

October 7, 2015

Gangi Development Inc.
Attn: Mark Gangi
229 East Palm Avenue
Burbank, CA 91502

**RE: 4201 PENNSYLVANIA AVENUE
TENTATIVE TRACT MAP NO. 73651 - PTTMCP NO. 1516197**

Dear Mr. Gangi:

The Planning Commission of the City of Glendale, at its meeting held on October 7, 2015, conducted a public hearing and **APPROVED WITH CONDITIONS**, your application for the property located at **4201 Pennsylvania Avenue** (Tentative Tract Map No. 73651 – PTTMCP 1516197) for a proposed development of land at 4201 Pennsylvania Avenue for the purpose of creating a new 28-unit residential townhouse condominium project, in the “R-2250”- Medium Density Residential Zone, described as Portions of Lots 3 through 14 and 18 through 20, Tract No. 5547, in the City of Glendale, County of Los Angeles, State of California, and subject to compliance with the State Subdivision Map Act and Chapter 16.32 (Final Maps) of Title 16 of the Glendale Municipal Code, Title 30 of the Glendale Municipal Code, and the **seventy-one (71)** additional conditions listed in the motion adopted by the Planning Commission on October 7, 2015.

ENVIRONMENTAL DETERMINATION: A Final Mitigated Negative Declaration was approved by the Design Review Board on September 18, 2013, for a 23-unit project that was never built. An addendum to the mitigated negative declaration was prepared that addresses changes from the previously approved project.

A copy of the adopted motion is enclosed.

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 19, 2015)**, following the date of the Planning Commission’s action. Appeal forms will be provided by the Building and Safety Division upon request and must be filed with the prescribed fee prior to expiration of the ten (10) day period at the Building and Safety Division, 633 East Broadway, Room 101.

If you have any questions, please do not hesitate to call me at (818) 937-8152.

Sincerely,

Philip Lanzafame
Interim Director of Community Development Department



Roger Kiesel
Senior Planner

RK:sm

CC: City Clerk (K.Cruz); Police Dept. (S.Bickle/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(J.Halpert); 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); George Boghossian – civil engineer on the project; B. Weisman, J.Kingsley; and case planner Roger Kiesel

MOTION

Moved by Planning Commissioner Landregan, seconded by Planning Commissioner Manoukian, that upon consideration of Tentative Tract No. 73651, and after reviewing the records, files, reports, and all documentary evidence submitted with regard to said tentative tract, that Tentative Tract No. 73651 is hereby approved subject to compliance with the State Subdivision Map Act, Chapters 16.16 and 16.32 of Title 16 of the Glendale Municipal Code, Title 30 of the Glendale Municipal Code, and the seventy-one (71) additional conditions listed below; and the Planning Commission hereby makes each and all of the following findings of fact:

- A. The density of the subject tract is 17 dwelling units per acre, which is consistent with the medium density residential standards of the Land Use Element. The site is fronting Pennsylvania Avenue. The proposed improvements meet the standards for streets stated in the Circulation Element. The project is compatible with the goals and objectives of the Housing Element and is commensurate with local and regional needs for housing opportunities in that the development contributes to the provision of a wide range of housing types, it provides medium density residential uses in close proximity to public transportation and services to meet the needs of current and future residents (Goal 1) and the proposed project provides increased opportunities for home ownership (Goal 3). The Historic Preservation Element does not identify any historic sites in the project area; the Safety Element does not identify major hazards that could impact development in the subject area.
- B. Provided the project's design and improvements are implemented in conformance with the conditions of approval, the project will be consistent with the approved and adopted General Plan Elements cited in the preceding paragraph.
- C. The site is physically suitable for the proposed development in that the project site is on generally level land underlain by earth material that is suitable for residential construction. The Safety Element indicates that the project site is not subject to geologic or seismic hazards. The project represents the progression of private redevelopment in the neighborhood. On-site drainage will be channeled into the existing storm drainage system in a manner satisfactory to the Public Works Department.
- D. The site is physically suitable for the proposed density. The project density will be consistent with the recommendations of the Land Use Element.
- E. Adherence to the development criteria and conditions of approval will prevent any substantial environmental damage.
- F. Compliance with subdivision design standards and criteria of Glendale and the conditions of approval will protect the residential living environment, protect the public health and welfare, and prevent any serious health problems.
- G. The project will not conflict with any easements acquired by the public at large for access through or use of property within the project site.

H. The sanitary sewer system, as conditioned, is adequate to accommodate new developments in this area, and discharge of waste into the system from this project will not violate water quality standards.

I. The water and power demands that will be generated by the project will not alter the City's ability to serve the project or any other areas of the community nor would the project impact available fiscal resources of the community.

J. The project provides for future passive or natural heating or cooling opportunities to the extent feasible in consideration of constraints imposed by topography, lot design and configuration, etc.

K. The Planning Commission has reviewed and considered the addendum to the previously adopted mitigated negative declaration per 14 CCR Section 15164(d) and finds that the addendum was prepared consistent with the California Environmental Quality Act (14 CCR Section 15164) and that none of the conditions triggering further review as set forth in 15162 exist.

CONDITIONS

Public Works Department Requirements

1. The subdivision shall comply with all provisions of applicable State laws, Subdivision Ordinances and the Glendale Municipal Code. All fees pertaining to subdivisions required by the Glendale Municipal Code and City Ordinances shall be paid in connection with the filing of the final map or prior to recording of final map, shall be based on the fees which are in effect at such respective times. In addition, survey monuments shall be set in accordance with the standards of the Director of Public Works Office and to the satisfaction of the Director of Public Works. All monumentation work shall be performed by or under the supervision of a Licensed Surveyor, licensed in the State of California.
2. A grading/drainage plan shall be submitted for the Engineering Division's review and approval, and shall be made a part of the building plans submitted with the shoring permit application, or if no shoring permit is required, with the building permit application.
3. The existing sanitary sewer system downstream of the project may not have the capacity to handle the additional sewage discharge generated by the proposed project. The proposed sewer lateral connection(s) shall be of adequate size to accommodate the needs of the proposed development.

A sewage capacity increase fee will be assessed if no sewer system upgrades are required. The fee is based on the increase in sewage flow generated by the project compared to the sewage flow from the current use of the site.

4. The method of discharge of the onsite drainage shall be approved by the Director of Public Works:
 - a. 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 exiting through the curb per Standard Plans for Public Works Construction (SPPWC) manual, and under separate permit.
 - b. All on-site drainage inlet devices shall meet the NPDES requirements, and the applicant shall enter into a Covenant and Agreement with the City for the replacement, installation and continued maintenance of all NPDES-related drainage inlet devices on the property and granting inspection rights to the city.
5. The applicant shall perform at its sole expense, and at no cost to the City, the following street improvements along the entire frontage of the property on Pennsylvania Avenue, in accordance with the SPPWC manual, to match and join the existing street improvements, under separate permit, and to the satisfaction of the Director of Public Works:
 - a. Remove all broken/damaged/deteriorated curb, gutter, driveway apron, sidewalk, landscaping and irrigation, along the entire frontage of the property and construct new Portland Cement Concrete integral curb and gutter, sidewalk, driveway apron, landscaping and irrigation.
 - b. Construct new ADA-compliant handicap ramps at the northwesterly curb return of the intersection of Pennsylvania Avenue and the entrance to the northwest bound of the Foothill Freeway (Freeway 210)
 - c. The entire asphaltic concrete roadway pavement within the vicinity of the property will be inspected after 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 CALTRANS Standards, at no cost to the City and to the satisfaction of the Director of Public Works.
 - d. 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 all the City's Traffic and Transportation Division.
6. Separate permits are required for all work within the public-right-of-way. The applicant shall bear all fees for the necessary permits and construction inspections for work within the public right-of-way.
7. The project shall comply with all National Pollutants Discharge Elimination System (NPDES) requirements, including filing of a Notice of Intent with the Los Angeles Regional Water Quality Control Board, and the submittal and approval of a SWPPP Report that includes plans and details showing preconstruction, during construction, and post-construction Best Management Practices (BMPs) that are integrated into the

- design of the project. In addition, the applicant shall submit an approved Low Impact Development (LID), including infiltration to be integrated into the design of the project.
8. Street and storm drain improvement plans prepared by a Registered Civil Engineer licensed in the State of California shall be submitted to the Engineering Division, CALTRANS and the Los Angeles County Department of Public Works for review and approval. In addition, the improvement plans shall show the location and/or the relocation/reconstruction of all existing and proposed utilities, including their underground structures (i.e. water meters, pull boxes, valves, manholes, street lights, fire hydrants, etc.).
 9. The applicant shall ensure that no structural surcharge shall be imposed on the existing sewer pipe.
 10. No portion of any building and foundation shall be constructed within five feet of the existing sewer pipe.
 11. Provide cross sections across the easterly (show curb to property line dimension), southerly and westerly property lines.
 12. Revise Section A and extend it southerly up to the proposed building. Show dimensions for the parking width, travel lanes, easements and property lines.
 13. Show the easement line and property line on Section B.
 14. The applicant shall grant to the City a Public Access Easement from the southerly boundary of Encinal Avenue to the face of the private curb located south of Encinal Avenue and the most westerly driveway to allow for public ingress and egress access to Encinal Avenue.
 15. The applicant shall apply for an encroachment permit for all the proposed improvements, including but not limited to retaining walls and trash enclosures within the "non-exclusive easement", proposed Public Access Easement and Encinal Avenue.
 16. The applicant shall construct Encinal Avenue and the Public Access Easement with a minimum 4-inch asphalt concrete pavement over a 2-inch aggregate base or as recommended by the Civil or Soils Engineer.
 17. The applicant shall enter into a Covenant and Agreement with the City agreeing to indemnify and hold the City harmless from all claims and liabilities resulting from all surface improvements, including but not limited to retaining walls and trash enclosures, located within Encinal Avenue, the proposed Public Access Easement and the "non-exclusive easement". The Covenant and Agreement shall run with the property and shall be binding upon all owners, future owners, encumbrances, successors, heirs and assigns, and shall continue in effect until released by the authority of the Director of Public Works at the request of the owner, and based on evidence that this Covenant and Agreement is no longer necessary. The language of the Covenant and Agreement shall include but not limited to the following items:
 1. Construction and perpetual maintenance of all surface improvements within the "non-exclusive easement", proposed Public Access Easement and Encinal Avenue.

2. Constriction and perpetual maintenance of any proposed retaining walls, if needed, in Encinal Avenue.
3. Acceptance of the storm water runoff from adjacent upstream properties including Encinal Avenue, and conveyance of the runoff to the existing County storm drain facility in Pennsylvania Avenue.
18. The top of the retaining wall on the northerly side of Encinal Avenue shall have a minimum 42-inch high fall protection when the top of the retaining wall is 18 inches or more above the finished grade of the adjacent properties.
19. All proposed sewer mains shall be privately owned and maintained.
20. A standard street name sign for Encinal Avenue shall be installed at the intersection of Pennsylvania Avenue and Encinal Avenue.
21. The applicant shall provide the City with a pre-construction and post-construction video of the existing corrugated metal pipe (CMP) located on the westerly side of the property. If the CMP is damaged during construction, the applicant shall replace the CMP with a reinforced concrete pipe to the satisfaction of the City Engineer.
22. The face of any retaining wall in Encinal Avenue shall be at least two feet from the curb face.
23. Portions of the most westerly private driveway, the proposed Public Access Easement and Encinal Avenue that are designated as a Fire Department turnaround shall have red curbs and "No Parking" signs.
24. The proposed 24-inch storm drain in the southerly portion of the property shall be a private storm drain and maintained by the property owners.
25. The applicant shall obtain a connection permit from the Los Angeles County Department of Public Works for the storm drain connection to a County drain in Pennsylvania Avenue.
26. The Covenants, Conditions and Restrictions for this project shall include a declaration that states the property owners shall be responsible for all costs associated with the maintenance to curb, gutter, roadway and trash bins.
27. A CALTRANS permit is required for any work within the CALTRANS right-of-way.
28. The upstream drainage flow on the west side of the property is not shown correctly on the post-hydrology map as compared to the pre-hydrology map. Please correct.
29. All proposed parking spaces in Encinal Avenue and the proposed Public Access Easement shall be accessible to the public and cannot be assigned for private use only.
30. All curbs along the southerly portion of the Public Access Easement shall be posted with a "No Stopping" sign, and the curb painted red.
31. The raised median in Encinal Avenue approaching Pennsylvania Avenue shall be shortened to allow for ADA accessibility along the westerly sidewalk of Pennsylvania Avenue. Standard ADA curb ramps shall be constructed at the intersection of Encinal Avenue and Pennsylvania Avenue.

32. The contractor shall not store trash bins, construction equipment, construction materials or construction vehicles within the city right-of-way without first obtaining a "Street Use" permit from the Public Works – Engineering Division. The permit must be displayed at the job site.
33. An approved Traffic Control Plan shall be required. The plan shall identify all traffic control measures, signs and delineators to be implemented by the contractor through the duration of demolition and construction. The plan shall also identify contractor information, hours of construction, construction worker parking information as well as the proposed haul route.
34. Additional requirements may apply after the initial submittal of the final engineering plans for building plan checking.
35. The applicant shall comply with Glendale Municipal Code 8.58, the Construction and Demolition Waste Reduction and Recycling Plans.

Building Division Requirements

36. That all necessary permits (i.e., building, fire, engineering, etc.) shall be obtained from the Building and Safety Division and all construction shall be in compliance with the Glendale Building Code and all other applicable regulations.
37. That the premises shall be made available and accessible to any authorized City personnel (Building, Fire, Police, Neighborhood Services, Planning, etc.), for inspection to ascertain that all conditions of approval of this Tentative Tract Map are complied with.
38. That State Accessibility Standards be met for all parking requirements and building entrance accessibility as required by the Building and Safety Division.
39. That additional or other building code requirements or specific code requirements (i.e., CA Green Building Code, etc.) may be required upon submittal of plans for building plans check and permit as required by the Glendale Municipal Code or other acts of law.

Planning and Neighborhood Services Division Requirements

40. The project approved herein shall be constructed as depicted on those sets of plans stamped approved by staff. Any modification to these plans must be approved by the Planning and Neighborhood Services Division staff prior to the changes on the working drawings or in the field. Changes considered substantial by 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.
41. The project shall be designed to accommodate a maximum of twenty-eight (28) dwelling units in substantial conformance with the tentative tract map and preliminary development plans submitted therewith.
42. All ground and roof-mounted equipment shall be fully screened from view.
43. The location, design and accessibility of the gas meters shall be to the satisfaction of the Director of Community Development.
44. The applicant shall provide down drains and drip pans to the satisfaction of the Director of Community Development.

45. Appropriate impact fees shall be paid prior to final map approval.
46. All electrical, communication, fire alarm, and television service shall be provided underground.
47. That backflow prevention devices shall be installed in a location to the satisfaction of the Director of Community Development.
48. The design and location of the western most trash enclosure appears to block legal access for Assessor Parcel No. 5606-011-042. This enclosure shall be relocated so that access to this lot is maintained.
49. That the applicant shall comply with all the conditions regarding the variance case number PVAR 1303323 and the parking reduction permit case number PPRP 1303322.
50. That a crash gate with no pedestrian access shall be installed within the Encinal Avenue right-of-way at a location to be reviewed and approved by the Public Works Department and Fire Department.

GWP (Electric) Requirements

51. Permanent structures above ground will not be allowed under high voltage power lines, with the exception of fencing. All fences shall comply with the required overhead line clearances as specified by GWP Customer Service Engineering.
52. The applicant shall convey as easement to GWP for installation of overhead or underground lines, conduits, poles and any other appurtenances for the distribution of electric power through the property as required by GWP.
53. The location of power poles shall be clearly shown on the proposed plans. Project to maintain a minimum of five foot clearance from face of power pole in all horizontal directions. Clearance shall extend from below ground level and clear to the sky.
54. The project is responsible for supporting and maintaining of GWP owned poles, overhead power lines and underground conduits, power lines and any other appurtenances in a safe and as-is condition.
55. The project will require an on-site transformer vault for the electrical service.
56. The existing electrical facilities (street lighting, vaults, pull boxes, power poles etc.) shall be protected in place and be accessible to GWP personnel at all times.
57. Relocation of any existing underground street lighting system in conflict with the project will be at the project's expense.
58. A new street light system fed through underground is required if Encinal Avenue will be a public right-of-way.
59. Project personnel are responsible for maintaining a ten foot radial clearance from all overhead electrical lines during construction, including construction equipment. Any work required by GWP to maintain proper clearance shall be done at the project's expense.
60. The new project is in conflict with the overhead lines and power poles. GWP has recorded easements for these facilities. The developer shall be responsible for all expenses for resolving the conflicts.

61. There are power poles and overhead conductors in the rear property line. GWP has recorded easement for these facilities. No excavation shall be permitted within 5 feet radius of the existing power poles. The power poles and overhead conductors shall be protected in place.

GWP (Water) Requirement

62. That individual water meters are required for each residential unit per Glendale Municipal Code (Chapter 13.12). The water meters are to be installed per GWP specifications. Meters will be installed on ground level only and accessible to GWP personnel.
63. A complete set of plumbing plans and fire sprinkler plans shall be submitted to GWP Water Engineering for review and approval prior to request of new domestic water service and new fire line respectively.
64. Any water service or fire line connection, when no longer needed by the customer, must be permanently abandoned (disconnected at water main and water meter removed) by GWP following payment of the necessary fee.
65. Any water service or fire line shall have a separate connection to the portable water main. A single connection that combines domestic and fire protection uses is not allowed.
66. A water main extension is required to obtain service for this property. Extension shall be across the frontage of the served property.
67. Backflow prevention (BFP) devices are required. Location of these devices must be approved by both GWP and Planning and Neighborhood Services Department.
68. A separate fire line is required for this project. A Double Check Detector Assembly (DVDA) is required to be installed as close as practical to the point of connection and the property line.
69. A Reduced Pressure Principle (RP) Backflow Prevention Assembly is required to be installed as close as practical to the potable service.

Miscellaneous Requirements

70. 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 should interest on such monies remain unspent at the conclusion of litigation, the City shall refund same to applicant. City retains the right to hire outside special legal counsel to represent City.

71. This tentative tract map approval shall be valid for thirty-six (36) months or until approval of the final map, whichever occurs first, in accordance with local and state laws.

Adopted this 7th day of October, 2015.

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

VOTE

Ayes: Landregan, Lee, Manoukian, Yesayan
Noes: None
Absent: Astorian
Abstain: None