



CITY OF GLENDALE, CALIFORNIA

Community Development
Planning

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February 16, 2024

Nareg Khodadadi
213 N. Orange St, Suite E
Glendale, CA 91203

**RE: ADMINISTRATIVE DESIGN REVIEW CASE NO. PADR-001193-2023
2221 El Arbolita**

Dear Nareg Khodadadi:

On February 16, 2024, the Director of Community Development, pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.47, **APPROVED** your design review application to expand an existing 300 square foot deck to a 506 square foot deck at the rear of the existing single-family home that will extend ten feet from the southwest side of the house and project over the hillside at seven-feet, six-inches tall with a wrought-iron guardrail. Two split-face retaining walls with decorative landscaping will support the wall, sitting lower on the hillside. The project site is located in the R1R zone, Floor Area Ratio District II.

SUMMARY OF THE DIRECTOR OF COMMUNITY DEVELOPMENT'S DECISION

Site Planning – The proposed site planning is appropriate to the site and its surroundings for the following reasons:

- The building footprint remains mostly unchanged by the proposed deck.
- The new retaining walls will be split face with landscaping on the southern side to reduce visibility.
- Overall, the placement of the deck at the rear of the site is appropriate considering similar structures in the surrounding neighborhood.

Mass and Scale – The proposed massing and scale are appropriate to the site and its surroundings for the following reasons:

- The proposed deck extends along the entirety of the rear of the house and projects ten-feet out onto the hillside. It is seven-feet, six-inches tall and features two tapered 5 foot retaining walls that will be visible from the houses on the downslope. The walls do not exceed 5-feet and are decorative with landscaping.

- The deck is compatible with similar decks in the neighborhood and does not significantly alter or cover the existing topography.
- The proposed deck will be visible from the house directly east of the subject site and is appropriately setback from the interior property line.
- The mass of the deck is mitigated by landscaping at the base of the retaining walls.

Building Design and Detailing – The proposed design and detailing are appropriate to the site and its surroundings for the following reasons:

- Overall, the design and detailing of the decks at the rear are compatible with the contemporary style of the existing house through the use of retaining wall and guardrail materials.
- The deck will feature a tile decking material and a wrought-iron guardrail. The retaining wall will be split face to match the existing house.

RESPONSES TO COMMUNITY INPUT RECEIVED DURING COMMENT PERIOD

During the public comment period, staff received correspondence from residents in the area. Below is a summary of the points from the comment letters in opposition, and staff response.

1. ~~The project requires CEQA review.~~

Some comment letters were received requesting that the project not be exempt from CEQA review, citing visual and noise interruptions, wildlife concerns, and alleging that the new deck could potentially compromise the existing hillside and create issues relating to fire and drainage. Additionally, some neighbors allege that because the existing deck was previously demolished without permits, this project should be considered new, rather than as an addition, therefore triggering CEQA review.

Staff Response: The City is aware that the project was started without permits, but this does not change its exemption determination as Class 1 "Existing Facilities" pursuant to Section 15301 of the State CEQA guidelines. The existing facilities is the existing single-family house; the deck is an addition to that dwelling and will not result in the increase of more than 50 percent of the floor area of the structures before the condition. Therefore, the project is exempt from CEQA review.

2. The project was not properly noticed, and the report was not available online.

Some comments stated that neighbors did not receive a notice in the mail regarding the proposed project.

Staff Response: The project was duly noticed in accordance with GMC 30.31.010, requiring mailed notices to be sent to property owners and occupants within a 500-foot radius of the site and that the site be posted with a public notice ten days prior to the

decision date. Approximately 45 public notices were mailed by the Planning Division, and the applicant posted the required public notice sign. As such, the public noticing was done in accordance with GMC 30.61.010. All files related to the case, and the project plans have been available for review in the Planning Division since the application submittal.

In addition, the Administrative Design Review staff report and attachments were posted to the City's Pending Decision page on December 12, 2023. On December 17, 2023, a neighbor informed the case planner that the incorrect report had been uploaded. It was corrected by December 19th, and the Planning department provided two additional weeks for public comments due to the error. On January 11th, it was brought to staff's attention that the incorrect report was still posted on the City's Public Notices page. The error was corrected, and staff provided an additional two weeks for public comments related to this project. The final decision date was January 30th, 2024.

3. Staff Report inaccuracies.

One comment letter received noted that there were inaccuracies in the staff report.

Staff Response: The project description in the staff report states that the deck is seven-feet, six-inches tall, however later in the report the deck is described as seven feet tall. Additionally, the staff report and architectural drawings indicate that the proposed deck is 506 square feet, but the square-footage included in the tabulation on sheet A0.1 of the architectural drawings indicates the proposed square-footage as 680. According to the applicant, Mr. Nareg Khodadadi, he informed the case planner that the square footage of 680 SF is not correct. So, the applicant will need to revise the project tabulation included in the plans to reflect the correct square footage of 506 SF for the new deck prior to plan check submittal.

4. Setbacks

One comment letter received alleges that the project does not comply with interior setback regulations required by the Zoning Code.

Staff Response: The proposed interior setback of six-feet, six-inches for the attached deck complies with the zoning code. According to Section 30.11.020, Table B, it indicates that buildings, structures and additions that are between 20 feet and 30 feet in height shall be setback a minimum of five feet from the interior property line.

5. Privacy Concerns

One of the comment letters cited concerns related to privacy.

Staff Response: In accordance with GMC 30.47.040.B.3, conflicting relationships to adjacent buildings, structures, improvements and uses should be avoided as appropriate to the zone and area. The project complies with the minimum setback, open

space, and landscaping requirements of the Zoning code for the R1R-II zone, providing adequate privacy buffer between structures and property lines in compliance with the Zoning Code. The intent of setbacks, open space and landscaping requirements is to assure that an effective separation is provided between properties and uses to foster compatibility, privacy, light, air and ventilation and provide for landscaped areas in the living environment for visual relief and recreation.

6. Unpermitted Construction and Retaining Wall

Some comments received from neighbors mentioned that construction on the subject property began without required building permits.

Staff Response: A Code Enforcement case was initiated by the City Neighborhood Services staff associated with unpermitted work performed on the property. Subsequently, the applicant filed the subject Design Review application proposing to construct new retaining walls associated with the construction of the deck attached to the rear of the house.

This approval is for the project design only. Administrative Design Review approval of a project does not constitute compliance with the Zoning Code and/or Building Code requirements. Please refer to the end of this letter for information regarding plan check submittal. If there are any questions, please contact the case planner, Chloe Cuffel, at 818-937-8162, or via email at ccuffel@glendaleca.gov.

APPEAL PERIOD, TIME LIMIT, LAPSE OF PRIVILEGES, TIME EXTENSION

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 Design Review Board 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 application within fifteen (15) days following the actual date of the decision. Information regarding appeals will be provided by the Community Development Department (CDD) staff upon request by calling 818-548-2140. Any appeal must be filed online with the prescribed fee prior to expiration of the 15-day appeal period, on or before **March 4, 2024, at 5:00 p.m.** All appeals must be filed using the City's online permitting and licensing portal, please visit www.GlendalePermits.org to submit the application.

EXTENSION: An extension of the design review approval 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 design review approval.

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.

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, **Chloe Cuffel**, 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.

If an appeal is not filed within the 15-day appeal period of the decision, plans may be submitted for Building and Safety Division plan check. **Prior** to Building and Safety Division plan check submittal, approved plans must be stamped approved by Planning Division staff. **Any** changes to the approved plans will require resubmittal of revised plans for approval. **Prior** to Building and Safety Division plan check submittal, **all** changes to approved plans must be on file with the Planning Division.

An appointment must be made with the case planner, Chloe Cuffel, for stamp and signature prior to submitting for Building plan check. Please contact Chloe Cuffel directly at 818-937-8162 or via email at ccuffel@glendaleca.gov.

Sincerely,

BRADLEY CALVERT, AICP
Director of Community Development



Erik Krause
Deputy Director of Community Development



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