

CITY OF GLENDALE, CALIFORNIA
Community Development
Planning

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glendaleca.gov

July 21, 2021

REVISED

Hamlet Setaghiyan
745 Dale Avenue
Glendale, CA 91202

RE: 5744 SAN FERNANDO ROAD
ADMINISTRATIVE USE PERMIT PAUP2004536

**(MEDICAL RESIDENTIAL CONGREGATE LIVING – DRUG AND
ALCOHOL TREATMENT CENTER)**

Dear Mr. Setaghiyan:

The Planning Commission of the City of Glendale, at its meeting held on July 7, 2021, conducted a public hearing on your appeal of an Administrative Use Permit PAUP2004536.

At their July 21, 2021 meeting, the Planning Commission **REVERSED** the Planning Hearing Officer's decision approving said Administrative Use Permit and **DENIED** the Administrative Use Permit case because the Planning Commission could not make all of the required four findings pursuant to GMC Section 30.49.030. The project is located at **5744 San Fernando Road**, in the "IMU-R" – Industrial/Commercial-Residential Mixed Use zone in the City of Glendale, County of Los Angeles.

PROJECT DESCRIPTION

The facility will be located in a vacant building, previously used as an office. No changes to the exterior of the building are proposed. The proposed facility is 13,369 square feet within two floors and includes a total of 56 beds (13 bedrooms) with shared accommodations such as a kitchen, cafeteria, group rooms, therapy rooms and shower facilities, all located on the second level of the building. The site provides 18 code-compliant parking spaces, although there are a total of 36 spaces on the site.

CODE REQUIRES

(1) In the IMU-R zone, proposed medical residential congregate living requires approval of an administrative use permit.

APPLICANT'S PROPOSAL

(1) To locate medical residential congregate living in the IMU-R 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 proposed medical residential congregate living facility will be located in an existing building on the subject site.

A motion adopted by the Planning Commission is attached.

APPEAL PERIOD

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 City Council, 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. Appeals must be filed prior to expiration of the 15-day period, on or before **AUGUST 5, 2021**.

Information regarding appeals, appeal forms and fees may be obtained by calling the Community Development Department (CDD) staff at 818-548-2140, or the case planner, Roger Kiesel at (818) 937 -8152 (email: rkiesel@glendaleca.gov)

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 AUGUST 5, 2021 deadline (mailed to Roger Kiesel, Community Development Department – Planning Division, Attention: Roger Kiesel, 633 East Broadway, Room 103, Glendale, CA 91206) OR emailed to the case planner Roger Kiesel (rkiesel@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 Roger Kiesel at **818-937-8152** to make arrangements with the cashier. *Note:* The standard 2.5% fee for **credit card payment** applies.

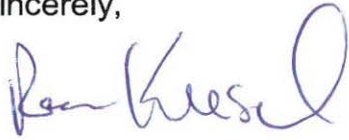
NOTICE – subsequent contacts with this office

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the case planner and/or Hearing Officer who acted on this case. This 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.

5744 SAN FERNANDO ROAD
ADMINISTRATIVE USE PERMIT PAUP2004536
MEDICAL RESIDENTIAL CONGREGATE LIVING – DRUG AND ALCOHOL TREATMENT CENTER

Should you have any questions regarding this issue, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Roger Kiesel". The signature is fluid and cursive, with the first name "Roger" and last name "Kiesel" clearly legible.

Roger Kiesel
Senior Planner

RK: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); Dir of Public Works (Y.Emrani);Traffic & Transportation Section (P.Casanova); Integrated Waste Management Admin. (D. Hartwell); Maintenance Services Section Admin. (D. Hardgrove/T.Dodson); Street and Field Services Admin.; Engineering and Environmental Management (C.Chew/R. Villaluna); General Manager for Glendale Water and Power; Glendale Water & Power--Water Section (G. Tom/S. Boghosian/R.Takidin); Glendale Water & Power--Electric Section (B. Alshanti/B.Ortiz/E.Olsen); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (R.Sada/J.Jouharian); Allen Vardanyan – owner and applicant; and case planner – Roger Kiesel.

MOTION TO REVERSE PLANNING HEARING OFFICER’S DECISION
APPROVING ADMINISTRATIVE USE PERMIT

Moved by Planning Commissioner Lee, seconded by Planning Commissioner Chraghchian, that upon review and consideration of all documents, materials and exhibits of current record relative to Administrative Use Permit Case No. PAUP 2004536, located at 5744 San Fernando Road, and after having conducted an appeal hearing on said matter and receiving testimony, the Planning Commission hereby **REVERSES** the Planning Hearing Officer’s decision **APPROVING** said Administrative Use Permit Case No. PAUP 2004536 with conditions and **DENIES** the Administrative Use Permit case because the Planning Commission could not make all of the required four findings pursuant to GMC Section 30.49.030 to support the grant of the Administrative Use Permit. The Planning Commission hereby finds:

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

Medical residential congregate care living will be consistent with the various elements and objectives of the City of Glendale General Plan because the subject site has a Mixed Use designation in the City’s Land Use Element and is zoned IMU-R and the use is consistent with this land use designation and zoning classification. One goal of the Land Use Element includes improving the livability of the total community for all Glendale residents as expressed in living, working and shopping areas, as well as community facilities. Another objective of this Element is expanding opportunities for the provision of needed social services by both public and service organizations. The proposal will further these General Plan goals by offering adults with substance use disorders and dual diagnosis-related problems a facility in which to obtain treatment. The project is also consistent with other elements of the City’s General Plan. The project will not impact the Circulation Element. Both San Fernando Road and Highland Avenue can accommodate traffic that this facility will generate and the Traffic and Transportation Section of the Public Works Department did not cite concerns. The Recreation and Open Space Element does not identify the subject site for parks or open space purposes. The IMU-R zone (consistent with the Land Use Element) allows for a mix of commercial, industrial, and residential land uses and provides for a full range of goods and services to the community. The IMU-R zone permits medical residential congregate care living with approval of an administrative use permit and this use will provide a service to a segment of the community requiring treatment for substance abuse and dual diagnosis issues.

B. That the use and its associated structures and facilities will be detrimental to the public health or safety, the general welfare, or the environment.

Medical residential congregate living and the existing building in which it will be located, will be detrimental to the public health or safety, the general welfare or the environment because the facility does not provide sufficient security. The proposal will provide only two security guards at all times, which is inadequate given the close proximity of the facility to residential housing (mainly single family) and several local elementary, middle and high schools. Moreover, the lack of an on-site loading space, though arguably not required under the Zoning Code, could create safety and traffic concerns, in that ambulances and/or other service vehicles may que up

in the parking lot (which will likely be gated and potentially difficult to access) or alley and/or back up into the streets surrounding the use. Furthermore, the lack of common or private open space at the site, even with field trip opportunities for the residents, will be detrimental to the health and general welfare of the residents and/or clients of the facility. Additionally, the operator only has experience in running smaller 6-bed facilities and the operator's lack of experience will cause operational errors that will adversely affect the surrounding neighborhood.

C. That the use and facilities will adversely affect or conflict with adjacent uses or impede the normal development of surrounding property.

Medical residential congregate care living will adversely affect or conflict with adjacent uses because of the scale of the use, the lack of an on-site loading space and inadequate security, as well as its proximity to single-family residences and schools. The subject site is located on the northeast corner of San Fernando Road and Highland Avenue and surrounded by a gasoline station fronting San Fernando Road to the north, a carwash to the south, Grayson Power Plant to the west and a large residential neighborhood to the east. The medical residential congregate care living facility will include 56 beds and is too large in scale to appropriately complement the residential neighborhood to the north, which mainly consists of single-family homes. Additionally, the operator only has experience in running smaller 6-bed facilities and the operator's lack of experience will cause operational errors that will adversely affect surrounding uses. Along with deliveries made to the site for food, bedding and other items, ambulances will also need to access the facility. The lack of an on-site loading space will likely force service vehicles to park within the adjacent alley and potentially hinder or block free access to the alley, or que up in the alley, the parking lot or the street, adversely impacting nearby businesses and residences. Similarly, a negative impact will result from the lack of adequate on-site security for the use, which will be staffed with only two security guards at a time. Given the size of the facility, with 56 beds, two security guards at one time will not be enough to ensure resident and neighborhood safety if security-related issues arise that need an immediate response pending the arrival of law enforcement personnel. The

proposed use is also directly adjacent to the Pelanconi neighborhood, a large, mostly single-family area immediately north, as well as at least two community parks (Pelanconi and Fremont), and will adversely impact this residential community because likely medical emergencies and potential security issues will likely spill over into the residential neighborhood immediately adjacent to the facility. Moreover, the closest school is located approximately 0.6 miles north of the subject site and will be negatively impacted due to its proximity to the proposed use for the same reasons.

D. That adequate public and private facilities such as utilities, landscaping, parking spaces and traffic circulation measures are not or will not be provided for the proposed use.

Adequate public and private facilities such as utilities, landscaping, parking spaces and traffic circulation measures are not or will not be provided for the proposed medical residential congregate living facility because while adjacent streets can serve the facility, parking requirements are met and utilities already serve the site, an on-site loading space is not provided. The subject site is adjacent to San Fernando Road and Highland Avenue and

accessed from the latter street. San Fernando Road, a major arterial, and Highland Avenue, a local street, can accommodate any traffic resulting from the proposed development. The zoning code requires one parking space for every four beds for medical residential congregate living facilities. The project provides a bed count of up to 56 beds and would, therefore, require 14 parking spaces. The site provides 18 code-compliant and a total of 36 existing parking spaces (16 standard spaces, four (4) tandem spaces, 14 compact spaces, and 2 accessible spaces), which is significantly more than the minimum number of required spaces. Patients in treatment in the facility are restricted from driving to the site and from having a car on the site. However, access to the parking lot is provided off an alley from Highland Avenue, which is likely where service vehicles will be parking, hindering access to adjacent properties as well as the subject site. Glendale Water and Power did not cite concerns related to providing services to the proposed facility. No reductions or changes to the existing landscaping are proposed.

VOTE AS FOLLOWS

Ayes: Chraghchian, Fuentes, Lee, Minassian
Noes: None
Abstain: Shahbazian
Absent: None