



CITY OF GLENDALE, CALIFORNIA

Community Development
Planning

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November 20, 2020

Allen Vardanyan
5744 San Fernando Road
Glendale, CA 91202

**RE: 5744 SAN FERNANDO ROAD
ADMINISTRATIVE USE PERMIT NO. PAUP2004536
(Glendale Rehabilitation Clinic)**

Dear Mr. Vardanyan:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.49, the Community Development Department has processed your application for an Administrative Use Permit to allow the change in use from Office to Residential Congregate Care Facility - Medical (specifically a drug and alcohol treatment center.) The proposed facility is 13,369 square feet within two floors and includes a total of 56 beds within 13 rooms, kitchen, cafeteria, group rooms, therapy rooms and bathrooms. The existing site provides for 16 standard spaces, four (4) tandem spaces, 14 compact spaces and two (2) accessible spaces (total of 36 parking spaces). The proposed use will require 14 total parking spaces. The lot size is 13,520 square feet and is located at **5744 San Fernando Road** in the "IMU-R" - (Industrial Mixed Use – Residential) Zone, described as Lots 4, 5 and a portions of Lot 6, Tract No. 9480, in the City of Glendale, County of Los Angeles.

CODE REQUIRES

Residential Congregate living, medical facilities require an Administrative Use Permit in the "IMU-R" zone.

APPLICANT'S PROPOSAL

An Administrative Use Permit to allow a medical residential congregate care facility (drug and alcohol treatment center) in an existing 13,369 square-foot building. The facility will include a total of 56 beds in 13 bedrooms, kitchen, cafeteria, group rooms, therapy rooms and bathrooms

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 facility will be located in an existing building.

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After considering the evidence presented with respect to this application, the Director of Community Development has **APPROVED WITH CONDITIONS** your request based on the following findings:

REQUIRED/MANDATED FINDINGS

After thorough consideration of the statements contained in the application, the plans submitted therewith, the above analysis by Community Development Department staff, and any comments received from the public with respect to this application, this Administrative Use Permit application is approved based on the following:

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

The proposed medical residential congregate living facility will be consistent with the various elements and objections of the Glendale General Plan because the subject site has a Mixed Use designation in the City's Land Use Element and is zoned IMU-R and the use is consistent with this land use designation and zoning classification. One goal of the Land Use Element includes improving the livability of the total community for all Glendale residents as expressed in living, working and shopping areas, as well as community facilities. Another objective of this Element is expanding opportunities for the provision of needed social services by both public and service organizations. The proposed medical residential congregate living facility is 13,369 square feet within two floors and includes a total of 56 beds (13 bedrooms) with shared accommodations such as a kitchen, cafeteria, group rooms, therapy rooms and shower facilities all located on the second level of the building. The proposed facility will further these General Plan goals by offering adults with substance use disorders and dual diagnosis-related problems a facility in which to obtain treatment. The project is also consistent with other elements of the City's General Plan. The project will not impact the Circulation Element. Both San Fernando Road and Highland Avenue can accommodate traffic that this facility will generate and the Traffic and Transportation Section of the Public Works Department did not cite concerns. The Recreation and Open Space Element does not identify the subject site for parks or open space purposes. The IMU-R zone (consistent with the land use element) allows for a mix of commercial, industrial, and residential land uses and provides for a full range of goods and services to the community. The IMU-R zone permits medical residential congregate living facilities with approval of an administrative use permit and this use will provide a service to a segment of the community requiring treatment for substance abuse and dual diagnosis issues.

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 medical residential congregate living facility and the existing building in which it will be located, will not be detrimental to the public health or safety, the general welfare or the environment because the facility will serve a use needed by a segment of the adult population and, as conditioned, will operate in accordance with Federal, State and local

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requirements for such use and the exterior of the physical facility will not be changed as a result of the project. The medical residential congregate living facility will provide adults with substance use disorders and dual diagnosis-related problems a place to obtain treatment. This type of use is not only beneficial to individuals enrolled in the facility but also to the public welfare in general. The proposed facility, as conditioned, will be required to comply with Federal, State and local regulations related to this type of use. The building in which the medical residential congregate living facility will be located is existing and has been for a number of years. Façade improvements to the building were approved and constructed in 2016. No changes to the exterior of the building are proposed. The Police Department cited initial concerns related to the project, including the potential lack of parking, loitering, trash/cigarettes and the provisions to provide security personnel. As mentioned, patients of the facility are not allowed to have automobiles on-site and on-site parking is for employees and visitors only. Additionally, visitors will be required to schedule appointments to visit patients. Patients can only leave the facility during organized and chaperoned "field trips". As a condition of approval, signage shall be installed on the site educating patients, staff and visitors to the facility of the City's Fresh Air Ordinance. Additionally, a condition has been added to approval of the project requiring two on-site security guards 24-hours a day.

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

The medical residential congregate living facility, as conditioned, will not adversely affect or conflict with adjacent uses or impede the normal development of surrounding property because of its transitional location, its location in an existing building with no proposed changes and the fact that the surrounding area is already developed. The subject site is located on the northeast corner of San Fernando Road and Highland Avenue and surrounded by a gasoline station fronting San Fernando Road to the north, a carwash to the south, Grayson Power Plant to the west and a residential neighborhood to the east. The location reflects a transition between the largely industrial and commercial land uses on San Fernando Road and to the south and residential development in the Pelanconi neighborhood. The proposed facility will be located in an existing, vacant building. Building façade renovations were approved in 2016 and the building is well designed in terms of site planning, mass and scale, and style to provide a cohesive development with the surrounding properties. No changes to the exterior of the building are proposed as a result of the project. The surrounding area is fully development and the location of the facility, as conditioned, should not impact normal development or redevelopment of the nearby area. As conditioned, the medical residential congregate care facility will be required to operate in compliance with Federal, State and local regulations. Additionally, conditions will be placed on the project and its operation to ensure that it will not adversely impact nearby uses. These conditions include the provisions to provide a minimum of two security personnel 24-hours a day on-site, a prohibition of loitering on-site or in the surrounding neighborhood and limitation on visitation at the facility.

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D. That adequate public and private facilities such as utilities, landscaping, parking spaces and traffic circulation measures are or will be provided for the proposed use.

Adequate public and private facilities such as utilities, landscaping, parking spaces and traffic circulation measures are or will be provided for the proposed medical residential congregate living facility because adjacent streets can serve the facility, parking requirements are met and utilities already serve the site. The subject site is adjacent to San Fernando Road and Highland Avenue and accessed from the latter street. San Fernando Road, a major arterial, and Highland Avenue, a local street, can accommodate any traffic resulting from the proposed development. The zoning code requires one parking space for every four beds for medical residential congregate living facilities. The project provides a bed count of up to 56 beds and would, therefore, require 14 parking spaces. The site provides 18 code-compliant and a total of 36 existing parking spaces (16 standard spaces, four (4) tandem spaces, 14 compact spaces, and 2 accessible spaces), which is significantly more than the minimum number of required spaces. Patients in treatment in the facility are restricted from driving to the site and from having a car on the site. Access to the parking lot is provided off an alley from Highland Avenue. Glendale Water and Power did not cite concerns related to providing services to the proposed facility. No reductions or changes to the existing landscaping are proposed.

RESPONSES TO COMMUNITY INPUT RECEIVED DURING COMMENT PERIOD

During the public comment period, staff received approximately 175 e-mails regarding the project. While the majority of the e-mail correspondence was in opposition to the project, a significant minority were supportive of the proposed medical residential congregate living facility. Planning Staff has grouped the opinions expressed in these e-mails into categories. Below is a summary of the key points from the emails, as well staff responses.

1. Too close to residential neighborhoods, schools, bars/liquor stores, train track and bus stop.

The majority of the emails commented that the medical residential congregate living facility will be too close to the residential neighborhood and nearby uses including schools and bars/liquor stores and other facilities, including bus stops and train tracks.

Immediately north and northeast of the subject site, the area is zoned R1 (single-family residential) and developed with single-family homes. However, the proposed facility will be located in the IMU-R zone and is on the northeastern border of what is a largely industrial area located between San Fernando Road and the 5 Freeway. The IMU-R zone permits the location of medical residential congregate living facilities with approval of an administrative use permit. The purpose of the administrative use permit is to allow consideration for certain uses in specific locations only if such uses are designed in a particular manner on the site or are subject to specific conditions to assure compatibility within the zone or its surroundings. In the specific case, the proposed medical residential congregate living facility will be required to comply with certain conditions regulating the use such that it will not adversely impact the nearby

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residential neighborhood. Conditions will include requiring a minimum of two on-site security guards 24 hours a day, limiting outside access for patients of the facility to facility-sponsored activities with chaperones and regulating transportation of patients entering the facility for treatment and exiting the facility when treatment is completed. These conditions will ensure that patients in treatment for alcohol and drug addiction at the facility will have limited exposure to the surrounding community and concentrate on appropriately addressing their dependence.

Keppel Elementary School, Toll Middle School and Hoover High School are located just under a mile from the proposed facility. No other known public or private schools or pre-schools are located in closer proximity to the subject site. To reach the aforementioned public schools from the proposed facility, one would need to traverse the adjacent Pelanconi neighborhood, cross Glenoaks Boulevard, a major arterial street, and go through portions of the North Glendale/Glenwood neighborhoods. Given this distance and the condition that patients of the facility are not allowed to leave the facility without supervision, the facility will not have a negative impact on schools in the area. It is acknowledged that students live in the adjacent residential neighborhood and travel to schools in the area; however, restrictions placed on the facility's operation which prevent patients from exiting the facility without a chaperone on an organized outing, will limit student/patient interaction.

Concerns were raised regarding the proximity of the proposed facility to bars/liquor stores, bus stops and the train tracks and how they may hinder or tempt patients seeking treatment at the facility. Patients at the medical congregate living facility will not be allowed to exit the facility unsupervised, and after treatment has been completed will either be picked up by family/friends or taken by the facility to a pre-arranged location for release.

2. Parking, Noise, and Traffic

Staff received a number of e-mails expressing concern regarding on-site parking and the amount of noise and traffic generated as a result of the proposed facility. The City's Zoning Code requires that Medical Residential Congregate Living facilities provide one parking space for every 4 beds in the facility. Therefore, the 56-bed facility is required to provide 14 on-site parking spaces. The subject site includes 16 standard size (code-compliant) spaces, 14 compact spaces, 4 tandem spaces and two accessible spaces, for a total of 36 spaces. The project complies with the number of parking spaces required by the Zoning Code. Patients of the facility are not permitted to have cars on-site (they are picked up or dropped off when enrolling in the facility); therefore, only employees of the facility and visitors to the facility will require on-site parking. As a condition of project approval, the facility will be required to set up and implement a visitor appointment schedule so that visitor parking can be monitored such that on-site parking is available.

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Like all other businesses, the medical residential congregate facility will need to comply with the City's Noise Ordinance. As mentioned previously, no patient will be able to leave the site unless it is a facility-organized, chaperoned event. Additionally, there are no on-site outdoor areas with which patients of the facility can congregate.

The only traffic generated as a result of the project would be employees travelling to and from the site, visitors of patients and occasional deliveries and vehicles used for field trips. There is an average of 8 – 10 employees during the day, including nurses, therapists, case managers and security. There is an average of four employees overnight, including technicians and security. Visitation is by appointment only, limited to the hours of 8 am to 5 pm and no more than 15 scheduled visits are allowed per day, as conditioned. Patients are not allowed to have automobiles on site, nor are they allowed to enter and exit freely. Given how the facility operates and conditions placed on the approval of the facility, traffic generated by the proposed project will be minimized.

3. Property Value, Crime, Homelessness

The subject site is zoned IMU-R and has been zoned this way since 2004. The IMU-R zone permits a variety of uses including private specialized education and training schools, broadcast studios, manufacturing, warehousing/wholesaling, and various retail and service establishments. Along with medical residential congregate living facilities, multi-family residential, among other uses, is permitted with approval of an administrative use permit. Building height in the zone allows up to 6 stories and 75 feet. The subject property is developed with a two-story building.

The building in which the facility is proposed to locate is currently vacant. Vacant buildings typically attract the homeless population more so than an occupied building. In the present case because of the use proposed, the building will be occupied and have security all the times of the day and night and is not anticipated to be a magnet for the homeless.

The Police Department did not have concerns related to the proposed use as long as certain conditions were imposed on approval of the project. These conditions, including the on-site presence of security guards 24 hours a day will address any perceived increase in crime related to the proposed use.

4. Building Code Compliance

Several comment letters expressed concerns related to compliance with building codes for the proposed use. The occupancy of the building will change from office to a residential congregate living facility. During the plan check process for the project, compliance with all pertinent building codes will be checked and, once a permit is issued, compliance with approved plans during construction will be monitored by the

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building inspectors. Compliance with building codes is also a condition of approval for the project.

5. Support for the proposed Medical Residential Congregate Living facility

A significant minority of letters received regarding the project were supportive. These letters cited the lack of this type of facility for those people needing it; the valuable service the facility will provide; the duty as a community to support those in need of rehabilitation; and the community benefit the facility will offer.

CONDITIONS OF APPROVAL

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

1. That the development shall be in substantial accord with the plans submitted with the application 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 all necessary permits shall be obtained from the Building and Safety Section and Fire Department and all construction shall be in compliance with the Glendale Building Code and all other applicable regulations.
3. That all necessary licenses, approvals and permits as required from Federal, State, County or City authorities including the City Clerk shall be obtained and kept current at all times.
4. That any expansion or modification of the facility or use which intensifies the existing Administrative Use Permit shall require a new Administrative Use Permit application. Expansion shall constitute adding floor area, additional beds exceeding the proposed 56-beds, changes to the use or operation, or any physical change as determined by the Director of Community Development.
5. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash, and graffiti.
6. That adequate means shall be provided for the collection of solid waste generated at the site and that all recyclable items shall be collected and properly disposed of to the satisfaction of the Integrated Waste Management Administrator of the City of Glendale. No trash containers shall be stored in any parking, driveway, or landscaping area.

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7. That access to the premises shall be made available to all City of Glendale Planning and Neighborhood Services Division, Police Department, and Fire Department staff upon request for the purpose of verifying compliance with all laws and conditions of this approval.
8. That the project shall comply with the City's Noise Ordinance. Noise shall be contained to the site, such that persons of normal sensitivity off-site are not disturbed.
9. Any proposed exterior lighting shall be directed onto the driveways, walkways and parking areas within the site and away from adjacent properties and the public right-of-way to the satisfaction of the Planning Hearing Officer.
10. That all signs require a separate sign permit.
11. A minimum of two (2) security guards shall be on-site, 24 hours a day, 7 days a week.
12. No walk-in patients or intake/admission of patients shall take place on-site. The pre-admission process shall take place off-site.
13. Once a patient has been accepted to the facility, the medical residential congregate living facility shall provide transportation to the center for the patient. No patient shall have any vehicles on-site.
14. Loitering on-site or within the surrounding neighborhood is prohibited. Signage shall be installed, consistent with the City's sign ordinance stating that on-site loitering is prohibited.
15. Signage shall be posted on-site educating patients, staff and visitors of the facility of the City's Clean Air Ordinance.
16. Visitors are allowed at the center by appointment only and only between the hours of 8:00 am. and 5:00 pm. Visitation shall be scheduled in advance and no more than 15 scheduled visits are allowed per day.
17. When a patient is discharged, the center shall provide transportation to a mutually agreeable location or arrange to have a friend or family member pick up the patient. No patient will be discharged to the surrounding neighborhood.
18. No patient shall be allowed outside unless it is a "field trip" organized by the medical residential facility center and under direct supervision of the staff member(s).

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19. All staff members shall park on-site.

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 **December 7, 2020**.

Any appeal must be filed on the prescribed forms within fifteen (15) days following the actual date of the decision. Information regarding appeals, appeal forms and fees will be provided by the Community Development Department (CDD) staff upon request by calling 818-548-2140.

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 December 7, 2020 deadline (mailed to Community Development Department – Planning Division, Attention Roger Kiesel 633 East Broadway, Room 103, Glendale, CA 91206) OR emailed to the case planner (Roger Kiesel at rkiesel@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 the case planner to make arrangements with the cashier. *Note:* The standard 2.5% fee for credit card payment applies.

APPEAL FORMS available on-line

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

If you have any questions, please contact the case planner, Roger Kiesel, at (818) 937-8152 (email: rkiesel@glendaleca.gov).

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.

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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, CONTINUING JURISDICTION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over Administrative Use Permits. To consider the revocation, the Planning Hearing Officer shall hold a public hearing after giving notice by the same procedure as for consideration of an administrative 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 an administrative 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 administrative 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

An Administrative Use Permit may be terminated by the review authority upon any interruption or cessation of the use permitted by the Administrative 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. 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

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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, Roger Kiesel at (818) 937-8152 or rkiesel@glendaleca.gov.

Sincerely,
Philip Lanzafame
Director of Community Development



Bradley Collin
Planning Hearing Officer

BC:RK: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); Glendale Unified School District; 175 emails from neighbors; and case planner – Roger Kiesel