



June 14, 2018

CRP/Chandler Pratt Glendale Venture, LLC
ATTN: Dan Chandler
4116 W. Magnolia Boulevard, Ste. 203
Burbank, CA 91505

**RE: PARKING EXCEPTION CASE NO. PPPEX 1803909
 301 NORTH CENTRAL AVENUE, UNITS A&B (Bea Bea's Restaurant)
 DIRECTOR OF COMMUNITY DEVELOPMENT REVIEW**

Dear Mr. Chandler:

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 **301 North Central Avenue, Units A&B**, in the "DSP/TD" – Downtown Specific Plan Zone/ Transitional District, and described as Portion of Lots 1, 2, 3, 4, 5, and east 10 feet of lot 73, all of lots 75, 76, 77, 77A, 78, 78A and a Vacated Alley, Glendale Home Tract, M.B. 9-131, 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 conditions of approval.

ENVIRONMENTAL DETERMINATION: The project is exempt from CEQA review as a Class 1 "Existing Facilities" exemption, pursuant to State CEQA Guidelines Sections 15301 (a), because the request is to allow for interior or exterior alterations of an existing tenant space in conjunction with the operation of a new full-service restaurant without providing the code required parking.

PROJECT PROPOSAL

The applicant is requesting a parking exception for the operation of a 2,769 square-foot full-service restaurant (Units A&B) in the new "Onyx" mixed-use development without providing the minimum number of required on-site parking spaces.

SUMMARY AND BACKGROUND

The project site is 62,942 square-feet in size and is located along the west side of North Central Avenue, bound by West California Avenue to the south and Myrtle Street to the north in the "DSP/TD" – Downtown Specific Plan Zone/ Transitional District. The site features a mixed-use development comprised of two buildings that are six stories in overall height, with a total of 183 residential units, and 6,520 square-feet of ground-floor commercial space.

When the project was developed, the ground floor commercial spaces were proposed as retail uses that are parked at a ratio of 3 spaces per 1,000 square-feet of floor area. As such, the project provides a total of 20 parking spaces for the ground floor commercial tenants. There are an additional 10 parking spaces provided on-site that include one compact stall and six tandem spaces that are not considered code compliant parking under the zoning code. There are also three

additional standard stalls not accounted for in the original parking calculations. The proposed full-service restaurant will be the first tenant to occupy the space (Units A&B).

PARKING EXCEPTION REQUEST

The Code requires that new buildings provide a minimum number of on-site parking spaces to serve the eventual new uses. In some cases, a strict application of the parking code to require full on-site parking for these uses is not practical or desirable, and would prevent businesses from locating in the project area.

The ground floor commercial spaces of the project site total 6,250 square-feet and were initially developed as a retail use. Retail uses in the DSP require 3 spaces per 1,000 square-feet of floor area. Full-service restaurant uses in the DSP require 5 spaces per 1,000 square-feet of floor area. The new full-service restaurant will combine two tenant spaces (Units A&B) and will be 2,769 square-feet in size. Pursuant to the parking requirements in Section 30.32.030 and .050 of the Glendale Municipal Code, the parking shortfall for the new full-service restaurant will be six parking spaces (see table below).

Use(s)	Parking Required	Comments
<u>Approved:</u> 2,769 square-foot Retail use (Units A&B)	3 spaces per 1,000 SF = 8 spaces	Pursuant to GMC 30.32.050 a total of 8 parking spaces was required for the approved retail use.
<u>Proposed:</u> 2,769 square-foot Full-service Restaurant use (Units A&B)	5 spaces per 1,000 SF = 14 spaces	Pursuant to GMC 30.32.050, a total of 14 parking spaces is required for the proposed full-service restaurant.

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 1803909, a request to allow a six-space parking reduction in conjunction with the operation of a new full-service restaurant located at 301 North Central Avenue, Units A&B, 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 mixed-use project was recently developed with 6,250 square-feet of ground floor retail commercial space. Retail uses in the DSP are parked at a ratio of 3 spaces per 1,000 square-feet of floor area, therefore there are a total of 20 parking spaces for the ground floor commercial tenants. There are also an additional ten parking spaces provided on-site that would not be considered parking in accordance with the Zoning Code based on their accessibility and size. The subject tenant space (Units A&B) is 2,769 square-feet in size and the proposed full-service restaurant will be the first tenant to occupy the space. The approved use of the space as retail requires a total of eight parking spaces. This required retail use parking is provided on-site within

the approved mixed-use development. The proposed use as a full-service restaurant requires a total of 14 parking spaces, resulting in a six space shortfall.

The required number of parking spaces for the new full-service restaurant cannot reasonably be provided for on-site. The subject site is located along the west side of North Central Avenue, bound by West California Avenue to the south and Myrtle Street to the north in the "DSP/TD" – Downtown Specific Plan Zone/ Transitional District. The scope of the project and the conditions of the project site result in practical difficulties that impair the project's viability if the strict requirements for number of parking spaces were applied. The site features a newly completed, mixed-use development comprised of two buildings that cover the majority of the site with six story buildings with one level of on-grade parking and two levels of subterranean parking. The newly completed building cannot be altered to add additional parking because it occupies all of subject site and is bordered on three sides by streets and multi-family development to the west of the project site. Given the site's location and surrounding development, additional land cannot be acquired to provide more on-site parking.

- B. The parking exception will serve to promote specific goals and objectives of the adopted plan for the Glendale Redevelopment Project Areas 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.**

The project site is located in the Downtown Specific Plan – Transitional District. The Downtown Specific Plan (DSP) was established to encourage continued revitalization of the city's downtown core by fostering the creation of a dynamic and diverse mix of land uses. The Transitional District of the DSP provides an important transition between the Downtown and residential neighborhoods to the west and features a variety of lower scale commercial and medical office buildings, as well as some newer mixed use developments along the east and west sides of Central Avenue. This District encourages mixed-use development with an emphasis on ground floor commercial uses. The subject tenant space (Units A&B) is currently vacant and the proposed full-service restaurant will be the first tenant to occupy the space. The new restaurant will provide added and consistent revenue through sales tax and also encourage private sector investment. The parking exception will encourage pedestrian activity in this area, which is a primary goal of the DSP. The proposed full-service restaurant will expand on and complement the existing mix of land uses that are nearby offering a variety in dining options to those who work and live in downtown and elsewhere in the City. Further, the new use will help create a healthy, vibrant and walkable neighborhood.

The project is consistent with the various elements and objectives of the General Plan. 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. The Circulation Element classifies North Central Avenue as a Major Arterial that can accommodate the traffic and circulation patterns for the proposed 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 conditions of the site are the exceptional circumstances which warrant granting the requested parking exception. The proposed full-service restaurant is 2,769 square-feet in size and is located in the newly developed "Onyx" mixed-use building. The project site is 62,942 square-feet in size and built to the property line with on-grade and subterranean parking for the commercial tenant spaces and the residential dwellings. While the property is similar in size and shape to many of the newly developed residential and mixed-use developments located along

Central Avenue and in the immediate area, as stated above in finding A, the six-story development with subterranean parking is newly completed and surrounded on three sides by streets and multi-family development to the west of the project site. No additional adjacent land can be purchased to provide space for additional parking.

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 to allow the operation of a full-service restaurant with a six-space parking shortfall will not be detrimental to the public welfare or other developments in the surrounding neighborhood. The subject site is located along North Central Avenue, a major thoroughfare in downtown Glendale. There are on-street parking spaces (metered and unmetered) located along North Central Avenue and the adjacent streets, and a city-owned parking structure is located in the immediate area on Orange Street that serves the needs of surrounding businesses.

The DSP governs development of the site and surrounding area. Goals of the DSP include strengthening the downtown's pedestrian, bicycle and transit oriented characteristics while ensuring vehicular access to downtown designations and preserving and enhancing the distinctive character of Glendale's downtown buildings, streets and views. As previously stated, additional on-site parking could not be provided for the proposed full-service restaurant because the site is fully developed.

In accordance with GMC 30.32.030, if the subject tenant space had been occupied by a retail use for at least one year, a change of use to a full-service restaurant would have been permitted by right without triggering any additional parking. However, since a full-service restaurant is the first tenant in the space, the parking requirement is 14 spaces. The approved use of the tenant space as retail required eight parking spaces, which are provided on-site, however the proposal for a full-service restaurant results in the six-space shortfall. A parking study prepared by JB & Associates, LLC concluded that given the mixed-use characteristic of the project, the urbanized setting near the project that promotes walk-in trips, and the increase in ride-sharing services, the existing parking on-site is adequate to serve the full-service restaurant use. The street frontages along the project site and surrounding area are intended for active pedestrian uses- the proposed full-service restaurant will add to the pedestrian experience and help achieve this goal. This situation is consistent with the DSP goal of bolstering downtown Glendale's walkability and ensuring automobile access. Fulfillment of goals of the DSP and availability of a variety of nearby parking options are the mitigating circumstances to ensure that a reduction in the number of required parking spaces for the proposed full-service restaurant use will not be 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.

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 1803909 is hereby **APPROVED**, subject to the following conditions:

CONDITIONS OF APPROVAL

APPROVAL of this Parking Exception Case 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 full-service restaurant 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 any other changes on this project shall be subject to review and approval of the Director of Community Development.
5. That a new Business Registration Certificate (BRC) be obtained for the retail use.
6. That State Accessibility Standards shall be met for all parking requirements and building entrance accessibility as required by the Building and Safety Division.
7. 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.
8. That all signs shall require a separate sign permit.
9. That the facilities shall not be rented, leased or otherwise occupied for purposes not specified in this application.
10. 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.
11. That any proposed outdoor dining in the Public Open Space shall obtain a sidewalk dining permit from the City's Public Works Department and configuration shall be to the satisfaction of the Director of Community Development.
12. That the applicant shall post the required open space plaque(s) as required by Section 7.2.4 of the Downtown Specific Plan.

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 **June 29, 2018** 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.

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 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 parking exception permits.

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.

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

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 administrative use permit.

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, Vista Ezzati, 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,


Philip Lanzafame
Director of Community Development

PL:EK:ve

cc: CC: City Clerk (K.Cruz); Police Dept. (A.Jenks/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(J.Halpert); Traffic & Transportation Section (P.Casanova); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S. Boghosian/R.Takidin); Glendale Water & Power--Electric Section (B. Alshanti/B.Ortiz/E.Olsen); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (R.Sada/J.Jouharian/); Integrated Waste Management Admin. (D. Hartwell); Maintenance Services Section Admin. (D. Hardgrove/J.Cawn); Street and Field Services Admin.; Engineering and Environmental Management (C.Chew/R. Villaluna); and case planner (Vista Ezzati).