



**CITY OF GLENDALE, CALIFORNIA**

Community Development  
Planning

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glendaleca.gov

October 22, 2020

Georgii Shpak  
7233 Kelvin Avenue #105  
Winnetka, CA 91306

**RE: 345 NORTH CEDAR STREET  
CONDITIONAL USE PERMIT CASE NO. PCUP2009899**  
(see Administrative Exception Case No. PAE2009898)

Dear Mr. Shpak:

On October 21, 2020, the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Section 30.42, a Conditional Use Permit to continue the operation/expansion of an existing 2,428 square-foot private school (Next Generation Montessori School) with a 609 square-foot addition (conversion of 292 square-foot, outdoor covered area into a classroom; construction of a one-story, 317 square-foot classroom addition) for increased capacity of 15 additional students, in conjunction with an Administrative Exception to allow the subject private school a one parking space reduction from the required amount of off-street parking spaces [seven (7) required; six (6) proposed], on an approximately 9,094 square-foot lot. The subject property is located at **345 North Cedar Street**, in the "R-1650" (Medium-High Density Residential) Zone, and described as Lot 12 and Portion of Lot 13, M.B. 8 – 173, in the City of Glendale, County of Los Angeles.

**CODE REQUIRES**

- 1) Approval of a Conditional Use Permit is required for the expansion and continuance of an existing private school located in the R-1650 Zone (30.11.020 Table 30.11-A).

**APPLICANT'S PROPOSAL**

- 1) To allow a 609 square-foot addition (292 square-foot outdoor area conversion and 317 square-foot addition) to an existing private school to continue operations at the expanded private school with increased capacity of 15 additional children.

**ENVIRONMENTAL DETERMINATION:**

This project is exempt from environmental review as a Class 1 "Existing Structure," per Section 15301(e)(1) of the State CEQA Guidelines because the discretionary permit requests are to allow the addition of an indoor classroom area to an existing private school and continue the operations of an existing private school without providing additional required parking spaces.

After considering the evidence presented with respect to this application, the plans submitted therewith, the Community Development Department has **APPROVED**, with conditions, the Conditional Use Permit, based on the following findings:

#### **REQUIRED/MANDATED FINDINGS**

##### **A. That the proposed use will be consistent with the various elements and objectives of the general plan.**

The applicant's request is consistent with the various elements and objectives of the general plan. Located in an established multi-family residential neighborhood, the subject property is identified as a R-1650 (Medium-High Density Residential) zone and Medium-High Density Residential land use by the City's Zoning and General Plan Land Use maps. By special consideration, the Zoning Code allows for private schools in the R-1650 zone by an approval of a Conditional Use Permit. For the past 24 years, the subject private school has operated via approved Conditional Use Permits. Next Generation Montessori School currently cares for and educates children between two to five years old, with a maximum capacity for 30 children. The business' hours of operation are from 8:00 am to 5:00 pm, Monday through Friday.

The subject site is improved with a two-story, 2,428 square-foot building with an existing, attached, 292 square-foot, covered outdoor play area, an attached carport and a detached four-car garage located at the southwestern corner of the property. The applicant seeks to expand its operations by converting the existing 292 square-foot, covered outdoor play area into a classroom and constructing a one-story, 317 square-foot classroom addition. The proposed improvements will enhance the existing facility with an additional 609 square-feet of floor area to be used for classroom purposes and an increased operational capacity to a maximum of 45 children. The request is appropriate because the private school will continue to provide important educational service to both the immediate neighborhood and surrounding community on the subject lot within the expanded building.

As identified on the Circulation Element, East Lexington Drive is an Urban Collector and North Cedar Street is a local street. The functional purpose of an urban collector is to distribute traffic from connecting local streets onto major and minor arterial streets and the purpose of a local street is to carry lower volumes of traffic from collector and arterial streets. The private school is not expected to generate a large volume of traffic with the expanded building and operational capacity. The additional traffic generated resulting from the 609 square-foot addition will be modest and will not significantly increase traffic demand. These streets are fully developed and will continue to adequately handle the existing traffic circulation around the site.

Since the site is already developed and the request involves the continued operation of a private school with a minor 609 square-foot classroom addition, other elements of the General Plan, including the Circulation, Open Space, Recreation, Housing and Noise Element, will not be impacted as a result of the project.

**B. That 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 and expansion of the existing private school will not be detrimental to the public health or safety, the general welfare, or the environment. The project has been reviewed by the Fire Department, Police Department, Public Works Department, and the Divisions of Neighborhood Services, Building and Safety, and Planning within the Community Development Department to identify potential negative impacts of the project on the public health, safety, general welfare or environment. The private school has not generated any negative impacts to the surrounding community over the past 24 years. The private school is conveniently located one lot west of Glendale Boulevard and on the edge of an established multi-family neighborhood, thereby providing a convenient location for residents of the neighborhood, as well as residents of other areas of the City who can access the private school without significantly impacting the residential neighborhood or generating a large amount of traffic. Comments received from the Public Works Department Traffic Division indicate the subject request will not create a negative parking or traffic-related impact. No major concerns were expressed by the various City divisions and departments with the applicant's request. Conditions have been incorporated to ensure there are no negative impacts to the public health, safety, general welfare, or the environment.

**C. That the use and facilities will not adversely affect or conflict with adjacent uses or impede the normal development of surrounding property.**

The use and facilities will not adversely affect or conflict with adjacent uses or impede the normal development of surrounding property. The proposed continuation and building expansion of the existing private school is not expected to adversely conflict with the adjacent uses because the establishment has operated at this location for more than two decades without incident. The immediate vicinity of the subject property is developed with residential uses to the east and south, and commercial uses along Glendale Boulevard to the north and west. The site is bounded by single-family residences to the east and south, and a low-scale commercial center and a bank to the west and north, respectively. There are no known daycare facilities, or libraries within quarter mile of the existing private school; however, there are two public parks (Piedmont Park and Wilson Mini-Park), a public school (Richardson D. White Elementary School), and a church (Calvary Presbyterian Church) within the greater vicinity. The private school's location and the use will continue to fit well within the context of the neighborhood, as it provides an appropriate transition from the commercial uses along Glendale Avenue towards the residential uses to the east. In addition, the applicant's request is not anticipated to interfere with the development of the neighboring and surrounding uses. The existing concrete wall at the southern portion of the property will remain and continue to help mitigate noise, in addition to limited hours of outdoor activity, as conditioned. The continued operation and expansion of the private school is not anticipated to draw major traffic or create conflicts with the adjacent uses and no substantial evidence was submitted to indicate that the facility would adversely impact existing facilities. The existing private school

will be desirable for public convenience and welfare, because it will continue to provide care and instruction for the children in the community.

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

Adequate public and private facilities, such as utilities and traffic circulation measures are provided for the use. The subject property was originally developed as a two-story residence in 1912, which was later approved to operate as a private school in 1996. For the past 24 years, the private school has been serviced with adequate utilities such as gas, electricity, water, and sewers. A total of five existing parking spaces (four parking spaces within the existing detached garage; one ADA space underneath the existing carport) are currently provided on site to service the private school use, in addition to the three designated drop-off and pick up spaces located on North Cedar Street, which were required as a condition of approval of the previous Conditional Use Permits as a traffic circulation measure. These drop-off and pick-up parking spaces will be maintained. The existing streets on which the private school is located are fully developed and can adequately handle the traffic circulation around the site.

As part of the applicant's proposal, a five-foot wide landscaping strip will be provided between the facility's existing parking lot and the right-of-way along East Lexington Avenue, and a three-foot wide landscaping buffer will be provided between the parking lot and the western property line to satisfy the minimum landscaping requirement for surface parking lots. Additionally, the existing ADA parking space underneath the carport will be reconfigured to accommodate an additional standard parking space, as well as a revised code-compliant ADA parking space with loading area and path of travel. This proposed modification will result in a total of six parking spaces (four parking spaces within the existing detached garage; two parking spaces underneath the existing carport) for the private school use. An Administrative Exception Permit has been submitted to reduce the number of required off-street parking spaces, in conjunction with the proposed classroom expansion for the private school.

## **CONDITIONS OF APPROVAL**

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

1. That the use 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.
2. That any expansion or modification of the facility or use, which intensifies the existing conditional use, permit shall require a new conditional use permit application. Expansion shall constitute additional floor area, increased hours of operation, increase in the number of students, or any physical change as

determined by the Planning Hearing Officer, with concurrence of the Director of Community Development.

3. That all licenses and permits as required or approvals from Federal, State, County or City authorities, including the City Clerk, shall be obtained and kept current at all times.
4. 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.
5. 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 conditional use permit are complied with.
6. That State Accessibility Standards be met per CBC 1109A.8.6 for Van accessible parking space requirements and building entrance accessibility as required by the Building and Safety Division.
7. That additional or other building code requirements or specific code requirements (i.e. CA Green Building Code, etc.) will be required upon submittal of plans for building plan check and permit.
8. That the project shall comply with GBSC 2017, section 117 for "Refuse and Recycling Storage" rooms.
9. That the hours of operation shall be between 7:30 am and 5:30 pm, Monday to Friday.
10. That the premises be maintained in a clean and orderly condition, free of weeds, trash, and graffiti.
11. That the Fire permit for the operation of the Day Care Center/Preschool shall be updated.
12. That an updated Daycare Center License shall be submitted to the Department of Social Services to receive a Fire Clearance inspection.
13. That the existing fire sprinkler system be extended into the new addition under permit issued by the Glendale Fire Department.
14. That the existing fire alarm and smoke/CO detection be extended into the new addition, as necessary, under permit issued by the Glendale Fire Department.
15. That the corner site distance shall be maintained for traffic at Cedar Street and Lexington Drive intersection, per Glendale Municipal Code 10.64.060.

16. That the contractor shall not store trash bins, construction equipment, construction materials, or construction vehicles (concrete truck, dump truck, etc.) on City's Right-Of Way (sidewalk, parkway, or street) without first obtaining a "Street-Use" permit from the Public Works - Engineering Division. Permit must be displayed at job site.
17. That the children refrain from any outdoor activity before 9:00 a.m.
18. That no loudspeaker or public address system shall be installed on the premises.
19. That in no event shall there be any overnight lodging of children on the site.
20. That the maximum number of children on the premises at any given time shall not exceed 45.
21. That three drop-off / pick-up spaces will be maintained from 7:30 a.m. - 9:00 a.m., and 3:30 p.m. - 5:30 p.m. during the center's hours on Cedar Street to the satisfaction of the Traffic and Transportation Administrator.
22. That the applicant shall designate a school staff member in the loading zone to assist children in entering/exiting the school during the designated hours in addition to monitoring the drop-off / pick-up activity to the satisfaction of the Traffic and Transportation Administrator.
23. Obtain a new zoning use certificate to reflect the approval of the current conditional use permit.
24. That the applicant shall comply with all applicable conditions of the Administrative Exception Permit No. PAE2009898.

#### **APPEAL PERIOD**

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. Appeals must be filed prior to expiration of the 15-day period, on or before **November 6, 2020**. Information regarding appeals, appeal forms and fees may be obtained by calling the Community Development Department (CDD) staff at 818-548-2140, or the case planner at 818-937-8157.

APPEAL FORM is also available on-line:

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

Due to the current COVID-19 social distancing and work from home orders issued by federal, state and local governmental agencies, in order for any appeal to be considered timely, **the appeal must be postmarked by the NOVEMBER 6, 2020 deadline (mailed to Community Development Department – Planning Division, Attention Minjee Hahm, 633 East Broadway, Room 103, Glendale, CA 91206) OR emailed to the case planner (Minjee Hahm at MHahm@glendaleca.gov) prior to the close of said business day.** The prescribed fee must be included along with the appeal application and may be submitted either in the form of a check or credit card payment. For credit card payment, please contact Minjee Hahm at 818-937-8178 to make arrangements with the cashier. Note: The standard 2.5% fee for **credit card payment** applies.

#### **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.

##### 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.

##### 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 administrative exception.

#### **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.

## REVOCATION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over 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 an administrative exception at least ten (10) days' notice by mail to the applicant or permittee.

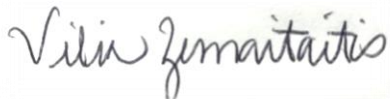
## NOTICE – subsequent contacts with this office

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, Minjee Hahm, during normal business hours at (818) 937-8178 or via e-mail at [mhahm@glendaleca.gov](mailto:mhahm@glendaleca.gov).

Sincerely,

Philip Lanzafame  
Director of Community Development



Vilia Zemaitaitis, AICP  
Principal Planner

VZ:MH: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); Public Works (E.Hitti)Traffic & Transportation Section (P.Casanova/Mark Bueno-Traffic Engineer Assoc.); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S.Boghosian/R.Takidin/C.Babakhanlou/D.Scorza/F.Garcia); 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/S.Sardarian); Integrated Waste Management Admin. (D. Hardgrove/R.Torres/L.Klick); Maintenance Services Section Admin. (D. Hardgrove); Street and Field Services Admin.; Engineering and Environmental Management (C.Chew/R. Villaluna); and case planner – Minjee Hahm.