

March 21, 2016

Domus Design
c/o Garo Nazarian
109 East Harvard Street #306
Glendale, CA 91205

**RE: 401-409 HAWTHORNE STREET
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1603962**

Dear Mr. Nazarian:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.44.070 (E), for a maximum 20 percent deviation from one of more numeric standards in Title 30, the Community Development Department has processed your application for an Administrative Exception to allow a 20 percent reduction for the additional open space requirement, as required by Chapter 30.31.020.A.7, in conjunction with the development of seventeen new multi-family dwelling units. The applicant is requesting a 417 square-foot reduction, or 20 percent deviation, from the minimum 2,101 square-foot additional open space requirement, in conjunction with the proposed development of the site. The subject property is located at **401-409 Hawthorne Street**, in the "R-1250" (High Density Residential) Zone, and described as Lots 34, 35, and 36, Block J, Glendale Valley View Tract, in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL DETERMINATION: This project is exempt from environmental review as a Class 32 "In-Fill Development Project" per Section 15332 of the State CEQA Guidelines.

REQUIRED/MANDATED FINDINGS

After considering the evidence presented with respect to this application, the plans submitted therewith, the Community Development Department has **GRANTED WITH CONDITIONS**, your application based on the following findings:

- A. The granting of the exception will result in design improvements, or there are space restrictions on the site that preclude full compliance with the Code requirements without hardship.**

The subject property is approximately 18,757 square feet and comprised of three rectangular lots with frontage on Hawthorne Street and South Columbus Avenue. The three lots were individually developed between 1910 and 1940 with one and two unit dwellings. The City's Historic Preservation Planner has determined that the existing structures are not eligible for designation for the Local, State, or National Register of Historic Resources and

would not be considered historic resources under the California Environmental Quality Act (CEQA). The applicant is proposing to demolish the existing structures and build a new 17-unit multi-family residential building with semi-subterranean parking on the three lots. The applicant is requesting a 20 percent deviation from the minimum additional open space requirement, in accordance with Chapter 30.31.020 of the Zoning Code for a lot with a minimum width of 90 feet and with a density exceeding the maximum density permitted by Code for lots less than 90 feet in width. In accordance with the Zoning Code, the project would be required to provide a minimum of 2,101 square feet of additional open space. The applicant's request for an administrative exception will result in design improvements for the project. The site plan of the project has been designed with enhanced and functional open space in mind. Based on the proposed development of the site, the Zoning Code would require 6,790 square-feet of landscaped open space to be provided, which includes 2,101 square-feet of additional open space. The applicant is proposing 7,201 square feet of landscaped open space for this project. Based on the size of the project site, the Zoning Code requires a total of 2,101 square feet of additional open space for the proposed development of the site with 17 new units. In accordance with the provisions of Chapter 30.31.020, the project is proposing to provide 1,684 square feet of additional open space where 2,101 square-feet is required, for a deviation of 20% from the code requirement. For a landscaped area to be calculated towards the additional open space requirement, the Zoning Code requires an additional minimum 3'-0" setback for the second floor and an additional minimum 6'-0" setback for the third floor. This is to preserve the front and side elevation change-of planes encouraged by Title 30 and the City's Comprehensive Design Guidelines. Due to these additional setback requirements, there are additional open space areas provided that are not eligible to be counted towards the requirement. The proposed site planning and design of the project, however, meets the intent of the ordinance because it appropriately incorporates the change of planes, as outlined in Title 30 and encouraged through the City's Comprehensive Design Guidelines, while also being consistent with the proposed modern style of the building. The change of planes is accomplished through the use setbacks among the three floors with each floor stepping back from the one below. In addition, the proposed site plan appropriately integrates the open space areas into the site design, and incorporates more than one common outdoor space area into the site plan which allows for usability.

B. The granting of the exception will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located.

The granting of the Administrative Exception to allow a 20 percent reduction from the additional open space requirement, as required by Chapter 30.31.020 of the Zoning Code will not be materially detrimental to the public welfare or injurious to the property or improvements in the R-1250 zoned neighborhood in which the property is located. The intent of the setback regulations for additional open space is to preserve the changes of plane that are encouraged by Title 30 and the City's Comprehensive Design Guidelines. The applicant's proposal is consistent with the intent of the ordinance because the changes of planes are still incorporated into the design through building setbacks and projecting metal building frames. The site plan appropriately integrates the open space areas into the site design. There are actually two separate, additional open space areas, one on each street frontage. Consequently, portions of the development have generous setbacks from the street which allow for visual relief, as well as outdoor space for the residents.

C. The granting of the exception will not be contrary to the objectives of the applicable regulations.

The proposed development meets all other Zoning Code requirements of the R-1250 zone, such as lot coverage, floor area ratio, setbacks and parking. The purpose of the administrative exception procedure is to provide a simplified means for considering applications for minor deviations from Code standards. These standards have been developed to allow reasonable use of properties in order to promote the public health, safety, and general welfare. Based on the proposed development of the site, the Zoning Code would require 6,790 square-feet of landscaped open space to be provided, which includes 2,101 square-feet of additional open space. The applicant's proposal includes 7,201 square-feet of landscaped open space and due to the additional open space setback requirements, there are additional open space areas provided on-site that are not eligible to be included in the overall additional open space calculation. The applicant's proposal, as discussed above, meets the intent of the ordinance and will result in design improvements for the project. The site plan of the project has been designed with enhanced and functional open space in mind with separate open space areas for each street frontage. The changes of plane that are encouraged by Title 30 and the City's Comprehensive Design Guidelines are incorporated into the design through building setbacks and projecting metal frames. In addition, the granting of the exception will allow reasonable development of the subject property that is in accordance with the General Plan Land Use Element designation, High Density, and the R-1250 zoning designation.

CONDITIONS OF APPROVAL

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

- 1) That the development shall be in substantial accord with the plans presented in conjunction with the application for the Administrative Exception, except any modifications as may be required to meet specific Code standards or other conditions stipulated herein to the satisfaction of the Community Development Department.
- 2) That all necessary permits shall be obtained from the Building and Safety Section and all construction shall be in compliance with the Glendale Building Code and all other applicable regulations.
- 3) That any expansion or modification of the project which is different than what is represented as part of this Administrative Exception approval shall require a new application as determined by the Hearing Officer.
- 4) That DRB approval shall be obtained prior to issuance of a building permit.

APPEAL PERIOD, TIME LIMITS, LAPSE OF PRIVILEGES, TIME EXTENSIONS

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 **APRIL 5, 2016** 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.

GMC CHAPTER 30.41 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.

CESSATION: An Administrative Exception may be terminated by the review authority upon any interruption or cessation of the use permitted by the Administrative Exception for one year or more in the continuous exercise in good faith of such right and privilege.

EXTENSION: Permits granted by such right or privilege 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 exception.

APPEAL FORMS available on-line <http://www.glendaleca.gov/appeals>

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 sold, 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

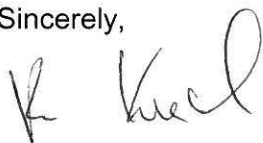
Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over variances, conditional use permits and administrative exceptions. To consider the revocation, the Director of Community Development shall hold a public hearing after giving notice by the same procedure as for consideration of a variance at least 10 days notice by mail to the applicant or permittee.

NOTICE – subsequent contacts with this office

The Applicant is further advised that all subsequent contacts with this office regarding this determination must be with the Case Planner first and then, the Hearing Officer 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.

You may contact the case planner, Vista Ezzati, during normal business hours at (818) 937-8180 or via e-mail at vezzati@glendaleca.gov.

Sincerely,



Roger Kiesel
Planning Hearing Officer

RK:SM:ve

cc: City Clerk (K. Cruz); City Attorney's Dept. (G. van Muyden); Fire Prevention Engineering Section-(J. Halpert); Dir. Of Public Works (R.Golanian); Traffic & Transportation 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. (T. Aleksanian); Neighborhood Services Division (S. Mirzaians); 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); and case planner Vista Ezzati.