



AGENDA REPORT

Meeting Date: May 3, 2016

Item Number: E-1

To: Honorable Mayor & City Council

From: Ryan Gohlich, AICP, Assistant Director of Community Development

Subject: SET HEARING DATE FOR A DE NOVO REVIEW OF THE PLANNING COMMISSION'S DECISION APPROVING A VESTING TENTATIVE TRACT MAP, DEVELOPMENT PLAN REVIEW, AND DENSITY BONUS PERMIT TO ALLOW THE CONSTRUCTION OF A 4-STORY, 8-UNIT CONDOMINIUM BUILDING INCLUSIVE OF A VERY LOW-INCOME AFFORDABLE HOUSING UNIT ON THE PROPERTY LOCATED AT 250 NORTH CRESCENT DRIVE.

Attachments: None

RECOMMENDATION

It is recommended that the City Council set a hearing date for the review of the Planning Commission's decision approving a Vesting Tentative Tract Map, Development Plan Review, and Density Bonus Permit to allow the construction of a 4-story, 8-unit condominium building inclusive of a very low-income affordable housing unit on the property located at 250 North Crescent Drive for July 19, 2016. Staff also seeks confirmation on the items to be discussed by City Council and an appropriation of funds.

DISCUSSION

On March 10, 2016, the Planning Commission voted to approve an application for a Vesting Tentative Tract Map, Development Plan Review, and Density Bonus Permit to allow the construction of a new 4-story, 8-unit multi-family building proposed under the State Density Bonus provisions for projects with an affordable housing component on the property located at 250 North Crescent Drive. The application included the following requests: 1) a code waiver request to allow one story of additional height (4 stories in a 3-story zone) in order to physically accommodate the number of units allowed under the Density Bonus statute; 2) a request for two development incentives (reduced cumulative side setback and reduced building modulation),

and 3) application of the parking requirements set forth in the Density Bonus statute. The project includes one unit designated for a very low-income household, which qualifies the project for the requested height waiver, development incentives, and parking standards.

On April 5, 2016, the City Council voted unanimously to hold a de novo hearing on the item and directed staff to conduct a financial analysis and a shade and shadow study as additional materials to be considered by the City Council at the hearing. The following project components will be included in the Council's review:

- Vesting Tentative Tract Map;
- Development Plan Review;
- Density Bonus Permit;
- Analysis on the feasibility of accommodating the requested 8 units in a code-compliant 3-story building;
- A City- funded financial analysis to determine if the requested Density Bonus Incentives of side setback and modulation reductions are required in order to provide for affordable housing costs; and
- The California Environmental Quality Act (CEQA) determination.

PROCESS

Pursuant to Beverly Hills Municipal Code Section 1-4-201, et seq., upon the adoption of an order for a review of a decision, the mayor shall fix a time and place for the hearing.

The hearing on the matter shall be held as part of the regular meetings of the council unless otherwise ordered and noticed. Additionally, said hearing shall be de novo in that an independent reexamination of the matter shall be made.

Therefore, staff recommends that the Council formally schedule this matter for a formal public hearing on July 19, 2016 to consider the review of the item.

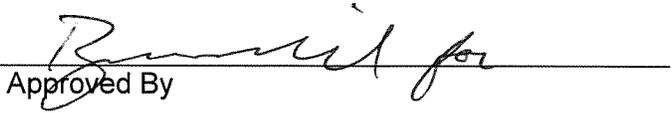
FISCAL IMPACT

Staff estimates the cost for the financial analysis of the requested incentives to total approximately \$15,000 to \$20,000. It is recommended that the City fund the study. Pursuant to Government Code Section 65915(d)(1)(A) the burden of proof concerning the financial necessity of incentives is placed on the City. Absent the City making specific findings, the incentives must be granted. Therefore, unless a financial analysis is performed, the City will have no evidence upon which to consider whether the incentives are necessary to provide for affordable housing costs. This is consistent with the way the financial analysis for the affordable project at 9265 Burton Way was conducted

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Additionally, staff estimates the cost for the feasibility analysis for the height to total approximately \$5,000. For reasons similar to those discussed above, staff recommends the City fund this study. Staff seeks confirmation from City Council to proceed with the appropriation of funds from the General Fund in order to undertake the financial and feasibility analyses.

Susan Healy Keene, AICP
Director of Community Development


Approved By