

November 16, 2016

George and Maria Capodiec  
3057 Gertrude Avenue  
La Crescenta, CA 91214

**RE: 3512 FOOTHILL BOULEVARD  
USE VARIANCE CASE NO. PVAR 1604234**

Dear Mr. & Mrs. Capodiec:

The Planning Commission of the City of Glendale, at its meeting held on November 16, 2016, conducted a public hearing on Use Variance Case No. PVAR 1604234, and after due consideration, the Planning Commission **APPROVED WITH CONDITIONS** your application, to allow the continued operation of a recreational vehicle storage parking lot on the "R1"- Low Density Residential zoned portion of the dual zoned lot, located at **3512 Foothill Boulevard**, in the "CH"- Commercial Hillside, and "R1"- Low Density Residential Zone, Floor Area District II Zones, described as Portion of Lot 2, Block J, Crescenta Cañada Tract, in the City of Glendale, County of Los Angeles.

CODE REQUIRES

Use Variance

- (1) Commercial parking lots for vehicle storage are not permitted in the "R1" – Low Density Residential Zone.

APPLICANT'S PROPOSAL

Use Variance

- (1) Continue operating the existing recreational vehicle storage parking lot in the "R1" – Low Density Residential Zone.

ENVIRONMENTAL DETERMINATION

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

A motion adopted by the Planning Commission is attached.

If you have any questions or need additional information on filing an appeal please contact the undersigned, in the Community Development Department at (818) 937-8180.

Sincerely,  
Philip Lanzafame  
Director of Community Development



Vista Ezzati  
Planning Assistant

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 (V. Avedian/8. 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); and case planner-Vista Ezzati.

### MOTION

Moved by Planning Commissioner Astorian, and seconded by Planning Commissioner Landregan, that upon review and consideration of all materials and exhibits of current record relative to Use Variance Case No. PVAR 1604234, located at 3512 Foothill Boulevard, and after having conducted a hearing on said matter, the Planning Commission hereby **APPROVES WITH CONDITIONS** said Use Variance Case No. PVAR 1604234, as conditioned, to continue operating a recreational vehicle storage parking lot in the "R1" – Low Density Residential Zone described as Portion of Lot 2, Block J, Crescenta Cañada Tract, in the City of Glendale, County of Los Angeles, in accord with the findings set forth below.

### **REQUIRED/MANDATED FINDINGS**

Pursuant to Section 30.43.030 of the Glendale Municipal Code, a Use Variance may be granted only if the following findings of fact can be made:

**A. The strict application of the provisions of any such ordinance would result in practical difficulties or unnecessary hardship inconsistent with the general purposes and intent of the ordinance.**

Strict application of the R1 zoning standards would result in unnecessary hardship inconsistent with the general purpose and intent of the code. The applicant is requesting approval of a Use Variance to allow the continued operation of an existing recreational vehicle storage parking lot on the "R1" – Low Density Residential zoned portion of a dual zoned lot. The existing project site is a 24,394 square-foot, downsloped interior lot with frontage on Foothill Boulevard. The proposal includes maintaining the existing site conditions and current operation. There is no proposal to increase the number of spaces used for the storage of recreational vehicles, and the applicant's proposal maintains the existing eighteen spaces. The property has operated as a recreational vehicle storage parking lot for approximately 41 years. The subject property is approximately 305 feet in length and has dual zoning, with both commercial and single-family residential zoning. The commercially zoned portion of the project site, developed in 1979, features a one-story multi-tenant commercial building with a total of ten parking spaces with access from Foothill Boulevard. There is an existing downslope berm that divides the dual zoned portion of the lot with a staircase providing access between the two parts of the property. The residentially zoned portion of the subject property is essentially landlocked with the only access to this portion of the lot via an existing easement with the adjacent westerly neighbor. The existing conditions of the site cannot be changed as there is no other land or site available to allow expansion of the lot. Due to this limited access, location, and existing conditions, the residentially zoned portion of the lot would not be usable were the provisions of the R1 zone strictly applied. The Zoning Code intends to promote reasonable development and use of property and to deny the request would result in practical difficulties and unnecessary hardship.

**B. There are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood;**

There are exceptional circumstances for this dual-zone (commercial and residential) lot that do not apply generally to other properties in the vicinity. The adjacent property to the west has a similar condition with dual zoning, where the residentially zoned portion of the lot serves as the required parking lot for the Animal Hospital use on-site. Foothill Boulevard is developed with commercial uses consistent with the commercial zoning designation. With the exception of the subject property and its easterly neighbor, Maryann Street is developed with residential uses consistent with the single-family residential zoning designation. The subject property and the Animal Hospital to the west are the only properties in the immediate vicinity that have dual-zoning. The 100 foot wide and approximately 305 feet deep site fronts Foothill Boulevard, with the first half (105 feet) of the lot along Foothill Boulevard zoned CH and the interior southerly half (155 feet) zoned R1, FAR District II. Access to the residentially zoned portion is only available from Maryann Street via an existing easement that is zoned residential. The residentially zoned portion of the subject property was originally developed with a recreational vehicle storage parking lot in 1975 and the applicant's request does not involve any changes to the site, operation or existing building. Approval of the use variance for the recreational vehicle storage parking lot will not change the nature of the uses or services offered on the subject lot. The recreational vehicle storage parking lot, as it has existed since 1975, will continue to have less than minimal impacts to the property, the neighbors and the environment. The limited access to the residentially zoned portion described above creates an isolated and landlocked portion of land which limits any potential for developing the portion of land in accordance with current zoning regulations for R1 properties. These existing conditions limit the development of the property consistent with the R1 zoned properties in the neighborhood.

**C. The granting of the variance 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 recreational vehicle storage parking lot is located on the residentially zoned southerly half of an existing lot with dual zoning. Originally approved by a use variance in 1975, the recreational vehicle storage parking lot has operated at this location for approximately 41 years without any major incident. The recreational vehicle storage lot is not an intensive commercial use as there are eighteen spaces for customers, without the frequent "in and out" of the recreational vehicles that one would associate with a normal parking lot or other type of commercial use. The traffic and noise generated by such a use would have a lesser impact than a normal commercial business. There is no proposed expansion of the use, or changes to the existing operation. Therefore, approval of the use variance would not result in any negative impacts to traffic or circulation over and above the existing conditions. Neither the Police Department nor the Neighborhood Services Division cited any outstanding concerns or ongoing issues with the existing operation on the project site. The recommended conditions of approval will serve to mitigate any potential

negative impacts related to the applicant's proposal. For these reasons, granting renewal of the use variance to allow the continued operation of the recreational vehicle storage parking lot will not be materially detrimental to the public welfare or injurious to the property or surrounding neighborhood.

**D. The granting of the variance will not be contrary to the objectives of the ordinance.**

The granting of the use variance to allow the continued operation of a recreational vehicle storage parking lot that has been operating for approximately 41 years will not be contrary to the objectives of the ordinance. The intent of the Zoning ordinance is to allow for reasonable use of property. As noted above, the existing conditions of the site and limited access preclude full compliance with the zoning regulations on the southerly half of the lot zoned R1. Allowing the continued use of the residentially zoned portion of the lot as a recreational vehicle storage lot will continue to provide a service to the public in conjunction with the permitted commercial uses on-site. The use is well established at this location and has been in operation since the first use variance granted in 1975. Granting the applicant's request with conditions allows for the reasonable continued use of a long-established business, with conditions of approval that would serve to mitigate any potential negative impacts.

**CONDITIONS OF APPROVAL**

**APPROVAL** of this Use Variance shall be subject to the following:

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 Director of Community Development.
2. That all necessary licenses as required from Federal, State, County or City authorities shall be obtained and kept current at all times.
3. That any expansion or modification of the facility or use which changes conditions granted by this Use Variance shall require a new Use Variance application. Changes shall include changes to the use or operation as approved in this variance or any physical change, including the addition of parking spaces to the storage lot, as determined by the Director of Community Development.
4. That access to the premises shall be made available upon request to all City of Glendale authorized staff (i.e. Community Development Department, Neighborhood Services Division, Building and Safety Division, Fire Department, Police Department, etc.) for the purpose of verifying compliance with all laws and the conditions of this approval.
5. That sufficient measures shall be enforced to effectively eliminate interior and exterior loitering, parking congestion, disturbing noise, disturbing light, loud conversation and criminal activities on-site.

6. That any signs displayed in connection with the use and service shall conform to the requirements of the Glendale Municipal Code.
7. That noise shall be contained to the site, such that persons of normal sensitivity off-site are not disturbed.
8. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash and graffiti.
9. 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.
10. 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 residential area.
11. That the existing easement agreement for the access on the residential zone, which was executed and recorded among affected property owners shall be maintained and shall remain in effect for as long as this use is existing on this site.
12. That the existing landscape and irrigation, wheel stops and fencing shall be maintained for the life of this use variance.
13. That the authorization granted herein shall be valid for a period of fifteen (15) years, until **November 16, 2031**, at which time a reapplication shall be made.

**VOTE**

Ayes: Astorian, Landregan, Manoukian, Shahbazian, Lee

Noes: None

Abstain: None

Absent: None

**APPEAL PERIOD, 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 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 **DECEMBER 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>

### **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 (ten) 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. 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.

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.