



June 28, 2018

Glendale Unified School District
223 North Jackson Street
Glendale, CA 91206

RE: **333 WEST MAGNOLIA AVENUE**
USE VARIANCE CASE NO. PVAR 1804134
(Glendale Unified School District Facilities Yard)

Dear Applicant:

The Planning Commission of the City of Glendale, at its meeting held on July 18, 2018, conducted a public hearing on Use Variance Case No. PVAR 1804134, requesting to modify three conditions of approval from an existing Use Variance (Case No. 538-U) approved on December 18, 1956 for the Glendale Unified School District Facilities Yard located at 333 West Magnolia Avenue, in the "R-2250" - (Medium Density Residential) Zone, described as Portion of Lots 17 and 18, Watts Subdivision of a part of the Rancho San Rafael, in the City of Glendale, County of Los Angeles.

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 Commission **APPROVED WITH CONDITIONS** your application for a Use Variance Case No. PVAR 1804134.

APPLICANT'S PROPOSAL

Use Variance

Request to modify three conditions of approval from an existing Use Variance (Case No. 538-U).

- (1) To allow the masonry wall height to exceed 5.5 feet along the easterly and westerly property lines outside the street front setback along Palmer Avenue.
- (2) To allow the masonry wall height to exceed 5.5 feet along the easterly and westerly boundary lines southerly to the setback line of Magnolia Avenue.
- (3) To extend the hours of operation from 5:00 am to 11:30 pm (currently conditioned from 7:00am to 6:00pm).

ENVIRONMENTAL DETERMINATION

The project is exempt from CEQA review as a Class 1 "Existing Facilities" exemption pursuant to State CEQA Guidelines Section 15301 because the project involves minor modifications to an existing use.

A motion adopted by the Planning Commission is attached.

If you have any questions or need additional information on filing an appeal please contact the undersigned, in the Community Development Department at (818) 548.3210.

Sincerely,
Philip Lanzafame
Director of Community Development



Brad Collin
Senior Planner

BC:sm

CC: City Clerk (K.Cruz); Police Dept. (A.Jenks/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-and case planner-Brad Collin.

MOTION

Moved by Planning Commissioner Lee, seconded by Planning Commissioner Shahbazian, that upon review and consideration of all materials and exhibits of current record relative to Variance Case No. PVAR 1804134, located at 333 West Magnolia Avenue, and after having conducted a public hearing on said matter, that the Planning Commission hereby **APPROVED WITH CONDITIONS**, the Variance PVAR 1804134 in accord with the findings and conditions set forth below:

Pursuant to Section 30.43.030 of the Glendale Municipal Code, a Variance may be granted by the reviewing authority only if the following findings of fact can be made:

- A. The strict application of the provisions of the ordinance would result in practical difficulties or unnecessary hardship inconsistent with the general purposes and intent of the ordinance because it would not allow for reasonable use and occupancy of the property previously occupied by a school. The original school site was acquired in 1914 and as a result of the change in character of the San Fernando Road area this facility could no longer be operated economically and was since abandoned. The subject facilities yard was approved for a Use Variance on December 18, 1956 with conditions. The subject property serves as a base of operations for the school district's Facilities and Support Operations, Planning and Development, and Nutritional services departments and has done so for over 62 years. The change from a school to a facilities yard for the same school district is a logical transition. The applicant is requesting to modify three of the existing fourteen conditions that were part of the Use Variance approval from 1956. The applicant is proposing to increase the wall height from five-feet, six inches to over five feet. This applies to side yards along Palmer Avenue and Magnolia Avenue. The increase in wall height will provide a better buffer between the school district yard and its operations and the nearby residential neighbors. In addition, the applicant is requesting to expand the hours of operation at the site from 7:00 a.m. to 6:00 p.m. to 5:00 a.m. to 11:30 p.m. in order to better serve the schools within the district. No other changes to the use of the property are proposed.

- B. There are exceptional circumstances or conditions applicable to the property involved that do not apply generally to other property in the same zone or neighborhood because the original use of the property back in 1914 was for a school site where the buildings on site were designed and utilized for that specific use. The school district was in need of a facility yard to house the various operations and functions essential to run the various schools in Glendale such as the Facilities and Support Operations as well as the Nutritional Services departments. The school buildings were modified in such a way to accommodate the various district departments, as previously mentioned. On December 18, 1956, a Use Variance was approved with conditions to allow the school district to use the property as their facility yard. The yard is also a base for the school district's operations and planning functions. The request to modify the hours of operation is because, the school has found that in order to provide better service

to the schools within the district (without impacting the students), they need to expand their hours of operation to allow employees to arrive at the property earlier and leave later. The operations that are currently on the property are proposed to remain.

- C. The granting of the variance would not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located because the existing school district facility yard has been in operation for over 62 years. The applicant is requesting to modify three conditions of approval from the 1956 Use Variance. The first is to expand their hours of operation to allow their employees to arrive at the site earlier and be able to work later. The current condition of approval established hours of operation from 7:00 a.m. to 6:00 p.m. While the applicant is requesting the hours of operation be 5:00 a.m. to 11:30 p.m., staff believes that the hours should be 5:30 a.m. to 11:00 p.m. in order to be more compatible with the residential neighbors. A condition has been added to reflect staff recommendation. The purpose of the additional time is to allow the employees to arrive earlier; since the majority of the work being done at the site typically takes place between the hours of 6:30 a.m. and 3:00 p.m. It should be noted that the Glendale Police Department has not received any complaints relating to the noise complaints or disturbances dating back to January 1, 2013 till current time.

The applicant is also requesting to modify the two conditions of approval specific to the allowed wall height near the side yards of Palmer Avenue and Magnolia. The condition of approval, from 1956, stated that the maximum wall height would be five feet, six inches; However, the applicant is requesting that the walls be allowed to exceed five feet six inches, to provide a better buffer between the facility yard the nearby residential neighbors.

- D. The granting of the variance would not be contrary to the objectives of the ordinance in that only modifications to the existing conditions of approval as granted in the 1956 Use Variance are being exercised. The expansion in the hours of operation will allow the yard to provide better service to the schools within the district. In addition, the allowance of the wall height to exceed five feet, six inches, will provide a better buffer between the school yard and the neighboring residential uses. Further, landscaping is required to be placed in between the walls and the property lines adjacent to the residential uses. Denying modification to the conditions of approval would limit the current day operation needs of the site and the schools of the district. Existing and additional conditions are included to minimize any impacts to surrounding properties.

CONDITIONS OF APPROVAL

APPROVAL of this Use Variance shall be subject to the following conditions:

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 Director of Community Development.
2. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash and graffiti.
3. That the development comply with all Building and Safety and Fire Department codes.
4. That controlled access be provided at driveways to the parking lot.
5. That the facilities shall not be rented, leased or otherwise occupied for purposes not specified in this application.
6. That the use of the premises be limited to operations involving only school district personnel and equipment;
7. That any expansion or modification of the facility or use which intensifies the use shall require a new use variance application. Expansion shall constitute adding floor area, increased hours of operation, changes to the use or operation, or any physical change as determined by the Director of Community Development.
8. That access to the premises shall be made available upon request to all City of Glendale authorized staff (i.e. Planning and Neighborhood Services Division, Building and Safety Division, Fire Department, Police Department, etc.) for the purpose of verifying compliance with all laws and the conditions of this approval.
9. That all open storage of industrial materials such as lumber, gravel, scrap metal, scrap storage, and welding operations shall be located along the westerly line of the property adjoining the industrial zoned property.
10. That sufficient measures be enforced to effectively eliminate interior and exterior loitering, parking congestion, disturbing noise, disturbing light, loud conversation and criminal activities. Lights shall be directed down and away from residential uses.
11. That the hours of operation for the school district yard shall be from 5:30 a.m. to 11:00 p.m. weekdays and on Saturdays from 8:00 a.m. to 5 p.m.. No work shall occur on Sundays. No noise from any shop on the premises shall occur prior to 7am or after 6pm. Emergency activities may occur at other hours.

12. That the maintenance and storage yard be confined to the areas northerly of the existing setback line of the building as it relates to the Magnolia Avenue frontage
13. *That an ornamental wall at least 6 feet and no higher than 7 feet, in height, exclusive of driveway entrances be erected 20 feet back from the Palmer Avenue frontage and the area between the wall and the front property line be suitably landscaped and maintained;*
14. *That an ornamental masonry wall at least 6 feet and no higher than 7 feet, in height, be erected along the easterly and westerly lines of the property under construction and where adjoining residential property fronting on Palmer Avenue that said wall be no closer than 20 feet from the east and west boundaries of the school property to a depth of not less than 140 feet measured southerly from the southerly line of Palmer Avenue; and that the wall be offset in a manner acceptable to the Community Development Director, including the extension of said wall along said easterly and westerly boundary lines southerly to the setback line of Magnolia Street established by the existing school building now in place fronting on Magnolia Avenue; that the area between the side line of the privately owned properties fronting on Palmer Avenue and the position of the proposed wall be suitably landscaped and planted to the satisfaction of the Community Development Director.*
15. That a parking plan shall be provided showing all areas of parking, striping including loading zones, and landscaping. This shall show the protective planting strip not less than 20 feet in width along the easterly and westerly lines of the property in question and that the area to be devoted to suitable type and cover of a sufficient height to screen off the development and use, the type and character of materials to be approved by the Community Development Director. Trees shall be mature enough to grow and provide adequate buffer such that they are greater than 15 gallon box trees.
16. That cars that arrive to the site early in the morning between 5:30am and 8:00am and in the evening between 6:00 p.m. to 11:30 p.m. shall not park adjacent to the western boundary.
17. That signs shall be place on the walls facing the parking lot to discourage noise and loitering prior to 7:00 a.m. and after 6:00 p.m.

VOTE

Ayes: Lee, Shahbazian, Astorian

Noes: None

Abstain: None

Absent: Manoukian, Satorian

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 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. 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 **AUGUST 2, 2018**, 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.glendale.ca.gov/appeals>

GMC CHAPTER 30.41 PROVIDES FOR

TERMINATION

Every right or privilege authorized by a Use Variance 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.

CESSATION

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

EXTENSION

Permits granted by such right or privilege 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 Use Permit.

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 sold, 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.

REVOCACTION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over Use Variances. To consider the revocation, the Director of Community Development shall hold a public hearing after giving notice by the same procedure as for consideration of a Use Variance at least ten (10) days' notice by mail to the applicant or permittee.

NOTICE – subsequent contacts with this office

The applicant is further advised that all subsequent contacts with this office regarding this determination must be with the Case Planner first and then, the Hearing Officer who acted on this case. This would include clarification, 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.

You may contact the case planner, Brad Collin, during normal business hours at (818) 548.3210 or via e-mail at bcollin@glendaleca.gov.