

**14533 W SATICOY ST
CPC-2024-7115-DB-WDI-HCA-PHP**

FINDINGS

**14533 W SATICOY ST
CPC-2024-7115-DB-WDI-HCA-PHP
Underlying R1-1 Zone**

Actions Requested:

The request conforms to the following requirements as follows:

PROPOSED PROJECT

Proposed is a New 6-story, 97 unit, 100% affordable housing apartment units pursuant to AB 2334, AB 2097, (CALIFORNIA GOVERNMENT CODE SECTION 65913.4) AND LAMC SEC. 12.22 A.25(G)(3); including rooftop open space (R-2 occ) over 5-level residential building (R-2 Occ.) Type I-A fully sprinklered NFPA-13.

There is an existing single-family dwelling consisting of 3 bedrooms, to be demolished.

Density Bonus with Off-Menu Incentives

Allow reduction in westerly side setback from 9' to 5'
Allow 68' in lieu of 28' allowed by R1-1 zone building height
Allow 7.38 : 1 buildable area (0.45xlot area) FAR in lieu of 0.45 RFA
Allow 45% reduction of the total required open space

Density Bonus with Off-Menu Incentives

TO DEVIATE FROM R-1 ROOF ENCROACHMENT PLANE
TO DEVIATE FROM THE R-1 SIDE ENCROACHMENT PLANE
TO DEVIATE FROM THE R-1 LOT COVERAGE

Density Bonus with On- and/or Off-Menu Incentives

1. The incentives do not result in identifiable and actual cost reductions to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.

The record does not contain substantial evidence that would allow the City Planning Commission to make a finding that the requested incentives do not result in identifiable and actual cost reduction to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for very low-, low-, and moderate-income households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

Based on the set-aside of 100% percent of the provided units for the following will be provided. Low Income (LI) –77 Units and Moderate Income – 19 Units. The applicant is entitled to three (3) Incentives under both Government Code Section 65915 and LAMC 12.22 A 25. Therefore, three On- and 4 Off Menu qualify as the proposed development's Incentives with the underlying R1 Zone including a request to:

- (a) Allow reduction in westerly side setback from 9' to 5'
- (b) Allow 69.5' in lieu of 28' allowed by R1-1 zone building height.
- (c) Allow 7.38:1 buildable area (0.45xlot area) FAR in lieu of 0.45 RFA
- (d) Allow 45% reduction of the total required open space

Westerly Side Yard Setback decrease: The subject site is located on Saticoy in the (T)(Q)C2-1 however since the zone was not effectuated the underlying zone is R1-1 of the Community Plan Area Van Nuys - North Sherman Oaks. The request for the reduction of the Westerly Side Yard from 9 feet to 5 feet as otherwise required in the R-1 Zone pursuant to LAMC SEC. 12.08. C.2. The proposed project's request to decrease the side yard would increase the building envelope to allow for more square footage for the site. Increasing the amount of square footage available on the floors containing the affordable units supports the project's financial feasibility.

The additional floor area enabled by the expanded building envelope would allow the project to construct more affordable units, reducing the marginal cost of constructing its affordable units. The requested incentive will allow the developer to expand the building envelope and increase the overall space dedicated to residential uses. Therefore, the reduced side yard setback would result in identifiable and actual cost reductions to provide for the project's affordable housing costs.

Height. The project site is zoned R1, with a Height District No. 1 which provides for maximum building height of height to 28 feet for flat roofs and 33 feet for Varied Rooflines. The applicant requests 69.5' in lieu of 28' allowed. The increase in the height requirement will be an Off- Menu Incentives which allows exceptions to zoning requirements that result in building design or construction efficiencies that provide for affordable housing costs. The requested incentive will allow the developer to expand the building envelope and increase the overall space dedicated to residential uses.

14533 W SATICOY ST
CPC-2024-7115-DB-WDI-HCA-PHP

FAR: To allow 7.38 :1 buildable area (0.45xlot area) FAR in lieu of 0.45 FAR. The increase in the FAR requirement will be an Off- Menu Incentives which allows exceptions to zoning requirements that result in building design or construction efficiencies that provide for affordable housing costs. The requested incentive will allow the developer to expand the building envelope and increase the overall space dedicated to residential uses which is in line with the 100% affordable incentives and programs.

Open Space. To Allow 45% reduction of the total required open space. The reduction in total required open space will be an Off- Menu Incentives which allows exceptions to zoning requirements that result in building design or construction efficiencies that provide for affordable housing costs. The requested incentive will allow the developer to expand the building envelope and increase the overall space dedicated to residential uses which is in line with the 100% affordable incentives and programs.

Density Bonus with Waiver of Development Standards

Pursuant to Government Code Section 65915, the decision maker shall approve a Density Bonus and requested Waiver(s) of Development Standards unless the decision maker finds that:

1. The waiver[s] or reduction[s] of development standards will not have the effect of physically precluding the construction of a development meeting the [affordable set-aside percentage] criteria of subdivision (b) at the densities or with the concessions or incentives permitted under [State Density Bonus Law] (Government Code Section 65915(e)(1)).

A project that meets the requirements of Government Code 65915 may request other "waiver[s] or reduction[s] of development standards that will have the effect of physically precluding the construction of a development meeting the [affordable set-aside percentage] criteria of subdivision (b) at the densities or with the concessions or incentives permitted under [State Density Bonus Law]" (Government Code Section 65915(e)(1)).

TO DEVIATE FROM R-1 ROOF ENCROACHMENT PLANE
TO DEVIATE FROM THE R-1 SIDE ENCROACHMENT PLANE
TO DEVIATE FROM THE R-1 LOT COVERAGE

The waiver of development standards which allows exceptions to zoning requirements that result in building design or construction efficiencies that provide for affordable housing costs. The requested waivers will allow the developer to expand the building envelope and increase the overall space dedicated to residential uses which is in line with the 100% affordable incentives and programs.

Therefore, the request for the following is recommended as Waivers of Development Standards. Without the below Waivers, the existing development standards would physically preclude development of the base units, build out of the incentives, and project amenities:

2. The waivers or reductions of development standards would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety 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-income and moderate-income households.

There is no substantial evidence in the statements that the proposed incentive will have a specific adverse impact. A "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" (Los Angeles Municipal Code (LAMC) Section 12.22 A.25(b)). Per Section 12.22 A.25(e)(2), the project meets the eligibility criterion that is required for density bonus projects.

The project also does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. Therefore, there is no substantial evidence that the proposed incentive(s) will have a specific adverse impact on public health and safety.

3. The incentives are contrary to state or federal law.

There is no substantial evidence in the statements and findings that the requested incentives are contrary to state or federal law.

Conditional Use Permit for Greater than 35% Density Bonus & Public Benefit Project

1. The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.

The proposed 6-story, 97 unit, 100% affordable housing apartment units pursuant to AB 2334, AB 2097, (CALIFORNIA GOVERNMENT CODE SECTION 65913.4) AND LAMC SEC. 12.22 A.25(G)(3); Pursuant to AB 2345 – 100% affordable housing developments may seek unlimited density which this site is proposing.

The City faces a well-documented housing shortage. As proposed, the granting of the project with these incentives and waivers will allow for the construction of the affordable residential units given the quantity of units allowed under the density bonus granted under the Incentives. Therefore the project will perform a function that is essential and beneficial to the city and the region.

2. The project's location, size, height, operations, and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

Given the proposed project's location within the Community Plan Area Van Nuys - North Sherman Oaks, along with the existing development in the immediate vicinity of the subject property and its proximity to a major thoroughfare, the project's location, size, height, operations, and other significant features will be compatible with and will not adversely affect adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

3. The project substantially conforms with the purpose, intent and provision of the General Plan, the applicable community plan, and any applicable specific plan.

The project contributes to and furthers several applicable goals, objectives, and policies of the plans that govern land use and development in the City. Therefore, the project substantially conforms with the purpose, intent, and provisions of the General Plan and the Van Nuys - North Sherman Oaks Plan and utilizing AB 2345 – 100% affordable housing developments may seek unlimited density which this site is proposing.

**14533 W SATICOY ST
CPC-2024-7115-DB-WDI-HCA-PHP**

**Supplemental Findings
Conditional Use Permit for Greater than 35% Density Bonus**

Pursuant to LAMC Section 12.24 U.26 of Chapter 1, Density Bonus requests for Housing Development Projects in which the density increase is greater than the maximum permitted in LAMC Section 12.22 A.25 of Chapter 1 shall also find that:

1. The project is consistent with and implements the affordable housing provisions of the Housing Element of the General Plan.

Pursuant to AB 2345 – 100% affordable housing developments may seek unlimited density which this site is proposing which is consistent with and implements the affordable housing provisions of the Housing Element of the General Plan.

2. The project contains the requisite number of Restricted Affordable Units, based on the number of units permitted by the maximum allowable density on the date of application, as identified in LAMC Section 12.24 U.26(a)(2) of Chapter 1.

Based on the set-aside of 100% percent of the provided units for the following will be provided. Low Income (LI) –77 Units and Moderate Income – 19 Units.

Pursuant to AB 2345 – 100% affordable housing developments may seek unlimited density which this site is proposing which is consistent with and implements the affordable housing provisions of the Housing Element of the General Plan.

3. The project meets any applicable dwelling unit replacement requirements of California Government Code Section 65915(c)(3).

Based on the set-aside of 100% percent of the provided units for the following will be provided. Low Income (LI) –77 Units and Moderate Income – 19 Units and will meet any applicable dwelling unit replacement unit. There is on existing single family dwelling that will be demolished.

4. The project's Restricted Affordable Units are subject to a recorded affordability restriction of 55 years from the issuance of the Certificate of Occupancy, recorded in a covenant acceptable to the Los Angeles Housing Department, and subject to fees as set forth in LAMC Section 19.14.

The proposed project will following any conditions to record a covenant for affordability restriction of a period of 55 years from the issuance of the Certificate of Occupancy, to the satisfaction of the Housing and Community Investment Department, and subject to fees as set forth in Section 19.14 of the LAMC.

5. The project addresses the policies and standards contained in the City Planning Commission's Affordable Housing Incentives Guidelines.

The proposed project will follow and address any policies and standards contained in the City Planning Commission's Affordable Housing Incentives Guidelines per the determination letter and conditions of approvals.