glendale california
City of Glendale
Community Development
Planning & Neighborhood Services

633 E. Broadway, Room 103
Glendale, CA 91206-4311
Tel 818.548.2140 Tel 818.548.2115
Fax 818.240.0392 ci.glendale.ca.us

August 22, 2016

George G. Boghossian
1111 North Brand Boulevard, Suite 202
Glendale, CA 91202

RE: 429-503 NORTH KENWOOD STREET
CASE NO. PDBP 1601780
DENSITY BONUS REVIEW

Dear Mr. Boghossian:

Pursuant to provisions of the Glendale Municipal Code, Title 30, Chapter 30.36, the Community Development Department has processed your application for a Density Bonus housing plan to construct a new 4-story 21 unit affordable rental housing project with three concessions and four waivers pursuant to Government Code Section 65915 and GMC Section 30.36 with three units being reserved for very low income households. Development of the project requires the demolition of two existing single-family residences, located at **429-503 North Kenwood Street**, in the "R-1250"- High Density Residential Zone described as Lots 12 & 13, Tract No. 1136, in the City of Glendale, County of Los Angeles.

CODE REQUIRES

Concessions (Incentives)

1) Maximum building height and stories of 36-feet and 3-stories.
2) Minimum of 200 square feet per dwelling unit of common open space for the first 25 dwelling units on a lot.
3) Minimum setbacks
   a. Street Front Setbacks
      (i) 20-foot minimum and 23-foot average for any garage or first residential floor and 23-foot minimum and 26-foot average for the second, third and fourth residential floors.
   b. Interior Setbacks
      (i) Five foot minimum and eight foot average for the first residential floor, eight foot minimum and 11-foot average for the second residential floor and 11-foot minimum and 14-foot average for the third and fourth residential floor.

Modification of Development Standards (Waivers)

4) Maximum floor are ratio (FAR) of 1.2.
5) Maximum lot coverage of 50%.

6) Minimum of 25% of permanent landscaping.
7) Minimum of 900 square-feet of additional open space for lots greater than 90 feet in width that exceed density plus an additional 20 square feet for each foot of lot width thereafter.

APPLICANT'S PROPOSAL

Concessions (Incentives)

1) Increase the maximum height and stories to 48-feet and 4-stories.
2) Decrease the minimum required amount of common outdoor space to 500 square feet.
3) Decrease the minimum required setbacks:
   a. Street Front Setback
      (i) Semi-subterranean garage with a five foot minimum street front setback and a minimum street front setback of 21-feet and average of 22-feet, 6-inch on the second and third levels.
   b. Interior Setbacks
      (i) Minimum interior setback of seven feet and average of eight feet for the second and third levels and a minimum of eight feet and average of 12-feet, 6-inch on the fourth level.

Modification of Development Standards (Waivers)

4) Increase the maximum allowable floor area ratio (FAR) to 1.9.
5) Increase the maximum allowable lot coverage to 60%.
6) Decrease the minimum permanent landscape to 11% (1,735 square-feet).
7) Not provide the additional open space for additional density gained by having a lot width greater than 90-feet wide.

ENVIRONMENTAL DETERMINATION

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

REQUIRED/MANDATED FINDINGS

INCENTIVES & CONCESSIONS

The following three concessions or incentives are granted:

1. Increase the maximum height to 48-feet and 4-stories.
2. Decrease the minimum required amount of common outdoor open space to at least 500 square feet, as per the modified plan.
3. Decrease the minimum required setbacks:
   a. Street Front Setback
      i. Semi-subterranean garage with five foot minimum street front setback and a minimum street front setback of 21-feet and average of 22-feet, 6-inch on the second and third levels.

b. Interior Setbacks
   i. Minimum interior setback of seven feet and average or eight feet for the second and third levels and a minimum of eight feet and average of 12-feet, 6-inch on the fourth level.

FINDINGS

These incentives and concessions are granted because this proposed affordable housing project meets the requirements of GMC Section 30.36.070A(3) where at least 15% of the total units will be affordable to very low income households as defined in Section 50105 of the California Health and Safety Code.

This development is located in the R-1250 zone and has a base density of 15 units without the density bonus. The applicant proposes the maximum density bonus of 35% that allows six additional units above the baseline for a total of 21 units, with 3 of the units having affordable restrictions for 55 years. The project is categorically exempt from CEQA as Class 32 "In-Fill Development Projects" pursuant to State CEQA Guidelines Section 15332 because it is an infill project located within the City of Glendale on a site less than 5 acres; the development is consistent with local R-1250 zoning and the high density residential general plan designation and policies; the site has no value as habitat for endangered, rare or threatened species; approval of the development would not result in any significant effects related to traffic, noise, air quality or water quality; and, the site can be adequately served by all required public services and utilities.

Evidence and testimony was provided at the public hearing which supports that these incentives and concessions are required in order to provide for affordable-housing rents. Neighbors commented that the design of the project with stairs, a wall adjacent to the sidewalk, stair railings, a handicapped ramp with railings, and two private patios within the street-front setback were inconsistent with rest of the streetscape on this block of Kenwood, which is characterized by multi-family development with street trees, 15- to 20-foot landscaped front-setbacks, and minimal hardscape within the front-setback. To address these concerns the applicant showed a modified site plan at the public hearing that eliminated the stairway and wall parallel to the sidewalk, provided a 5-foot wide planting area adjacent to the sidewalk to allow for planting of trees, modified the handicapped ramp to eliminate the need for railings in the front setback, and reduced the size of the private patios to allow more landscaping. The modified incentive or concession would increase open space to over to 500 square feet as shown on the modified plan. With these changes, the over 20-foot deep landscaped front-setback would be consistent with the neighborhood pattern and would not have a specific adverse impact upon public health and safety or the physical environment.

Testimony was provided that the additional height, story and reduced setbacks would block light and air from neighboring units. While taller than surrounding development, the building is designed to comply with building and safety regulations and would not

pose a specific adverse impact upon public health and safety or the physical environment.

Evidence and testimony was provided concerning the historic nature of the two homes that are proposed for demolition to accommodate this project. A historic resource survey identified the homes as 6L indicating the homes are not historic. A companion report identified that prior residents of the homes did not qualify these properties as historically significant in the history of Glendale. Therefore, this project and associated incentives and concessions will not impact any real property listed on the California Register of Historical Resources, nor impact property listed locally. Additionally, the CEQA Categorical Exemption is applicable to this project because removal of the homes would not affect historic resources.

WAIVERS & MODIFICATIONS

The following four waivers are granted subject to the findings that follow:

4. Increase the maximum allowable floor area (FAR) to 1.9
5. Increase the maximum allowable lot coverage to 60%.
6. Decrease the minimum permanent landscape to 11% (1,735 square feet.)
7. Not provide the additional open space for additional density gained by having a lot width greater than 90-feet wide.

FINDINGS

The application of said development standards will have the effect of precluding the construction of housing development at the density and with the incentives or concessions granted pursuant to this Chapter because the additional number of units cannot be added without additional standards modifications. Incentives granted to add an additional floor and to decrease the common open space and reduce setbacks result in a need to increase floor area ratio, increase maximum lot coverage, decrease the minimum permanent landscape and not provide additional open space associated with granting of lot width density bonus. The applicant provided testimony that the additional floor area ratio was necessary to achieve three-bedroom affordable units that would serve families. Glendale's Housing Element identifies affordable housing for families as a primary affordable housing need in Glendale. These additional waivers are required in order to provide appropriately-sized 3-bedroom and 2-bedroom affordable family units.

Evidence and testimony from the applicant show that the requested waivers or modifications are necessary to make the housing development economically feasible. The increase to the maximum floor area ratio, increase in the maximum allowable lot coverage, decrease in the minimum permanent landscape and request to not provide the additional open space as required for lot width density bonus are directly related to providing additional units provided for by GMC 30.36.060, Table 30.36-A.

CONDITIONS OF APPROVAL

APPROVAL of this State Density Bonus Law shall be subject to the following conditions of approval for Density Bonus Incentives and Waivers:

1. The applicant shall comply with Density Bonus Housing Plan requirements of GMC Section 30.36.140 and shall reflect the affordability levels identified in this grant of concessions (incentives) and waivers (modifications).

2. The applicant shall execute a Density Bonus Housing Agreement consistent with the requirements of GMC Section 30.36.140 prior to the issuance of building permits.

3. The plans submitted and affordability levels shall be in substantial conformance with the project modified by the applicant at the public hearing. The modified plans shall include the following in the front-setback:
   - The handicapped ramp shall be designed with a slope that eliminates the need for railings.
   - The private patios on the first floor shall have no less than a 23-foot street-front setback.
   - The stairwell to the garage shall be relocated to eliminate the need for walls in the street-front setback.

APPEAL PERIOD

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper City and public agency. Under the provisions of the Glendale Municipal Code, Title 30, Chapter 30.62, any person affected by the above decision has the right to appeal said decision to the Planning Commission if it is believed that the decision is in error or that procedural errors have occurred, or if there is substantial new evidence which could not have been reasonably presented.

It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms within **fifteen (15) days** following the actual date of the decision. Information regarding appeals and appeal forms will be provided by the Permit Services Center (PSC) or the Community Development Department (CDD) upon request and must be filed with the prescribed fee **prior to expiration of the 15-day period, on or before September 6, 2016** at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday through Friday 7:00 a.m. to 12:00 p.m., or at the Community Development Department (CDD), 633 East Broadway, Room 103, Monday through Friday 12:00 p.m. to 5:00 p.m.

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

TRANSFERABILITY

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

GMC CHAPTER 30.41 PROVIDES FOR

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

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

EXTENSION: Permits granted by such right or privilege may be requested one time and extended for up to a maximum of one 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 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.

VIOLATIONS OF THESE CONDITIONS

Violations of conditions required by this determination may constitute a misdemeanor or infraction under section 1.20.010 of the Glendale Municipal Code (GMC) and/or a violation of other local, State or Federal laws or regulations. Unless a specific penalty is provided, any person convicted of a misdemeanor shall be punished by a fine not to exceed one thousand dollars ($1,000.00), or imprisonment for a term not to exceed six (6) months, or by both fine and imprisonment. Infractions are punishable by a fine not exceeding the sum of five hundred dollars ($500.00) for each violation. Violations of conditions required by this determination may be grounds for a revocation.

REVOCATION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over Density Bonus Housing Plan (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, Dennis Joe during normal business hours at (818) 937-8157 or via email at djoe@glendaleca.gov.

Sincerely,
Philip Lanzafame
Director of Community Development

Laura Stotler

Laura Stotler
Principal Planner

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