



CITY OF GLENDALE, CALIFORNIA
Community Development
Planning

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Glendale, CA 91206-4311
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glendaleca.gov

January 9, 2020

Mr. Vahik Kazangian
2911 Saint Gregory Road
Glendale, CA 91206

**RE: 1407 5th STREET
ADMINISTRATIVE EXCEPTION CASE NO. PAE1909097**

Dear Mr. Kazangian:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.44.070 (E), for a maximum 20 percent deviation from one or more numeric standards in this Title, the Community Development Department has processed your application for an Administrative Exception to exceed the maximum 31-foot building height (32 feet proposed, resulting in a 3.22% deviation from Code) for a project located at **1407 5TH Street**, located in the "R-2250" – (Medium Density Residential) Zone, and described as a of Lot 10, Tract No. 4913, in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt from CEQA review as a Class 3 (New Construction or Conversion of Small Structures) exemption, pursuant to State CEQA Guidelines Section 15303, since the project is a new single family residence.

REQUIRED/MANDATED FINDINGS

After thorough consideration of the statements contained in the application and the plans submitted, the Hearing Officer has **APPROVED WITH CONDITIONS** your application based on the following:

- A. The granting of the exception will result in design improvements, or there are space restrictions on the site that preclude full compliance with the Code requirements without hardship.**

Granting the exception would be appropriate because there are design improvements that preclude complying with the 31-foot height maximum. The project is five multifamily units located in one building roughly centered on a 50-foot by 250-foot lot totaling 12,504 square feet, above a subterranean garage, which is

currently under construction. The design resembles a contemporary version of Spanish Colonial Revival style. The stair tower located at the front provides the building with its most interesting design feature. The cylindrical stair tower gives the building a focal point and adds variety to the more typical rectangular volumes. The entire design of the project has incorporated a roof pitch of 4 and 12, including the stair tower. During framing of the project it became clear that in order to meet the 31-foot height limit, the front stair tower would need to lower the roof pitch making it inconsistent with the rest of the project. To keep a consistent roof pitch of 4 and 12, the applicant is proposing a height limit of 32 feet only for the stair tower. This deviation from the height code requirement is a design improvement because it keeps the roof pitch consistent throughout the project.

B. The granting of the exception 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.

The granting of the administrative exception to allow the stair tower of a new multifamily project to exceed the maximum allowed height by one foot would not be materially detrimental to the public welfare or injurious to the surrounding properties. Approval of the height exception allows the project to keep a consistent design throughout the project. As stated above, this cylindrical stair tower gives the building a focal point and adds variety to the more typical rectangular volumes. Additionally, only the height of the stair tower exceeds the height limit of 31 feet by one foot. The remainder of the building is 25 to 29 feet in height, less than the 31-foot height limit. As such, the project will not be detrimental to the public welfare or injurious to the property or improvements in the zone.

C. The granting of the exception will not be contrary to the objectives of the applicable regulations.

The objective of height limits is to provide consistency and compatibility throughout neighborhoods. Essentially, height limitation is a means for relating heights on adjoining lots as well as for controlling height on one lot. The purpose of the administrative exception procedure is to provide a simplified means for considering applications for minor deviations from Code standards. These standards have been developed to allow reasonable use of properties in order to promote the public health, safety, and general welfare. The minor deviation of one additional foot for the height of the stair tower to accommodate a roof pitch that keeps the design of the entire project consistent in style is reasonable. Therefore, granting this exception will not be contrary to the objective of the applicable regulations.

CONDITIONS OF APPROVAL

APPROVAL of the **Administrative Exception** shall be subject to the following

1. That the development shall be in substantial accord with the plans submitted with the application for the Administrative Exception, 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 & 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 the premises shall be maintained in a clean orderly condition, free of weeds, trash, and graffiti.
4. That any expansion or modification of the project, which is different than what is represented as part of this Administrative Exception application, shall require a new application and constitute adding of additional floor area or physical change as determined by the Hearing Officer.
5. That the maximum height for the stair tower only is 32 feet.

APPEAL PERIOD

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 **January 24, 2020**, 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>

TRANSFERABILITY

This authorization runs with the land 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.

REVOCACTION, CONTINUING JURISDICTION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over Administrative Exceptions (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 an Administrative Exception 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 an Administrative 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 Administrative 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 Exception.

Cessation

An Administrative Exception may be terminated by the review authority upon any interruption or cessation of the use permitted by the Administrative 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. 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, Kristen Asp, at (818) 937-8161 or kasp@glendaleca.gov.

Sincerely,
Philip Lanzafame
Director of Community Development



Erik Krause
Planning Hearing Officer

EK:KA:sm

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. 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 Kristen Asp.