

November 6, 2017

Willis Development
c/o Wayne Naphtal
1100 Alta Loma Boulevard, #708
West Hollywood, CA 90069

**RE: 509-525 WEST ELK AVENUE
ADMINISTRATIVE USE PERMIT NO. PAUP 1717559
(ELK AVENUE SENIOR LIVING)**

Dear Sirs:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.49, the Community Development Department processed your application for an Administrative Use Permit (AUP) to construct a new, five-story, 119-bed, Residential Congregate Care Living – Non-Medical building (Elk Avenue Senior Living) above a semi-subterranean parking garage with 51 parking spaces (40 parking spaces required) on property consisting of two lots totaling 31,250 square feet and located at **509-525 West Elk Avenue**, in the "SFMU" -Commercial/Residential Mixed Use Zone, in the City of Glendale, County of Los Angeles.

CODE REQUIRES

Administrative Use Permit

- (1) Residential Congregate Care Living – Non-Medical use requires an Administrative Use Permit in the "SFMU" Zone.

APPLICANT'S PROPOSAL

Administrative Use Permit

- (1) An Administrative Use Permit to allow a new, five-story, 119-bed, Residential Congregate Care Living – Non-medical building.

ENVIRONMENTAL DETERMINATION

An Addendum to the certified Enclave Multi-family Residential Project Environmental Impact Report (EIR) was prepared to evaluate the Project's development within the context of the Enclave Multi-family Residential Project Final Program EIR (Exhibit 4). The Addendum concludes that the Project will not result in any of the circumstances requiring the preparation of supplemental EIR to the site for the following reasons:

1. No substantial changes are proposed, or have occurred, in the original project, which will require major revisions to the previously certified Final Enclave Multi-family Residential Project EIR due to the creation of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. No new information as defined by Public Resources Code, Section 21166 and the State CEQA guidelines, Section 15162 related to the revised project results in any new or more severe significant effects not discussed or shown in the previously certified EIR.

After considering the evidence presented with respect to this application, the Director of Community Development has **APPROVED WITH CONDITIONS** your request based on the following findings:

REQUIRED FINDINGS

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

The subject site is located in the SFMU (Commercial/Residential Mixed Use) Zone and in the Mixed Use General Plan Land Use Element designation. These areas allow for a compatible mix of commercial, industrial, and residential land uses. Residential densities within these Mixed Use Land Use designations generally range from a low of 35 to a high of 100 dwelling units to the acre, with the specific density being adjusted depending on the adjoining land use zoning designations.

The size of the combined lots is approximately 31,250 (.71 acre) square feet and is adjoined by other SFMU zoned properties to the east, north, and west, with the exception of R-2250 zoned properties across Elk Avenue to the south. As a result, the site can accommodate a maximum density of 71 dwelling units. The applicant proposes to construct a single dwelling unit, a residential congregate living facility with Non-medical assistance, that will include 101 bedrooms and up to a maximum of 119 beds for assisted living and memory care residents. While each bedroom will not include its own kitchen, common areas (such as a living room, theater, activity room, dining room, fitness room and salon) will be provided throughout the building and will be available for the residents of the facility. As proposed, land use and dwelling unit density is consistent with the General Plan – Land Use Element designation. Furthermore, the City’s Housing Element Eight-Year Housing Plan (2014-2021) includes visionary goals to provide additional housing opportunities for persons with special needs, such as: the handicapped, the elderly and formerly the homeless. The proposed use will be able to service up to 119 beds for persons in need of assisted living accommodations and will help the City achieve its Housing Element goals by providing a wide range of housing types to meet the needs of its current and future residents.

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 proposed use will operate under a program administered by the California Department of Social Services Community Care, Licensing Division that will administer the licensing and annual inspections for [residential care facilities for the elderly](#). The residential congregate care living facility – non-medical will enhance the general welfare of the public by offering housing opportunities for a segment of the community that is underserved. The proposed new facility will not be detrimental to the public health, safety or the environment, as the project has been designed to comply with SFMU “Commercial/Residential Mixed Use” Zone standards for setbacks, height, floor area ratio, lot coverage, and landscaping. As a result, the proposed use and its associated structures are not detrimental to the public health or safety, the general welfare, or the environment.

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

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 located near the southwest corner of Colorado Street and Pacific Avenue, immediately east of the Brio Apartment Homes mixed use project. This location is close to the on/off ramp to the I-5 Freeway and reflects a transition between the industrial land uses on San Fernando Road and residential development in the Pacific Edison Neighborhood. The project site is surrounded by low-scale commercial uses fronting Colorado Street to the north and single-family and multifamily residential buildings to the east, west, and south. The applicant proposes to construct a five-story, residential congregate care living building designed in a contemporary style. The project meets the SFMU Zone minimum development requirements and generally addresses the guidelines for good design in its site planning, mass and scale, and design and detailing for the selected architectural style. The building's footprint will occupy the majority of the site and generally follows the rectangular shape of the property with the exception of the southwest portions of the lot to accommodate a ground level courtyard. The plan design of the upper floors (second through the fifth levels) are designed in a "T" pattern to locate the bulk of the building's mass towards the rear facing the commercial properties along East Colorado Street. The proposed use and facility is not anticipated to conflict with the adjacent uses and is well designed in terms of site planning, mass and scale, and style to continue a cohesive development with the surrounding properties.

D. That adequate public and private facilities such as utilities, landscaping, parking spaces and traffic circulation measures are or will be provided for the proposed use.

The proposed project provides adequate public and private facilities for utilities, landscaping, parking spaces and traffic circulation. The subject site is accessed from West Elk Avenue, which is identified as a local street by the City's Circulation Element. Local streets are designed to function and accommodate vehicular, bicyclist and pedestrian traffic and carry low volumes of traffic to and from collector and arterial streets - such as, San Fernando Road, South Pacific Avenue and West Colorado Street. The proposed residential congregate living facility- non-medical is a residential use that can be adequately serviced by a local street. The project proposes a bed count up to 119-beds. The zoning code requires one parking space for every three residents for residential congregate care facilities. While 40 parking spaces are required by code, the project will provide excess amount of parking spaces within a semi-subterranean garage configured with 51 parking spaces. Access into the semi-subterranean will be provided from West Elk Avenue. The minimum landscape requirement for new developments in SFMU zone is 10 percent. A total of 3,327 square feet (11 percent) of new landscaping is provided throughout the property with California-friendly plant material. The proposed use is an assisted living facility with shared accommodations such as a commercial kitchen, activity room, theater, an 82-seat dining area, fitness room, salon, rear covered patio and outdoor court yards at the ground and second levels.

CONDITIONS OF APPROVAL

APPROVAL of this Administrative 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 except for any modifications as may be required to meet specific code standards or other conditions stipulated herein to the satisfaction of the Director of Community Development.
2. That all necessary permits shall be obtained from the Building and Safety Section and all construction shall be in compliance with the Glendale Building Code and all other applicable regulations.
3. That all necessary licenses, approvals and permits as required from Federal, State, County or City authorities including the City Clerk shall be obtained and kept current at all times.
4. That any expansion or modification of the facility or use which intensifies the existing Administrative Use Permit shall require a new Administrative Use Permit application. Expansion shall constitute adding floor area, additional beds exceeding 119-beds, changes to the use or operation, such as medical care, or any physical change as determined by the Director of Community Development.
5. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash, and graffiti.
6. That adequate means shall be provided for the collection of solid waste generated at the site and that all recyclable items shall be collected and properly disposed of to the satisfaction of the Integrated Waste Management Administrator of the City of Glendale. No trash containers shall be stored in any parking, driveway, or landscaping area.
7. That the premises shall be operated in full accord with applicable State, County, and local laws.
8. That access to the premises shall be made available to all City of Glendale Planning and Neighborhood Services Division, Police Department, and Fire Department staff upon request for the purpose of verifying compliance with all laws and conditions of this approval.
9. That the operation of the residential congregate living facility, Non-medical use shall be in substantial accord with the parking analysis prepared by Jano Baghdanian & Associates (dated July 21, 2017).
10. That all signs require a separate sign permit.
11. That the applicant shall contact Glendale Water and Power (GWP) Customer Service Engineering at (818) 548-3921 to determine electric service requirements before starting the permitting process. Final construction plans must incorporate the electric service plan information for GWP Electric Engineering to sign off the building application.

12. That permanent structures above ground will not be allowed under high voltage power lines, with the exception of fencing (e.g., wood, chain link, or block wall). All fences shall comply with the required overhead line clearances as specified by Glendale Water and Power (GWP) Customer Service Engineering. In order to build any fencing, contact GWP Customer Service Engineering to obtain a Permit to Occupy (PTO) application and pay applicable fee.
13. That the existing electrical facilities (vaults, pull boxes, power poles, etc.) shall be protected in place and be accessible to GWP personnel at all times.
14. Project personnel are responsible for maintaining a ten foot (10') radial clearance from all overhead electrical lines during construction, including construction equipment. If the ten foot (10') radial clearance cannot be met, contact GWP Electrical Engineering Department to determine the appropriate actions. Any work required by GWP to maintain proper clearance shall be done at the project's expense.

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 **November 21, 2017**, 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>

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 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.

REVOCAION, CONTINUING JURISDICTION

Section 30.64.020 of the Glendale Municipal Code, 1995, provides for the Director of Community Development to have continuing jurisdiction over any Administrative Use Permit which is or has been granted and may revoke any Administrative Use Permit in whole or in part at any time for failure to comply with any condition or requirement imposed at the time of approval.

GMC CHAPTER 30.4 PROVIDES FOR

Termination

Every right or privilege authorized by an administrative 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.

Extension

An extension of the administrative use permit 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 use permit.

Cessation

An Administrative Use Permit may be terminated by the review authority upon any interruption or cessation of the use permitted by the Administrative Use Permit for one year or more in the continuous exercise in good faith of such right and privilege.

NOTICE – subsequent contacts with this office

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the case planner. This would include clarification and 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.

509-525 WEST ELK AVENUE
ADMINISTRATIVE USE PERMIT CASE NO. PAUP 1717559
(ELK AVENUE SENIOR LIVING)

You may contact the case planner, Dennis Joe, during normal business hours at (818) 937-8157 or via e-mail at djoe@glendaleca.gov.

Sincerely,

Philip Lanzafame
Director of Community Development



Laura Stotler
Planning Hearing Officer

LS:DJ:sm

CC: City Clerk (K.Cruz); Police Dept. (Lt.A.Jenks/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); 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 (B. Alshanti/B. Ortiz); Parks, Recreation and Community Services Dept. (A. Isayan); Neighborhood Services Division (A. Jimenez); Integrated Waste Management Admin. (D. Hartwell); Maintenance Services/ Street & Field/ Urban Forester. (D. Hardgrove/J. Cawn); Engineering & Environmental Management (C.Chew/R. Villaluna); and case planner and case planner Dennis Joe.