



CITY OF GLENDALE, CALIFORNIA

Community Development
Planning

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December 12, 2018

Royalty Bakery (DBA Plate & Petal)
216 North Orange Street
Glendale, CA 91203

**RE: 216 NORTH ORANGE STREET
PARKING EXCEPTION CASE NO. PPPEX1729400**
(See: Related Case: Administrative Use Permit No. PAUP 1801522)

Dear Applicant:

Pursuant to Chapter 30.32.020, the Director of Community Development has processed an application for a Parking Exception for the property located at **216 North Orange Street**, in the "DSP/MO" - Downtown Specific Plan Mid-Orange District, in the City of Glendale, County of Los Angeles, described as Block 6, Portion of Lot 17, Glendale Boulevard Tract, as per map recorded in Book 5, Page 167 of Maps in the Office of County Recorder of the County of Los Angeles.

CODE REQUIRES

- 1) Full-service restaurants in the DSP require five parking spaces for every 1,000 square feet of floor area (GMC 30.32.050).

APPLICANT'S PROPOSAL

- 1) To expand the existing approximately 5,000 square-foot full-service restaurant by converting a 2,500 square-foot rear area behind the existing building to outdoor dining without providing the additionally required parking.

ENVIRONMENTAL DETERMINATION

Exempt from CEQA review as a Class 1 "Existing Facility" exemption pursuant to Section 15301(e)(1) of the State CEQA Guidelines, because the project does not involve an increase of more than 50% or 2,500 square feet of the existing floor area.

The application is hereby **APPROVED**, based on the following analysis and findings, and subject to the following conditions.

SUMMARY and BACKGROUND

The project site is a mid-block 7,650 square-foot lot located along the east side of North Orange Street, bounded by West California Avenue to the north and West Wilson Avenue to the south. The site is zoned Downtown Specific Plan Mid-Orange (DSP/MO) District and features a one-story, approximately 5,000 square-foot full-service restaurant with outdoor seating at the front of the restaurant adjacent to the sidewalk on Orange Street, and a 2,500 square feet empty area behind the building.

Based on historical aerial photographs of the site since 1953, the rear area appears to have been used for parking but no city records indicate the rear area was required to provide parking for the restaurant.

An Administrative Use Permit (PAUP 1801522) to allow the sale of alcohol is concurrently being processed for the subject site.

PARKING EXCEPTION REQUEST

The applicant is requesting approval of the Parking Exception to expand the existing approximately 5,000 square-foot full-service restaurant by utilizing a 2,500 square-foot outdoor, empty section of the property behind the existing building for outdoor dining, without providing the additionally required parking. Of the proposed new outdoor restaurant area, 1,704 square feet will be used to provide additional seating, and the remaining 796 square feet will be used for ancillary restaurant operations including a bar. GMC Section 30.32.050 requires that full service restaurants provide five (5) parking spaces for every 1,000 square feet of floor area in the DSP zone; thus, the proposed expansion requires thirteen (13) parking spaces.

REQUIRED FINDINGS

After considering the evidence presented with respect to this application, the Director of Community Development has determined that the requested Parking Exception 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 required number of parking spaces for the restaurant expansion cannot reasonably be provided without impairing the project's viability. The lot area necessary to provide the additionally required parking is the same area that is proposed for the restaurant expansion; thus, the expansion would not be possible if the area were to be used for parking. Due to the configuration of this area, partial provision of the required parking spaces would use up so much of the available space as to minimize the restaurant expansion area to an unviable degree. Further, there are no adjacent or nearby vacant lots or existing excess parking available for acquisition to meet this project's parking requirement.

B. The parking exception will serve to promote specific goals and objectives of the adopted plan for the former Central Glendale 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.

The project will serve to promote the purposes of the applicable plans and the general welfare and economic well-being of the area for the reasons described below.

This project is consistent with the former Central Glendale Redevelopment Project Area goal to encourage and foster economic revitalization in the Project Area. The proposed restaurant expansion will assist in the retention of an established local business and will promote the increase in economic activity at the site.

The project is consistent with the goals of the Downtown Specific Plan to ensure downtown's long-term status as a good place to do business and to attract a wide range of activities to maintain a dynamic atmosphere. Allowing the business to expand their operation helps ensure the business can remain in the downtown area and continue to provide a dining and drinking amenity.

The project is consistent with the elements of the General Plan. The Land Use Element encourages a vibrant array of commercial (retail, service, office, entertainment) uses, in addition to high density, urban housing and mixed use. The project involves a full service restaurant that will serve the surrounding residents and businesses. The site is not designated as a future park or open space site in the Open Space and Conservation Element or the Recreation Element. The site is not in a hazard zone as shown in the Safety Element. For all these reasons, the project will be consistent with the various elements and objectives of the Glendale General Plan.

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 project involves exceptional circumstances and conditions that do not apply generally to other property in the area. First, the property is similar in size and shape to neighboring properties on Orange Street, yet those properties are either developed with buildings that occupy most of the site while providing limited or no parking, or they have an entire adjacent lot available for their use as parking. For the subject property to expand and utilize the full lot area like adjacent properties, it would be required to provide parking, but it cannot do so because it is constrained on all sides by existing development, with no available land to acquire for the provision of parking. Trying to provide parking for the proposed project while still allowing the proposed expansion would require either subterranean or above ground parking with access from the alley. Both of these alternatives would negatively impact the viability of fully developing the site and the functionality of the resulting commercial building. Second, the site is near several public parking facilities that provide ample parking in the area, including one parking lot immediately to the south that accommodates approximately 26 parking spaces, a large multi-level parking garage immediately to the north, and three additional parking lots/garages within a four-block walk. This condition, in addition to the proximity (1/4 mile walk) to ten bus stops, results in the exceptional circumstance of an abundance of parking and transportation options in the immediate area, which mitigates the requested parking exception.

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 reduced number of parking spaces for this project will not be detrimental to the public welfare or other developments in the surrounding neighborhood. The parking exception request is for thirteen parking spaces for the new outdoor restaurant area. The site is adjacent to a large public parking structure (the Orange Street Garage) to the north, and to City Parking Lot 15 to the south, both of which provide parking for surrounding uses. Furthermore, a number of restaurant patrons are anticipated to travel by foot from surrounding businesses and residential developments. Therefore, the approval of a thirteen parking space deficit is not expected to be detrimental to the public welfare or surrounding neighborhood.

Therefore, Parking Exception PPPEX 1729400 is hereby **APPROVED**, subject to the following conditions:

CONDITIONS OF APPROVAL

1. That all new proposed fences, walls, trellises, canopies and/or roof/shade structures are not a part of this approval and are subject to an independent review and permitting process by City Departments to ensure compliance with the Glendale Municipal Code.
2. That the proposed establishment 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 as authorized by 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.
3. That all necessary permits shall be obtained from the Building and Safety Section and all construction shall be in compliance with the Glendale Building Code and all other applicable regulations.
4. That the Parking Exception is valid only insofar as the specific use for which it was granted. The permit runs with the 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.
5. That any other changes on this project shall be subject to review and approval of the Director of Community Development.
6. That an expansion or modification of the full services restaurant which is different than what is represented as part of this Parking Exception application, shall require a new application as determined by the Director of Community Development.

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 Building and Safety Division upon request and must be filed with the prescribed fee prior to expiration of the 15-day period, on or before **December 27, 2018**, in the Building & Safety Division, 633 East Broadway, Room 101.

TRANSFERABILITY

This authorization runs with 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 or the proposed operator, 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 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.

Extension

An extension of the parking exception permit 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.

Cessation

Any 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.

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, Cassandra Pruett, who acted on this case. She may be reached at 818-937-8186 or cpruett@glendaleca.gov. This would include clarification and 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.

Sincerely,



For Philip Lanzafame
Director of Community Development

PL:CP:sm

cc: City Clerk (K.Cruz); Police Dept. (Lt. S.Bickle/Z.Avila); City Attorney's Dept. (G. Van Muyden/Y.Neukian); 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 (A. Jimenez); Integrated Waste Management Admin. (D. Hartwell); Maintenance Services Section Admin. (D. Hardgrove); Street and Field Services Admin.; Environmental Management (M. Oillataguerra); and case planner – Cassandra Pruett