

October 5, 2015

Shoghig Yepremian
P.O. Box 583
Sierra Madre, CA 91025

**RE: 510 E. HARVARD STREET
ADMINISTRATIVE USE PERMIT CASE NO. PAUP 1517574**

Dear Ms. Yepremian:

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 (AUP) to establish an adult day care center at 510 East Harvard Street, located in the Downtown Specific Plan – East Broadway District (DSP/EB), described as Lots 2 and 4, Block 49, Portion of Town of Glendale, in the City of Glendale, County of Los Angeles. The AUP is being processed in conjunction with a parking exception (PPEX 1517576) application to allow the proposed use with 14 parking spaces.

CODE REQUIRES

- (1) The establishment of a day care center within the DSP/East Broadway District requires an administrative use permit.

APPLICANT'S PROPOSAL

- (1) To establish an adult day care center within an existing 8,750 square-foot building in the DSP/East Broadway District.

ENVIRONMENTAL DETERMINATION

The project is exempt from CEQA review as a Class 1 "Existing Facilities" exemption pursuant to State CEQA Guidelines Section 15301.

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 FINDINGS

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

The subject property is developed with an 8,750 square-foot building and surface parking lot, and is located within the DSP/EB District. This DSP/EB District permits a variety of

land uses that are similar in character or are complementary to one another, such as retail, office, and service type uses. An adult day care center will add to the economic vitality of the area by adding to a more balanced commercial center consistent with the expanding residential development and existing senior housing within downtown. As such, the proposed adult day care center will be consistent with the Land Use element and objectives of the general plan for this area.

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 granting of the administrative use permit will not be materially detrimental to the public health or safety, the general welfare, or the environment in such zone or neighborhood where the facilities are located. The site is located within the DSP/EB District, which permits a wide variety of land uses, such as general retail, restaurants, offices, service-related establishments, and residential development due to its downtown setting. These permitted uses are considered complementary to one another and are intended to encourage a symbiotic relationship that adds to a wider range of uses located within a downtown. A day care center is considered to be an appropriate use among the mix of other land uses permitted in this zone.

The subject site is located near several major thoroughfares, including Glendale Avenue to the east, Colorado Street to the south, Broadway to the north, and Brand Boulevard to the west, and is improved with an 8,750 square-foot, one-story building and 14 parking spaces. The adult day care center will operate in an existing building that previously housed a printing shop. No new construction or addition is proposed; the existing building will be modified to accommodate the new use. As such, construction-related impacts generally associated with a new construction would not be generated that may inconvenience the surrounding area. However, interior tenant improvement will be necessary to modify the layout of the space. The applicant is also proposing exterior changes, such as the replacement of the awnings, new window and door openings along Harvard Street, and a new handicap ramp. Changes to the exterior, such as new windows along the street where there are none currently, are an improvement for the existing condition that would create a more pedestrian-friendly façade and better design for the building, which benefit the neighborhood.

The proposed adult day care center is allowed through the administrative use permit (AUP). While the Zoning Code sees the appropriateness in allowing a day care center to be located in this zone, the AUP process ensures that conditions could be placed on the use when necessary so that any potential impacts to adjoining properties or nearby neighborhood will be mitigated.

The proposed day care center will be operated Monday through Friday from 8:00 AM to 2:00 PM and will be closed on weekends. The facility is anticipated to accommodate approximately 160 elderly clients. These participants will be transported to the center by company vans and/or dropped off by family members. Due to the existence of numerous senior housing facilities nearby, some may also walk to the facility. All activities and programs will be conducted inside the building.

As such, the proposed use as conditioned will not be detrimental to the public welfare, injurious to the property or improvements in the zone.

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

The proposed adult day care center will be conducted within an existing building and is not anticipated to adversely affect or conflict with adjacent uses or impede the normal development of surrounding property. The proposed use is considered complementary to a variety of uses already permitted within the DSP/EB. The proposed adult day care center intends to draw participants from the greater community as well as surrounding areas. The center will be operated Monday through Friday from 8:00 AM to 2:00 PM and will be closed on weekends. The majority of the participants will be transported to the facilities via company vans or dropped off and picked up by family members. If able, some seniors may walk to the center due to its close proximity to numerous senior housing complexes nearby. The new use is proposed within an existing building, which is encouraged since it is considered an adaptive reuse of an existing resource. The building is also surrounded on all sides by various commercial establishments, such as offices, retail/service, restaurants, and residential developments.

New uses or development in the surrounding properties are reviewed on a case-by-case basis subject to meeting the Zoning Code requirements. As such, administrative approval of the proposed day care center as discussed above would not impact or conflict adjoining uses in terms of their development or utilization of existing buildings.

An adult day care center is an appropriate use in this neighborhood as there are numerous high-density senior housing and multi-family housing developments within walking distance of the proposed facilities. One such facility is located across the street at the southwest corner of Harvard Street and Jackson Avenue. Two other facilities: the Otto Gruber House and Casa de la Paloma are located one and two blocks away from the proposed day care center. Therefore, the proposal appears to be consistent and complementary to the nearby senior housing facilities and would possibly encourage greater participation by seniors already residing in the area.

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.

The project site is located within an urban downtown setting and was developed in 1970 with an 8,750 square-foot building and 14 parking spaces. With the exception of the parking area on the east side of the building and an open area along the south side, the building is essentially built to the property line on two sides. Access to all on-site parking spaces will be from a 20-foot wide public alley, which will lessen any potential traffic-related impacts on Harvard Street.

Through the years since its construction, the building has accommodated various businesses, including a distribution center and a retail business. The most recent use was a print shop (Maskell Graphics). The site is fully developed with all utilities and is further improved with the required landscaping in the parking area. A landscape buffer between the parking area and the sidewalk along Harvard Street is also provided. Additionally, the property is located within close proximity to Colorado Street, Glendale Avenue, Broadway and Brand Boulevard. These streets are fully improved major thoroughfares developed to handle high traffic volume within the city. These streets are also easily accessible to the site. However, because participants will be picked up and dropped off using multi-passenger company vans, impacts to the existing traffic circulation pattern are minimal. The change in use of the building is not anticipated to affect the existing traffic circulation in and around the project site. Additionally, the property provides all the necessary improvements, including utilities and landscaping to fully and adequately accommodate the proposed day care center. Therefore, impacts relating to site improvements in order to accommodate the proposed adult day care center are not anticipated.

A parking exception application is being processed in conjunction with the administrative use permit application. The proposed use requires 26 parking spaces and only 14 spaces will be provided on site. This is a deficit of 12 spaces. The parking exception is supportable for a variety of reasons. Participants will be dropped off and picked up by company vans or family members. This service reduces the reliance of each person driving separately to the facility and the need for code compliance parking. Similarly, the target area is 0.50 miles from the project site. There are three high density senior housing developments located within walking distance to the proposed day care center and seniors residing in these buildings could walk to the facility. Therefore, the parking exception to allow for the maintenance of the 14 on-site parking spaces in conjunction with the proposed adult day care use is warranted.

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 Division and all construction shall be in compliance with the Glendale Building Code and all other applicable regulations.
3. That design review exemption or design review approval for the exterior modifications shall be obtained prior to the issuance of a building permit.
4. That all activities related to the adult day care center shall be conducted inside the building at all times.

5. That a new Business Registration Certificate (BRC) shall be obtained prior to operation of the adult day care center.
6. That all signs shall require a separate permit.
7. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash, and graffiti.
8. That the existing landscaping/planters on site shall be maintained and kept in a neat and orderly manner with live plants, free of weeds and trash.
9. That noise shall be contained to the site, such that persons of normal sensitivity off-site are not disturbed.
10. 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, increased hours of operation, changes to the use or operation, or any physical change as determined by the Director of Community Development.
11. 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.
12. That the Administrative Use Permit shall also be operated in full compliance with all conditions of approval for the Parking Exception (Case No. PPEX 1517576).
13. That authorization granted herein shall be valid for a period of 7 years until **October 5, 2022**.

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 October 20, 2015 at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday thru Friday 7:00 am to 12:00 pm, or at the Community Development Department (CDD), 633 East Broadway, Room 103, Monday thru Friday 12:00 pm to 5:00 pm.

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 an 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 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 30.16.61- of the Glendale Municipal Code, 1995, provides for the Director of Community Development to have continuing jurisdiction over any Administrative Use Permit which is or has been granted and may revoke any Administrative Use Permit in whole or in part at any time for failure to comply with any condition or requirement imposed at the time of approval.

GMC CHAPTER 30.4 PROVIDES FOR

TERMINATION: Every right or privilege authorized by an Administrative Exception 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 administrative use permit.

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, **Rathar Duong**, who can be reached directly at (818) 937-8185 or via email at rduong@glendaleca.gov. 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



Erik Krause, Principal Planner

cc: