



CITY OF GLENDALE, CALIFORNIA

Community Development
Planning

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glendaleca.gov

July 2, 2021

Everett Co, on behalf of First Evangelical Church of Glendale
5049 Princess Anne Road
La Canada, CA 91011

**RE: 514-522 WEST BROADWAY &
511-519 IVY STREET
CONDITIONAL USE PERMIT NO. PCUP 2018930**

Dear Sirs:

On June 30, 2021 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 for the continued operation of an existing place of worship use (church), with associated classrooms (Sunday School) and a daycare center, in the "SFMU" - (Commercial/Residential Mixed Use) and "R-3050" - (Moderate Density Residential) Zones, described as Parcel A, Parcel Map No. GLN 1362, and Lots 2, 3, and 4, Tract No. 9602, located at **514-522 WEST BROADWAY & 511-519 Ivy Street**, in the City of Glendale, County of Los Angeles. The use was previously approved by Conditional Use Permit No. PCUP 2010-027 which expired on November 30, 2020,

CODE REQUIRES

Conditional Use Permit

- (1) The operation of a church (place of worship) requires a Conditional Use Permit in the "SFMU" – (Commercial/Residential Mixed Use) Zone, pursuant to Section 30.14.020 of the Glendale Municipal Code.
- (2) The operation of a daycare center and school in conjunction with the operation of a place of worship requires a Conditional Use Permit in the "R-3050" - (Moderate Density Residential) Zone, pursuant of Section 30.12.020 of the Glendale Municipal Code.

APPLICANT'S PROPOSAL

Conditional Use Permit

- (1) Approval of a Conditional Use Permit to allow the continued use of a church in the "SFMU" – (Commercial/Residential Mixed Use) Zone, and continued use of a daycare center in the "R-3050" – (Moderate Density Residential) Zone.

ENVIRONMENTAL DETERMINATION

The project is exempt from CEQA review as a Class 1 "Existing Facilities" exemption, pursuant to Section 15301 of the State CEQA Guidelines, because the use(s) and buildings are existing.

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 **APPROVED WITH CONDITIONS** your application based on the following:

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

The applicant's request to allow the continued use of a church will be consistent with the various elements and objectives of the general plan. The land use designation for the subject property is Mixed Use along Broadway and Moderate Density Residential along Ivy Street, while the zoning is Commercial/Residential Mixed Use (SFMU) and Moderate Density Residential (R-3050) zone, respectively. Mixed Use Development areas allow for a compatible mix of commercial, industrial, and residential uses located along the city's major arterials. Moderate Density Residential areas are ideal with respect to convenience and access to the regional transportation network as well as functioning as buffer or transition areas between intensive development and areas designated for less intensive uses. Places of worship and day care centers are complementary uses in these land use element categories. The zoning for the property also supports the goals of the land use designations: the northerly half is zoned SFMU, which is intended for a mix of commercial and residential activities, and the southerly half is zoned R-3050 zone, which is intended to act as a transition and buffer between low density residential land uses and more intensive development. Church and daycare facilities are conditionally permitted uses in the SFMU and R-3050 Zone. The subject facility is currently operating under an active Conditional Use Permit No PCUP 2010-027, which expired November 30, 2020.

Staff believes the proposed use will continue to be consistent with the other various elements and objectives of the general plan, as the use currently operates without any known impacts on surrounding developments. The Land Use Element is mostly directly related to the approval of this use, as described above. All other elements of the General Plan, including Open Space, Recreation, and Housing Elements, will not be impacted as a result of the applicant's request. The project site is fully developed and is not designated for open space or recreation uses. This application does not include any new floor area or modifications to the existing building, and adequate utilities, landscaping, and traffic circulation measures are already provided.

The Circulation Element identifies West Broadway as a minor arterial, and Ivy Street a local street. These streets are fully developed and can adequately handle the existing traffic circulation around the site. The applicant's request to operate the existing church and daycare is not anticipated to create any negative traffic related impacts along West Broadway and Ivy Street and other businesses over and above the existing conditions.

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 use and its associated structures and facilities in Commercial/Residential Mixed Use (SFMU) and Moderate Density Residential (R-3050) zones will not be detrimental to the public health or safety, the general welfare, or the environment. The site has been utilized as a church for over 40 years. The church is requesting to continue the previously approved use and does not include any exterior modifications, added floor area, or intensification of operations. Approval of the Conditional Use Permit to allow the continued operation of church is not anticipated to adversely impact nearby uses, nor impede the development of surrounding properties. A standard condition of approval will be added requiring that all necessary City permits and licenses shall be obtained. The Planning Hearing Officer also has continuing jurisdiction over these cases and could rescind the approval if any violations of the conditions and ordinances warrant such a revocation of the Conditional Use Permit (CUP).

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 has been used as a church since its construction in 1983 and has not proven to adversely impact nearby uses or impede the normal development of surrounding properties. The subject site fronts two streets: West Broadway to the north and Ivy Street to the south. Parking for the property is only accessed from two driveways on West Broadway. The existing building (described as the Children's Ministry Center on plans) on the lot fronting Ivy Street has been constructed with a residential design and required landscaped R-3050 setback, and contributes to the visual appearance of the residential neighborhood. Pedestrian access is available from Ivy Street for emergency purposes only (no vehicular access). No issues have been noted by any City Departments for the church for the past year. Approval of the conditional use permit to allow the continued operation of a church and daycare will not adversely impact nearby uses along West Broadway or Ivy Street, nor will it impede the development of surrounding properties since these properties are already developed.

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

Adequate public and private facilities such as utilities, landscaping and traffic circulation measures are and will be provided for the proposed use. The project site is already developed, as are the associated facilities. A Standards Variance Case No. 8149-S was approved in 1987 to allow the church and daycare to operate with 72 on-site parking spaces (15 of the 72 parking spaces are tandem) for the buildings fronting Broadway. An additional 18 parking spaces were provided onsite for the 511 Ivy building, as approved in 2001 by the Conditional Use Permit Case No. 10186-CU and DRB Case No. 1-2940-A. The site currently features a total of 90 parking spaces for all the existing uses. There are no records on file, and no negative comments have been received from other departments that indicate the site has been sufficiently developed to facilitate the subject use. To date, the subject site has demonstrated it has adequate utilities, parking spaces, landscaping, and traffic circulation measures.

CONDITIONS OF APPROVAL

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

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 licenses and permits as required or approvals from Federal, State, County or City authorities shall be obtained and kept current at all times.
3. That any expansion or modification of the facility or use which intensifies the existing Conditional Use Permit shall require a new Conditional Use Permit application. Expansion shall constitute adding floor area, changes to the use or operation, or any physical change as determined by the Planning Hearing Officer, with the concurrence of the Director of Community Planning.
4. That the proposed use adheres to the City's Fresh Air (smoking) Ordinance.
5. That the number of children at the facility shall be limited to 120 for Saturday and Sunday school and 45 for the daycare use.
6. That the hours of operation of the daycare facility be 7:00 a.m. to 6:00 p.m., Monday through Friday. For other uses the hours of operation shall be from 7:00 a.m. to 10:00 a.m., Monday through Thursday; 7:00 a.m. to 11 :00 p.m., Friday; 9:00 a.m. to 11 :00 p.m., Saturday, and 8:00 a.m. to 10:00 p.m., Sunday.

7. That there shall be no outdoor activities in the playground area before 8:00 a.m. and after 8:00 p.m.
8. That there shall be no pedestrian or vehicular access from Ivy Street other than for emergency purposes.
9. That noise shall be contained to the site, such that persons of normal sensitivity off-site are not disturbed. The Planning Hearing Officer's opinion shall prevail to arbitrate any conflicts.
10. That the premises and parking areas shall be kept in good condition at all times, free of trash and graffiti.
11. That all landscaping areas shall be maintained in good condition with live plants and free of weeds and trash.

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 (JULY 19, 2021)** following the actual date of the decision. Information regarding appeals and appeal forms may be obtained by calling the Community Development Department (CDD) staff at 818-548-2140, or the case planner at 818-937-8331.

THE APPEAL FORM is also available on-line:

<https://www.glendaleca.gov/home/showdocument?id=11926>

Due to the current COVID-19 social distancing and work from home orders issued by federal, state and local governmental agencies, in order for any appeal to be considered timely, the appeal must be postmarked by the **JULY 19, 2021** deadline (mailed to Community Development Department – Planning Division, 633 East Broadway, Room 103, Glendale, CA 91206) OR emailed to zoning@glendaleca.gov prior to the close of said business day. The prescribed fee must be included along with the appeal application and may be submitted either in the form of a check or credit card payment. For credit card payment, please contact Annie Garibyan at 818-937-8188 to make arrangements with the cashier. Note: the standard 2.5% fee for credit card payment applies.

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 – Revocation – The Community Development Department shall have continuing jurisdiction over variances, administrative use permits, and conditional use permits (individual cases heard and decided upon by the Planning Hearing Officer). To consider the revocation, the Planning Hearing Officer shall hold a public hearing after giving notice by the same procedure as for consideration of a conditional use permit at least ten (10) days' notice by mail to the applicant or permittee. Continuing jurisdiction over any case is the purview of the Planning Hearing Officer, with concurrence by the Director of Community Development.

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.

EXTENSION

An extension of the Conditional 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 conditional use permit.

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.

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 who acted on this case. 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.

Sincerely,
Philip Lanzafame
Director of Community Development



Chris Baghdikian
Planning Hearing Officer

CB:AG:sm

CC: City Clerk (K.Cruz); Police Dept. (J.Newton/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(J.Halpert); Traffic & Transportation Section (P.Casanova); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S. Boghosian/R.Takidin); Glendale Water & Power--Electric Section (B. B.Ortiz/E.Olsen/ M.Navareete/M.Kouassi); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (R.Sada/J.Jouharian/); 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); and case planner – Ani Garibyan.