



CITY OF GLENDALE, CALIFORNIA

Community Development
Planning

633 E. Broadway, Suite 103
Glendale, CA 91206-4311
Tel. (818) 548-2140 Fax (818) 240-0392
glendaleca.gov

January 6, 2020

Rodney Khan
1111 North Brand Boulevard – Suite 403
Glendale, CA 91202

**RE: 214 EAST ELK AVENUE, &
209 and 400 EAST LOMITA AVENUE, & 404 SOUTH LOUISE STREET**
• SETBACK & STANDARDS VARIANCE CASE NO. PVAR 1906937

(SEE: CONDITIONAL USE PERMIT NO. PCUP 1906936, & PARKING
REDUCTION PERMIT CASE NO. PPRP 1906938)

Dear Applicant:

On November 20, 2019, the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.43, on your application for a Setback and Standards Variance Case No. PVAR 1906937, located at **214 East Elk Avenue, & 209 and 400 East Lomita Avenue, & 404 South Louise Street**, in the County of Los Angeles, in the City of Glendale, County of Los Angeles.

Project Description

The proposed project encompasses the expansion of and improvements to the Holy Family Campus ("Campus") in conjunction with its proposed "Master Plan". The Campus is located in the R-1650 (Medium-High Density Residential) Zone and includes the Holy Family Elementary School, Holy Family Church, and Holy Family High School. The proposed project includes the demolition of two ancillary buildings and development of two new buildings on the Holy Family High School site. The proposed buildings to be demolished include the Parish Hall, built in 1923, and an existing ancillary storage building, constructed in 1964. New buildings include a 12,600 square-foot, two-story building and a 2,900 square-foot, one-story building. The project will provide a reconfigured, surface parking lot with 162 parking stalls on the high school site, where 287 parking spaces are required. On the Holy Family Church site, the proposed building to be demolished includes an existing two-story 3,055 square-foot Parish Office/Rectorry building, built in 1977, which will be replaced with a 22 space surface parking lot. When the project phasing is completed, there will be a total of 184 parking stalls to serve the Campus. The applicant is requesting the following discretionary approvals: a parking reduction permit to provide a total of 162 stalls (minimum number

of stalls on the site during phasing of the project) for the private school and new buildings, where 287 parking spaces are required; a conditional use permit to allow the expansion of the existing private school; and a setback and standards variance to allow the construction of a new fence in the street-front and street-side setback areas and to provide less landscaping than required by Code.

There were several letters/e-mails related to historic concerns regarding the project, including two that were received after the public comment period for the CEQA document and the public hearing for the Planning Hearing Officer. Staff provided responses to comments received during the public comment period for the CEQA document. All correspondence was taken into account with regard to this decision letter.

LEGAL DESCRIPTION

- Holy Family Church: All of Lot 62, Portion of Lots 63 and 64, Grider and Hamilton's Lomita Park Tract.
- Holy Family High School: All of Lots 101 thru 105 and 113, Portion of Lots 106 and 112, Grider and Hamilton's Lomita Park Tract.
- Holy Family Elementary School: Portion of Lot 58, all of Lots 59-61, Grider and Hamilton's Lomita Park Tract.

APPLICANT'S PROPOSAL

Setback and Standards Variance

- (1) To construct a new fence (overall height of eight feet) with a minimum 1'-0" setback from the street-front property lines on East Chestnut Street and East Lomita Avenue.
- (2) To construct a new fence (overall height of eight feet) with a minimum 1'-0" setback from the street-side property line on South Louise Street.
- (3) To provide a minimum of 15,193 square-feet of landscaping, or 12 percent, on the project site.

CODE REQUIRES

Setback and Standards Variance

- (1) The minimum required street-front setback for a new fence is 20 feet in the R-1650 Zone. (GMC 30.11.030, Table 30.11-B)
- (2) The minimum required street-side setback for a new fence is five feet in the R-1650 Zone. (GMC 30.11.030, Table 30.11-B)
- (3) The minimum required permanently landscaped open space required in the R-1650 Zone is 25% of the lot, or in this case 31,085 square-feet. (GMC 30.11.030, Table 30.11-B, and GMC 30.31.020)

ENVIRONMENTAL RECOMMENDATION

The Community Development Department, after having conducted an Initial Study, has prepared a Negative Declaration for the project.

REQUIRED MANDATED FINDINGS

After considering the evidence presented with respect to this application, the plans submitted therewith, the Planning Hearing Officer has **APPROVED WITH CONDITIONS**, your application based on the following findings:

- A. That the strict application of the provisions of any such ordinance would result in practical difficulties or unnecessary hardship inconsistent with the general purposes and intent of the ordinance.**

The setback and standards variance requests are for new fencing within the street-front and street-side setback areas and reduced landscaping for the 124,338 square-foot project site with frontage on three streets: South Louise Street, East Lomita Avenue, and East Chestnut Street. Located in the R-1650 (Medium-High Density Residential) Zone, the site was originally developed in 1923 as an assembly hall for the Knights of Columbus organization. The site currently features three buildings with associated parking lots and playground areas. City records indicate that the existing private school, Holy Family High School, began operating at this location sometime between 1935 and 1940 (approximately 80 years). The site currently features chain link fencing located in the setback areas along all three street frontages originally approved through variances in 1961 and 1965. The applicant is proposing to replace this fencing encompassing the campus with new decorative fencing, which will allow use of the campus and associated playground areas by students and staff in a safe and secure environment. Fencing at the high school will be consistent with that recently approved with the same design for Holy Family Elementary School located across the street, approved through Setback Variance Case No. PVAR 1830391 to allow new fencing within the street-front and street-side setback areas. The applicant is also requesting a standards variance to provide less landscaping on-site than what is required by code, but greater than currently existing on the site.

In accordance with GMC 30.11.030, Table 30.11-B, the minimum required street-front setback for a new fence along the East Chestnut Street and East Lomita Avenue street-front property lines is 20'-0" and the minimum required street-side setback along South Louise Street is 5'-0". The applicant's request is to replace the existing chain-link fence around the project site and provide a minimum 1'-0" setback along the street-front and street-side setback areas along all three street frontages. Currently, along East Lomita Avenue, the existing chain-link fence has a setback that ranges from approximately 4'-10" to 6'-1", and along East Chestnut Street, the existing chain-link fence has a setback of approximately 5'-3" to 5'-5", where the minimum setback required by the zoning code is 20 feet. Along South Louise Street,

the existing chain-link fence has a setback of approximately 5'-8", where the minimum setback required by the Zoning Code is five feet. The applicant's request will reduce the existing setbacks along these frontages to a minimum 1'-0" for the new decorative fencing, with an overall height of approximately eight feet. The request for a minimum 1'-0" setback from the street-front and street-side property lines will include new lighting at the vehicular and pedestrian entries to the Campus that will be affixed to the fencing. At the intersections of South Louise Street and East Lomita Avenue, and East Chestnut Street, the existing corner cut-offs for the fencing will be maintained, which allows for visibility for vehicular traffic approaching these intersections. Denying the requested variance would result in a loss of outdoor space currently used by the staff and students of the school, and would impact the proposed improvements to the existing parking lot. Furthermore, the location of the new fencing around the project site will also allow for improvements to the parking area to bring it into compliance with zoning requirements for stall widths, interior parking lot landscaping, and vehicle back-up which will subsequently improve the traffic circulation and safety of the project site. With the exception of the number of parking spaces at the completion of the project phasing, the new parking lot will be brought into compliance with the zoning code requirements for parking lots, including required back-ups, stall dimensions, and landscaping. To require the applicant to comply with Zoning Code setback requirements for the new fencing would require impractical changes to the existing site that would unduly restrict the use of the site as a private school.

The applicant is also requesting a standards variance to provide a minimum of 15,193 square-feet of landscaping, or twelve percent of the project site, during the Phase I & II construction periods, and a final total of 18,332 square-feet, or fifteen percent, when all project phasing is complete for the Campus, instead of the minimum required 25%. The strict application of the zoning code would result in practical difficulties inconsistent with the general purpose and intent of the ordinance. In accordance with GMC 30.11.030, Table 30.11-B and GMC 30.31.020, the minimum landscaping requirement in the R-1650 zone is twenty-five percent of the lot, which for this site is 31,085 square-feet. Providing the code required landscaping on this project site would require a significant reduction in both playground areas for the students and parking spaces for the Holy Family Campus. Currently, the existing high school site has 14,279 square feet of landscaping, or eleven percent of the project site. The applicant's request to provide a minimum of 15,193 square feet of landscaping increases the amount of landscaping currently on-site and will improve the existing conditions of the property. The minimum landscaped area of 15,193 square feet will be maintained during Phase 1 of the project. However, at the completion of the final phase of the Master Plan for the Campus, the high school site will have 18,332 square feet of landscaping, or fifteen

percent of the project site. This will be a significant improvement to the existing conditions, and will include interior parking lot landscaping, which currently does not exist on the site. There is also an additional 7,800 square feet of landscaping provided in the grass play field area along East Lomita Avenue. This area will have a dual-use to accommodate over-flow parking as needed, and as such cannot be counted towards the minimum landscaping requirement established in the Zoning Code. If this area was included in the landscaping calculation, the total would be 26,132 square feet, which is closer to the amount required by Code.

B. That there are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood.

The project site is located in the R-1650 (Medium-High Density Residential) Zone and the existing private school, Holy Family High School, has been in operation at this location for almost 80 years. Directly to the north of the project site is Holy Family Elementary School, and to the northwest is Holy Family Church. The remainder of the immediate neighborhood features single-family and multi-family residential uses. There are exceptional circumstances and conditions applicable to the subject property that would not apply generally to other property in the same zone or neighborhood. First, the project site is larger in comparison to most properties in the surrounding neighborhood and has frontage on three streets (East Lomita Avenue, East Chestnut Street, and South Louise Street). Second, the project site has been in operation as a private school in a residential zone for approximately 80 years, with development and operational needs that differ from a typical residential use. The location of new fencing in the setback areas of the site will maintain the usable outdoor areas of the private school, and provide safety and security for students and staff. It will also allow for improvements to the parking area to bring it into compliance with zoning requirements for stall widths, interior parking lot landscaping, and vehicle back-up, which will subsequently improve the traffic circulation and safety of the project site. Third, the applicant's request involves replacing an existing chain link fence with new decorative fencing with a minimum 1'-0" setback from the property lines along all three street frontages. The location of a fence in the street-front and street-side setback areas has already been established by the current chain-link fence being replaced that was originally approved by variances in 1961 and 1965, as the high school campus expanded onto adjacent properties. In addition to providing safety and security for staff and students, the location of the new fencing around the project site will maintain the existing outdoor play area and allow for improvements to the existing parking area to bring it into compliance with zoning code requirements for stall widths, landscaping and back-up, which will improve traffic circulation and safety on the project site. As it relates to the

applicant's request to provide less landscaping than what is required by code, the 25% minimum landscaping requirement is intended for typical multi-family residential development, not for religious or educational developments set within multi-family residential zones, such as the subject Campus. Furthermore, with the completion of the final phase of the Master Plan for the Campus, the project will have increased the amount of landscaping on-site from the existing conditions.

C. That the granting of the variance will 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.

Granting of the variance for the fencing and reduced landscaping will 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. The applicant's request involves removal of existing chain-link fencing and construction of a new decorative fence that will be architecturally compatible to the existing school building and will be in a similar location as the existing chain-link fence. The second part of the applicant's request is to provide less landscaping than what is required by the Zoning Code. At the completion of the final phase of the Master Plan for Holy Family Campus, the project will have increased the amount of landscaping on the site from eleven to fifteen percent, thereby improving the neighborhood. This amount of landscaping will provide enough green area on the campus and adequate landscaping for the school to be compatible within an older, residential neighborhood. The project will also be required to comply with City regulations that require all new landscaping to be drought tolerant, and the State's Model Water Efficient Landscape Ordinance (MWELO). The new fencing and landscaping improvements will meet all other Zoning Code requirements and will be required to obtain design review approval prior to the issuance of a building permit to ensure that all improvements are architecturally compatible with the existing development.

D. That the granting of the variance will not be contrary to the objectives of the ordinance.

Granting of the variance will be in keeping with the existing private school character, and will not be contrary to the objectives of the ordinance. The purpose of setback and landscaping requirements is to ensure that there is an effective separation between properties to foster compatibility, identity, privacy, light, air and ventilations, and provide landscaped areas for visual relief and recreation. Additionally, the objective of prohibiting most development within the street-front and street-side setback areas is to maintain the open streetscape of residential neighborhoods. For the present situation, openness of the streetscape will be maintained as the proposal

involves replacing the chain link fencing with a new decorative fence, featuring a vertical wrought iron design that allows for transparency through the fence. Additionally, the intent of the ordinance prohibiting development in the street-front and street-side setback areas applies to residential uses in residential neighborhoods. The subject property has been in operation as a private school in a residential zone for approximately 80 years and the new fencing will allow for the maximum use of the site's outdoor yard areas in a secure environment. Outdoor yard areas, including playgrounds and seating, are common ancillary uses for a private school. The applicant's request to provide less landscaping than what is required by code will still comply with the intent of the landscaping requirements, while taking into account the use of the site as a private school in a residential zone, as well as the development and operational needs, which differ from typical residential uses. Suggested conditions of approval have been included to mitigate any potential negative impacts.

CONDITIONS OF APPROVAL

APPROVAL of the Setback and Standards 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 Planning Hearing Officer.
2. That all necessary permits (i.e. building, fire, engineering, etc.) shall be obtained from the Building and Safety section and Public Works Department and all construction shall be in compliance with the Glendale Building Code UBC (Universal Building Code) and all other applicable regulations.
3. That the applicant shall comply with all Section/Department requirements as specified in their memos/interdepartmental communications to the satisfaction of the City or Department Director.
4. That full access to the premises shall be made available to all City of Glendale representatives, including, but not limited to, personnel from Community Development Department, Neighborhood Services Division, Police Department, and Fire Department, and Los Angeles County Department of Health Services representatives, upon request, for the purpose of verifying compliance with all laws, or verifying the conditions of this approval, or both.
5. That Design Review Board approval shall be obtained for the project prior to the issuance of a building permit.

6. That landscaped areas shall be maintained in good condition with live plants and free of weeds and trash.
7. That a Business Registration Certificate shall be obtained to reference this setback and standards variance, the conditional use permit, and the parking reduction permit.
8. That all new landscaping shall comply with the provisions of GMC 30.31.020.
9. That the project shall comply with the approval for Conditional Use Permit Case No. PCUP 1906936.
10. That the project shall comply with the approval for Parking Reduction Permit Case No. PPRP 1906938.

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** following the actual date of the decision. Information regarding appeals and 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 15-day period, on or before January 21, 2020**, in the Building and Safety Division, 633 East Broadway, Room 101.

GMC CHAPTER 30.41 PROVIDES FOR

TERMINATION

Every right or privilege authorized by a 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 Variance may be terminated by the review authority upon any interruption or cessation of the use permitted by the 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 Variance.

APPEAL FORMS available on-line <http://www.ci.glendaleca.gov/appeals>

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

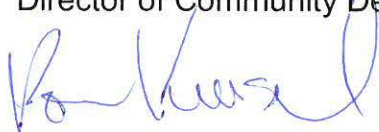
Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over variances, conditional use permits and administrative exceptions. To consider the revocation, the Director of Community Development shall hold a public hearing after giving notice by the same procedure as for consideration of a variance at least 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.

Should you have any questions regarding this issue, please do not hesitate to contact the case planner, Vista Ezzati during normal business hours at (818) 937-8180 between 7:30 a.m. to 3:30 p.m.

Sincerely,
Phillip Lanzafame
Director of Community Development



Roger Kiesel
Planning Hearing Officer

RK: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-(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 (S.Zurn); 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); Father James Bevacqua; S. Ruddan-architect; M.Sullivan-architect; K.Compton; S.Hunt; C.Jurca; F.Smith; and case planner – Vista Ezzati

**A RESOLUTION OF THE PLANNING HEARING OFFICER
OF THE CITY OF GLENDALE, CALIFORNIA,
ADOPTING A CERTAIN NEGATIVE DECLARATION
PREPARED PURSUANT TO THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT**

WHEREAS, The Director of Community Development considered the Initial Study prepared on behalf of Conditional Use Permit No. PCUP 1906936, Setback and Standards Variance Case No. PVAR 1906937, and Parking Reduction Permit Case No. PPRP 1906938 to allow the expansion of and improvements to the Holy Family Campus in conjunction with the proposed Master Plan, located at 214 E. Elk Ave., 209 E. Lomita Ave., 400 E. Lomita Ave., and 404 S. Louise St. and approved on January 6, 2020, a Proposed Negative Declaration prepared pursuant to the California Environmental Quality Act; and

WHEREAS, the Proposed Negative Declaration was made available for a 20-day public review and comment period; and

WHEREAS, a Final Negative Declaration has been prepared incorporating any comments received during the review period and any responses to those comments; and

WHEREAS, the Final Negative Declaration reflects the independent judgment of the City of Glendale; and

WHEREAS, the Planning Hearing Officer has read and considered the Negative Declaration; and

WHEREAS, the Planning Hearing Officer acknowledges the findings of the Director of Community Development with respect to the preparation of the Negative Declaration; and

WHEREAS, the Glendale Planning Division has been identified as the custodian of record for the Negative Declaration.

NOW, THEREFORE, BE IT RESOLVED that the Planning Hearing Officer of the City of Glendale finds on the basis of the whole record, including the Initial Study, that there is no substantial evidence that the project will have a significant effect on the environment, and that the Planning Hearing Officer adopts the Final Negative Declaration prepared on behalf of Conditional Use Permit Case No. PCUP 1906936, Setback and Standards Variance Case No. PVAR 1906937, and Parking Reduction Permit Case No. PPRP 1906938.

Adopted this 6th day of January, 2020.



Planning Hearing Officer