



DATE: 4/21/22
FROM: Steve Golden, Interim Planning Services Manager
SUBJECT: 376 First Street Multiple Family Development Project Adendum

Agenda Report Correction

There was an error in the agenda report on in the first paragraph on page 10 that should be corrected as follows:

“The 15-unit project consists of eight one-bedroom units and seven two-bedroom units and the Applicant proposes the moderate rate units to be 2 one-bedroom units and 1 ~~two~~one-bedroom unit consistent with the requirement of offering a similar ratio of affordable units.”

Additional Information from Applicant

The Applicant submitted additional information, via email to staff, to supplement information provided in their Density Bonus Report as further justification of their building height concession request. As an alternative, they are requesting a Density Bonus development waiver for building height. Please see the attached information.

Steve Golden

From: Cebrian, Christian H. <ccebrian@coxcastle.com>
Sent: Tuesday, April 19, 2022 11:17 AM
To: Steve Golden
Cc: Brett Bailey (brett.bailey@dahlingroup.com); Jan Unlu
Subject: 376 First Street - Supplemental Density Bonus Information

Dear Mr. Golden:

The Project's September 17, 2021 Density Bonus Report requests a concession from LAMC § 14.52.100 for 20'1" of additional height (to 55'1"). The additional height will permit the inclusion of one floor of four market rate residential units and also results in an improved architectural design that includes a sloped roof (with a mid-point height of 50'8") and trellis (55'1"). Dahlin reached out to the broker community and confirmed that the roof deck and architectural features associated with the increased height would add approximately 5% to 9% to the sale price the market rate residential units and would be a primary feature focused on by realtors and potential buyers. The increased sales price of the market rate units would subsidize the cost of the Project's affordable units. This is an additional basis to support the concession beyond the reasons outlined in the Density Bonus Report.

In the alternative, the Project also requests a density bonus waiver from the height limit. As explained in *Bankers Hill 150 v. City of San Diego* (2022) 74 Cal.App.5th 755, 770, "if a city ordinance imposes a building height limitation, a city must waive that limitation for a development that is eligible for a density bonus if imposing the height limit would physically preclude construction of the proposed building with the requested incentives and at the density allowed by the Density Bonus Law. There are no financial criteria for granting a waiver." Strict application of the City's height limit would result in the loss at least one-story and four residential units and therefore would physically preclude construction of the density bonus project.

Please feel free to reach out with any questions.

Christian