus (20% plus 15% for the additional 10% over the base 5% minimum required affordability). This mandatory density

bonus allows the project to propose 18 units. The Density Bonus Housing Plan (attached) meets the requirements of Section 30.36. The Plan has been reviewed and found acceptable by the Community Development Department, Housing Division, as well as the City Attorney's Office. This project will also include a Density Bonus Housing Agreement, which ensures long-term affordability (55 years per State law) and is subject to approval by the Housing Authority and the City Attorney.

The applicant is seeking approval of three concessions pursuant to Government Code § 65915 and GMC Section 30.36 (Density Bonus Incentives) to provide two very low income rental units. The concessions requested are:

1. Increase in Floor Area Ratio (FAR) from 1.2 to 1.6 (GMC Section 30.11.020).
2. Increase in Height and Number of Stories from three stories and 36 feet in height to four stories and 47 feet in height (GMC Section 30.11.020).
3. Reduction in Additional Open Space from 900 square feet to none (GMC Section 30.31.020).

The applicant is also requesting the parking provisions provided in Government Code Section 65915(p) and GMC Section 30.36.090 and to provide 20 parking spaces, in excess of the required 19 spaces.

After considering the evidence presented with respect to this application, the Director of Community Development was unable to make the necessary and required findings to deny the requested concessions for approval of the Density Bonus Housing Plan. The requested concessions are necessary in this case to allow the density bonus of 35%, while reducing costs to the developer. The additional density and 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. Moreover, the Director of Community Development was unable to make the finding that the concessions 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 very low income households, because no evidence exists to support this finding.

As a result, the Director of Community Development has **GRANTED** the requested concessions pursuant to Government Code Section 65915(d), because at least 15% of the base number of units are reserved for very low income households (Section 65915), as outlined in the Density Bonus Housing Plan and subject to the attached conditions. Pursuant to GMC Section 30.36.080(A), the Director of Community Development shall grant the requested incentives or concessions, unless he or she makes written findings, based upon substantial evidence, of any one (1) or more of the following:

- 1. The incentive or concession does not result in identifiable and actual cost reductions to provide for affordable housing costs or to provide affordable rents.**

The incentives/concessions do result in identifiable and actual cost reductions and 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 because at least 15% 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 requested incentives/concessions are necessary in this case to allow for additional density to reduce the cost to the applicant of providing affordable units. The savings that the applicant realizes will be significant and will allow the affordable housing costs and rents to be reduced.

Without the additional density, the applicant would not be able to provide for the affordable housing units.

- 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 three incentives/concessions pursuant to Government Code § 65915 and GMC Section 30.36 (Density Bonus Incentives) in order to provide two very low income units. 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 incentives or concessions, since the overall number of affordable units will be provided (a total of two units) and the project will exceed the minimum 5% of very low income units (15% provided). The project complies with all other Zoning Code development standards in the R-1250 (High Density Residential) Zone. The requested incentives/concessions do not include waivers of any Building and Safety, Fire Department, Engineering or other requirements pertaining to health or safety.

- 3. The incentive or concession will be contrary to state or federal law. The granting of an incentive or concession shall not require or be interpreted, in and of itself, to require a general plan amendment, zoning change, study, or other discretionary approval. For purposes of this subdivision, “study” does not include reasonable documentation to establish eligibility for the concession or incentive or to demonstrate that the incentive or concession meets the definition.**

The three incentives/concessions that are requested will not be contrary to state or federal law and do not require any other discretionary entitlement. The applicant is requesting to use the parking concession under GMC 30.36.090(C)(1). Pursuant to this section, upon request of the Developer, the City may not require a vehicle parking ratio greater than one-half space (0.5) per unit, inclusive of guest and handicap parking for a density bonus project. The Glendale Municipal Code normally requires two (2) spaces per unit for studios, one-bedroom, and two bedroom units, two and one-half (2.5) spaces for three bedroom units, and 0.25 spaces per unit for guest parking, when a development has four or more units. The project will require nine (9) parking spaces and will provide a total of 20 parking spaces.

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/Inclusionary 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, low or moderate income households. The applicant shall record such agreement prior to issuance of any and all required building permits.
6. 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.
7. That approval of the Design Review Board shall be obtained.
8. That the wheel stop in parking space #19 shall be deleted for access to parking space #20.

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 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 July 2, 2019**, in the Building & Safety Division, 633 East Broadway, Room 101.

APPEAL FORMS available on-line

<http://www.ci.glendale.ca.us/planning/SubmittingAProject.asp>

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.

REVOCACTION

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, Chris Baghdikian, Planner, during normal business hours at 818-937-8182 or (818) 548-2115 (email address: cbaghdikian@glendaleca.gov).

Sincerely,


For Philip Lanzafame

Director of Community Development Department

PL:CB:cb

Attachments: Density Bonus Housing Plan
Residential Infill Exemption

cc: City Attorney's Office (Yvette Neukian)
Community Development - Housing Division (Peter Zovak/Mike Fortney)

Density Bonus Housing Plan

**423 Oak Street,
Glendale, CA. 91204**

6/12/19(Revision)

**Applicant: GRAND OAK LLC
440 W. Colorado St., #200
Glendale, CA. 91204**

**Principle Designer: Varoosh Abedi
GA ENGINEERING INC
6747 Odessa Ave.,
Van Nuys, CA. 91406
(818)758-0018**

**City of Glendale
Community Development Department
Housing Division
141 North Glendale Ave., Room 202
Glendale, CA. 91206**

The applicant is seeking approval of incentives and concessions pursuant to Government Code 65915 and GMC Section 30.36-Density Bonus Incentives of the Glendale Municipal Code. The requested incentives and concessions are essential for this proposed project to reduce costs to the developer and to provide affordable rents.

The Code allows for incentives, waivers and/or modification for projects that provide residential rental units designated for very low-income households. This project is proposing to provide 15% of the maximum permitted units and qualifies for three incentives.

Number of Dwelling Unit Proposed:

The project involves the development of a new four-story above grade, eighteen (18) unit (including two very low-income household); multi-family rental housing project, in a Transit Oriented Communities (TOC) designated zone. The proposed project consists of seven (7) one bedroom-one bath, two (2) two bedroom-two bath units, and nine (9) three bedroom-two bath units with twenty (20) parking spaces.

Maximum Number of Units Permitted per Zoning Code:

This proposed project consist of two combine lots at 423-429 Oak St., Glendale, CA. 91204, APN 5695-015-029 and 030, in the R-1250 (High Density Residential) zone. The Glendale City Zoning code permits a maximum density of one dwelling unit for each thousand (1000) square feet of site area for lots greater than ninety (90) feet in width. Based on the size of the project site, twelve thousand and five hundred (12,500) square feet, a total of thirteen (13) units would be allowed.

Number of Affordable Units meeting Density Bonus Requirement:

The project applicant is proposing to provide two affordable residential dwelling units, which is fifteen (15) percent (very-low affordable level) of the maximum number of units permitted per the Zoning Code.

Amount of Density Bonus Requested:

A fifteen (15) percent very-low affordable residential dwelling unit project allows the project applicant to request a maximum of thirty-five (35%) bonus density (additional five (5) units) above what the Zoning Code allows (maximum thirteen (13) units)(30.36.050-C); and three (3) Incentives (Table 30.36-B). The total number of units in this project will be 18, including 2 very-low affordable units, which are as follows:

- 1st Floor – Unit 104, 1 Bedroom, 692 square feet
- 2nd Floor – Unit 202, 3 bedroom, 1148 square feet

The City Council adopted a city-wide Inclusionary Housing Ordinance that requires all new residential buildings without a building permit issued to provide 15% of the units as affordable. At a base of 13 units, this project would only be required to provide two (2) affordable units.

The three requested incentives are:

1. Increase in Floor Area Ratio (FAR):

Pursuant to GMC Section 30.11.020 Table 30.11 B, the maximum allowed FAR is 1.2. As proposed, the project applicant is requesting to increase FAR to 1.6. The requested concessions would allow increasing the size of the units.

2. Height and Number of Floors

Pursuant to GMC Section 30.11.020 Table 30.11 B, a maximum of three (3) stories and a thirty-six (36) foot height limit (plus five (5) feet for sloped roofs) are allowed.

As proposed, the project applicant is requesting to increase the building height by eleven (11) feet and number of stories to four (4). The requested concessions would allow for larger-sized units.

3. Additional Open Space Requirements for R-1250 Zone

Pursuant to GMC Section 30.31.020 A.7, on a lot with a minimum width of ninety (90) feet and with a density exceeding the maximum density permitted by code for lots with less than ninety (90) feet in width, an additional nine-hundred (900) square feet of open space shall be provided contiguous to a street front/side setback area. For each additional foot of lot width thereafter, or minor fraction area thereof, an additional twenty (20) square feet of such open space area shall be provided.

As proposed, the project applicant is requesting this requirement to be waived.

The applicant is also requesting to use the parking requirement concession under AB 744 and GMC 30.36090(C) (1) which requires 0.5 parking spaces per unit. This requires nine (9) parking spaces for the proposed 18-unit apartment building. The proposed project is located within one-half mile of a major transit stop. The applicant is seeking to provide twenty (20) standard parking spaces.

The requested concessions would allow for larger-sized units to attract longer-term tenants to this project, minimizing the turnover, and to distinguish this project from the large number of smaller market rate units within the City. The larger-sized units would ensure the viability of the

project by providing a greater variety of available rental units and reducing the cost of providing affordable units to the developer and operator.

Existing Development / Demolition of Existing Buildings

423 Oak Street

There are two structures on the property that will be demolished to clear the lot. One unit is an 848 square feet, 1-story, 2-bedroom single family dwelling in the front of the lot and the other is a 480 square foot detached 2-car garage in the rear of the lot. Both structures were built in 1957.

429, 429A & 429B Oak Street

There are three structures on the property that will be demolished to clear the lot. The front unit facing Oak Street is a 608 square foot, 1-story, 1-bedroom single family dwelling. The middle unit is also a 1-story, 1-bedroom, 568 square feet single family dwelling. The third unit, located in the rear of the property is a 2 story, 1-bedroom, 496 square foot single-family dwelling on the second level above an attached 2-car garage on the ground level. All structures were constructed in 1924.

PROJECT LOCATION: 423-429 Oak Street

PROJECT DESCRIPTION: To construct a new, 18-unit, multi-family residential rental building that includes two (2) very-low income affordable housing units and 20 parking spaces in a subterranean parking garage. The units will be a mix of one-bedroom, two-bedroom and three-bedroom units. The site consists of two abutting lots totaling 12,500 square feet in area and is zoned R-1250 (High Density Residential) zone. The site is developed with a building containing one dwelling unit with a detached garage constructed in 1957 (423 Oak Street) and three other buildings containing each one unit and a garage attached to the rear unit, all constructed in 1924 (429, 429A and 429B Oak Street).

CEQA REVIEW: The proposed multi-family residential project is exempt from CEQA pursuant to CCR § 15332 of the State CEQA Guidelines which exempts "Residential In-fill Development Projects."

CCR § 15332. IN-FILL DEVELOPMENT PROJECTS

Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section.

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

The project is consistent with the General Plan Land Use Element which designates the site for High Density Residential development. Also, the project is consistent with the General Plan Housing Element which encourages the production of affordable housing and provides for flexibility in creating such units. The project is also consistent with the applicable Zoning Code standards for the R-1250 zone which allows high density residential development.

Regarding the proposed demolition of the existing buildings, the buildings constructed in 1924 and 1957 are not listed on a local, state or national register of historic resources, nor do they exhibit historic characteristics that would necessitate further assessment or preclude their proposed demolition.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The project site has an area of 12,500 square feet or 0.29 acres.

(c) The project site has no value as habitat for endangered, rare or threatened species.

The General Plan Open Space and Conservation Element does not designate the site or area as a habitat for endangered, rare or threatened species. The site is an infill lot. Both the site and surrounding area have are fully developed and urbanized.

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

The existing roadway is expected to provide for the project's traffic. The project site is an infill lot and the proposed development is surrounded by similar urban development. No significant effect related to noise, air quality or water quality are expected.

(e) The site can be adequately served by all required utilities and public services.

The project has been reviewed by all city departments and determined that all utilities and public services are available to serve the project.