

May 13, 2016

Vic Mardian  
Mardian & Associates, Inc.  
416 North Glendale Avenue, Suite #212  
Glendale, CA 91206

**RE: 1465 EAST CHEVY CHASE DRIVE  
CONDITIONAL USE PERMIT NO. PCUP 1527164  
(see: PAE 1527162 and PVAR 1527167)**

Dear Mr. Mardian:

On May 4, 2016 the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.42, on your application for a conditional use permit to allow two multi-family dwelling units on the ground floor, subject to the provisions of the R-1250 zone in the "C3" zone, located at **1465 East Chevy Chase Drive**, described as Lots 175 and 176, Tract No. 5319 in the City of Glendale, County of Los Angeles.

#### **APPLICANT'S PROPOSAL**

##### **Conditional Use Permit**

- 1) To allow two multi-family dwelling units on the ground floor, subject to the provisions of the R-1250 zone.

#### **CODE REQUIRES**

##### **Conditional Use Permit**

- 1) A conditional use permit for multiple residential dwellings at the ground floor level subject to the provisions of the R-1250 zone, in the C3 zone.

#### **ENVIRONMENTAL DETERMINATION**

This project is categorically exempt from CEQA review as a Class 3 (New Construction or Conversion of Small Structures) exemption, pursuant to State CEQA Guidelines Section 15303 because construction of a small structure does not exceed the maximum density for the parcel. The building does not exceed six units in an urbanized area and all utilities are available to serve the property.

#### **REQUIRED/MANDATED FINDINGS**

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report by the Community Development Department staff thereon, and the statements made at the public hearing with respect to this application, the Planning Hearing Officer has **GRANTED WITH CONDITIONS** your application based on the following:

**A. The proposed use will be consistent with the various elements and objectives of the general plan.**

The applicant is proposing to construct two residential units, each with an attached two-car garage on a commercially zoned lot. The property is a 10,400 square foot rectangular shaped lot that slopes up from the street with an approximate average slope of 24 percent. The site is developed with a two-story apartment building, built in 1951 with two dwelling units above a seven car garage (five individual garages and one, two-car garage) located at the rear of the property. The site is accessed by an existing 10 foot wide driveway located along the west property line. The new two-story multi-family building is approximately 25 feet high and will include two, 2-bedroom units with approximately 1,400 square feet and 1,495 square feet of living space. Both units have attached two-car garages located behind the proposed building and across from the existing seven-car garage and will use the existing 10-foot wide driveway for access. The proposed building meets all the setback requirements of the R-1250 zone, as well as providing the common and private outdoor spaces required for the new units.

The subject site is zoned C3 (Commercial Service), Height District I (50 feet maximum height). In the C3 zone, multiple residential dwellings with dwelling units at the ground floor level (developed to the R-1250 standards) require approval of a conditional use permit. The project also includes a variance request to use the existing driveway which has an 18.75 percent slope where 15 percent is the maximum. Finally, an administrative exception is requested to maintain an existing single car garage door opening width of 8'-1", where 8'-8" (6.7 percent deviation) is required to meet the one guest parking space requirement.

Residential uses on the ground floor are allowed in the C3 (Commercial Service) zone subject to approval of a conditional use permit and development in accordance with the R1250 (High Density Residential) zone standards. The project with ground floor residential units is consistent with the Land Use and Housing Element in that it will increase housing type diversity to meet the needs of current and future residents in an area that is easily accessible to a range of nearby neighborhood retail and service businesses. The Safety Element identifies this site to be within a fault management zone for critical facilities, but does not limit residential development. The adjacent East Chevy Chase Drive can adequately serve the proposed two units. The Open Space and Conservation Element does not identify this site for open space purposes nor as a site valuable for conservation purposes. Therefore, the application is consistent with the various elements and objectives of the Glendale General Plan.

**B. That the use and its associated structures and facilities will not be detrimental to the public health or safety, the general welfare, or the environment.**

The project is located in a neighborhood where both commercial and residential uses are permitted and currently exist. The residential uses along East Chevy Chase Drive are predominantly developed with units on the ground floor. These ground floor residential units have not proven to be detrimental to the public health or safety, the general welfare or the environment, and therefore it is not anticipated with the ground floor residential units of this project.

**C. The use and facilities will not adversely affect or conflict with adjacent uses or impede the normal development of surrounding property.**

The subject site is currently developed with a two-story apartment building with two units above enclosed parking. The surrounding area is developed with a variety of commercial and residential uses. The interior blocks north and south of East Chevy Chase Drive are developed with single- and multi-family housing. This residential project will not interrupt the nature of the street, because the commercial uses are located at corner intersections with residential uses in between. Thus, the project with ground floor residences should not impact development of nearby parcels.

**D. Adequate public and private facilities such as utilities, landscaping, parking spaces and traffic circulation measures are provided for the proposed use.**

Adequate public and private facilities such as utilities, landscaping, parking spaces, and traffic circulation matters are provided for the proposed residential units. The neighborhood around the project site is fully developed and public facilities such as gas, electricity, water and sewer are in place. The Zoning Code requires a minimum of 25 percent of the site to be landscaped which the project is providing. The proposed two attached garages provide four required parking spaces and one of the existing seven parking spaces will be made available to satisfy the guest parking space requirement. A total of 11 parking spaces will be provided which exceed code requirements by two spaces. Vehicular access to the project will continue to use the existing 10-foot wide driveway.

## **CONDITIONS OF APPROVAL**

**APPROVAL** of this Conditional Use Permit shall be subject to the following conditions:

1. That the development shall be in substantial accord with the plans submitted with the application and presented at the hearing except for any modifications as may be

required to meet specific Code standards or other conditions stipulated herein to the satisfaction of the Planning Hearing Officer.

2. That all necessary permits (i.e. building, fire, engineering, etc.) shall be obtained from the Building and Safety section and Public Works Department and all construction shall be in compliance with the Glendale Building Code UBC (Universal Building Code) and all other applicable regulations.
3. That State Accessibility Standards be met for all parking requirements and building entrance accessibility as required by the Building and Safety Division.
4. That Design Review approval shall be obtained prior to the issuance of a building permit.
5. That the applicant shall comply with all Section/Department requirements as specified in their memos/interdepartmental communications to the satisfaction of the City or Department Director. These memos include GWP (December 3, 2015), Building and Safety Section (December 4, 2015) and Community Services and Parks (December 7, 2015), Integrated Waste (December 7, 2015), Fire Engineering (January 21, 2016).
6. That a grading/drainage plan shall be submitted for the Engineering Division's review and approval, and shall be made part of the building plans submitted with the shoring permit application, or if no shoring permit is required, with the building permit application.
7. That the method of discharge of the onsite drainage shall be approved by the Director of Public Works.
8. That drainage from all new improved surfaces, roof, and on-site drainage shall be conveyed to the street via cast iron pipes and/or parkway drains from the property line and existing through the curb per Standard Plans for Public Works Construction (SPPWC) manual, and under separate permit.
9. That the applicant shall perform at its sole expense, and at no cost to the City, remove all broken/damages/deteriorated curb, gutter, sidewalk, and landscaping and irrigation along the entire frontage of the property on Chevy Chase Drive and construct new concrete integral curb gutter, sidewalk, and landscaping and irrigation per the SPPWC manual, under separate permit, and to the satisfaction of the Director of Public Works.
10. That the applicant shall bear all costs involved in the relocation/reconstruction and/or adjustment to new finished grade of all utilities (underground and overhead) within the public right-of-way that may be affected by the proposed street improvements, and shall coordinate all such work with the respective utility companies, including the Los Angeles County Department of Public Works, Glendale Water and Power, and the City's Traffic and Transportation Division. In addition, the applicant shall restore

all traffic lane striping, curb painting and markings, and pavement markings to the satisfaction of the City Engineer.

11. That the entire asphalt concrete roadway pavement within the vicinity of the property be inspected after the completion of the construction of the project. In the event of damage, as a result of construction-related activities, the applicant may be required to perform additional street improvement repairs, up to the reconstruction of the asphaltic concrete pavement and the restoration of all parking restriction curb painting, traffic delineation, striping, and pavement markings, per California Department of Transportation (CALTRANS) Standards, at no cost to the City and to the satisfaction of the Director of Public Works.
12. That the project shall comply with all National Pollutants Discharge Elimination Systems (NPDES) requirements, including the submittal and certification of plans and details showing preconstruction, during construction, and post-construction Best Management Practices (BMPs) that are integrated into the design of the project.
13. That if any buildings, sidewalks, curb or gutter, fencing or landscape areas 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 Community Development Director for private property and the Public Works Director for public property.
14. That adequate means be provided for the collection of solid waste generated at the site and that all recycling items be collected and properly disposed of to the satisfaction of the Integrated Waste Management Administrator.
15. That any proposed exterior lighting shall be directed onto 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 Hearing Officer.
16. That a landscape plan proposing water conserving materials and including a complete irrigation plan shall be prepared by a person licensed to prepare such plans and shall be approved through Design Review prior to the issuance of a building permit.
17. That landscaped areas shall be maintained in good condition with live plants and free of weeds and trash.
18. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash and graffiti.
19. That any expansion or modification of the facility or use shall require a new conditional use permit application. Expansion shall constitute adding of additional units, floor area, or any physical change as determined by the Planning Hearing Officer.

20. That the applicant comply with all conditions of approval associated with Variance Case No. PVAR 1527167 and Administrative Exception Case No. PAE 1527162.

## **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 **MAY 31, 2016** at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday thru Friday 7:00 a.m. to 12:00 p.m., or at the Community Development Department (CDD), 633 East Broadway, Room 103, Monday thru Friday 12:00 p.m. to 5 p.m.

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

To save you time and a trip - please note that some of our FORMS are available on line and may be downloaded. AGENDAS and other NOTICES are also posted on our website.

## **GMC CHAPTER 30.41 PROVIDES FOR**

### **TERMINATION**

Every right or privilege authorized by a Conditional Use Permit 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.

### **CESSATION**

A Conditional Use Permit may be terminated by the review authority upon any interruption or cessation of the use permitted by the Conditional Use Permit 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 (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 administrative exception.

### **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.

### **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 variances, conditional use permits and administrative exceptions. To consider the revocation, the Director of Community Development shall hold a public hearing after giving notice by the same procedure as for consideration of a Conditional Use Permit 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.

You may contact the case planner, Kristen Asp, during normal business hours at (818) 937-8161 or via e-mail at [kasp@glendaleca.gov](mailto:kasp@glendaleca.gov).

Sincerely,



Bradley M. Collin  
Planning Hearing Officer

BC: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); Eric Aguilar; and case planner Kristen Asp.