



CITY OF GLENDALE, CALIFORNIA  
Community Development  
Planning

633 E. Broadway, Suite 103  
Glendale, CA 91206-4311  
Tel. (818) 548-2140 Fax (818) 240-0392  
glendaleca.gov

November 8, 2019

Nerces Anserian  
615 North Kenwood Street, # 6  
Glendale, CA 91206

**RE: 3430 OCEAN VIEW BOULEVARD - SUITE "G"  
CONDITIONAL USE PERMIT NO. PCUP 1911435**

Dear Applicant:

On November 6, 2019 the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.42, on your application for a Conditional Use Permit requesting approval of a conditional use permit to allow the operation of a new arcade establishment in an existing 1,500 square-foot commercial tenant space in the "C3" - (Height District I) – Commercial Service Zone, located at **3430 Ocean View Boulevard- Suite "G"**, described as Lot 17, 18, and 19, Block 28, Sparr Heights Tract, M.B. 59-34-36, and a Vacated Street (Turner Court), and Portion of Lot 1, Block 29, Sparr Heights Tract, M.B. 68-63-64, in the City of Glendale, County of Los Angeles.

**CODE REQUIRES**

(1) A Conditional Use Permit application is required for an arcade establishment in the "C3" zone (GMC 30.12.020.B, Table 30.12-A).

**APPLICANT'S PROPOSAL**

(1) To allow the operation of a new arcade establishment in an existing commercial tenant space.

**ENVIRONMENTAL DETERMINATION**

The project is exempt from CEQA review as a Class 1 "Existing Facilities" exemption pursuant to Section 15301 (e) of the State CEQA Guidelines, because the discretionary permit request is to allow the operation of an arcade establishment in an existing tenant space and there is no added floor area proposed.

## 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 proposed use will be consistent with the various elements and objectives of the general plan.**

The applicant's request to allow a new arcade establishment will be consistent with the various elements and objectives of the General Plan for the area. The Land Use Element of the Glendale General Plan designates the subject site as Community Services. Recreational land uses, such as the proposed arcade establishment are allowed subject to the approval of a conditional use permit. The Land Use Element encourages flexibility in the range and type of services provided in commercial areas, including recreation. As such, the applicant's request to allow the operation of a new arcade establishment at this location is appropriate in an area of the city zoned for commercial uses, and will provide the public with a new recreation option.

The Land Use Element is the most directly related to the approval of this use. All other elements of the General Plan, including Open Space, Recreation, and Housing Elements, will not be impacted as a result of the applicant's request. The project site is fully developed and has not been slated for open space or recreation. The proposal to allow the indoor operation of a new arcade establishment is consistent with the Noise Element and is not anticipated to increase the existing noise levels beyond the current conditions. This application does not include any new floor area or modifications to the existing building, and adequate utilities, landscaping, and traffic circulation measures are already provided.

The Circulation Element identifies North Verdugo Road as a major arterial, and Ocean View Boulevard as a minor arterial. These streets are fully developed and can adequately handle the existing traffic circulation around the site. The applicant's request to operate an arcade establishment is not anticipated to create any negative traffic-related impacts along Ocean View Boulevard and North Verdugo Road and other businesses over and above the existing conditions.

**B. That the use and its associated structures and facilities will not be detrimental to the public health or safety, the general welfare, or the environment.**

The proposed operation of a new arcade establishment in the C3- Commercial Service zone is not anticipated to be detrimental to the public health or safety, the general welfare, or the environment, as conditioned. The proposed arcade establishment will

be located in an existing 1,500 square-foot tenant space that is part of a larger multi-tenant commercial shopping center. There are no changes proposed to the existing on-site building or site plan, including the parking lot. Approval of the conditional use permit to allow the operation of a new arcade establishment is not anticipated to adversely impact nearby uses, nor impede the development of surrounding properties. Neither the Glendale Police Department, nor Neighborhood Services Division cited concerns related to the proposed conditional use permit to allow the operation of an arcade establishment at this location. According to the Glendale Police Department, within the last calendar year there were no calls for police service at this location. In accordance with Chapter 5.20 of the Glendale Municipal Code, the business owner/applicant will be required to maintain licenses for the establishment and individual arcade devices. Obtaining licenses, as needed, will allow the City to monitor the arcade devices which will minimize any potential detrimental effects on the community. A standard condition of approval is included requiring that all necessary City permits and licenses shall be obtained. The Planning Hearing Officer also has continuing jurisdiction over these cases and could rescind the approval if any violations of the conditions and ordinances warrant it.

**C. That the use and facilities will not adversely affect or conflict with adjacent uses or impede the normal development of surrounding property.**

The use and facilities will not adversely affect or conflict with adjacent uses or impede the normal development of surrounding property. No changes are proposed to the existing on-site building, site planning, or parking as part of the Conditional Use Permit application. The project site is located at the southerly intersection of Ocean View Boulevard and North Verdugo Road. The immediate vicinity of the subject property is developed with a variety of commercial uses, including retail, general and medical offices, restaurants and a tavern. While the subject property does not directly abut any residential uses, there are single-family and multi-family properties located in the immediate vicinity (500 foot radius). Approval of the Conditional Use Permit to allow the operation of an arcade establishment will not adversely impact nearby uses along North Verdugo Road or Ocean View Boulevard, nor will it impede the development of surrounding properties since these properties are already developed.

**D. That adequate public and private facilities, such as utilities, parking spaces and traffic circulation measures are provided for the use.**

Adequate public and private facilities such as utilities, landscaping and traffic circulation measures are provided for the site and the use and are existing. The project site is already developed, as are the associated facilities. There are a total of 35 parking spaces available on-site above grade and in a semi-subterranean parking garage for the commercial tenants. Access to the parking areas is taken from existing driveways along both street frontages: North Verdugo Road and Ocean View Boulevard. In accordance with GMC 30.32.030.B.5, when there is a change of use that

is required to have the same number of parking spaces as the previous use, no additional parking spaces shall be required, regardless of the number of spaces actually provided. The proposed arcade establishment has a parking requirement of 4 spaces for every 1,000 square-foot of floor area, which is the same parking requirement as for the previous retail tenant. As such, the parking demand is not anticipated to intensify based on the applicant's request to operate a new arcade establishment. This application does not include any added floor area to the existing building or subject tenant space, so no increase in the parking demand is being created. The existing utilities, landscaping, parking spaces, and traffic circulation measures are adequate as they are already in place.

## **CONDITIONS OF APPROVAL**

**APPROVAL** of the Conditional Use Permit 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 licenses and permits as required or approvals from Federal, State, County or City authorities shall be obtained and kept current at all times.
3. That the premises shall be operated in full accordance with applicable State, County, and local laws.
4. That no live entertainment shall be permitted.
5. 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 area.
6. That all music and noise shall be contained within the edifice of the establishment and the business shall comply with all state and local laws and ordinances concerning excessive noise and disturbing the peace.
7. That any expansion or modification of the facility or use which intensifies the existing conditional use permit shall require a new conditional use permit application. Expansion shall include additional floor area, changes to the use or operation, or any physical change as determined by the Planning Hearing Officer.
8. That the front and back doors of the establishment shall be kept closed at all times while the location is open for business, except in case of emergency.

9. That full access to the premises shall be made available to all City of Glendale representatives, including, but not limited to, personnel from Community Development Department, Neighborhood Services Division, Police Department, and Fire Department, and Los Angeles County Department of Health Services representatives, upon request, for the purpose of verifying compliance with all laws, or verifying the conditions of this approval, or both.
10. That all necessary permits (i.e., building, fire, engineering, etc.) shall be obtained from the Building and Safety Division and all construction shall be in compliance with the Glendale Building Code and all other applicable regulations.
11. That a Business Registration Certificate shall be obtained to reference this conditional use permit.
12. That the business shall adhere to the City's Fresh Air (smoking) Ordinance.
13. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash and graffiti.
14. That all signs displayed shall conform to the requirements of the Glendale Municipal Code.

#### **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 (CDD) upon request and must be filed with the prescribed fee prior to expiration of the 15-day period, on or before **NOVEMBER 25, 2019** at the PSC, 633 East Broadway, Room 101, Monday thru Friday 7:00 a.m. to 12:00 p.m., or at the 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 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 conditional use permits (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 Conditional Use Permit 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.

## **GMC CHAPTER 30.41 PROVIDES FOR**

### TERMINATION

Every right or privilege authorized by a conditional use 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 conditional use 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 Conditional Use Permit.

CESSATION

A Conditional Use Permit may be terminated by the review authority upon any interruption or cessation of the use permitted by the Conditional Use Permit 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 who acted on this case. 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,



Chris Baghdikian  
Planning Hearing Officer

CB: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 (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. B.Ortiz/E.Olsen/ M.Navareete/M.Kouassi); 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); Street and Field Services Admin.; Engineering and Environmental Management (C.Chew/R. Villaluna); and case planner – Vista Ezzati.