

November 24, 2014

Janelle Williams
Williams Land Use Services
2418 Honolulu Avenue, Unit "B"
Montrose, CA 91020

**RE: 3437 OCEAN VIEW BOULEVARD
PARKING REDUCTION PERMIT NO. PPRP 1420364**

(SEE: ADMINISTRATIVE USE PERMIT NO. PAUP 1420359)

Dear Ms. Williams:

On November 19, 2014, the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.50, on your application for a Parking Reduction Permit to remodel and add 231 square feet on the ground floor of an existing tavern, to convert the upstairs owner's unit to accessory space for the tavern/restaurant, and to add an outdoor dining/waiting area without providing additional parking. A Parking Reduction Permit application has been submitted to allow for two one-site, code-compliant parking spaces (including one handicap space) in the reconfigured rear parking lot for the expanded tavern/restaurant, located at **3437 Ocean View Boulevard**, in the "C3"-Commercial Service Zone, described as Lot 10, Block 27, Sparr Heights Tract, in the City of Glendale, County of Los Angeles.

CODE REQUIRES

- 1) Taverns and full service restaurants require 10 (ten) parking spaces per 1,000 square (GMC 30.32.050.B).

APPLICANT'S PROPOSAL

- 1) To add 231 square feet on the ground floor to expand the kitchen and install an elevator, to convert the upstairs owner's unit to accessory space for the tavern (office, bathrooms, storage) and to add an outdoor dining/waiting area without providing 11 (eleven) additional parking spaces.

ENVIRONMENTAL RECOMMENDATION

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

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:

Pursuant to Section 30.50.040 of the Glendale Municipal Code, a Parking Reduction Permit may be granted for any circumstance where the applicant wishes to request a parking reduction where the review authority finds that:

- 1. The parking need for the land use is not as great as for similar land uses or the parking requirement for the land use established in the Zoning Code is greater than what will be needed by the land use.**

The parking need for the land use is not as great as for similar land uses or the parking requirement for the land use established in the Zoning Code is greater than what will be needed by the land use. The parking need for this expanded tavern/restaurant is not as great as for other such establishments due to the proposed interior configuration, its location in a pedestrian-oriented neighborhood, and the availability of parking nearby.

Required parking is calculated on gross floor area for taverns and includes any space to be added. However, the publicly accessible area inside the tavern will essentially remain the same as existing and the demand for patron parking is not being increased. The expansion on the ground floor involves enlarging the existing kitchen and adding an elevator. Meanwhile, the existing owner/operator's residential unit on the second floor will be converted to ancillary space for the tavern and its expanded food service. Other than the publicly accessible, ADA-compliant restrooms, elevator and stairwell, the rest of the second floor will consist of dry storage, scullery, and an office, all of which will be for employee use/access only. These new back-of-house facilities create minimal additional parking demand.

The tavern is located in the Sparr Heights Business District, which is a pedestrian-oriented neighborhood also known for its wide variety of commercial establishments. The tavern has been in operation at its current location with minimal on-site parking since 1959. With the proposed expansion of food service for the tavern, the operator anticipates serving the local workforce lunch crowd that will come by foot from the surrounding commercial streets, as well as the local residents who will walk from the adjacent residential neighborhood after work hours. The majority of surrounding professional office and non-retail businesses are closed in the

evenings and many are closed on the weekends or Sundays. With the local 9:00 AM to 6:00 PM two-hour on-street parking restriction, only visitors/patrons (not employees) typically use the on-street parking and the two-hour time limit forces turn-over of on-street parking.

Additionally, the applicant submitted a parking study, conducted during seven consecutive days in July 2014, which shows on average that almost half of the 174 parking off-site parking spaces on nearby streets and in public parking lots are available during lunch hours (11:00 AM to 2:00 PM) and more than half are available after work hours (5:00 PM to 10:00 PM). The applicant also states that the typical table turnover rate for tavern/food establishments, such as the one proposed, is 45 minutes to an hour during lunch and 1 to 1.5 hours for dinner; this turnover rate works within the local two-hour on-street parking restriction. For patrons staying longer during evening hours, the study appears to show that ample parking is provided on-street and in nearby City parking lots after local businesses have closed.

2. The intent of the parking regulations, in compliance with all other applicable provisions of this chapter, is met.

The intent of the parking regulations, in compliance with all other applicable provisions of this chapter, is met because the majority of the new area is devoted to ancillary and back-of-house uses for the tavern/restaurant, such as an elevator, ADA restrooms, dry storage, dish washing, office, etc., and not for additional dining/drinking areas to be occupied by patrons. Furthermore, suitable on-site and off-street parking is being provided for employees, while a parking survey provided by the applicant shows that sufficient on-street parking is available within 300 feet of the property as well as parking in nearby city parking lots.

The reconfigured parking lot will have one of the only fully compliant ADA disabled parking spaces in the neighborhood, in addition to one parking space, with the possibility of having an additional tandem space (three spaces total). Furthermore, four additional off-site employee spaces will be leased in City Parking Lot No. 7, as offered by the applicant and included as a condition of approval. The applicant fully expects that 25 - 30% of the 7 person-per-shift staff will walk, bike, use public transportation or carpool to work, so that provided employee parking will be adequate to eliminate additional on-street parking demand. Meanwhile, the bulk of the businesses in the neighborhood are professional service and specialty non-retail operations that close at 5:00 p.m. on weekdays and for the most part are closed on Saturdays and all day Sundays. In addition to on-street parking, public parking is available in the public parking lots (13 spaces in the parking lot at the southerly terminus of

Ocean View Boulevard and North Verdugo Boulevard, and 44 spaces in the lot adjacent to Montrose Community Park to the east of Sparr Boulevard and 94 spaces in the City Parking Lot No. 7 at the corner of Broadview Drive and Market Street). As noted in the submitted 7-day traffic study of the area surrounding the site, evening and weekend street parking is most abundant during the traditionally busiest times of operation of a tavern.

3. Sufficient parking would be provided to serve the use intended and potential future uses of the subject parcel.

Sufficient parking would be provided to serve the use intended and potential future uses of the subject parcel. The subject site has been the location of pubs and taverns of various names since 1959. While the improvements and adding food will draw new business, the parking demand for the expanded tavern/restaurant use is not anticipated to impact or conflict with surrounding business peak hours of operation and their parking demand. The submitted parking study substantiates the availability of nearby parking on-street and in public parking lots. As has been the case for the bar and tavern establishments located on this site since 1959, a significant percentage of the customers are pedestrian neighbors from local businesses and the nearby residential neighborhood. The proposed employee on-and off-site parking, the unique location within walking distance of a large number of businesses and residences in Sparr Heights, and the adequacy of customer public parking for the total are sufficient to serve the proposed and future uses.

The Planning Hearing Officer was able to make the three required findings for a Parking Reduction Permit because this restaurant is located within a pedestrian district, the interior addition will be used for a scullery, storage and restrooms for the restaurant and the first floor service area will be of similar size as the previous use. A parking study was conducted showing that on-street parking and parking in public lots is available during the operating hours of the restaurant. Conditions have been added for the restaurant to provide four off-site spaces for employees in a public lot that is within walking distance and two code-compliant parking spaces will be provided on-site.

CONDITIONS OF APPROVAL

APPROVAL of this Parking Reduction Permit PPRP 1420359 is subject to the following conditions:

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 Hearing Officer.

2. That all licenses, 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.
3. That the premises shall be operated in full accord with applicable State, County, and local laws.
4. That any expansion or modification of the facility or use which intensifies the existing tavern/restaurant use shall require a new parking reduction permit application. See PAUP 1420359 for the related case. Expansion shall constitute increasing the size of the interior dining/bar area and modifying the outdoor patio dining/waiting area, as shown on the submitted plans, or any change that could potentially increase negative impacts to parking and/traffic circulation, as determined by the Planning Hearing Officer.
5. That the second story shall be solely limited to the ancillary uses shown on the submitted plans. No conversion of the second story to dining or bar area shall be permitted.
6. That the rear parking lot shall be developed and striped according to the submitted plan and that all required permits shall be obtained. The parking lot shall feature two striped parking spaces per Code. Any lights in the parking lot shall be directed downward and away from neighboring uses. A no-smoking sign shall be posted and no benches, chairs or other seating that would encourage loitering shall be placed in the parking area.
7. That the business operator/owner shall lease a minimum of four off-site parking spaces in one of the nearby City-owned public parking lots so long as the business is in operation.
8. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash, and graffiti.
10. That landscaping areas shall be maintained in good condition with live plants and free of weeds and trash.
12. That no commercial vehicles and equipment shall be stored in the parking lot.
13. That a notarized affidavit consistent with requirements of Section 30.50.060 GMC shall be recorded.

**APPEAL PERIOD (effective date), 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 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 9, 2014** 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 pm.

APPEAL FORMS available on-line: <http://glendale.ca.gov>

To save you time and a trip - please note that some of our FORMS are available on line and may be downloaded. AGENDAS and other NOTICES are also posted on our website.

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.

REVOCATION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over parking reduction permits (individual cases heard and decided upon by the Hearing Officer). To consider the revocation, the Hearing Officer shall hold a public hearing after giving notice by the same procedure as for consideration of a variance at least 10 days notice by mail to the applicant or permittee.

GMC CHAPTER 30.41 PROVIDES FOR

Termination

Every right or privilege authorized by a parking reduction 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 parking reduction 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 parking reduction 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 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.

Sincerely,



Laura Stotler
Planning Hearing Officer
LS:VZ:sm

CC: City Clerk (K.Cruz); Police Dept. (Lt.S.Bickle/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section- (D.Nickles); Dir. Of Public Works (R.Golanian); Traffic Engineering Section (W. KO/S. Vartanian); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S. Boghosian); Glendale Water & Power--Electric Section (V. Avedian/B. Ortiz); Parks, Recreation and Community Services Dept. (J.Duran/T.Alexanian); Neighborhood Services Division (A. Jimenez); Integrated Waste Management Admin. (D. Hartwell); Maintenance Services Section Admin. (D. Hardgrove); Street and Field Services Admin.; Environmental Management (M. Oillataguerra; B.Taylor-architect on the project; D.Fink-owner; M.Clarke; T.MacDonald; and case planner Vilia Zemaitaitis.