



**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

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July 13, 2020

Mr. Dan Patton  
300 Spectrum Center Drive  
Irvine, CA 92618

**RE: 199 NORTH LOUISE STREET**  
(formerly 145 North Louise Street)  
**ADMINISTRATIVE EXCEPTION CASE NO. PAE 2006444**

Dear Mr. Patton:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.44.020 (E) an Administrative Exception has been processed to allow a six inch reduction (6-inch), or 3.6 percent deviation, from the required loading height clearance (minimum 14 feet required; 13 feet, 6-inches proposed) as required by G.M.C. Code Section 30.32.150.B.1, located at **199 North Louise Street**, in the Downtown Specific Plan/Downtown "Art and Entertainment" District ("DSP/Downtown "A & E") described as Lots 33, 34, 35 and Portions of Lot 36, W.S. Knott Tract, in the City of Glendale, County of Los Angeles.

CODE REQUIRES

Administrative Exception

- (1) Each loading space shall have a minimum dimension of fifteen (15) feet by twenty-five (25) feet and a height of not less than fourteen (14) feet. (GMC. 30.32.150.B.1).

APPLICANT'S PROPOSAL

Administrative Exception

- (1) Reduce the height clearance of the loading bay from 14'- 0" to 13'- 6" (total deviation of 3.6%).

ENVIRONMENTAL DETERMINATION

An addendum to the certified 2006 Program DSP EIR was prepared to evaluate the hotel project's development within the context of the DSP Final Program EIR. The Addendum concluded that the hotel development would not result in any of the circumstances requiring the preparation of supplemental EIR to the Downtown Specific Plan. Presently, the hotel is under construction. The current proposal involves reducing the height clearance of the loading bay from 14 feet to 13 feet, 6-inches, and therefore, would not result in any new environmental impacts.

**REQUIRED/MANDATED FINDINGS**

After considering the evidence presented with respect to this application, the plans submitted therewith, the Community Development Department has **APPROVED WITH CONDITIONS**, your application based on the following findings:

**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 of the exception will result in design improvements for the new development currently under construction. The structural column cap that supports the six (6)-story wood framed building was constructed at 14' - 0" above grade along the alley (the site has a slight southwestward slope) and was not poured in a manner to allow an offset for a roll-up security gate. Modifying the concrete cap post-construction to provide for the security gate off-set (to maintain the 14'- 0" clearance) would add additional structural stress to the concrete cap that was not considered in the original structural calculations for the building. Therefore, the cap cannot be modified in order to maintain the 14'- 0" clearance without compromising the structural integrity.

The request for a 3.6% reduction of the loading bay minimum clearance height will allow the applicant to install the roll-up security gates for their loading bay which is located off of the alley. This will result in a design improvement for the hotel project as well as the surrounding uses because the roll-up gate would appropriately screen the loading bay from public view and aesthetically enhance the appearance of the building along the west (public alley) side and the right-of-way to the north. The design, color and material for the roll-up gate will appropriately integrate with the design of the building. Without the roll-up gate, the loading area would be visible to the public, especially along the alley. The alley is bordered on the west by the Studio Movie Grill theaters and dead-ends into the theaters outdoor lobby area and the east-west pedestrian paseo along the hotel's southern edge. The alley is lined with inactive use such as trash rooms, electrical vault rooms, and emergency exiting, but is fully accessible by pedestrians. In addition, the loading bay is located far away from the lobby and other active uses of the hotel and thus has little surveillance. When inactive, the loading bay would be a potential security liability and the installation of the security gate would discourage crime.

**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.**

Granting of the exception will not be materially detrimental to the public welfare or injurious to the properties or improvements in the zone or neighborhood. The project is an extended stay hotel product with limited services. The hotel does not feature conference rooms and has limited dining facilities with each room equipped with a small kitchen. As a result, deliveries are more modest compared to a full-service hotel and typically consist of box trucks and delivery vans with maximum heights of 8 feet to 12 feet rather than semi-trucks that potentially require a 14-foot height clearance.

Maximum heights over 13'- 6" for commercial trucks is extremely rare. California Vehicle Code 35250 states that any vehicle or load which exceeds a height of 13'- 6" shall only be operated on those highways where deemed to be safe by the owner of the vehicle. Many other states limit commercial vehicles to a maximum height of 13'- 6". As a result, commercial trucks exceeding the proposed loading bay clearance are not common. Furthermore, the alley is only 20 feet wide and the loading bay is located approximately 25 feet from Wilson Avenue. Access to the loading bay is therefore restricted and would exclude access by the larger commercial vehicles most likely to exceed the loading bay clearance. For example, according to CalTrans Design Manual, a 90° turn angle (as proposed by the hotel) would require a 27-foot minimum road width for a typical 18-wheel commercial truck. Thus, the larger commercial vehicles would not be able to access the loading bay. Based on the height limit of the loading dock combined with restrictions imposed by the California Vehicle Code on commercial vehicles, the overall height clearance of 13'-6" for the hotel's loading dock would not be detrimental to the public welfare or nearby improvements. A condition is included that requires all delivers to use the onsite loading dock and restricting the use of city streets and the public alley for deliveries to the hotel.

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

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 purpose of the height clearance for a loading area is to allow reasonable space for delivery vehicles to load/unload. The proposed reduced loading bay will provide adequate clearance to the delivery trucks that will reasonably service the hotel. Due to the location off the alley, semi-trucks and other larger commercial vehicles will be unable to make the turn radius to access the loading bay. Due to the limited service of the hotel, box trucks and delivery vans will be the primary commercial vehicles using the loading bay. The heights of these vehicles typically do not exceed 12 feet in height. A condition is included that requires deliveries to occur onsite prohibiting the use of city streets or the public alley for this purpose. Granting of the exception to allow a 3.6% deviation from the Zoning Code will allow the reasonable development maintaining deliveries onsite. Therefore, granting the exemption will not be contrary to the objectives of the applicable regulations.

**CONDITIONS OF APPROVAL**

**APPROVAL** of this Administrative Exception shall be subject to the following conditions:

1. That the development shall be in substantial accord with the plans presented in conjunction with the application for the Administrative Exception, except 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 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.
3. 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 as determined by the Planning Hearing Officer.
4. That all deliveries shall utilize the hotels onsite loading dock and at no time shall any deliveries occur on city streets or within the public alley.

## 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 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, appeal forms and fees will be provided by the Community Development Department (CDD) staff upon request by calling 818-548-2140.

Due to the current COVID-19 social distancing and work from home orders issued by federal, state and local governmental agencies, in order for any appeal to be considered timely, **the appeal must be postmarked by the JULY 28, 2020, deadline (mailed to Community Development Department – Planning Division, Attention Milca Toledo, 633 East Broadway, Room 103, Glendale, CA 91206) OR emailed to the case planner (Milca Toledo at [Mitoledo@glendaleca.gov](mailto:Mitoledo@glendaleca.gov)) prior to the close of said business day.** The prescribed fee must be included along with the appeal application and may be submitted either in the form of a check or credit card payment. For credit card payment, please contact the case planner to make arrangements with the cashier. Note: The standard 2.5% fee for credit card payment applies.

**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 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.

## **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.

### 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.

### Extension

Permits 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 the administrative exception.

## **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.

## **REVOCAATION**

Section 30.64.020- Revocation- The Community Development Department shall have continuing jurisdiction over administrative exceptions. To consider the revocation, the Director of Community Development 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.

## **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 first and then, the 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.

Should you have any questions regarding this issue, please do not hesitate to contact the case planner, Milca Toledo, during normal business hours at her email address: [mitoledo@glendaleca.gov](mailto:mitoledo@glendaleca.gov), between 8:30 a.m. to 5:30 p.m. weekdays.

Sincerely,  
Philip Lanzafame  
Director of Community Development



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Erik Krause  
Planning Hearing Officer  
EK:MT: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/Mark Bueno-Traffic Engineer Assoc.); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S. Boghosian/R.Takidin/C.Babakhanlou/D.Scorza); 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 – Milca Toledo.