



**CITY OF GLENDALE, CALIFORNIA**

Community Development  
Planning

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glendaleca.gov

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October 19, 2022

Jonathan Wieder  
5146 Greencrest Road  
La Canada, CA 91011

**RE: 3332-3334 MILLS AVENUE  
TENTATIVE PARCEL MAP CASE NO. PPM 2208420**

Dear Mr. Wieder:

The Planning Commission of the City of Glendale, at its meeting held on October 19, 2022, conducted a public hearing on your application for the project site located at **3332-3334 Mills Avenue**, and **APPROVED WITH CONDITIONS** [twelve (12) conditions], on your request to adjust interior lot lines between Lots 186 and 187 of Tract No. 5547 to create Parcel 1 (3332 Mills Avenue), an irregularly-shaped, 5,870 square-foot lot fronting Mills Avenue, and Parcel 2 (3334 Mills Avenue), an 8,797 square-foot flag lot at the rear. The project site is currently developed with two dwellings on a single-family zoned property, comprised of the two rectangular interior lots (Lots 186 and 187); the existing dwelling addressed as 3332 Mills Avenue straddles the interior property lines for the two lots.

The existing building and structures will be maintained, and no additional lots are being created. In conjunction with the parcel map request, the Planning Commission approved your requests for the following exceptions: to allow the creation of a lot that is less than the neighborhood average within the 500-foot radius (7,205 square feet); to allow the creation of flag lots where the configuration is not consistent with the primary neighborhood pattern; to maintain existing legal non-conforming street-front and interior setbacks; to allow a non-conforming interior setback of four feet, zero inches (4'-0"), where the code requires six feet, zero inches (6'-0") for the existing single-family residence at 3332 Mills Avenue; and to maintain the existing legal non-conforming parking and driveway width for the single-family residence at 3334 Mills Avenue, in the "R1 (Residential, FAR District II" zone, described as Lots 186 and 187, Tract No. 5547 (APN: 5607-018-028), for a tentative parcel map filed for a proposed development in the City of Glendale, County of Los Angeles.

**ENVIRONMENTAL DETERMINATION**

The project is categorically exempt from the California Environmental Quality Act (CEQA) review under Section 15305 "Minor Alterations in Land Use Limitations" because the project consists of minor lot line adjustments and does not result in the creation of any new parcels.

## APPEAL PERIOD

The applicant's attention is called to the fact that this approval 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 Section 16.24.180 of the Glendale Municipal Code, any person affected by the above decision may appeal said determination to the City Council within **ten (10) days (OCTOBER 31 2022)**, following the date of the Planning Commission's action, 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 so that imperfections/incompleteness may be corrected before the appeal period expires.

Any appeal must be filed on the prescribed forms within ten (10) days following the actual date of the decision. Information regarding appeals, appeal forms and fees will be provided by the Community Development Department (CDD) staff upon request by calling 818-548-2140.

### APPEAL FORMS available on-line

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

If you have any questions, please do not hesitate to call me at (818) 937-8180  
(email: [vezzati@glendaleca.gov](mailto:vezzati@glendaleca.gov)).

Sincerely,

Bradley Calvert  
Director of Community Development Department



Vista Ezzati  
Planner  
VE: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- (S.Demirjian/F.McLean); Traffic & Transportation Section (P.Casanova/Mark Bueno-Traffic Engineer Assoc.); General Manager for Glendale Water and Power (M.Young); Glendale Water & Power--Water Section (G. Tom/S. Boghosian/R.Takidin/C.Babakhanlou/D.Scorza); Glendale Water & Power--Electric Section (B. B.Ortiz/E.Olsen/ M.Navareete/M.Kouassi); Parks,

Recreation and Community Services Dept. (T.Aleksanian/A.Limayo);  
Neighborhood Services Division (R.Mardikians/J.Sada); 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 – VEzzati.

### MOTION

Moved by Planning Commissioner Chraghjian, seconded by Planning Commissioner Fuentes, that upon consideration of **Tentative Parcel Map No. GLN 1645 (“TPM”)/Case No. PPM 2208420**, to adjust lot lines between two lots (Lots 186 and 187 of Tract No. 5547) to create Parcel 1 (3332 Mills Avenue), an irregularly-shaped, 5,870 square-foot (SF) lot fronting Mills Avenue, and Parcel 2 (3334 Mills Avenue, an 8,797 SF flag lot at the rear, and after reviewing the records, files, reports, and all documentary evidence submitted with regard to said TPM and requested exceptions from the subdivision code to allow the creation of a lot that is less than the neighborhood average within the 500-foot radius, to allow the creation of flag lots where the configuration is not consistent with the primary neighborhood pattern, and exceptions from the zoning code to maintain existing legal non-conforming street-front and interior setbacks, to allow a non-conforming interior setback of 4’-0”, where the code requires 6’-0” for the existing single-family residence at 3332 Mills Avenue; and to maintain the existing legal non-conforming parking and driveway width for the single-family residence at 3334 Mills Avenue, the Planning Commission hereby finds that the project is exempt from CEQA review under Section 15305 “Minor Alterations in Land Use Limitations” because the project consists of minor lot line adjustments and does not result in the creation of any new parcels, and hereby approves the Tentative Parcel Map and Exceptions from the Subdivision Code and the Zoning Code, subject to compliance with the twelve (12) conditions listed below, based on the following findings of fact:

1. The Tentative Parcel Map (TPM) is consistent with applicable General Plan elements, including the Land Use Element that designates the project site as Low Density Residential. The subject property is located in the R1, FAR District II single-family zone, and the current residential use with multiple residential dwellings on one site is a legal non-conforming condition and does not comply with the current zone and land use designations. The applicant’s request to adjust lot lines between Lots 186 and 187 will bring the property in compliance with current zoning requirements because two separate lots would be created with one residential dwelling unit per lot. Parcel 1 will be 5,870 SF, and Parcel 2 will be 8,797 SF where the neighborhood average for R1-zoned properties within 500 feet of the site is 7,205. Parcel 1 is less than the neighborhood average, while Parcel 2 is slightly larger. The immediate area is developed primarily with the typical rectangular lots common in R1 zones, and the configuration of Parcel 1 and Parcel 2 will not be consistent with the neighborhood pattern. There is one instance of a similar configuration in the immediate neighborhood. While the average size and configuration of the parcels is not consistent with the neighborhood, this is not a creation of new parcels, but an

adjustment of lot lines between two existing lots that takes into account the existing development that will be maintained as well as the flag lot development standards for Parcel 2. Both parcels comply with the minimum lot size requirement in the "R1" Zone of 5,500 square feet. For these reasons, the size and configuration of the parcels is appropriate.

The property is located in the Crescenta Highlands Residential Neighborhood of the NGCP area where an eclectic mix of design styles exists, with primarily single-family homes throughout. The setbacks, massing, garage location, sidewalks, curbs, street lights and utilities vary from street to street. Any expansion of existing homes and new homes should be sensitive to the overall scale of the surrounding context and maintain the mix of styles that gives the area its charm. Many of the streets in this neighborhood have a rural character, and the construction of sidewalks and street lights should be done when desired by residents. The applicant's request is a minor adjustment of lot lines and no new development or expansion of existing buildings is proposed. Should future expansion or development be proposed, these requirements in the NGCP will be applied to the project.

Mills Avenue is classified as a local street in the Circulation Element and is adequate to serve the residential needs of the immediate community. Fire Prevention staff did not cite any concerns with the proposal, including the existing conditions of the property, general conditions, or inadequate turnaround area to provide service. Additionally, the City's Traffic Engineer reviewed the proposal and did not cite any concerns. There is no proposal to change the street classification or existing access, and no new development is being proposed, therefore this request is consistent with the Circulation Element.

The project site is located in an area where the ambient noise contour is 70 CNEL and over, as shown on the map of the 2030 Noise Contours, Exhibit 2 of the City's Noise Element. Table 1 of the Noise Element indicates that low density residential projects are "Normally Unacceptable" in areas where the noise levels are 70 CNEL or over. However, the application is to adjust lot lines and no new development or intensification of use is proposed. The subject property is surrounded by other single-family residences and the Tentative Parcel Map request is not anticipated to generate noise in excess of the limits contained in the Noise Element.

The physical development of the lots is existing and will not change. The request contributes to the provision of a wide range of housing types to meet the needs of current and future residents (Goal 1), provides increased opportunities for home ownership (Goal 3), provides equal housing opportunities for all persons (Goal 5), and provides housing that is sensitive to environmental and social needs (Goal 6).

No historical significance is associated with either of the existing buildings or the project site. Additionally, this application is a request for minor lot line adjustments

and no work is proposed on the property. The project site is not located within a mapped landslide prone area. No known active faults cross the project site and the project site is not located within an Alquist-Priolo Earthquake Fault Zone. The project site is located within a mapped liquefaction hazard zone, however the request is a minor lot line adjustment and no work is proposed. Therefore, no significant impacts related to Safety have been identified and this request is consistent with the Safety Element.

The property is located in Recreation Planning Area 2. The area is served by three parks/recreational facilities totaling 39.55 acres: Crescenta Valley Regional Park, Oakmont View Neighborhood Park, and the Verdugo Adobe park and special service facility. Recreation resources are available to serve future residents of this subdivision, therefore, it is consistent with the Recreation Element. The project site is not in an area slated for open space.

2. The design or improvement of the proposed subdivision, which includes minor lot line adjustments is consistent with the General Plan and North Glendale Community Plan as noted above in Finding 1. The request is to adjust lot lines only and no new construction is proposed. The plans showing the existing conditions depict compliance with the Zoning Code development standards for the R1 zone including lot overage, landscaping, floor area ratio, and minimum lot size standards. In conjunction with the parcel map request and the proposal to maintain the existing buildings and structures, the applicant is requesting three exceptions related to zoning development standards: to maintain existing legal non-conforming street-front and interior setbacks, to allow a non-conforming interior setback of 4'-0", where the code requires 6'-0" for the existing single-family residence at 3332 Mills Avenue, and to maintain the existing legal non-conforming parking and driveway width for the single-family residence at 3334 Mills Avenue.
3. The site is physically suitable for this residential subdivision because the resulting two lots, each one with a single-family residence, are compatible with the surrounding uses. No new structures or development are proposed in conjunction with this Tentative Parcel Map request for a minor lot line adjustment.
4. The site is physically suitable for the proposed density of this Tentative Parcel Map request for a minor lot line adjustment. The 14,667 SF (0.34 acre) project site is currently developed with two dwellings on a single-family zoned property, which exceeds the maximum density of one residential dwelling that is allowed. The site is located in the R1, FAR District II single-family zone, and the current residential use with multiple residential dwellings on one site is a legal non-conforming condition. The request to adjust lot lines would bring the property in compliance with current

zoning requirements because two separate lots would be created with one residential dwelling unit per lot.

5. The design of the subdivision will not cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat because the Tentative Parcel Map request is for a minor lot line adjustment only, and no work is being proposed. The site features three on-site oak trees and two off-site oak trees that are located within twenty feet of the property that will be maintained as part of the project.
6. The design of the subdivision is not likely to cause serious public health problems because the Tentative Parcel map request is for a minor lot line adjustment only, and no work is being proposed.
7. The applicant's request respects the existing public utility easement located along the southerly property line. No development is proposed within the easement area, and the existing accessory storage building that is partially located within the easement area will be removed. Glendale Water and Power has reviewed the application and did not cite any concerns with the Tentative Parcel Map request for a minor lot line adjustment. Therefore, the design of the subdivision will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

In conjunction with the Tentative Parcel Map request and the proposal to maintain the existing buildings and structures, the applicant is requesting the following exceptions related to the subdivision code and zoning development standards for street-front and interior setbacks, and parking, as detailed below.

(1) Average Lot Size

- To allow the creation of a new lot that is less than the 7,205 SF average for R1-zoned properties located within 500 feet of the site (GMC Section 16.08.280 (A)).

(2) Lot Configuration

- To allow the creation of new lots that are not consistent with the predominant configuration of rectangular lot for R1-zoned properties located within 500 feet of the site (GMC Section 16.08.280 (A)).

(3) Minimum Required Street-Front Setback Requirements

- To maintain the existing legal non-conforming street-front setback of 21'-4" for the existing detached garage and the front entry porch for 3332 Mills Avenue, where the minimum required street-front setback in the R1 zone is 25 feet (GMC Section 30.11.030, Table 30.11-B).

(4) Minimum Required Interior Setback Requirements

- To maintain the existing legal non-conforming interior setbacks of 1'-8" for the existing accessory building and eight inches for the primary residence located at 3334 Mills Avenue, where the minimum required interior setback in the R1 Zone is six feet (GMC Section 30.11.030, Table 30.11-B).
- To create a non-conforming interior setback of 4'-0" for the existing primary residence located at 3332 Mills Avenue in conjunction with the adjustment of lot lines, where the minimum required interior setback in the R1 Zone is six feet (GMC Section 30.11.030, Table 30.11-B).

(5) Minimum Parking Requirements

- To maintain the existing one-car carport for the existing primary residence located at 3334 Mills Avenue, where the minimum required parking for a single-family residence under 3,500 SF in the R1 Zone is an enclosed two-car garage (Table 30-32-A, GMC Section 30.32.050)
- To maintain the existing non-conforming 9'-6" wide driveway for the existing primary residence located at 3334 Mills Avenue, where the minimum required driveway width for a flag lot in the R1 zone is 12 feet (GMC Section 30.32.130 (C)).

Pursuant to GMC Section 16.08.280 (B), the Planning Commission has the authority to grant exceptions to the Zoning Code only if all of the following findings of fact can be made:

- A. The strict application of the subdivision and zoning standards shall result in practical difficulties and unnecessary hardship that is inconsistent with the purpose of the general plan and the intent of Title 16 and Title 30 of the GMC because of the combination of the location of existing development that will be maintained, the location and preservation of the existing oak trees, and the minimum 20-foot width required for a flag lot. The applicant is requesting a Tentative Parcel Map to adjust lot lines between two rectangular-shaped interior lots with 100 feet of frontage along Mills Avenue, and a depth of approximately 146.63 feet. The front portion of the property features a 936 SF single-family residence with a detached two-car garage that was constructed in 1951 (3332 Mills Avenue), with the existing residence straddling the property line for the rectangular lots. The rear portion of the property is developed with a 720 SF single-family residence with an attached 1-car carport that was constructed in 1947(3334 Mills Avenue). There is an existing 120 SF shed located in the rear that will be removed, and an existing 330 SF accessory building located between the two dwellings and adjacent to the easterly property line. Additionally, there are entry gates and fencing throughout the site, some of which are



located in the street-front setback and will be removed. The owner's intent is to maintain the existing residences, parking, and accessory buildings, with the exception of the shed.

The average lot size for other R1-zoned properties located within 500 feet of the subject site is 7,205 square-feet. At 5,870 SF, Parcel 1 (3332 Mills Avenue) will not comply with the average lot size, however, this request is to adjust lot lines only, and the outer boundaries of the existing lots are being maintained. The size of this lot is a result of the flag lot width standards and the location of existing development that will be maintained. The immediate area is developed primarily with standard rectangular lots that are common in R1 zones. The proposed configuration of Parcel 1 and Parcel 2 will not be consistent with this primary neighborhood pattern. There is one instance of a similar configuration in the immediate area at 3253 and 3259 Mills Avenue where the lot lines are also taking the existing on-site development into account. As it relates to the setback and parking exception requests, this is a minor lot line adjustment required where the owner's intent is to maintain the existing protected trees and development with the exception of the shed at the rear and the gates and fencing in the street-front setback area. Compliance with these standards will result in practical difficulties and unnecessary hardship because there is no additional land that the owner can expand the property and any other configuration would impact the other parcel's compliance with flag lot standards, could potentially impact the existing protected trees, and could require demolition of existing permitted buildings and structures.

- B. There are exceptional circumstances and conditions applicable to the property that do not generally apply to other property in the same zone or neighborhood. First, the subject property was originally developed in 1947 when this area was still part of unincorporated Los Angeles County, and which was incorporated in Glendale in 1952. The current development on the project site classifies the site as a legal non-conforming residential use with multiple residential dwellings on one site, where only one dwelling unit per lot is permitted under today's code. Second, the proposed lot shapes take into account the intent to maintain the existing building on-site, with the exception of the unpermitted shed in the rear yard, while also respecting the flag lot standards and minimum requirements. Third, there are three protected trees located on-site, and two located within 20 feet of the site that will be maintained where widening the existing driveway for the proposed flag lot could impact these protected trees.

- C. The granting of the exceptions will not be materially detrimental to the public welfare or injurious to the property or improvement in the immediate vicinity because the Tentative Parcel Map is for minor lot line adjustments only, and no new development is proposed on-site. The reduced street-front setback and the parking situation are existing and will not be detrimental to the surrounding properties. The reduced interior setback will only affect the two subject properties. The lot size should not be materially detrimental to the surrounding properties, nor with the lot configuration, since the physical development will not be changing as a result of the lot line adjustment. Lastly, the current use of the property as multi-family is legal non-conforming and the request will bring the use into compliance with the zoning code and the general plan land use designation.
- D. The granting of the exceptions will not be contrary to the objectives of the zoning code and the subdivision code. The average lot size and lot shape provisions in the subdivision code are applicable when creating new lots for development purposes. As it relates to the requested exceptions for the street-front and interior setbacks, the purpose of setback standards is to ensure that there is adequate separation between properties and provide adequate privacy, light, air and ventilation. The intent of minimum parking requirements and required driveway widths is to ensure that adequate on-site parking is provided for the use, and adequate and safe access is provided to the parking. In this case, no new lots are being created, and the request is a minor lot line adjustment that takes into account the existing development and preservation of the existing indigenous trees. The physical development and parking conditions will remain as existing, as developed in 1947 and 1952, aside from the removal of a shed. The approved exceptions for the minor deviations are allowed in accordance with GMC Section 16.08.040, which recognizes that certain parcels of land exist of such size, shape, location, topography, which making it impractical for the applicant to conform to all of the rules, regulations, and standards of the subdivision code and the zoning code. In these instances, the Planning Commission and City Council have the authority to grant such exceptions if they are warranted.

### **CONDITIONS OF APPROVAL**

#### **Public Works Department Requirements**

1. The subdivision shall comply with all provisions of applicable State laws, the Subdivision Ordinances and the Glendale Municipal Code.

**Glendale Water & Power Department Requirements**

2. Permanent subterranean and underground structures below GWP overhead line require a Permit to Encroach (PTE) from GWP. Contact GWP Customer Service Engineering to obtain a PTE application and pay applicable fee. The items listed below shall be provided by the developer when applying for a PTE.
  - PTE Application filled out.
  - Current copy of recorded Grant Deed for each property.
  - Site and survey plans shall be provided by the developer when applying for a PTE. The survey plan shall include all power poles adjacent to the property.
  - This fee shall be paid to GWP Electric Engineering.
3. Project to convey an easement to GWP for installation of overhead or underground lines, conduits, poles and any other appurtenances for the distribution of electric power through property as required by GWP. Contact GWP Customer Service Engineering to obtain an application for easement and pay applicable fee. This fee shall be paid to GWP Electric Engineering.
4. The location of power poles shall be clearly shown on the proposed plans for approval. Project to maintain a minimum of five (5) feet clearance from face of power pole in all horizontal directions. Clearance shall extend from below ground level and clear to sky. Contact GWP Customer Service Engineering to obtain pole height and line clearance requirements.
5. Project to provide additional 2' Easement along the rear property line of proposed lot addressed as 3334 Mills Avenue.
6. Project to request Permission to Encroach onto Easements for existing dwelling.

**Community Development Department Requirements**

7. The subject property shall be subdivided in full compliance with the conditions of this grant, the City of General Plan, the State Subdivision Map Act, Title 16 of the Glendale Municipal Code, and any other regulation applicable to the subdivision of the subject property. Any modification to these plans must be approved by the Community Development Department. Changes considered substantial by the Planning staff must be reviewed by the Planning Commission. The determination of whether or not a change is substantial shall be made by the Director of Community Development.
8. All necessary permits (i.e., building, fire, engineering, etc.) shall be obtained from the Building and Safety Division in compliance with the Glendale Building Code and all other applicable regulations.

9. All other nonconforming buildings, structures, fences and gates that are not a part of the requested parcel map exceptions shall be removed to the satisfaction of the Director of Community Development.
10. Exterior wall construction, projection, openings and penetrations along the westerly property line for "L2" for 3332 Mills Avenue shall comply with CRC-2019 R302.1 "Fire-Resistant Construction" to the satisfaction of the Building Official.

**Miscellaneous**

11. Should litigation be commenced by any third party against the City concerning any procedural or substantive aspect of this subdivision, including without limitation, any litigation concerning the application of the California Environmental Quality Act, the City shall inform applicant of the estimated cost of defense. Applicant shall, within five (5) days of said notification, provide the City with a check, in same day available funds, for the estimated cost of City's defense. City shall deposit said funds into an interest bearing account. City may update said estimate at any time during any such litigation, in which case applicant shall, within five (5) days of notification of said updated estimates, provide the City with a check in same day available funds, for the additional estimated cost of defense. Should any applicant provided monies or interest on such monies remain unspent at the conclusion of litigation; City shall refund same to applicant. City retains the right to hire outside special legal counsel to represent City.
12. This approval shall expire in 36 months, on October 19, 2025 unless the applicant files for an extension prior to that date or the applicant demonstrates that all conditions have been met and has filed a final parcel map prior to the expiration date.

Adopted this 19th day of October, 2022.

This motion shall take effect and be in force upon the tenth (10th) day after its passage.

**VOTE**

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