



CITY OF GLENDALE, CALIFORNIA
Community Development
Planning

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glendaleca.gov

December 23, 2019

Andrea Lee
3214 Honolulu Avenue
La Crescenta, CA 91214

**RE: 3214 HONOLULU AVENUE
CONDITIONAL USE PERMIT NO. PCUP 1915994
(YOUTH ADVANCED AND INTENSIVE LEARNING – Y.A.I.L.)**

Dear Ms. Lee:

On November 13, 2019 the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.42, on your application for a Conditional Use Permit to operate a private educational institution in the "C1" - Neighborhood Commercial Zone, described as Lots 146 and 147, Tract No. 5547, in the City of Glendale, County of Los Angeles.

CODE REQUIRES

(1) To operate a private educational institution requires a conditional use permit in the "C1" Zone.

APPLICANT'S PROPOSAL

(1) To operate a private educational institution in an existing building in the "C1" Zone.

ENVIRONMENTAL DETERMINATION

The project is exempt from CEQA review as a Class 1 "Existing Facilities" exemption pursuant to State CEQA Guidelines Section 15301 because this is a renewal of an existing conditional use permit for a private educational institution with no added floor area to the building.

REQUIRED/MANDATED FINDINGS

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 Hearing Officer has **GRANTED WITH CONDITIONS** your application based on the following:

A. The proposed use will be consistent with the various elements and objectives of the General Plan.

Operation of a private educational facility for the tutoring of school-age children will be consistent with the various elements and objectives of the General Plan for the area. The Zoning Ordinance, which implements the General Plan, allows private specialized education and training schools to operate through the conditional use permit process in the Neighborhood Commercial (C1) zone. The process allows the City to evaluate proposals and determine if they are consistent with the broader policy objectives and what, if any, conditions ought to be applied to ensure land use compatibility. As noted previously, a Conditional Use Permit was approved for the same land use and operated without significant parking or traffic problems beginning in 2006. No other elements of the General Plan, including the Circulation, Noise, Conservation, Safety, Open Space, Recreation and Housing Elements will be negatively impacted as a result of the continued land use. Therefore, the proposed continuation of the private educational facility is consistent with the various elements of the General Plan.

B. The use and its associated structures and facilities will not be detrimental to the public health or safety, the general welfare, or the environment.

The continued operation of a private educational facility for the tutoring of school age children in the C1 zone would not be detrimental to the health, safety or general welfare, or to the environment, as conditioned. The site is fully improved and the private educational facility has operated at this location for several years with no apparent negative impacts. The Building & Safety and Neighborhood Services Divisions, and Police and Fire Departments did not express concern with the use continuing its operation. The business offers vehicle transportation to the site for children enrolled in the educational/tutoring center, minimizing the number of trips generated by the use.

C. The use and facilities will not adversely affect or conflict with adjacent uses or impede the normal development of surrounding property provided that the conditions of approval are followed.

Approval of the conditional use permit to continue operating a private educational facility for the tutoring of school age children will not adversely affect or conflict with adjacent uses or impede the normal development of surrounding property provided that the conditions of approval are followed. A private specialized education and training school has operated on the site previously with no apparent adverse impacts or conflicts. No evidence was submitted nor presented at the public hearing that would indicate that the subject conditional use permit to continue operating a private specialized and training school has been or will be a problem in the future provided that the conditions of approval are followed. Approval of the subject conditional use permit to continue operating a private specialized education and training school will not adversely impact nearby uses, nor impede the normal

development of surrounding properties since these properties are already developed. Also, the continued operation of the educational facility is not anticipated to draw major traffic or create conflicts with the adjacent uses. The existing use has been operating at the present location since 2006. A series of conditions included with this approval will regulate hours of operation and maximum enrollment, further ensuring compatibility.

D. Adequate public and private facilities such as utilities, landscaping, parking spaces and traffic circulation measures are provided for the use.

Adequate public and private facilities such as utilities, landscaping and traffic circulation measures are provided for the site and the use since the site is fully improved and served by utilities. No changes are proposed that would render existing utilities and infrastructure inadequate or require upgrading. The subject conditional use permit application does not include any added floor area to the existing building or subject tenant space, so no increase in parking demand is created. No changes to the parking lot are proposed so no additional landscaping or lighting is required. There is an existing Parking Reduction Permit that was approved for the business in 2014 to allow the current business to operate with a 79-space parking deficit granted under Parking Reduction Case No. 1410842. Because the business will provide shuttle service for its enrolled patrons, the hours of operation are compatible with the other businesses, the greatest parking demand is after the other businesses in the center close, and because trip generation will be consistent with the other office and retail uses in the vicinity, the planning hearing officer approved the Parking Reduction Permit with conditions. Therefore, adequate parking and traffic circulation facilities will be available for the private educational business.

CONDITIONS OF APPROVAL

APPROVAL of the Conditional Use Permit shall be subject to the following:

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 licenses as required from Federal, State, County or City authorities, including the City Clerk, shall be obtained and kept current at all times.
3. That all necessary permits (i.e. building, fire, engineering, etc.) shall be obtained from the Building and Safety Section and all construction shall comply with the Glendale Building Code and all other applicable regulations.

4. That noise shall be contained to the site such that persons of normal sensitivity off-site are not disturbed.
5. That the premises shall be made available and accessible to any authorized City personnel for inspection to ascertain that all conditions of approval of this conditional use permit are being met.
6. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash and graffiti.
7. That there shall be no expansion or modification of the private educational facility or to the operation without the approval of the Planning Hearing Officer. Expansion or modification shall include increasing the floor area above 3,050 square feet, the reduction of parking spaces, or any other physical changes to the tenant space occupied by the private educational facility.
8. That the hours of operation during the school year shall be from 2:00 p.m. to 7:00 p.m. Monday through Friday and during the summer school holiday from 9:00 a.m. to 7:00 p.m. Monday through Friday
9. That a maximum of 7 employees and a maximum of 35 students shall be in the facility at any time.
10. That the parking lot shall not be used for recreation and no outdoor recreational equipment shall be located in the parking lot.
11. That all signs shall comply with the sign ordinance.
12. That no outdoor storage is allowed on the site.
13. That the facility shall not be rented, leased or otherwise occupied for purposes not specified.
14. That the facility shall adhere to the City's Fresh Air Ordinance.
15. That a Business Registration be obtained and kept current during the operation of the private specialized education and training school.
16. That the applicant shall comply with all the conditions of Parking Reduction Permit Case No. 1410842.

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 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 **January 7, 2020** at the PSC, 633 East Broadway, Room 101, Monday thru Friday 7:00 a.m. to 12:00 p.m., or at the CDD, 633 East Broadway, Room 103, Monday thru Friday 12:00 p.m. to 5 p.m.

APPEAL FORMS available on-line: <http://www.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 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.

REVOCAION, CONTINUING JURISDICTION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over conditional use permits (individual cases heard and decided upon by the Planning Hearing Officer). To consider the revocation, the Planning Hearing Officer shall hold a public hearing after giving notice by the same procedure as for consideration of a Conditional Use Permit at least ten (10) days' notice by mail to the applicant or permittee. Continuing jurisdiction over any case is the purview of the Planning Hearing Officer, with concurrence by the Director of Community Development.

GMC CHAPTER 30.41 PROVIDES FOR

TERMINATION

Every right or privilege authorized by a conditional use permit 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.

EXTENSION

An extension of the conditional use permit 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 conditional use permit.

CESSATION

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

NOTICE – subsequent contacts with this office

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the case planner who acted on this case. This would include clarification and 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.

Sincerely,
Philip Lanzafame
Director of Community Development



Milca Toledo
Planning Hearing Officer

MT:BC: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); and case planner – Bradley Collin.