

August 3, 2016

Hana Oh
1125 West 6th Street, STE 205
Los Angeles, CA 90017

RE: 3845 SAN FERNANDO ROAD
PARKING EXCEPTION CASE NO. PPPEX 1613771
DIRECTOR OF COMMUNITY DEVELOPMENT REVIEW

Dear Ms. Oh:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.32.020, the Director of Community Development has processed an application for a Parking Exception for the property located at **3845 San Fernando Road**, in the "SFMU" (Commercial/ Residential/ Mixed Use) Zone, and described as a Portion of Lot 4, Block 4, Tract No. 910, in the City of Glendale, County of Los Angeles. The application is hereby **APPROVED WITH CONDITIONS**, based on the following analysis and findings, and subject to the conditions of approval.

PROJECT PROPOSAL

The proposed project consists of the conversion of an existing 1,995 square-foot private specialized school use to a retail use for a convenience market. The parking exception request will result in a **one-space** parking shortfall to accommodate a building code required trash enclosure for the change in use.

SUMMARY AND BACKGROUND

The project site is currently developed with a one-story, approximately 5,000 square-foot multi-tenant commercial building originally developed in 1935. The site is located on the southwest corner of South Central Avenue and San Fernando Road located in the SFMU (Commercial/Residential Mixed Use) Zone. According to City records the site was developed with a total of seven parking spaces on-site. The applicant's request will result in a one-space parking reduction to accommodate a building code required trash enclosure for the change in use. The proposal will also include the reconfiguration of two parking spaces to accommodate an ADA parking stall and required loading zone.

PARKING EXCEPTION REQUEST

In accordance with GMC Section 30.32.030, all off-street parking and loading spaces being maintained in connection with an existing building shall be maintained as long as said building remains, unless an equivalent number of parking spaces is provided conforming to the Zoning Code requirements. In many cases, the strict application of the parking code to require full on-site parking for these uses is not practical and would prevent businesses from locating in the project area.

The applicant is requesting a parking exception that will result in a **one-space** parking shortfall to accommodate a building code required trash enclosure for the change in use. The request includes the conversion of an existing 1,995 square-foot private specialized school use to a retail use for a convenience market.

REQUIRED FINDINGS

After considering the evidence presented with respect to this application, the Director of Community Development has determined that Parking Exception Case No. PPPEX 1613771, a request to allow a one-space parking shortfall for a building code required trash enclosure in association with a change of use from a private specialized school to a retail store located at 3845 San Fernando Road, meets the findings of Section 30.32.020 as follows:

A. Parking spaces required for the proposed use or construction proposal cannot reasonably be provided in size, configuration, number of spaces or locations specified by the provisions of this title without impairment of the project's viability; and

The scope of the project and the existing conditions of the site result in practical difficulties that impair the project's viability if the strict requirements for number of parking spaces were applied.

The subject site is a 10,086 square-foot lot located in the SFMU (Commercial/Residential Mixed Use) Zone in the former San Fernando Road Corridor Redevelopment Project Area. The zoning designation allows for commercial retail uses. The proposal is to permit a change of use for the existing 1,995 square-foot tenant space from a private specialized school to a retail use. The change of use for the tenant space will require a trash enclosure to be provided for on-site. As proposed, the location of the trash enclosure will result in the loss of one parking space. Based on the current development of the property including the existing building location, there are no site planning alternatives for the location of the trash enclosure without resulting in the loss of parking. As there are no site planning alternatives for the trash enclosure based on the existing development of the site, the applicant would have to make significant modifications to the existing building which would impair the viability of the proposed change of use.

Therefore, the one-space parking shortfall to accommodate the code required trash enclosure for the change in use cannot reasonably be provided on-site.

B. The parking exception will serve to promote specific goals and objectives of the adopted plans for the San Fernando Road Corridor Redevelopment Project Area and will be consistent with the various elements of the General Plan and will promote the general welfare and economic well-being of the area; and

This project is consistent with the intent of the goals and objectives of the former San Fernando Road Redevelopment Project Area. The area along San Fernando Road is zoned for a mix of commercial, and residential uses. Applicable goals for the San Fernando Road Corridor include upgrading and improving existing industrial buildings which help maintain the tax base and attract a variety of business activities. The redevelopment plan calls for a mix of uses and the prevention of blighting influences in the project area. The proposed reuse of the existing building will enhance the economic vitality of the neighborhood and is compatible to the types of businesses located in the vicinity. A leased and occupied building is an important factor for the economic stability of the

operator(s) and neighboring commercial uses. This continuity of operable businesses will help to revitalize this area, remove physical blight, and improve the economic welfare of the area.

An objective of the San Fernando Road Redevelopment Plan is to ensure that there is adequate onsite parking for all land uses in order to keep traffic, noise and parking impacts from negatively impacting adjacent business and residential neighborhoods. As detailed in Finding C, the four parking spaces and one handicap parking space proposed on-site can accommodate the parking demand for the proposed development. Additionally, the proposed retail use on-site is a 1,995 square-foot convenience market which typically has a quick customer turn around in contrast to the typical retail store. Therefore, approval of the parking exception will not be contrary to this stated objective.

The project is consistent with the various elements and objectives of the General Plan. The land use designation of the subject site is Mixed Use and is zoned SFMU, where retail uses are permitted. The Circulation Element classifies San Fernando Road as a Major Arterial that can accommodate the traffic and circulation patterns for the proposed use. This portion of South Central Avenue is classified as a Minor Arterial in the Circulation Element and can adequately accommodate the traffic and circulation patterns for the proposed use. The site is not designated for a future park or open space in the Open Space and Conservation Element or the Recreation Element. The site is not in an active fault zone as shown in the Safety Element.

C. The project involves exceptional circumstances or conditions applicable to the property involved, or the intended use or development of the property that do not apply generally to other property in the area; and

There are conditions applicable to the subject property and the intended use that do not apply generally to other property in the area. The existing building footprint where the retail use will be located covers most of the site, thus, limiting the possibility of altering the size or configuration of the structure to accommodate the code required trash enclosure. Currently, the project site is developed with a one-story, 5,000 square-foot multi-tenant commercial building located on the southwest corner of San Fernando Road and South Central Avenue originally developed in 1935. There are conditions applicable to the subject property and the intended use that do not apply generally to other property in the area. Parking requirements for commercial uses were not introduced to the Glendale Municipal Code until 1952. City records indicate that the subject property was developed with seven parking spaces on-site. In accordance with GMC 30.32.030, the seven spaces serve as the required parking for the property. The proposed change of use from a private specialized school to a retail use will not trigger additional parking for the site in accordance with the Zoning Code. The previous use was parked at 28.6 spaces per 1,000 square feet, and the proposed retail use is parked at a lower rate of 4 spaces per 1,000 square feet of floor area. The proposed change of use will, however, require a trash enclosure to be provided in accordance with the Building and Safety code. Based on the current development on-site, including building location, it would not be possible to provide the trash enclosure without significantly altering the existing building on-site which would impair the project's viability. As such, there will be a one-space parking shortfall to accommodate the code required trash enclosure for the change in use. The other use on-site is a vehicle repair garage and proposing the trash enclosure adjacent to their tenant space would not be possible without impacting their business operation, and the required ingress and egress of vehicles for that use. Therefore, it appears that there are exceptional circumstances that warrant approval of the requested parking exception for this project.

D. There are mitigating circumstances whereby the exception will not be materially detrimental to the public welfare or injurious to property or improvements in the vicinity of the property or in the neighborhood in which the property is located.

The granting of the parking exception for a one-space shortfall for this project will not be detrimental to the public welfare or other developments in the surrounding neighborhood. The parking exception request is for one parking space for the new retail use, to accommodate the trash enclosure which is required through the Building and Safety code. Unlike the common retail store, the nature of a convenience market typically has a quick customer turn around. In addition, many patrons are anticipated to come by foot from the surrounding businesses and residential developments. Furthermore, there are on-street parking spaces located on South Central Avenue that could be utilized. Therefore, the approval of a one parking space deficit would not be detrimental to the public welfare or surrounding neighborhood.

Lastly, pursuant to GMC Section 30.32.020, approval of the parking exception is valid so long as the land use remains the same as at the time of permit issuance. The approval of this Parking Exception permit does not run with the land. Accordingly, the parking provided will be sufficient for the proposed use, and any potential future uses would need to obtain a new parking exception, if required.

Therefore, Parking Exception Case No. PPPEX 1613771 is hereby **APPROVED**, subject to the following conditions:

CONDITIONS OF APPROVAL

APPROVAL of this Parking Exception 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. Nothing in this approval letter shall authorize the proposed project to deviate from any other Zoning Code requirements that are not specifically advertised in this application.
2. That all necessary licenses, approvals and permits as required from Federal, State, County or City authorities including the City Clerk shall be obtained and kept current at all times.
3. That the Parking Exception is valid only insofar as the specific use for which it was granted remains the same. The permit runs with the subject retail use as long as there is no intensification of the use or that other uses proposed will not require more parking as provided herein as determined by the Director of Community Development. Intensification may include, but is not limited to, hours of operation, services or goods offered and mix of activities within the use.
4. That the applicant must adhere to the internal floor plan approved herein and shall not expand interior retail space without the approval of the Director of Community Development.

5. That any other changes on this project shall be subject to review and approval of the Director of Community Development.
6. That a new Business Registration Certificate (BRC) be obtained for the retail use.
7. That State Accessibility Standards be met for all parking requirements and building entrance accessibility as required by the Building and Safety Division.
8. That additional or other building code requirements or specific code requirements (i.e., CA Green Building Code) may be required upon submittal of plans for building plan check and permit.
9. That all signs require a separate sign permit.
10. That the facilities shall not be rented, leased or otherwise occupied for purposes not specified in this application.
11. That access to the premises shall be made available to all City of Glendale Community Development Department, Police Department, and Fire Department staff upon request for the purpose of verifying compliance with all laws and conditions of this approval.

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 City Council 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 AUGUST 18, 2016**, at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday thru Friday 7:00 a.m. to 12:00 p.m., or at the Community Development Department (CDD), 633 East Broadway, Room 103, Monday thru Friday 12:00 p.m. to 5 p.m.

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. Visit us.

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.

REVOCAION, CONTINUING JURISDICTION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over variances, administrative use permits, and conditional use permits, parking exceptions (individual cases heard and decided upon by the Planning Hearing Officer).

To consider the revocation, the Community Development Department shall hold a public hearing after giving notice by the same procedure as for consideration of a parking exception permit at least ten (10) days notice by mail to the applicant or permittee. Continuing jurisdiction over any case is the purview of the Director of Community Development.

GMC CHAPTER 30.41 PROVIDES FOR

TERMINATION: Every right or privilege authorized by a parking 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 parking exception 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 exception.

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. 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.

Should you have any questions regarding this issue, please do not hesitate to contact the case planner, Vista Ezzati at (818) 937-8180 or vezzati@glendaleca.gov.

Sincerely,

Philip Lanzafame
Director of Community Development



Erik Krause
Interim Deputy Director of Planning

PL:EK:AC:VE:sm

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 (B. Alshanti/B. Ortiz); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (J. Jouharian/S. Sardarian); Integrated Waste Management Admin. (M. Wiederkehr); Maintenance Services Section Admin. (D. Hardgrove); Street and Field Services Admin.; Engineering and Environmental Management (C.Chew/R. Villaluna); and case planner Vista Ezzati.