



January 26, 2017

Mr. Chris Cesnek  
4350 Stern Avenue, Apt 10  
Sherman Oaks, CA 91423

**RE: 422 MAGNOLIA AVENUE, GLENDALE, CA 91204  
PARKING EXCEPTION CASE NO. PPEX 1622421  
(Paperback Brewery)**

Dear Mr. Cesnek:

Pursuant to Chapter 30.32.020, the Director of Community Development has processed an application for a Parking Exception (PPEX 1622421) for the property located at **422 Magnolia Avenue**, in the "IND" (Industrial) Zone described as Lot 11 of the Breedloves Subdivision in the City of Glendale, County of Los Angeles. The application is hereby **APPROVED**, based on the following analysis and findings, and subject to the following conditions.

**ENVIRONMENTAL RECOMMENDATION:** The project is exempt from environmental review per Section 15301 (1) of the State CEQA Guidelines, Class 1 "Existing Facilities".

**PROJECT PROPOSAL**

The proposed project consists of converting an existing 6,301 square-foot industrial building to a brewery and tasting room. The space will be broken down with 4,088 square feet for the brewing of craft beer, with the remaining 2,213 square feet used as a tasting room/tavern open to the public. The beer which is brewed in the 4,088 square-foot brewery at the rear of the building will be sold for on-site consumption and off-site retail sales from the 2,213 square-foot tasting room. The parking exception request is to allow a tavern (brewery with tasting room) without providing the additional 50 parking spaces required by the Zoning Code.

**SUMMARY AND BACKGROUND**

The project is located on Magnolia Avenue between San Fernando and Los Angeles Street in the City's industrial area. The site is zoned IND – Industrial and is adjacent to IMU – Industrial/Commercial Mixed Use. The area surrounding the subject site is heavily industrial, though there is another tavern just east of the project. The 7,265 square-foot lot is developed with a single story manufacturing / industrial building with one on-site parking space. As proposed, the project will provide one on-site handicap accessible parking space. No additional parking on-site is provided.

Glendale's current 18-Hour City initiative includes the attraction of breweries. As the craft beer market grows in Southern California, Glendale wants to offer the same amenities to local businesses, visitors, and residents as other culture seekers in Los Angeles. Breweries are

family friendly versions of traditional taverns. As a product that can be widely sold and consumed, Glendale branded beers further the City's goals of marketing to and attracting new individuals and businesses. This project would create jobs, name recognition for Glendale, and provide a new amenity as the San Fernando Road Corridor slowly turns from generally industrial to an urban environment with high density residential and creative uses.

**PARKING EXCEPTION REQUEST**

The Code requires that upon the change of use within an existing building, additional parking spaces be provided for the new use over and above the number of spaces required by the previous use. In many cases, a 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 San Fernando Road Redevelopment Project Area.

The previous manufacturing use (jewelry manufacturing) required two spaces per 1,000 square feet of floor area. The new use, tavern (brewery with tasting room), requires 10 spaces per 1,000 square feet of floor area. According to Title 30, Sections 30.32.020 and .050 of the GMC, the parking shortfall for the entire use (brewery and tavern) will be 50 parking spaces.

The applicant is requesting a parking exception to allow the conversion of the existing 6,301 square-foot manufacturing building to a tavern (brewery and tasting room). The space will be broken down into 4,088 square feet for the light manufacturing/brewing of craft beer, with the remaining 2,213 square feet used as a tasting room/tavern open to the public without providing 50 additional parking spaces. If the proposed brewery just wanted to be a manufacturing use, no parking exception would be required. However, because they also want to allow for the sale, service and consumption of beer on the premises, the use is categorized as a tavern and requires a higher parking ratio. Therefore, the entire 6,301 square-foot building will require 10 parking spaces per 1,000 square feet of floor area. Based on previous manufacturing use, 13 parking spaces were required. The new use, a tavern with on-site brewery will require 63 spaces. As proposed, the parking shortfall will be 50 parking spaces.

Use(s)	Parking Required	Comments
Previous: 6,301 square-foot Manufacturing use	Industrial, general: 2 space per 1,000 SF  = 13 spaces	Pursuant to G.M.C. 30.32.030 a total of 13 spaces are grandfathered in from the previous use based upon the 2 spaces/1,000 SF for the 6,301 square-foot manufacturing use. Only additional required spaces need to be provided.
Proposed: 6,301 square-foot Tavern  (4,088 square-foot light manufacturing/ 2,213 square-foot tavern)	Taverns: 10 spaces per 1,000 SF  = 63 spaces	Pursuant to G.M.C. 30.32.030, a parking credit is received for the 13 spaces attributed to the previous manufacturing use. The change of use to a tavern requires a net of 50 spaces (to meet the required 63 spaces).

## 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 1622421, a request to allow for the conversion of an existing 6,301 square-foot manufacturing use to a tavern (brewery with tasting room) without providing the additional 50 code-required parking spaces at 422 Magnolia Ave, 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.**

The subject site is 7,265 square feet in size with a 6,301 square-foot single-story building. It is located in the IND (Industrial) Zone in the San Fernando Road Corridor Redevelopment Project Area. The zoning allows for light manufacturing (food and beverage processing) and conditionally allows for taverns. The existing vacant industrial building previously operated solely as a jewelry manufacturing business. The proposed project consists of converting the existing 6,301 square-foot manufacturing building into a 4,088 square-foot craft beer brewing operation and 2,213 square-foot tavern (brewery with tasting room) open to the public. As proposed, the change of use from manufacturing to tavern will result in a parking shortfall of 50 parking spaces.

The 50 required parking spaces for the change of use cannot reasonably be accommodated on-site given the existing 6,301 square-foot one story building consumes a majority of the 7,265 square-foot lot. There is an approximately 22-foot front setback which can accommodate modification of the one existing parking stall to an ADA compliant stall. There is no other vacant area on the site to locate additional parking, nor could the existing parking be arranged more efficiently to accommodate new spaces. It is not possible to provide or create additional on-site parking spaces for the new use without significantly modifying the existing building and site plan. As a result, the viability of the proposed use would be compromised. Furthermore, the adjacent properties are all developed and cannot accommodate additional parking for off-site parking to serve the proposed use.

**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.**

This project is consistent with the intent of the goals and objectives of the San Fernando Road Redevelopment Project area. The subject site and surrounding properties are zoned for a mix of industrial, 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 with the types of businesses located in the vicinity. The proposed tavern (brewery with tasting room) will maintain the industrial nature of the site. A leased and occupied building is an important factor for the economic stability of the

operator(s) and neighboring commercial and industrial 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 on-site parking for all land uses in order to keep traffic, noise and parking impacts from negatively impacting adjacent business and residential neighborhoods in the vicinity. Approximately 2,213 square feet of the existing building will be used as tavern space, which would only require 22 parking spaces to be provided per Code. The remainder of the existing building, approximately 4,088 square feet, will be used as the brewery. The tavern is ancillary to the primary use as a brewery. Furthermore, unlike the businesses surrounding the brewery/tavern, the more intensive use of the tavern would be operational later in the day when most of the surrounding businesses would be closed.

Located just outside the business and retail downtown, Glendale's industrial areas offer a unique way for residents and visitors to experience the "Glendale made" brand. The industrial product and their commercial additions also generate new creative and hands on jobs, increase sales tax, and create an amenity in an amenity desolate area. With one brewery already located in Glendale's industrial area, there is great opportunity for clustering and synergy in the "San Fernando Craft Beer Corridor," expanding past the borders of Glendale.

The subject property is located on Magnolia Avenue, which is identified by the Circulation Element as a local street. Magnolia Avenue is between Los Angeles Street and San Fernando Road, which are identified as a local street and major arterial, respectively. These streets are able to provide access to this site as well as adjacent properties and accommodate the potential concentration of automobile traffic generated by the proposed use. Given the subject application requests to allow a brewery/tavern in an existing building, other elements of the general plan, including the Open Space, Recreation, and Housing, will not be impacted. Public and private utilities are in place to accommodate the tavern (brewery with tasting room) use.

**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.**

The subject site, approximately 7,265 square feet in area, was developed in 1946 with an approximately 6,301 square-foot one story building with one on-site parking space. The property cannot reasonably accommodate additional parking spaces due to the physical space limitation on the site. While the existing building is 6,301 square feet, only 2,213 square feet will be used as tavern space. The remainder of the existing building area, 4,088 square feet will be used for brewing. If the proposed brewery just wanted to be a manufacturing use, no parking exception would be required. However, because they also want to allow for the sale, service and consumption of beer on the premises, the use is categorized as a tavern and requires a higher parking ratio. Therefore, the change of use from light manufacturing to tavern requires an additional 50 parking spaces. The higher parking ratio is applied to the entire 6,301 square-foot space, even though only 2,213 square feet would be classified as a tavern use (most restrictive use). As the public would not be permitted to occupy the 4,088 square feet of light manufacturing/brewing space, the 4,088 square feet does not demand the 10 parking spots per 1000 square feet, which is required for the 2,213 square-foot tavern. Per code, 2,213 square feet of tavern area would only require 22 parking spaces.

The surrounding properties are mostly occupied by industrial users who have active business hours during the day. The hours of operation for the brewery are generally from 8:00 a.m. to 5:00 p.m. Monday through Friday with the occasional weekend brew. The tasting room (tavern) operation would be from 4:00 p.m. to 2:00 a.m. Monday through Friday, and 12:00 p.m. to 2:00 a.m. Saturday and Sunday. A parking study was prepared and has shown that this would not conflict with other businesses' hours or parking.

A parking study was prepared that demonstrated adequate parking inventory is within close proximity to the site for employees and patrons for this use during the proposed hours of operation. An analysis of available information shows that on-street parking within a two block radius of the site can accommodate the additional parking spaces needed for the use. This is based on the number of parking spaces available during different times of the day in relation to the subject business' peak and off peak hours. As a result, sufficient on-street parking is available for the tavern use.

The applicant provided parking counts of on-street parking spaces along Palmer Avenue to the north and Cypress Street to the south between and Los Angeles Street and San Fernando Road. Counts taken on Thursday afternoon at 4:00 p.m. showed 40 on-street spaces available on the surrounding streets. This was the lowest parking count reported, with Friday and Saturday numbers increasing to 42 and 60 spaces, respectively.

During the times counted, (Thursday and Friday from 4:00 p.m. to 10:00 p.m.) 27 percent of the study areas 149 on-street parking spaces are available. This evidence supports the fact that there is adequate parking to meet the demand of the tavern during its peak hours of operation.

**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 proposed project consists of converting an existing 6,301 square-foot manufacturing use to a brewery and tavern use will require 63 parking spaces per the Zoning Code. While there is one on-site parking space, and 13 grandfathered spaces (due to the previous use as manufacturing), an additional 50 parking spaces are required. Most of the surrounding properties are occupied with manufacturing, warehouse and auto repair uses, which have a peak parking demand contrary to the peak parking demand for a tavern use. Business hours for surrounding businesses are generally 7:00 a.m. – 5:00 p.m. Monday through Friday, with the exception of some vehicle repair shops with limited Saturday hours and Glendale Tap, located on San Fernando Boulevard, which operates with similar hours as the proposed project.

A parking demand study of the surrounding area was performed during a course of three consecutive days and concluded that during the brewery's hours of operation; approximately 40 to 67 parking spaces were available on the street located at a reasonable walking distance (two blocks) to the brewery. The applicant has indicated that the business will operate Monday through Friday from 4:00 p.m. until 2:00 a.m., and Saturdays and Sundays from 12:00 p.m. until 2:00 a.m. Therefore, the proposed tavern is not anticipated to be materially detrimental to the public welfare or injurious to the property of improvement in the vicinity of the property or in the neighborhood.

Therefore, Parking Exception Case No. PPPEX 1622421 is hereby **APPROVED**, subject to the following conditions:

1. That the applicant shall obtain approval of a Conditional Use Permit in accordance with GMC Chapter 30.42 for a tavern use.
2. Sales, service or consumption of beer shall be permitted only between the hours of 4:00 p.m. to 2:00 a.m. from Monday through Friday, and 12:00 p.m. to 2:00 a.m. on Saturday and Sunday.
3. That the service of beer for on-site sales, service, and consumption, and off-site sales shall be in full accord with the regulations and conditions established by the State Department of Alcoholic Beverage Control.
4. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash and graffiti.
5. 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.
6. That no exterior signs advertising the service of alcoholic beverages shall be permitted.
7. That a new Business Registration Certificate (BRC) be obtained for a tavern use.
8. That access to the premises shall be made available to all City of Glendale Community Development 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 this 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 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**

**February 10, 2017**, 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.

### **REVOCATION, CONTINUING JURISDICTION**

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over variances, administrative use permits, and conditional use permits (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

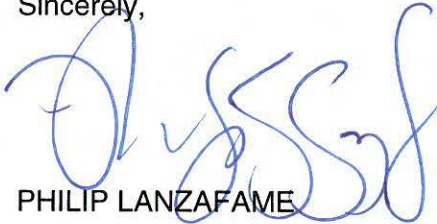
applicant and demonstration that a reasonable effort to act on such right and privilege has commenced within the two (2) years of the approval date. In granting such extension the applicable review authority shall make a written finding that neighborhood conditions have not substantially changed since 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, Milca Toledo at 818-548-2140 or [mtoledo@glendaleca.gov](mailto:mtoledo@glendaleca.gov).

Sincerely,



PHILIP LANZAFAME

Director of Community Development

PL:ts

CC: City Clerk (K.Cortez); Police Dept. (S.Bickle/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(J.Halpert); City Engineer and 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); Community Services & Parks Dept. (T. Aleksanian); Neighborhood Services Division (S.Sardarian/J.Jouharian); Integrated Waste Management Admin. (M.Wiederkehr); Maintenance Services Section Admin. (D.Hardgrove/J.Cawn); Street and Field Services Admin.; Environmental Management (C.Chew/R.Villaluna); and case planner – Milca Toledo.