



CITY OF GLENDALE, CALIFORNIA

Community Development
Planning

633 E. Broadway, Suite 103
Glendale, CA 91206-4311
Tel. (818) 548-2140 Fax (818) 240-0392
glendaleca.gov

July 20, 2022

Hamlet Zohrabians
3467 Ocean View Boulevard, Suite B
Glendale, CA 91208

**RE: 400 – 408 NORTH MARYLAND AVENUE
DENSITY BONUS & INCLUSIONARY HOUSING PLAN
CASE NO. PDBP 2001881**

Dear Applicant:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.36 and California Government Code Sections 65915, *et seq.* ("Density Bonus Law"), the Community Development Department has processed your application for a Density Bonus and Inclusionary Housing Plan to construct a new four (4)-story, 34,932 square-foot multi-family residential project with 28 residential units, featuring four (4) affordable units restricted to very-low income households. Parking will be provided within an under-ground (semi-subterranean) garage with 56 parking spaces. The four existing residential dwelling units on-site (built in 1919 & 1920) will be removed in conjunction with the project. The project site is 21,450 square feet and located at, **400 North Maryland Avenue**, in the "R-1250" - (High Density Residential) zone and described as Lot 1 through 3, Tract No. 2228, in the City of Glendale, County of Los Angeles (APN: 5643-005-032, 033 & 034).

ENVIRONMENTAL DETERMINATION

The project is exempt from further CEQA review under a Class 32 "In-fill Development Project" exemption pursuant to State CEQA Guidelines Section 15332, because after review and consideration of all required technical reports and/or studies, staff determined the project meets all the conditions for an infill development project, as follows:

- 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;

- b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban areas;
- c) The project site has no value as a habitat for endangered, rare or threatened species;
- d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- e) The site can be adequately served by all required utilities and public services.

DENSITY BONUS REQUEST

The applicant is seeking approval of a Density Bonus and Inclusionary Housing Plan with a request for a density bonus, as well as three concessions, pursuant to California Government Code Sections 65915, *et seq.* ("Density Bonus Law"), that allows developers that seek and agree to provide at least 15 percent of the units in a housing development to very-low income households, a mandatory 50 percent density bonus, as well as three concessions. The Density Bonus and Inclusionary Housing Plan meets the requirements of the Density Bonus Law and Glendale Municipal Code (GMC) Section 30.36.050 because the project is providing 15 percent of the total base density units of the housing development as affordable units which will be restricted to very-low income households, as defined in Section 50105 of the Health and Safety Code.

The project involves the demolition of four existing residential units and two existing garages currently on the site: two single-family homes, two garages and a duplex (built in 1919/1920). The 21,450 square-foot site is located on the east side of Lexington Drive, including the northeast corner of Maryland Avenue and Lexington Drive. The proposed residential development consists of a new four-story, 28-unit multi-family residential project totaling 34,932 square feet over a one-level, semi-subterranean parking structure containing 56 residential parking spaces. The project will provide four (4) affordable units reserved for very-low income households. The project site is located in the R-1250 (High Density Residential) zone. In accordance with GMC 30.11.020, the maximum density allowed on a lot where the width is greater than 90 feet is one dwelling unit for every 1,000 square feet of lot area. The project's site is 21,450 square feet in size, with a lot width of 143 feet. By right, the project has a maximum density allowed of 22 units ($21,450 / 1,000 = 21.45$ rounded up to 22 (CA Govt Code § 65915(q) requires all density bonus calculations to be rounded up)).

Per the State Density Bonus Law (CA Govt Code § 65915, *et seq.*), an applicant is ineligible for a density bonus or any other incentives / concessions if a project is proposed on a parcel with all rental dwelling units that have been vacated or demolished within five (5) years from the project's development application, or any

rental dwelling units that have been occupied by lower or very low income households, unless the proposed project replaces those units.

Pursuant to CA Govt Code § 65915, if any dwelling units are occupied on the date of a project's development application, the proposed project is required to provide the same number of units of equivalent size (i.e., the same number of bedrooms) as affordable to the same or lower income households in occupancy. If the incomes are unknown to the applicant, there is an established rebuttable presumption per HUD's Comprehensive Housing Affordability Strategy database. This presumption amounts to 63% of renter households at or below 80% AMI.

Per the Los Angeles County Assessor, the project site contains four (4) existing residential dwelling units. By applying the established rebuttable presumption of 63% to the existing four (4) residential dwelling units, three (3) replacement units are required under State Density Bonus Law ($67\% \times 4 = 2.52$ rounded up to 3). The affordable units required pursuant to the grant of a density bonus count towards the replacement obligation. The replacement obligation for the project (3 units) is less than the affordable units required under density bonus (4 units at very low). As such, no additional affordable units are required under the replacement obligation.

The applicant is entitled to a 50% density bonus by providing four (4) very low income units (15% of the base density of 22 = 3.3, rounded up to 4). With a 50% density bonus, 33 units can be built ($22 \times 1.50 = 33$). However, the applicant has requested a lesser density bonus of 27%, while still providing 15% of the 22 base density units (3.3 rounded up to 4) as units restricted to very low income households. This request complies with State Density Bonus Law, as it is less than the maximum to which the applicant is entitled. With a 15% affordability level, the applicant is entitled to and is requesting three (3) concessions pursuant to the Density Bonus Law and GMC Chapter 30.36. By right, the applicant has requested three (3) concessions: (1) increase maximum allowed building height and stories; (2) increase maximum allowed floor area ratio (FAR); and (3) reduce common open space.

As currently designed, the project contains 28 three-bedroom units, which amounts to 84 bedrooms total. The project must provide 12 bedrooms amongst the 4 affordable units ($(84 \text{ bedrooms} / 28 \text{ total units}) \times 4 \text{ affordable units} = 12$). The project's three-bedroom units approximate an average of 1,248 square feet ($34,932 / 28 = 1,247.57$ rounded up to 1,248). Applicant has proposed four (4) affordable units: Unit 103, 3 bedrooms, 1,248 square feet; Unit 107, 3 bedrooms, 1,237 square feet; Unit 202, 3 bedrooms, 1,262 square feet; and Unit 306, 3 bedrooms, 1,202 square feet. As proposed, the project generates 12 bedrooms with an average of 1,237 square feet. The Housing Division has thus preliminarily approved the four affordable units, as

the delta between the proposed average (1,237 square feet) and the total project average (1, 248 square feet) is marginal (11 square feet).

In accordance with California Government Code Section 65915(p) and GMC Section 30.36.090, the project qualifies for a mandatory parking concession resulting in a reduced parking requirement, inclusive of guest and handicapped spaces, and tandem parking. Pursuant to CA Govt Code § 65915(p)(1) and GMC Section 30.36.090, the project qualifies for a mandatory parking concession resulting in a reduced parking requirement, inclusive of guest and handicapped spaces, and tandem parking. An applicant of a housing development meeting the minimum requirements to qualify for a density bonus may apply for a parking concession pursuant to the following ratios: one (1) on-site parking space per unit for zero to one bedroom units and one and one-half (1.5) on-site parking spaces per unit for two to three bedroom units (collectively, the "Parking Concession"). With a total of 28 units, all at three-bedrooms, the Parking Concession requires a minimum of forty-two (42) parking spaces for the residential development. The project exceeds the minimum requirement under the Parking Concession, and proposes to provide fifty-six (56) parking spaces total. Accordingly, the project meets and exceeds the parking requirements under the Parking Concession.

Per GMC 30.35, the Inclusionary Zoning Ordinance (the "IZO") requires a housing development (a rental development project with a base density of eight (8) or more dwelling units proposed to be constructed in the City) to provide 15% of the units as affordable to low-income households. The project is subject to IZO and is required to provide four (4) affordable units to low-income households (15 percent of 22 base density units (3.3 rounded up to 4)). Therefore, the project meets the IZO requirement because the developer will be providing four (4) affordable units restricted to very-low income households. Under the IZO, the affordable units required pursuant to the grant of a density bonus count towards the inclusionary unit requirement. As such, the Project meets the IZO requirement, and no additional affordable units are required under the IZO.

Per GMC 4.11, the Affordable Housing Commercial Development Impact Fee (the "Commercial DIF") is not applicable to the project as it does not entail a permitted commercial component. The Developer will be required to enter into a Density Bonus Housing Agreement ("DB Agreement") in which the Developer will covenant that at least 15 percent of the 22 base density units (3.3 rounded up to 4) will be restricted to rental to very-low income households. The DB Agreement with the City will be a recorded restriction on the property on which the affordable units and density bonus are constructed. In addition, the DB Agreement will run with the land and bind all future owner and successors in interest for a period of 55 years.

The applicant is seeking approval of three concessions pursuant to Government Code Section 65915, *et seq.* and GMC Chapter 30.36 (Density Bonus Incentives). The three requested concessions are as follows:

1. Increase the maximum height and stories: In accordance with GMC Section 30.11.030 Table 30.11-B, the maximum allowed height is three stories and 36 feet. The project proposes to increase the maximum allowed number of stories to four and the overall building height to 52 feet (16-foot height increase).
2. Increase maximum allowed floor area ratio (FAR): In accordance with GMC Section 30.11.020 Table 30.11-B, the maximum allowable floor area ratio (FAR) for multi-family projects in the R-1250 zone is 1.2. (maximum 25,740 square feet for the subject project). The applicant is requesting to exceed the maximum allowable floor area ratio. As proposed, the project features a total FAR of 1.63 (34,932 square feet), exceeding the maximum allowable FAR by 0.43 (9,192 square feet).
3. Reduce common outdoor space: Pursuant to GMC Section 30.11.050.C, the project is required to provide a minimum common outdoor space of 200 square feet per dwelling unit for the first 25 dwelling units on a lot and a minimum of 150 square feet for the second 25 dwelling units (5,450 square feet total required). The applicant is requesting to reduce the required common outdoor space by 2,613 square feet. As proposed, the project provides 2,837 square feet of common open space.

In addition to these concessions, the project qualifies for the mandatory parking concessions in accordance with GMC 30.36.090 and California Government Code Section 65915(p), which provides that upon the request of an owner/applicant, the City must allow the following vehicular parking ratios, inclusive of handicapped and guest parking, of a development providing at least fifteen (15) percent of the base unit count to very-low income households:

- One (1) on-site parking space per unit for zero to one-bedroom units.
- One and one-half (1.5) on-site parking spaces per unit for two- to three-bedroom units.
- On-site parking for a housing development may be provided through tandem parking ("Parking Concession").

The unit mix includes 28, three-bedroom units. Based on the number of units and bedrooms provided, the Parking Concession requires the project to provide a minimum of 42 parking spaces for the residential component. The project is providing a total of 56 parking spaces (14 spaces more than required under the Parking Concession) within a one-level subterranean parking garage including two handicap accessible parking

spaces. Accordingly, the project meets and exceeds the parking requirements under the Density Bonus Law mandatory parking concession.

CONCESSIONS/INCENTIVES FINDINGS

After considering the evidence presented with respect to this application, the Director of Community Development was unable to make the necessary findings to deny any of the requested concessions for approval of the Density Bonus and Inclusionary Housing Plan. The requested concessions are required in this case to allow the density bonus requested, while reducing costs to the developer. The additional density and the resulting 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 requested concessions pursuant to California Government Code Sections 65915, *et seq.* ("Density Bonus Law") and Glendale Municipal Code (GMC) Section 30.36.050 because the project is providing 15 percent of the total base density units of the housing development as affordable units, which will be restricted to very-low income households, as defined in Section 50105 of the Health and Safety Code. 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 concessions (incentives) must be granted *unless* the Director finds, based on substantial evidence, that the concessions do not result in identifiable and actual cost reductions to provide for affordable housing costs or to provide affordable rents.**

The Density Bonus Housing Plan meets the requirements of Government Code Section 65915, *et seq.* because at least 15% of the total units of the housing development will be restricted to very low income households, as defined in Section 50105 of the Health and Safety Code. The project is located in the R-1250 (High Density Residential) zone. In accordance with GMC 30.11.030 Table 30.11-B, the maximum density allowed on a lot where the width is greater than 90 feet is one dwelling unit for every 1,000 square-feet of lot area. The project's site is 21,450 square feet in size, with a lot width of 143 feet. By right, the project has a maximum density allowed of 22 units ($21,450 / 1,000 = 21.45$ rounded up to 22).

The applicant is entitled to a 50% density bonus by providing four (4) very low income units (15% of the base density of 22 = 3.3, rounded up to 4). With a 50% density bonus, 33 units can be built ($22 \times 1.50 = 33$). However, the applicant has requested a lesser density bonus of 27%, for a total of 28 units and providing 15% of the 22 base density units (3.3 rounded up to 4) affordable to very-low income households as provided in the Density Bonus and Inclusionary Housing Plan, which

was reviewed and found acceptable by the Community Development Department, Housing Division. The Density Bonus and Inclusionary Housing Plan meets the requirements of GMC Section 30.36.050. The project applicant will be required to execute a Density Bonus Housing Agreement, which provides for long-term affordability, subject to review and approval by the City Attorney.

The applicant is seeking approval of three concessions pursuant to Government Code Section 65915, *et seq.* and GMC Chapter 30.36 (Density Bonus Incentives) for 1) increasing the maximum allowed building number of stories to four and the overall building height to 52 feet (16-foot height increase); 2) increasing the maximum allowed FAR to 1.63 (34,932 SF), where the maximum allowed is 1.2 (exceeding the maximum allowed by 0.43 (9,192 SF)); and 3) reducing the minimum required common outdoor space by 2,613 SF (providing 2,837 SF) where 5,450 SF is required per GMC Section 30.11.050.C.

This denial finding cannot be made, as there is no evidence that the concessions will not result in actual cost reductions to provide for affordable rents. To the contrary, there is substantial evidence that the concessions *will* result in identifiable and actual cost reductions to provide affordable rents. The requested concessions, taken as a whole, are required to allow for the additional density requested and a greater number of units to be constructed on the same amount of lot area. The concessions, together, will reduce costs to the applicant for providing affordable units by creating construction efficiencies and inherent reductions in costs by allowing the construction of a greater number of units. The additional units will result in actual and identifiable cost reductions because the additional units will take advantage of construction efficiencies when being built, and will generate rental income to offset the cost of providing the units at an affordable rent. If the project were to comply with the required number of stories/building height, FAR and common outdoor space Zoning Code standards, the footprint of the new building would be significantly impacted, and would subsequently affect the viability of the project and the proposed development build-out. With the requested concessions, the owner/applicant will realize cost reductions that will allow it to provide the four (4) housing units at an affordable rent.

- 2. The concessions (incentives) must be granted unless the Director finds, based on substantial evidence, that they will have a “specific adverse impact upon public health and safety,” as defined in paragraph (2) of subdivision (d) of California Government Code Section 65589.5, 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 housing development unaffordable to low-income and moderate-income households. 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.” (Government Code section 65589.5(d)(2).) 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 concessions pursuant to Government Code Section 65915, *et seq.* and GMC Chapter 30.36 (Density Bonus Incentives), discussed in detail above, in exchange for providing four (4) affordable units for very-low income households. This denial finding cannot be made, as there is no evidence that the concessions will have any adverse impacts. 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 for increased number of stories and building height and floor area ratio, and reduced common open space. The existing residential buildings on the project site which are proposed to be demolished, are not historically or culturally significant. Therefore, demolition of the existing buildings would not be considered a significant impact. Moreover, the proposed project is exempt from further CEQA review based on the fact that it meets the requirements to qualify for a Class 32 “In-fill Development Project” and thus, does not exceed thresholds for noise, traffic, air quality and water and will not result in significant cumulative impacts.

The project complies with all other Zoning Code development standards in the R-1250 (High Density Residential) zone including land use, setbacks, lot coverage, landscaping, additional open space required for a lot width greater than 90 feet, etc. The requested concessions to exceed the number of stories/building height, FAR, and reduce the required common open space, do not include waivers of any Building and Safety, Fire Department, Engineering or other requirements pertaining to health or safety. Furthermore, the provided setbacks are in compliance with the zoning code in order to provide light, air, and ventilation for adjacent buildings, which consist of similar multi-family residential buildings to the north and east of the subject site.

Furthermore, the concessions allow for additional buildable area on the site, which will then accommodate additional dwelling units. The additional density will, in fact, promote the City’s health and safety in that there will be greater housing opportunities for low income family households. Moreover, the project will advance the goals and policies of the General Plan, Housing Element (2021-2029), including, but not limited to, Goal 1 (“A City with a Wide Range of Housing Types to Meet the Needs of Current and Future Residents), Goal 3 (“A City with Increased Opportunities for Affordable and Special Needs Housing Development) Housing Services that Address Groups with Special Housing Needs) and Policies 3.1 and 3.2 (“Encourage both the private and public sectors to produce or assist in the

production of affordable housing for special needs groups such as: persons with disabilities, the elderly, large families, single-parent households, and formerly homeless) and (“Promote the development of extremely low, very low, low and moderate income housing by allowing developers density bonuses or other financial incentives for providing units for low and moderate income residents. The unit mix and location of affordable housing units in density bonus projects must be approved by the City and included in an affordable housing agreement.”).

3. The concessions (incentives) must be granted *unless* the Director finds, based on substantial evidence, that the concessions will be contrary to state or federal law.

The requested concessions will not be contrary to state or federal law and do not require any other discretionary entitlement other than Design Review Board review and approval. The project is designed to comply with Building and Safety codes and the proposed 28-unit affordable housing residential project is consistent with the General Plan. The project meets the goals and policies in the Housing Element to provide affordable housing. There is no evidence of state or federal laws being violated.

In addition to the three requested concessions, the applicant is requesting to use the parking concessions in accordance with State Density Bonus Law. Per California Government Code Section 65915(p), the project qualifies for reduced parking inclusive of guest and handicapped spaces, and tandem parking, and is required to provide 42 parking spaces for the residential units; the project is providing in excess of the requirement – a total of 56 parking spaces within a one-level subterranean parking garage for the residents.

CONDITIONS OF APPROVAL

APPROVAL of this Density Bonus Housing Plan 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. The phrase “modification of the structure or use” includes, but is not limited to, proposing a different percentage of the units as affordable or altering the affordability of the units (i.e., proposing the affordable units be restricted to low or moderate income households when the approval is originally for very-low income households). 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 Community Development Department and the City Attorney’s Office to make any permissible or required additions, deletions and/or amendments to the Density Bonus Housing Plan and to execute and record a Density Bonus Housing Agreement pursuant to GMC Section 30.36.140, to the satisfaction of the Director of Community Development or his designee and subject to approval as to form and content by the City Attorney. Such Density Bonus Housing Agreement shall restrict the rentals of the required percentage of dwelling units in the housing development to persons or families of very-low income households, as specifically identified in this approval. The applicant shall be required to execute and 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 site (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. Subject to requested changes necessary to comply with health and safety standards approved by the Director of Community Development or his designee, the unit type, size and location of the affordable units shall be 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 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 premises shall be made available to any authorized City personnel (Fire, Police, Neighborhood Services, etc.) for inspection to ascertain that all conditions of approval of this Density Bonus application are complied with.
9. That the applicant shall comply with all Section/Department requirements as specified in their memos to the satisfaction of the City or Department Director. These memos include but are not limited to Glendale Water and Power (GWP) (March 14, 2022), Public Works Engineering and Traffic Engineering (April 13, 2022), Building and Safety Division (March 31, 2022), Community Development Housing Division (April 21, 2022), Community Services and Parks (March 18, 2022), and Fire Prevention Engineering (March 28, 2022).

10. That approval of the Design Review Board shall be obtained prior to applying for or obtaining building permits.
11. That if any buildings, sidewalks, curb, or gutter, fencing or landscaping areas, etc., adjacent to the site are damaged during the course of construction on public or private property, the damage shall be repaired to the satisfaction of the Director of Public Works for public property.
12. That any proposed exterior lighting shall be directed on the driveways, walkways and parking areas within the development and away from adjacent properties and the public right-of-way to the satisfaction of the Director of Community Development.
13. That the developer shall comply with the City's Inclusionary Zoning Ordinance (IZO), as regulated by GMC Chapter 30.35.

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 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, appeal forms and fees will be provided by the Community Development Department (CDD) staff upon request by calling 818-548-2140.

The completed appeal form must be filed with the prescribed fee prior to expiration of the 15-day period, on or before **August 4, 2022.**

In order for any appeal to be considered timely, **the appeal must be postmarked by the August 4, 2022 deadline (mailed to Community Development Department – Planning Division, Attention Milca Toledo, 633 East Broadway, Room 103, Glendale, CA 91206) OR emailed to the case planner Milca Toledo at MiToledo@glendaleca.gov prior to the close of said business day.** The prescribed fee must be included along with the appeal application and may be submitted either in the form of a check or credit card payment. For credit card payment, please contact the

case planner to make arrangements with the cashier. Note: The standard 2.5% fee for credit card payment applies.

APPEAL FORM is also available on-line:

<https://www.glendaleca.gov/home/showdocument?id=11926>

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 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. of conditions required by this determination may be grounds for a revocation.

TERMINATION AND EXTENSION

GMC CHAPTER 30.41 PROVIDES FOR

TERMINATION: Every right or privilege authorized by a Density Bonus Housing Plan 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 Plan 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 Plan.

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, Milca Toledo, 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.

You may contact the case planner, Milca Toledo, during normal business hours at (818) 937-8181 or via e-mail at MiToledo@glendaleca.gov.

Sincerely,



John Takhtalian

Interim Director of Community Development

JT:EK:YN:MT:sm

Attachments:

1. Density Bonus Housing Plan
2. Class 32 Infill Exemption Analysis

CC: City Clerk (K.Cruz); Police Dept. (J.Newton/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Community Development – Housing Division (Peter Zovak/Mike Fortney/Michelle Shahnazarians); Fire Prevention Engineering Section-(F. McLean); Traffic & Transportation Section (P.Casanova/Mark Bueno-Traffic Engineer Assoc.); General Manager for Glendale Water and Power (M.Young); Glendale Water & Power--Water Section (G. Tom/S. Boghosian/R.Takidin/C.Babakhanlou/D.Scorza); Glendale Water & Power--Electric Section (B. B.Ortiz/E.Olsen/ M.Navareete/M.Kouassi); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (R.Mardians); Integrated Waste Management Admin. (D. Hartwell); Maintenance Services Section Admin. (D. Hardgrove); Street and Field Services Admin.; Engineering and Environmental Management (C.Chew/and case planner – Milca Toledo.

Density Bonus and Inclusionary Housing Plan

400 North Maryland Avenue
Glendale, CA 91206

July 20, 2022

400 N. Maryland, LLC
c/o Hamlet Zohrabians
3467 Ocean View Blvd, Suite B
Glendale, CA 91208

City of Glendale Community Development Department
Housing Division
141 North Glendale Avenue, Room 202
Glendale, CA 91206

Number of Dwelling Units Proposed:

The applicant has proposed the development of a new, density bonus rental housing project totaling twenty-eight (28) residential dwelling units (the "Project"). The Project will provide a total of four (4) affordable units (15 percent of the total number of units of the base density of 21.45 (rounded up to 22)) to very low income households.

Maximum Number of Units Permitted per GMC:

The Project is located in the R-1250 (High Density Residential) zone. The Project site (APNs 5643-005-032, 5643-005-033, 5643-005-034) has a lot area of 21,450 square feet. Sites zoned R-1250 with more than ninety (90) feet of frontage are permitted one (1) unit per 1,000 square feet. By right, applicant has a base density of twenty-two (22) units ($21,450 / 1,000 = 21.45$ rounded up).

Number of Replacement Units Under Density Bonus Requirement:

Per State Density Bonus Law (CA Govt Code § 65915), an applicant is ineligible for a density bonus or any other incentives or concessions if a project is proposed on a parcel or parcels with rental dwelling units that have been vacated or demolished within a five (5)-year period preceding the project's development application, or have been occupied by lower or very low income households, unless the proposed project replaces those units.

Pursuant to CA Govt Code § 65915, if any dwelling units are occupied on the date of a project's development application, the proposed project is required to provide the same number of units of equivalent size (i.e., the same total number of bedrooms as the units being replaced) as affordable to the same or lower income households in occupancy. If the incomes are unknown to the applicant, there is an established rebuttable presumption per HUD's Comprehensive Housing Affordability Strategy database. This presumption amounts to 63% of renter households at or below 80% AMI.

Per the Los Angeles County Assessor, the Project site contains four (4) existing residential dwelling units at ten (10) bedrooms total. By applying the established rebuttable presumption of 63% to the existing four (4) residential dwelling units, three (3) replacement units ($63\% \times 4 = 2.52$ rounded up to 3) at seven (7) bedrooms total ($63\% \times 10 = 6.3$ rounded up to 7) are required under State Density Bonus Law. The affordable units required pursuant to the grant of a density bonus count towards the replacement obligation. The replacement obligation for the Project (3 units at 7 bedrooms total) is less than the affordable units required under density bonus (4 very low units at 12 bedrooms total). As such, no additional affordable units are required under the replacement obligation.

Number of Affordable Units Meeting Density Bonus Requirement:

The applicant is required to designate four (4) units as affordable to very low income households (15% of 22 base density units (3.3 rounded up to 4)). As currently designed, the Project contains twenty-eight (28) three (3)-bedroom units. The applicant has proposed Unit 103, 107, 202, and 306. Housing approves the proposed units as the affordable units. The affordable units are detailed in Project floorplans attached hereto as Attachment 1, as well as immediately below:

Unit Number	Square Footage	Bedroom(s)	Bathroom(s)
103	1,248	3	2
107	1,237	3	2.5
202	1,262	3	2.5
306	1,202	3	2.5

Amount of Density Bonus Requested:

The applicant is entitled to a fifty percent (50%) density bonus by providing four (4) very low income units (15% of the base density of 22 = 3.3 (rounded up to 4)). This request complies with State Density Bonus Law, which allows up to a fifty percent (50%) density bonus, as well as three (3) incentives in exchange for the provision of a fifteen percent (15%) affordability level of very low income units. By providing four (4) very low income units at twelve (12) bedrooms total, the applicant also meets the replacement unit obligation under State Density Bonus Law. With a fifty percent (50%) density bonus, the Project is permitted thirty-three (33) units (22 (rounded up from 21.45) x 1.5 = 33). However, the applicant has requested a lesser density bonus of twenty-seven percent (27%), while still providing four (4) very low income units (15% of the 22 base density units (3.3 rounded up to 4)). This request complies with State Density Bonus Law, as it is less than the maximum to which the applicant is entitled.

Number and Description of Concessions and Waivers Requested:

Pursuant to CA Govt Code § 65915(d)(2)(B) and GMC Section 30.36.070, the applicant is entitled to three (3) concessions by reserving fifteen percent (15%) of the units for very low income households. The applicant has requested three (3) concessions:

- 1) increase in height and number of stories from three (3) stories and thirty-six (36) feet to four (4) stories and fifty-two (52) feet in height (GMC Section 30.11.030);
- 2) increase in maximum floor area ratio (FAR) from one point two (1.2) to one point sixty-three (1.63) (GMC Section 30.11.020); and
- 3) reduction in common outdoor space from the required 5,450 square feet to 2,837 square feet (GMC Section 30.11.050.C).

Amount of Parking Concessions Requested:

Pursuant to CA Govt Code § 65915(p)(1), an applicant of a housing development meeting the minimum requirements to qualify for a density bonus may apply for a parking concession, inclusive of handicapped and guest parking, pursuant to the following ratios: one (1) on-site parking space per unit for zero (0) to one (1)-bedroom units and one and one-half (1.5) on-site parking spaces per unit for two (2) to three (3)-bedroom units. The Project proposes a unit mix of twenty-eight (28) three (3)-bedroom units. Based on the number of units and bedrooms provided, the parking concession pursuant to CA Govt Code § 65915(p)(1) requires a minimum of forty-two (42) residential parking spaces (28 units x 1.5 = 42). The Project exceeds the minimum requirement per CA Govt Code § 65915(p)(1) and proposes to provide fifty-six (56) parking spaces total. Accordingly, the Project meets and exceeds the parking requirements under CA Govt Code § 65915(p)(1).

Child Care Space:

Not applicable.

Inclusionary Housing Requirement:

On May 7, 2019, the City adopted a Citywide Inclusionary Zoning Ordinance, Ordinance No. 5928, codified at GMC Chapter 30.35 (the "IZO"). The IZO became effective after a 30-day period on June 7, 2019. The IZO requires a housing development (a rental development project with a base density of eight (8) or more dwelling units proposed to be constructed in the City) to provide fifteen percent (15%) of the units as affordable to low income households. Under the IZO (GMC 30.35.050(C)), "[t]o the extent required by state law, all affordable units required pursuant to the grant of a density bonus shall count toward the inclusionary unit requirement contained in this chapter. Very low income density bonus units shall be equivalent to low income inclusionary units."

Therefore, the Project meets the IZO requirement through the requirement to provide four (4) affordable units (15% of the base density of 22 = 3.3 (rounded up to 4)) to very low income households under State Density Bonus Law. No additional affordable units are required under the IZO.

Affordable Housing Commercial Development Impact Fee:

On May 7, 2019, the City adopted a Citywide Affordable Housing Commercial Development Impact Fee, Ordinance No. 5929, codified at GMC Chapter 4.11 (the "CDIF"). The CDIF became effective after a 60-day period on July 7, 2019.

With the exception of hotels, auto dealerships, community land uses which serve the public, and the reconstruction of any building destroyed by fire, flood, earthquake or other act of nature (so long as the square footage does not exceed the square footage before the loss), the CDIF imposes a \$4 per square foot fee (per the FY 2022-2023 Citywide Fee Schedule) on all commercial development projects with a gross floor area exceeding 1,250 square feet. The Project is not subject to the CDIF as it does not entail a permitted commercial component.



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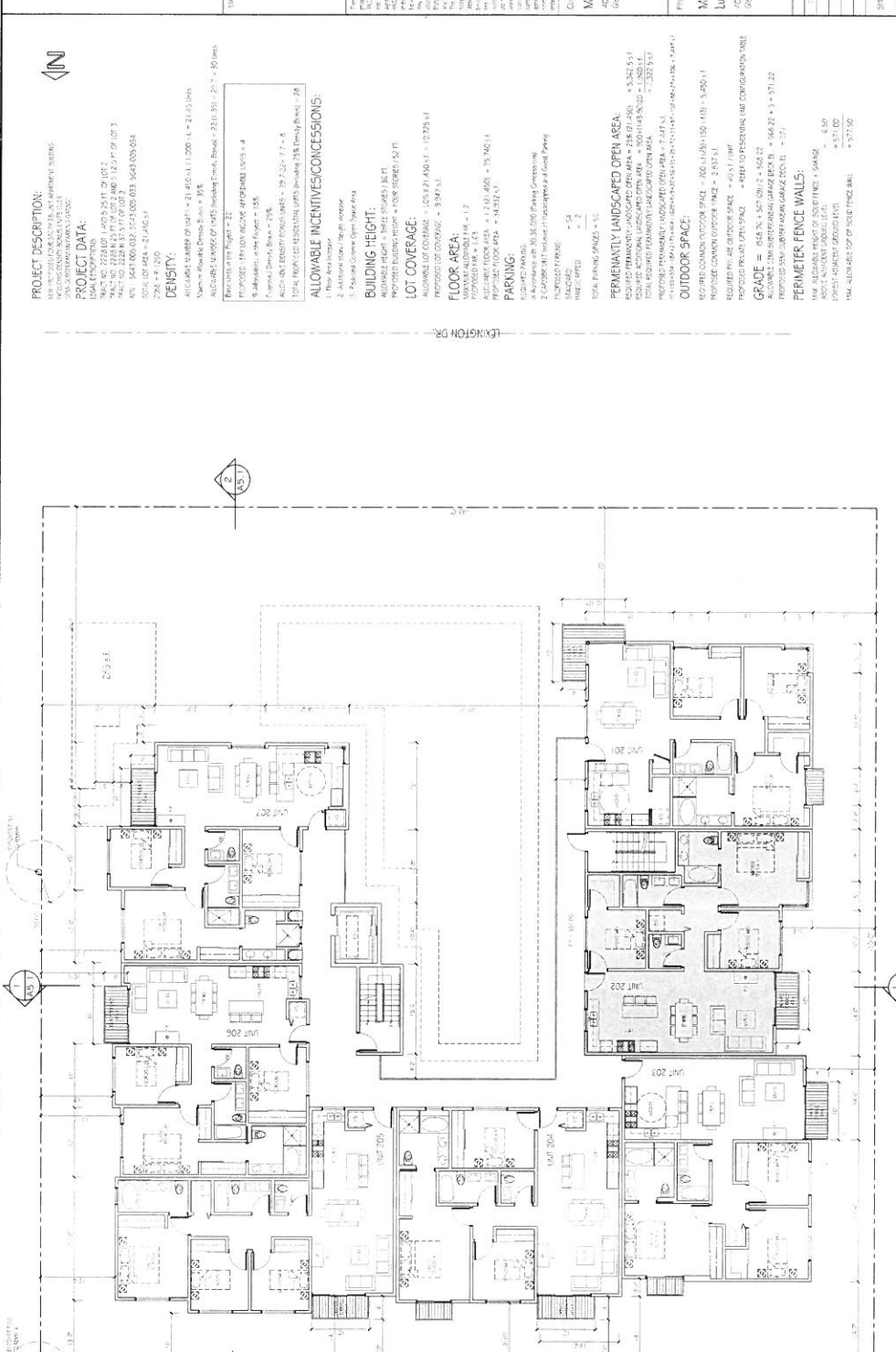
CLIENT
 Maryland LLC
 400 N. Maryland Ave
 Denver, CO 80202

PROJECT
 Maryland Terrace
 Luxury Apartments
 400 N. Maryland Ave
 Denver, CO 80202

PROPOSED SECOND FLOOR PLAN
 SCALE: 1/8" = 1'-0"

MARKETLAND AVE

LEXINGTON DR



PROJECT DESCRIPTION:
 NEW PROPOSED SECOND FLOOR PLAN FOR APARTMENT BUILDING.
 ALL DIMENSIONS SHOWN ARE IN FEET AND INCHES.
PROJECT DATA:
 TOTAL FLOOR AREA = 10,000 S.F.
 TOTAL PERMANENTLY LANDSCAPED OPEN AREA = 2,500 S.F.
 TOTAL PERMANENTLY UNIMPAVED OPEN AREA = 7,500 S.F.
DENSITY:
 MAXIMUM DENSITY PER ACRE = 20 UNITS PER ACRE
 MAXIMUM DENSITY PER LOT = 20 UNITS PER LOT
ALLOWABLE INCENTIVES/CONCESSIONS:
 1. Floor Area Incentive
 2. Additional Density
BUILDING HEIGHT:
 MAXIMUM BUILDING HEIGHT = 35 FEET
LOT COVERAGE:
 MAXIMUM LOT COVERAGE = 30%
FLOOR AREA:
 TOTAL FLOOR AREA = 10,000 S.F.
PARKING:
 2.5 SPACES PER 1,000 S.F. OF GROSS FLOOR AREA
PERMANENTLY LANDSCAPED OPEN AREA:
 TOTAL PERMANENTLY LANDSCAPED OPEN AREA = 2,500 S.F.
OUTDOOR SPACE:
 TOTAL OUTDOOR SPACE = 7,500 S.F.
GRADE:
 FINISHED GRADE = 6,500 S.F.
PERIMETER FENCE WALLS:
 TOTAL PERIMETER FENCE WALLS = 1,000 L.F.

NO.	DESCRIPTION	AREA (S.F.)	PERCENTAGE
1	TOTAL FLOOR AREA	10,000	100%
2	TOTAL PERMANENTLY LANDSCAPED OPEN AREA	2,500	25%
3	TOTAL PERMANENTLY UNIMPAVED OPEN AREA	7,500	75%
4	TOTAL OUTDOOR SPACE	7,500	75%
5	TOTAL PERIMETER FENCE WALLS	1,000 L.F.	-

NO.	DESCRIPTION	AREA (S.F.)	PERCENTAGE
1	TOTAL FLOOR AREA	10,000	100%
2	TOTAL PERMANENTLY LANDSCAPED OPEN AREA	2,500	25%
3	TOTAL PERMANENTLY UNIMPAVED OPEN AREA	7,500	75%
4	TOTAL OUTDOOR SPACE	7,500	75%
5	TOTAL PERIMETER FENCE WALLS	1,000 L.F.	-

A2.3



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10/18

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CLIENT:
 Maryland LLC
 400 N. MARYLAND AVE
 DENVER, CO 80202

PROJECT:
 Maryland Terrace
 LOBBY APARTMENTS
 400 N. MARYLAND AVE
 DENVER, CO 80202

DATE:	10/18
SCALE:	AS SHOWN
DRAWN BY:	MM
CHECKED BY:	MM
DATE:	10/18

SHEET TITLE:
 PROPOSED FLOOR PLAN

A2.5

PROJECT DESCRIPTION:
 PROPOSED LOBBY APARTMENTS IN THE PROPOSED BUILDING
 400 N. MARYLAND AVE, DENVER, CO 80202

PROJECT DATA:
 TOTAL FLOOR AREA: 145,524 SF (11,100,000 BTU)
 100% LANDSCAPED: 145,524 SF (11,100,000 BTU)
 100% PERMANENTLY LANDSCAPED: 145,524 SF (11,100,000 BTU)
 100% PERMANENTLY UNLANDSCAPED: 145,524 SF (11,100,000 BTU)

DENSITY:
 NET DENSITY: 100 UNITS PER ACRE
 GROSS DENSITY: 100 UNITS PER ACRE

ALLOWABLE INCENTIVE CONCESSIONS:
 1. Floor-to-ceiling height increase
 2. Additional Open Space
 3. Additional Open Space

BUILDING HEIGHT:
 BUILDING HEIGHT: 100 FT
 BUILDING HEIGHT: 100 FT

FLOOR AREA:
 FLOOR AREA: 145,524 SF
 FLOOR AREA: 145,524 SF

PARKING:
 PARKING: 100 SPACES
 PARKING: 100 SPACES

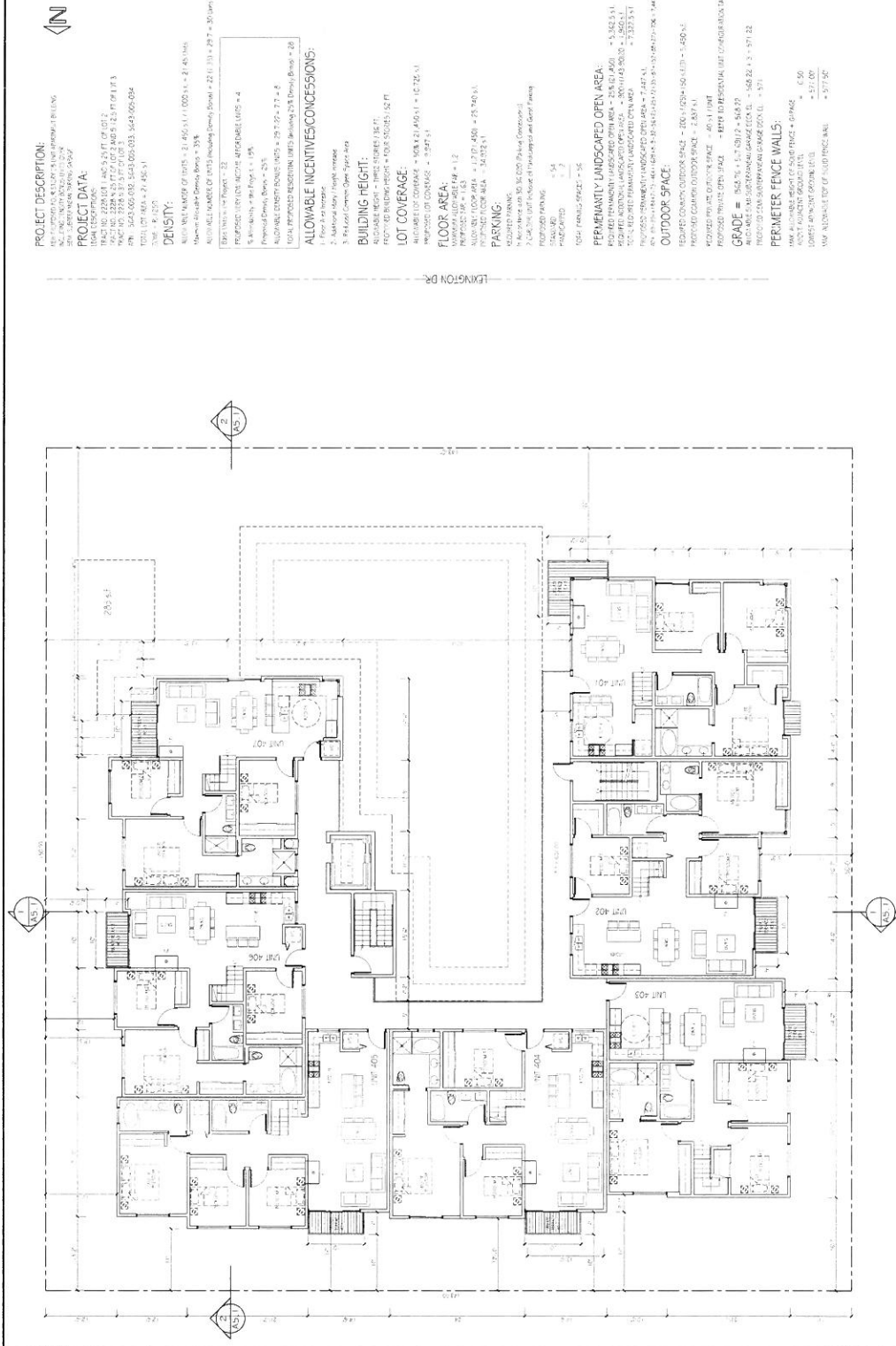
PERMANENTLY LANDSCAPED OPEN AREA:
 PERMANENTLY LANDSCAPED OPEN AREA: 145,524 SF
 PERMANENTLY UNLANDSCAPED OPEN AREA: 145,524 SF

OUTDOOR SPACE:
 OUTDOOR SPACE: 145,524 SF
 OUTDOOR SPACE: 145,524 SF

GRADE:
 GRADE: 145,524 SF
 GRADE: 145,524 SF

PERIMETER FENCE WALLS:
 PERIMETER FENCE WALLS: 145,524 SF
 PERIMETER FENCE WALLS: 145,524 SF

NET AVAILABLE TOP OF ASH PAVEMENT:
 NET AVAILABLE TOP OF ASH PAVEMENT: 145,524 SF
 NET AVAILABLE TOP OF ASH PAVEMENT: 145,524 SF



NO.	DESCRIPTION	AREA (SQ. FT.)	PERCENTAGE	TOTAL
1	PERMANENTLY LANDSCAPED OPEN AREA	145,524	100%	145,524
2	PERMANENTLY UNLANDSCAPED OPEN AREA	145,524	100%	145,524
3	OUTDOOR SPACE	145,524	100%	145,524
4	GRADE	145,524	100%	145,524
5	PERIMETER FENCE WALLS	145,524	100%	145,524
6	NET AVAILABLE TOP OF ASH PAVEMENT	145,524	100%	145,524

PROPOSED FOURTH FLOOR PLAN
 SCALE: 1/8" = 1'-0"

MARYLAND AVE

**Class 32 Categorical Exemption Findings
400-408 N. Maryland Avenue, Glendale, CA 91206**

“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. (b) The proposed development occurs within city limits on a Project site of no more than five acres substantially surrounded by urban uses. (c) The Project site has no value, as habitat for endangered, rare or threatened species. (d) Approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services.” (14 Cal. Code Regs. § 15332) (“CEQA Guidelines”).

Project Description

The 21,450 square-foot site is currently developed with two single-family homes, two garages and a duplex (built in 1919/1920). The site is located on the east side of Maryland Avenue at the northeast corner of Maryland Avenue and Lexington Drive, in the R-1250 (High Density Residential) zone. The proposed project would demolish the existing one-story residential structures and garages in conjunction with the construction of the new 4-story, 34,932 square-foot multi-family residential project with 28 residential units, featuring four (4) affordable units restricted to very-low income households. Parking will be provided within an underground (semi-subterranean) garage with 56 parking spaces. The project features 28, three-bedroom units, and provides at least 40 square feet of private open space for each residential unit and 2,837 square feet of common open space for residential uses.

The project is providing a total of 56 parking spaces within a one-level subterranean parking garage including two handicap accessible parking spaces. The project is providing the required amount of parking per Glendale Municipal Code (GMC 30.32) and California Government Code Section 65915(p). Primary access to the building and the subterranean parking will be from E. Lexington Drive.

The project site is surrounded by existing urban uses, including commercial and residential buildings. The project site is adjacent to residential uses to the north, south, and east, and commercial uses including parking structures are located across the street to the west.

- a. The Project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations.**

The Land Use Element of the Glendale General Plan includes a goal to “Support the creation of higher density residential development and alternative forms of medium

and high density housing in those areas best suited from the standpoint of accessibility, current development, community organization, transportation and circulation facilities and economic feasibility” (Glendale General Plan Land Use Element, page 7). The Project is consistent with and helps achieve this goal by redeveloping the project site and building a new structure which will yield a total of 28 residential dwelling units with proximate access to public transportation to access neighborhood services on a daily basis. Moreover, the project will advance the goals and policies of the General Plan, Housing Element (2021-2029), including, but not limited to, Goal 1 (“A City with a Wide Range of Housing Types to Meet the Needs of Current and Future Residents), Goal 3 (“A City with Increased Opportunities for Affordable and Special Needs Housing Development) Housing Services that Address Groups with Special Housing Needs) and Policies 3.1 and 3.2 (“Encourage both the private and public sectors to produce or assist in the production of affordable housing for special needs groups such as: persons with disabilities, the elderly, large families, single-parent households, and formerly homeless) and (“Promote the development of extremely low, very low, low and moderate income housing by allowing developers density bonuses or other financial incentives for providing units for low and moderate income residents. The unit mix and location of affordable housing units in density bonus projects must be approved by the City and included in an affordable housing agreement.”).

Thus, the project is consistent with this Element because it will provide a balanced mix of housing opportunities and services affordable to all current and future residents consistent with and supported by the goals outlined in the South Glendale Community Plan.

The proposed 28-unit residential development will be consistent with the other various elements and objectives of the General Plan. The project site is located in the R-1250 (High Density Residential) zone. The Land Use Element of the General Plan designates the project site as High Density Residential. The site is located in Area No. 15 (Downtown Specific Plan) of Commercial Development Study Areas of the Land Use Element. Area No.15 contains the City’s major retail district; office buildings, financial and professional activities, a diversity of related retail and service establishments; and government facilities. Shopping facilities are concentrated on Brand Boulevard, and Central Avenue located west of the subject site, and in the Fashion Center located to the east, which serve the adjacent residential areas.

The Land Use Element is the most directly related to the approval of this use. All other elements of the General Plan will not be impacted as a result of the project. The subject site does not contain any historic resources and is not designated or slated for open space or recreational use, and will operate in compliance with the Noise Element thresholds. The Safety Element does not identify any hazards associated with the site. The site is not within a hazard zone and the conditions placed on the proposed use will ensure the project does not contribute to local crime. The adjacent Maryland Avenue and Lexington Drive can accommodate the traffic generated as a result of the project. The Circulation Element identifies Maryland Avenue and Lexington Drive as

an Urban Collector Streets, which can accommodate the traffic generated as a result of the project. These streets take traffic from local streets and along the urban collector and distribute that traffic to the major/minor arterial street system. Additionally, the City's Traffic Engineer reviewed the Project and determined that no significant increase in traffic would occur as a result of the Project, as it would not generate a significant increase in the number of vehicle trips to and from the site. The project is consistent with its land use designation. Multi-family residential uses in the R-1250 (High Density Residential) zone is a permitted use in this zone and subject to the provisions of the R-1250 zone.

The Project is consistent with Zoning Code designations, standards and regulations, other than with respect to the density bonus and incentives/waivers requested. The Zoning Code allows one dwelling unit for every 1,000 square feet of lot area on lots with frontage greater than 90 feet wide. Based on the zoning designation and the lot area (21,450 square feet), by right, the project has a maximum density allowed on 22 units ($21,450 / 1,000 = 21.45$ rounded up to 22). The applicant is entitled to a 50% density bonus by providing four (4) very low income units (15% of the base density of $22 = 3.3$, rounded up to 4). With a 50% density bonus, 33 units can be built ($22 \times 1.50 = 33$). However, the applicant has requested a lesser density bonus of 27%, for a total of 28 units and providing 15% of the 22 base density units (3.3 rounded up to 4) affordable to very-low income households.

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 is located in the R-1250 (High Density Residential) zone, entirely within the City of Glendale boundary limits. The site is approximately 21,450 square feet (0.49 acres), which is less than five acres in size. The project site is substantially surrounded by existing similar and complimentary uses in the immediate project vicinity. Surrounding urban uses, including multi-family residential are located to the north, south, and east of the subject site, and commercial buildings are located across the street to the west. As the Public Resources Code (PRC) defines qualified urban use as "any residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses," the Project Site is substantially surrounded by urban uses. (PRC § 21072.)

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

The project site is fully developed with two existing residential uses, including two single-family homes, two garages and a duplex (built in 1919/1920). The project site is not currently a habitat for endangered, rare, or threatened species, and no documentation exists which identifies the project site as such. There are no protected trees on the project site. Therefore, the site does not contain or have value as a habitat for endangered, rare or threatened species.

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

The project would not result in any significant impacts related to traffic, noise, air quality or water quality.

Traffic

Parking for the project is provided within a one-level semi subterranean garage. Access to the 56-space, one-level semi-subterranean parking garage is on Lexington Drive via a driveway proposed at the eastern portion of the site. No vehicular access is proposed from Maryland Avenue to the west.

Based on the attached trip generation estimates conducted by staff, the proposed project is estimated to generate fewer than 50 net peak-hour trips, thus, no Traffic Impact Analysis is required. A summary of the results are attached hereto as Attachment "1".

Vehicle Miles Traveled

In 2018, the State of California amended the California Environmental Quality Act (CEQA) Guidelines Appendix G question for transportation impacts to delete reference to vehicle delay and level of service and instead refer to Section 15064.3, subdivision (b)(1) of the CEQA Guidelines asking if the Project will result in a substantial increase in VMT. Accordingly, the City of Glendale adopted VMT as the metric for assessing transportation impacts for land use Projects. To comply with the requirements of the California Environmental Quality Act (CEQA) and Senate Bill 743 (SB 743), development projects in the City of Glendale must conduct vehicle miles traveled (VMT) analysis to evaluate a project's potential significant impacts. The City has prepared Transportation Analysis (TIA) Guidelines, to provide guidance on whether a project can be screened out of a detailed VMT analysis, or if the applicant would need to perform a detailed VMT analysis. The guidelines include detailed guidance for conducting an SB 743-consistent transportation impact analysis of VMT as well as assessing significant impacts related to public transit, pedestrians, bicyclists, hazards/design features, and emergency access.

The project is eligible to screen out of a detailed Vehicle Miles Traveled (VMT) analysis because according to Section 2.1.2.1 of the City's Transportation Analysis Guidelines, projects that generate fewer than 145 daily vehicle trips can be presumed to cause a less-than-significant transportation impact and would not require a detailed VMT analysis; this should be based on the proposed project's total uses without taking a credit for existing uses. As proposed, the project is considered a small project, which is estimated to generate less than 50 net peak-hour trips and is screened out of VMT

analysis. As such, a detailed VMT analysis is not required since the project would have a less-than-significant VMT impact.

Noise

The project is located in a developed urban area. The surrounding neighborhood is developed with residential dwellings to the north, south and east, and commercial buildings and parking structures west of the subject site. The proposed project would generate similar if not the same noise as other residential uses in the area. As a result, the project would not add substantial operational noise that would be audible above existing conditions.

A temporary periodic increase in ambient noise would occur during construction activities associated with the proposed project. Noise from the construction activities would be generated by vehicles and equipment involved during various stages of construction operations: site grading, foundation, and building construction. The noise levels created by construction equipment would vary depending on factors such as the type of equipment and the specific model, the mechanical/operational condition of the equipment, and the type of operation being performed. However, all development within the project site will be required to comply with the City of Glendale Noise Ordinance (Municipal Code Chapter 8.36), which prohibits construction activities to between the hours of 7:00 p.m. on one day and 7:00 a.m. of the next day or from 7:00 p.m. on Saturday to 7:00 a.m. on Monday or from 7:00 p.m. preceding a holiday.

The proposed project would have a minimal effect on the noise environment in proximity to the project site. Noise generated by the proposed project would result primarily from visitors, off-site traffic, and heating, ventilation, and air conditioning (HVAC) equipment. However, the proposed project's mechanical equipment would need to comply with the City's Noise Ordinance, which establishes maximum permitted noise levels from mechanical equipment. The project would be constructed to reduce interior noise to acceptable levels as required by the building code, and the project is not anticipated to generate noise in excess of limits contained in the Noise Element. The project's compliance with the City's Noise Ordinance would ensure that noise levels from building mechanical equipment would not exceed thresholds of significance.

The proposed Project would be constructed using typical construction techniques and would minimize the use of pile driving for construction, thus reducing significant vibration impacts from pile installation. Heavy construction equipment (e.g., bulldozer and excavator) would generate a limited amount of ground-borne vibration during construction activities at short distances away from the source. The use of equipment would most likely be limited to a few hours spread over several days during grading and excavation activities. As such, ground-borne vibration and noise levels associated with the proposed project would be less than significant.

Air Quality

The California Emissions Estimator Model® (CalEEMod) was used to estimate air quality impacts during the construction and operation stages of the project. Results from the model indicate that the proposed project would not exceed thresholds for construction, area, or operational impacts. A summary of the results are attached hereto as Attachment "2".

Water Quality

Implementation of the proposed project will require compliance with all the NPDES requirements including the submittal and certification of plans and details showing both construction and post-construction Best Management Practices (BMPs) that are integrated into the design of the project. The submittal of a Standard Urban Stormwater Mitigation Plan (SUSMP), as approved by the City Engineer, will also be required to be integrated into the design of the project. Therefore, implementation of the proposed project is not expected to violate any water quality standards or waste water discharge requirements since the project will be required to comply with applicable permitting requirements.

Because the proposed infill development would redevelop land that is fully developed with urban uses, construction would not impact water flows or water quality. The Project would comply with the City's Low Impact Development (LID) Guidelines set forth in Chapter 13.43 of the GMC and with applicable state and federal regulations. Such LID standards are designed to minimize the impervious area footprint, prevent pollutants of concern from leaving the development site in stormwater as the result of storms, and minimize hydromodification impacts to natural drainage systems. (GMC § 13.43.040(A)). Compliance with these regulations will ensure that the Project would not result in a significant impact to water quality. Existing utilities would provide water supplies and wastewater treatment services to the subject property.

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

There will not be a considerable increase in demand for services or utilities due to project implementation. The project would be located in an existing urban area with existing buildings that have been adequately served by existing public utilities and services. All new construction on site will be served by the same existing public utilities and services. These services include water, electricity, solid waste collection and sewer services provided by the City of Glendale. Accordingly, the Project will be adequately served by all required utilities and public services.

Exceptions to Categorical Exemptions (CEQA Guidelines Section 15300.2)

Proposed Findings

- a. **Location.** Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located a Project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the Project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

Because the Project is relying on Class 32 exemption, this exception does not apply.

- b. **Cumulative Impact.** All exemptions for these classes are inapplicable when the cumulative impact of successive Projects of the same type in the same place, over time is significant.

There is not a succession of known projects of the same type located in the same place as the subject project. Since this project qualifies for a Class 32 Categorical Exemption and is subject to Regulatory Compliance Measures, no cumulative impacts are anticipated. Further, the proposed 28-unit multi-family residential development does not exceed thresholds identified for impacts to the area (including noise, traffic, and air quality) and will not result in significant cumulative impacts.

- c. **Significant Effect.** A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

The project proposes a 28-unit multi-family residential project in an area zoned and designated for such use. Other similarly situated sites could be developed in the same manner and there is nothing unusual about the project site. Adjacent and nearby lots are developed with residential buildings and commercial uses including parking structures to the west. No unusual circumstances are present or foreseeable.

- d. **Scenic Highways.** A categorical exemption shall not be used for a Project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.

The project site is located in an urban environment surrounded by urban development. The site is bordered by the Ventura 134 Freeway to the North, Lexington Drive to the South, Glendale Avenue to the East and Maryland Avenue and Brand Boulevard to the West. The project site is surrounded by existing urban uses, including commercial and residential buildings. According to information on the California Department of Transportation's State Scenic Highway Program, there are no state scenic highways in the vicinity of the project site.

- e. Hazardous Waste Sites. A categorical exemption shall not be used for a Project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.**

The project site is developed and is not within a designated hazardous site. The project site is not located on the California Department of Toxic Substances Control's Hazardous Waste and Substances Site List-Site Cleanup (Cortese List), nor is it listed on the EnvironStor database. Further, the project site is not on the following lists maintained by the State Water Board: Leaking Underground Storage Tank Sites, Solid Waste Disposal Sites, or Active Cease and Desist Orders and Cleanup and Abatement Orders. The project site is also not identified on the list of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, identified by the Department of Toxic Substances Control.

- f. Historical Resources. A categorical exemption shall not be used for a Project which may cause a substantial adverse change in the significance of a historical resource.**

The project site at 400 – 408 North Maryland Avenue is not listed on the National Register of Historic Places, California Register of Historical Resources, or Glendale Register of Historical Resources, and has not been identified as a historic resource in any survey. Based on building permit records, the existing structures proposed to be demolished include two single-family homes, two garages and a duplex (built in 1919/1920). The buildings were not identified in the South Glendale Historic Resources Survey, and therefore, they are not eligible for designation at the local, state, or federal levels. The Planning staff concluded that the buildings are not architecturally rare or significant nor was it considered a historic resource pursuant to Section 15.20.020 of the Glendale Municipal Code. The buildings have undergone significant exterior modifications, and based on discussion with the historic preservation staff, it was determined that the buildings were not considered historic resources under the California Environmental Quality Act.

ATTACHMENTS:

1. Trip generation estimates
2. California Emissions Estimator Module