



September 10, 2019

Derek Frahmann
84319 Cigno Court
Indio, CA 92203

**RE: 1201 SOUTH BRAND BOULEVARD
STANDARDS VARIANCE CASE NO. PVAR 1908844**

Dear Applicant:

On August 28, 2019, the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.43, on your application for a Standards Variance to allow the installation of two (2) new roof signs, when roof signs are prohibited, located at **1201 South Brand Boulevard**, in the "CA" –Commercial Auto Zone, described as Lots 1, 2, and 3, Tract No. 2482: Lots 1, 2, 3, and 4, Alveretta Tract; Portion of Lot 25, Watts' Subdivision; and Portion of Lot 19, Collins Tract. This is in conjunction with a façade remodel for the Lexus automobile dealership which is currently under construction, in the City of Glendale, County of Los Angeles.

CODE REQUIRES
Standards Variance

- (1) Roof signs, except as permitted as an approved creative sign, are prohibited in the City of Glendale (GMC 30.33.040.L).

APPLICANT'S PROPOSAL
Standards Variance

- (1) To install two (2) new roof signs.

ENVIRONMENTAL DETERMINATION

The project is exempt from CEQA review as a Class 11 "Accessory Structures" exemption pursuant to Section 15311 (a) of the State CEQA Guidelines, because the proposal is to construct two new on-premise signs.

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 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.

The existing project site is an 81,741 square-foot property with frontage on three streets: South Brand Boulevard to the east, Palmer Avenue to the north, and Magnolia Avenue to the south. Located in the CA (Commercial Auto) Zone, the site was developed in 2004 with a vehicle dealership, Glendale Lexus. The dealership is undergoing a façade remodel that modernizes the building design and is in line with the dealership's current corporate branding requirements. The façade remodel includes the installation of an architectural element with one side that projects upwards from the roof, across, and then extends downward in front of the building, detached from the exterior walls. The proposal is to install two new signs on the new architectural element described to be in line with the Lexus dealership's corporate branding requirements. The proposed signage features the Lexus logo, with each sign approximately 35 square-feet in size. Because these two signs will be located above the roofline of the existing building, they are considered roof signs (as defined per GMC 30.33.020).

In accordance with GMC 30.33.040.L, roof signs are prohibited in the City, unless approved as a creative sign in the DSP and CR zoning districts. The strict application of the sign regulations will result in unnecessary hardship that is inconsistent with the intent of the ordinance. Sign regulations protect and enhance the physical appearance of the community, create a more attractive business climate, and reduce obstructions that may contribute to safety hazards. Each sign will be located at the upper corner of the architectural element (each side) and above the building roofline; thereby the signage is considered a roof sign in accordance with the zoning code definition. If the sign locations were lowered to be below the building roofline, they would otherwise be considered wall signs and permitted under the Zoning Code. The placement of the new signage has been integrated appropriately into the overall building design, while also being consistent with corporate branding requirements for the dealership, which staff supports. Additionally, the existing Glendale Lexus dealership is located along the Brand Boulevard of Cars, a regional shopping destination. Overall, the façade remodel, and integrated signage, helps to enhance the physical appearance of the area, while also creating a more attractive business climate. Additionally, the Public Works Traffic Division did not cite the proposed roof signs as being traffic or safety hazards, nor are any hazards anticipated as a result of the proposed signs.

B. That 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.

The project site is located on the Brand Boulevard of Cars in the CA (Commercial Auto) Zone and was developed in 2004 as a vehicle dealership, Glendale Lexus. There are exceptional circumstances and conditions applicable to the subject property that would not apply generally to other property in the same zone or neighborhood. Firstly, the dealerships along South Brand Boulevard are unique in

that they are local businesses that are also national brands that often require signage that does not comply with the zoning code.

The existing Lexus dealership is currently undergoing a façade remodel to modernize the building design that is in line with the dealership's current corporate branding requirements. This remodel includes an architectural element that is integral to the overall design concept. This element projects up from the roof, across, and then extends downwards in front of the building detached from the exterior building walls. The location of the signage at the upper corner of this architectural element above the building roofline classifies it as a roof sign in accordance with the zoning code definition. The architectural element and new signage is consistent with the dealership's corporate branding requirements. If the sign locations were lowered to below the roofline of the building, they would otherwise be considered wall signs and permitted under the Zoning Code. However, if the signs were to be located lower, the placement would look awkward with the overall façade remodel. Additionally, in comparison to similar auto dealerships in the immediate area, at 81,741 square-feet (1.8 acres), the existing site is larger, and the L-shaped configuration of the lot is unique with the majority of the site fronting Palmer Avenue whereas most of the other dealerships are fronting Brand Boulevard. While the project site has frontage on three streets which could allow for more signage, the dealership has opted to concentrate the building signage to address South Brand Boulevard, rather than spill into the adjacent residential neighborhoods.

Lastly, roof signs are prohibited in the City in an effort to preclude sign clutter, enhance physical appearance, and reduce advertising obstructions that may contribute to traffic accidents. Moreover, the primary intent with prohibiting roof signs is to prevent sign structures to be constructed directly on top of buildings which creates sign clutter, diminishes the physical appearance of buildings and potentially contributes to safety hazards. The applicant's proposal has effectively integrated the new signage into the overall building design, thereby avoiding sign clutter, and enhancing the physical appearance of the area. Furthermore, the proposed signage will not contribute to safety hazards as the applicant will be required to obtain a permit from Building and Safety prior to construction, and the Public Works Traffic Division has not cited any concerns with the new signs.

C. That 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.

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. As noted above, the Public Works Traffic Division did not cite that the proposed roof signs would be a traffic or safety hazard, nor are any hazards anticipated as a result of the proposed signage. Obtaining a sign permit and the subsequent inspections by the Building and Safety division will ensure proper installation of the proposed signs to eliminate potential safety issues. The proposed signage is consistent with the dealership's corporate branding requirements and their location and design has been appropriately integrated into the building design.

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

Granting of the variance will be in keeping with the character of the existing vehicle dealership, and will not be contrary to the objectives of the ordinance. Sign regulations are intended to create a more attractive business climate, protect and enhance the appearance of the community, and reduce obstructions that may lead to safety hazards. Furthermore, the intent of the sign regulations for auto dealerships is to provide sufficient signage for successful operations of auto dealerships in the CA zone without creating visual clutter. The auto dealerships along South Brand Boulevard are unique because they are local businesses that are also national brands which often require signage that does not comply with the zoning code. The location of the new signage at the upper corner of the architectural element that extends above the building roofline is considered a roof sign in accordance with the zoning code definition. However, the placement of the proposed signage is well-integrated with the building façade, thereby enhancing the look of the building, and by extension the Brand Boulevard of Cars. This helps to enhance the physical appearance of the area, while also creating a more attractive business climate, along a prominent regional shopping destination. Finally, the proposed location of the new signage has been reviewed by the Public Works Traffic Division and will not contribute to obstructions, which may adversely impact automobile or pedestrian safety. Suggested conditions of approval have been included to mitigate any potential negative impacts.

CONDITIONS OF APPROVAL

APPROVAL of this Standards Variance 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 (i.e. building, fire, engineering, etc.) shall be obtained from the Building and Safety section and Public Works Department and all construction shall be in compliance with the Glendale Building Code UBC (Universal Building Code) and all other applicable regulations.
3. That all licenses, permits as required or approvals from Federal, State, County, or City authorities including the City Clerk shall be obtained and kept current at all times.
4. That the premises shall be made available and accessible to any authorized City personnel for inspection to ascertain that all conditions of approval of this variance are complied.
5. That landscaped areas shall be maintained in good condition with live plants and free of weeds and trash.

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 (COD) upon request and must be filed with the prescribed fee prior to expiration of the 15-day period, on or before **SEPTEMBER 25, 2019**, 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 (COD), 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/appeal>

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.

GMC CHAPTER 30.41 PROVIDES FOR

Termination

Every right or privilege authorized by a Variance 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 Variance may be terminated by the review authority upon any interruption or cessation of the use permitted by the Variance for one year or more in the continuous exercise in good faith of such right and privilege.

Extension

Variances 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 such variance. 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.

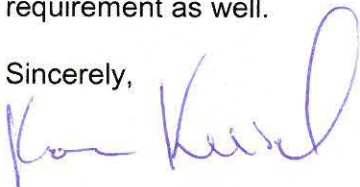
REVOCAION, CONTINUING JURISDICTION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over variances (individual cases heard and decided upon by the Planning Hearing Officer). To consider the revocation, the Planning Hearing Officer 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. Continuing jurisdiction over any case is the purview of the Planning Hearing Officer, with concurrence by the Director of Community Development.

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 at 818-937-8180) first and then, the Planning 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.

Sincerely,



Roger Kiesel
Planning Hearing Officer
RK:VE:sm

CC: City Clerk (K.Cruz); Police Dept. (J.Newton/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(J.Halpert); Traffic & Transportation Section (Larry Tan/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 (Rene Sada); 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 and case planner-Vista Ezzati.