



CITY OF GLENDALE, CALIFORNIA
COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division

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January 25, 2013

Lilit Davtyan
5301 Balboa Boulevard
Encino, CA 91316

**RE: 1111 SOUTH CENTRAL AVENUE
PARKING REDUCTION PERMIT PPRP 1232237
(Central Avenue Billiard Place)**

*Also See: (1) Conditional Use Permit No. PCUP 1227779 – Beer And Wine
(2) Conditional Use Permit No. PCUP 1234377 – Billiard Establishment*

Dear Ms. Davtyan:

On January 16, 2013, 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 provide less parking than required by code for a billiards establishment, located at **1111 South Central Avenue**, in the "C3" - Commercial Service Zone, described as Portion of 17, Watts Subdivision, in the City of Glendale, County of Los Angeles.

APPLICANT'S PROPOSAL

Parking Reduction Permit

- (1) Sixty-Nine (69) parking spaces provided at shopping center with a billiards establishment.

CODE REQUIRES

Parking Reduction Permit

- (1) Seventy-Four (74) parking spaces required at shopping center with a billiard establishment.

ENVIRONMENTAL RECOMMENDATION: This project is exempt from the California Environmental Quality Act (CEQA).

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.**

A billiards establishment is classified as a recreation retail use in the Zoning Code with a parking requirement of one parking space for each 250 square feet of floor area. Central Avenue Billiard Place is proposing to continue to sell food and wants to add beer and wine to their menu. Adding beer and wine to the food service would increase the demand for additional parking spaces if the business is operated as a tavern or restaurant. Comments submitted by Neighborhood Services Division and the Police Department stated that there is already a lack of parking for businesses and residents in the community, though not specifically at this shopping center or as a result of the existing billiards establishment. Their concern is that reducing parking for the billiards establishment will cause customers to seek parking off-site where there is limited available parking. However, the Traffic Engineering Section did not submit any comments stating that parking and traffic circulation in the community is being impacted by this facility or state objections to the proposal. The applicant also submitted a shared parking analysis that showed there would be adequate on-site parking spaces available because five of the eight shopping center tenants would be closed by the time Central Avenue Billiard Place opens which would provide 31 parking spaces where 22 are needed. A condition will be added to limit the amount of alcohol and food sales to be ancillary to the sales of playing billiards so that Central Avenue Billiard Place will not evolve into a tavern or restaurant.

- 2. The intent of the parking regulations, in compliance with all other applicable provisions of this chapter, is met because adequate parking spaces would be provided and traffic circulation would be accommodated consistent with the Circulation Element.**

A shared parking analysis submitted by the applicant demonstrated that the billiards establishment would be open while the surrounding shopping center tenant spaces would be closed. For example, five of the eight shopping center's commercial tenants would close by 6:00 p.m. when Central Avenue Billiard Place proposes opening thereby making available 31 parking spaces where 22 are required. By 8:00 p.m., the two remaining shopping center tenants would close leaving 69 spaces

available. A condition of approval restricting the amount of alcohol and food sales to billiard table sales will ensure that the lower retail parking requirement will remain rather than the higher tavern or restaurant parking requirement so that there will be adequate on-site parking. A condition limiting hours of operation has been added to ensure that a parking reduction for this facility would not interfere with parking for daytime activities in this center.

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

As noted above in Finding No. 2, there is more than adequate parking spaces to accommodate the billiards establishment provided its hours of operation begin at 6:00 p.m. when most businesses close and the recreation billiard facility use remains the primary use and does not evolve into a tavern or restaurant. The remaining businesses close at 8:00 p.m. leaving 67 parking lot spaces available for the billiards establishment which requires 22 spaces.

SUMMARY OF PLANNING HEARING OFFICER'S DECISION

The Planning Hearing Officer was able to make the required findings for granting a parking reduction permit because there is no expansion in the number of billiard tables and the hours of operation for the billiard establishment are in the evening when most of the other uses on the site are closed. A condition of approval has been added to restrict this business to evening hours in order to maintain adequate shared parking for the daytime uses in the center.

CONDITIONS OF APPROVAL

APPROVAL of this Parking Reduction Permit PPRP1232237 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 the parking reduction permit approval is valid only for the recreation billiards establishment use.
- 5) **That the billiards establishment shall not open to the public before 6:00 p.m. or remain open to the public after 12:00 a.m., seven days a week.**
- 6) That the 69 on-site parking spaces shall be maintained and clearly striped according to the plan submitted.
(NOTE: Two of these spaces are for residential uses and only 67 spaces are available for retail uses)
- 7) That no trash containers shall be stored in any parking space or turning area for any parking space or in any driveway area.
- 8) That a new Zoning Use Certificate shall be immediately obtained (no fee required) to reflect the new approval.
- 9) That the owner of the subject property shall complete and record a notarized affidavit in a form acceptable to the City Attorney accepting the parking reduction permit and all its conditions. Proof of the recording of the affidavit shall be provided to the City prior to the new Zoning Use Certificate being issued.
- 10) That access to the premises shall be made available to all City of Glendale Planning Department, Neighborhood Services Division, Police Department, and Fire Department staff, upon request for the purpose of verifying compliance with all laws and the conditions of approval.

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 Building and Safety Division upon request and must be filed with the prescribed fee prior to expiration of the 15-day period, on or before **FEBRUARY 11, 2013**, in the Building and Safety Division, 633 East Broadway, Room 101.

APPEAL FORMS available on-line:
<http://www.ci.glendale.ca.us/planning/SubmittingAProject.asp>

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.

REVOCACTION

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 (Christopher Baxter at 818.937.8162) 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:sm

CC: City Clerk (K.Cortes); Police Dept. (Tim Feeley/Z.Avila); City Attorney's Dept. (G. van Muyden/M.Yun); Fire Prevention Engineering Section-(D.Nickles); City Engineer and Traffic & Transportation Section (Roubik Golanian/G.Tom); Director of Public Works and General Manager for Glendale Water and Power (Stephen Zurn); Glendale Water & Power--Water Section (R.Takidin); Glendale Water & Power--Electric Section (M.Kelley/M.Jackson); Parks, Recreation and Community Services Dept. (Emil Tatevosian); Neighborhood Services (A.Jimenez); Integrated Waste Management Admin. (D.Hartwell); Maintenance Services Section Admin. (D.Hardgrove); Street and Field Services Admin.; Environmental Management (M.Oillataguerra); Rafi Nazaryan – representing the applicant; and case planner-Christopher Baxter.