



October 19, 2016

Shoghig Yepremian
c/o Yepremian Consulting, Inc.
P.O. Box 583
Sierra Madre, CA 91025

**RE: 524 RIVERDALE DRIVE
CONDITIONAL USE PERMIT CASE NO. PCUP 1618921
(Mid Valley Towing, Inc.)**

Dear Ms. Yepremian:

On October 5, 2016 the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.42, on your application for a conditional use permit to allow the operation of a towing service and impound yard (Mid Valley Towing, Inc.) on an 20,400 square-foot lot, in the "IMU-R" - Industrial/Commercial - Residential Mixed Use Zone, located at **524 Riverdale Drive**, described as Portion of Lot 52, Riverdale Heights Tract, in the City of Glendale, in the County of Los Angeles.

CODE REQUIRES

- 1) Approval of a Conditional Use Permit is required for towing service and impound yard in the IMU-R (Industrial/Commercial-Residential Mixed Use) Zone.

APPLICANT'S PROPOSAL

- 1) To allow the operation of a towing service and impound yard in the IMU-R (Industrial/Commercial-Residential Mixed Use) Zone.

ENVIRONMENTAL DETERMINATION

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:

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

The proposed towing service and impound yard is consistent with the various elements of the General Plan. The subject property is located in Industrial Area 4 and Industrial Park Development Area E of the City's General Plan Land Use Element. Industrial Area 4 is the largest industrial district in the City and is characterized by both old and new industrial structures. The proposed operation will store vehicles inside an existing 12,768 square-foot warehouse building, which is consistent with existing surrounding industrial and commercial

activities, and the Industrial Land Use Designation. Additionally, Industrial Park Development Area E is adjacent to the freeway on-and off-ramps of the Golden State Freeway, which accommodates industrial truck movements to and from the area. While Riverdale Drive is identified as a local street by the Circulation Element, the subject lot is bound by San Fernando Road and Pacific Avenue, which are identified as a major arterial and minor arterial, respectively. The functional purpose of major and minor arterial streets is to handle the heavier traffic volumes and distribute traffic to freeways, collector streets and business centers within and outside of the City's boundaries. Because the subject lot is in close proximity to San Fernando Road and Pacific Avenue, vehicular traffic through residential neighborhoods will likely be avoided and will maintain an acceptable noise level in the neighborhoods along public streets. Given its proximity to the freeway on-and off-ramps and major/minor arterials, the subject location appears ideal for the towing and storing of impounded vehicles. The subject application requests to allow a towing service and impound yard within an existing industrial building with surface parking, so the proposal does not conflict with the elements of the General Plan, including the Open Space, Recreation, Housing and Historic Preservation; the lot is not intended for open space, recreation, or housing, and the towing/impound use will not significantly alter the existing noise levels in the surrounding area. As a result, the proposed tow service and impound yard will be consistent with the various elements and objectives of the General Plan.

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 proposed towing service and impound yard will not be detrimental to the public health or safety, the general welfare, or the environment. The subject site is a 20,400 square-foot lot that is located mid-block of Riverdale Drive between San Fernando Road and Pacific Avenue in the IMU-R - Industrial/Commercial-Residential Mixed Use Zone. The lot is developed with a two-story, 12,768 square-foot warehouse building that consists of approximately 10,839 square-feet of warehouse and 1,929 square-feet of office areas. A total of 24 existing parking spaces are provided at the front of the building and accessed from Riverdale Drive. The project site is located on a short block of Riverdale Drive that is developed with a mix of existing industrial and commercial uses to the west, south and east, and residential uses approximately 150 feet east along Pacific Avenue. It does not appear the proposed use will conflict with the existing residential uses, as it will be buffered by other existing industrial uses and will be separated by a distance of approximately 150 feet. The closest public facility to the project site is Pacific Community Center, Park and Library, which is north of the subject site and across Riverdale Drive. Thomas Edison Elementary school is located one block north and is separated by Pacific Community Center, Park and Library. Because a warehousing land use has existed at this location for the past 27 years without incident on record, it is not anticipated the proposed use will impede or adversely impact the immediate neighborhood. The towing service and impound yard proposes to store the impounded vehicles entirely within the 12,768 square-foot building and does not propose any additional floor area.

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

The operation of a towing service and impound yard will not negatively impact or conflict with surrounding uses or impede development in the area. The operators of the towing/impound use will store the impounded vehicles inside the building and the existing surface parking lot will provide parking for the public, the employees and the towing vehicles. The proposed use, Mid Valley Towing, Inc., currently have been approved by the

City Council for a contract with the City to provide towing and impound service. The operators must comply with the provisions set forth in this contract, and with the conditions of approval for the CUP, that will ensure compatible operation of the use in relation to the adjacent properties and commercial/industrial uses. Conditions include prohibition of loitering, littering, exterior noise, and such. Furthermore, the operation of the towing service and impound yard is not expected to conflict with the surrounding uses and properties. The impounded cars will be stored within the building, which has an impound capacity of approximately 80 vehicles maximum. The operation will employ approximately seven tow trucks. Anticipated office staff will be two employees, on a rotational basis, and between the office itself and the warehouse. Off-site employees will be seven drivers, on a rotational basis with three drivers at any one time. Parking for visitors, employees and tow truck is provided in the existing surface parking lot in front of the building. The six parking spaces closest to the street will be designated for customer parking. The tow trucks will be stored in the section of the parking lot immediately in front of the building. Employees that will operate the towing vehicles will arrive on-site via their own vehicles and will leave the lot in their respective trucks. Drivers' personal vehicles will occupy the spots their tow trucks did prior to them retrieving the vehicles for the day's work. If the operator elects to provide outdoor storage of impound vehicles at a future date, per the approved City contract, the operator will be required to install a fence/gate, thereby dividing the outside parking lot in two sections. Such a proposal is conditioned to be reviewed by Planning Hearing Officer to ensure the fence/gate provides adequate screening and is appropriately located so as to not result in parking impacts. Given the above operational and site planning summary, the proposed use is not expected to adversely affect or conflict with adjacent uses or impede the normal development of surrounding property.

D. Adequate public and private facilities such as utilities, landscaping, parking spaces and traffic circulation measures are provided for the proposed use.

The applicant's request to operate a towing service and impound yard will not result in inadequate public or private facilities. The scope of work does not include expansion of the existing floor area. Rather, the applicant proposes to change the use from a warehouse to a tow service and impound yard. The towing service and impound yard will be similar to warehousing, which the site will continue to primarily store items (vehicles) within the warehouse portions of the building and have an ancillary administration office to manage day-to-day operations and assist customers. This change of use will not result in an increase in utility use, since the storage of impounded vehicles is very similar to general warehousing.

The applicant's request is to allow a towing service and impound yard, and does not propose additional floor area. The required amount of parking by the Zoning Code for proposed use is 2.7 parking stalls per 1,000 square-feet of its office area (vehicle storage area is excluded). According to the submitted plans, the building features 1,900 square feet of office space for the proposed towing service and impound yard, thus resulting in a parking requirement of five parking spaces minimum. The subject site currently features a total of 24 existing parking spaces available in front of the building (space #12 - 20 are considered subcompact sized spaces – 9 total). Even if the parking lot were to be improved with the double security gates that are required by the contract between the City and Mid Valley Towing, Inc., which would result in the loss of approximately two to three parking spaces to accommodate the new barriers, sufficient amount of parking will still be available on site.

It is not anticipated the applicant's request will create a negative traffic related impact. The subject lot is located mid-block on Riverdale Drive and between San Fernando Road or Pacific Avenue. These roads are identified as major and minor arterial streets by the Circulation Element. These streets designed to accommodate heavier traffic volumes and distribute traffic to freeways, collector streets and business centers within and outside of the City's boundaries. Vehicular traffic generated by the proposed use will likely utilize San Fernando Road or Pacific Avenue to arrive and depart from the subject site. Last, an existing eight-foot wide landscaped planter resides between the public right-of-way and parking stalls closest to the street. Two existing trees are located within the planter area that buffers the appearance of the parking lot and the warehouse building. Additional trees and shrubs are provided along the outer perimeter of the parking lot. A condition has been included to maintain the existing landscaping planters and trees, to ensure screening and buffering of the proposed towing/impound yard from the adjacent properties.

CONDITIONS OF APPROVAL

APPROVAL of this Conditional 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 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 Planning Hearing Officer.
2. That all necessary permits shall be obtained from the Building & Safety Division and all construction shall be in compliance with the Glendale Building Code and all other applicable regulations.
3. That all necessary licenses as required from Federal, State, County or City authorities including the City Clerk shall be obtained and kept current at all times
4. That sufficient measures shall be enforced to effectively eliminate interior and exterior loitering, parking congestion, disturbing noise, disturbing light, loud conversation and criminal activities.
5. That any expansion or modification of the facility or use that intensifies the existing Conditional Use Permit shall require a new Conditional Use Permit application. Expansion shall constitute adding floor area, changes to the use or operation, or any physical change as determined by the Planning Hearing Officer, with concurrence from the Director of Community Development
6. That noise shall be contained to the site, such that persons of normal sensitivity off-site are not disturbed. The Planning Hearing Officer's opinion shall prevail to arbitrate any conflicts.
7. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash and graffiti.
8. That all lighting, noise and odors shall be confined to the occupancy so as not to disturb occupants of other businesses or properties and patrons on the public right-of-way.

9. That the facility shall adhere to the City's Fresh Air (smoking) Ordinance, Title 15, Chapter 8.52 of the Glendale Municipal Code.
10. 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 Administrator of the City of Glendale. No trash containers shall be stored in any parking, driveway, or landscaping area.
11. That the proprietor and his/her employees shall make an active and conscientious effort to keep customers and employees from trespassing on other nearby properties or otherwise making disturbances in the area.
12. That access to the premises shall be made available upon request to all City of Glendale authorized staff (i.e. Planning and Neighborhood Services Divisions, Building & Safety Division, Fire Department, Police Department, etc.) for the purpose of verifying compliance with all laws and the conditions of this approval.
13. That the facilities shall not be rented, leased or otherwise occupied for purposes not specified in this application.
14. That the business shall comply with all of the contractual obligations, standards and provisions set forth in the approved "Vehicle Towing and Storage Agreement" between the operator and the City of Glendale, effective August 1, 2016.
15. That all activities shall take place in the interior of the building that no amplification of speakers, radios, walkie-talkie or loud conversation shall allowed outside, and that no speaker systems shall be installed in the parking area.
16. That the unpermitted enclosed offices constructed inside the building along the easterly interior wall shall be removed and that the interior offices within the building shall comply with the floor plans submitted for the Conditional Use Permit (CUP).
17. That the business shall file for and obtain a city-required Business Registration Certificate.
18. That the existing mature trees and shrubs within the existing landscaping planters around the perimeter of the parking lot be maintained in order to provide screening from adjacent uses and the Edison Pacific Park directly to the north. In the event that the trees and shrubs are removed, new trees and shrubs shall be planted to provide substantial landscaping screening, to the satisfaction of the Planning Hearing Officer. '
19. That if the operator elects to provide outdoor storage of impound vehicles at a future date, per the approved City contract, the operator will be required to install a fence/gate, thereby dividing the outside parking lot in two sections. Such a proposal is to be reviewed by Planning Hearing Officer to ensure the fence/gate provides adequate screening and is appropriately located so as to not result in parking impacts.
20. That the authorization granted herein shall be valid for a period of five years until October 19, 2021, at which time, a reapplication must be made.

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 **November 2, 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.

GMC CHAPTER 30.41 PROVIDES FOR

TERMINATION

Every right or privilege authorized by a Conditional Use 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.

CESSATION

A Conditional Use Permit may be terminated by the review authority upon any interruption or cessation of the use permitted by the Conditional Use Permit 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 conditional use permit.

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 Conditional Use Permit 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, Dennis Joe, during normal business hours at (818) 937-8157 or via e-mail at Djoe@glendaleca.gov.

Sincerely,



VILIA ZEMAITAITIS, AICP
Planning Hearing Officer

VZ: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 (V. Avedian/B. Ortiz); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (S. Mirzaian); 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); Jessie and Alice Elias (Property/Business Owners); and case planner Dennis Joe.