



February 15, 2022

Rodney Khan
P.O. Box 816
Montrose, CA 91021

**RE: 515-523 NORTH CENTRAL AVENUE
ADMINISTRATIVE EXCEPTION CASE NO. PAE 2118587
(Hotel Indigo)**

Dear Mr. Khan:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.44.020 (E), allowing a maximum twenty (20) percent deviation from one or more numeric standards in Title 30, the Community Development Department has processed an Administrative Exception application to allow an approximately four (4) foot increase (approximately 4.2% deviation) from the 95-foot maximum height permitted as per Table 4-A, Section 4.1.2 of the Downtown Specific Plan, in conjunction with the development of a new seven-story (plus mezzanine), 122-room hotel project. The subject property is located at **515-523 North Central Avenue**, in the Downtown Specific Plan, Transitional District (DSP/TD), and described as Portions of Lots 7, 8, and 9, Tract No. 253, in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL DETERMINATION

The project is exempt from CEQA review as a Class 32 "In-Fill Development Projects" exemption pursuant to Section 15332 of the State CEQA Guidelines. The project meets all of the findings required by Section 15332 to qualify for this categorical exemption.

REQUIRED/MANDATED FINDINGS

After considering the evidence presented with respect to this application, all of the required three findings can be made in support of the application. The Director of Community Development has **GRANTED 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.**

Located on the southwest corner of Central Avenue and Doran Street within the DSP Transitional District (DSP/TD), the 23,309 square-foot project site is currently developed

with a general office building (515 North Central Avenue) and a fast-food restaurant with a drive-thru (523 North Central Avenue). On June 9, 2020, the City Council approved Design Review Case No. PDR 2005010 with conditions for the construction of a new, seven-story (plus mezzanine) hotel project with three levels of subterranean parking; the overall height for the project was approved at 95 feet. The applicant is requesting to allow an approximately four (4) foot increase (approximately 4.2% deviation) from the 95-foot maximum height permitted as per Table 4-A, Section 4.1.2 of the Downtown Specific Plan. This project is currently in the plan check process and it has been discovered that while the majority of the building complies with the maximum height limit, the rooftop areas that feature the required stairwell and elevator shaft would result in an overall height of 99 feet for the new building. The increased height is not being requested for the entire building, but rather to allow only the required rooftop stairwell and elevator shaft to exceed the 95-foot height limit. These elements are setback from both the West Doran Street and North Central Avenue façades, so there will be little visual impact. There are no significant changes in the project design from what was approved by the City Council.

The Zoning Code defines height as being measured from the lowest point of the building to the highest point. The site currently features an approximately three-foot grade difference from Central Avenue on the northeast corner of the project site to the rear of the property adjacent to an existing alley. Accordingly, this gradual slope down from the street-level is affecting the overall height calculation in exceeding the 95-foot height maximum. Additionally, in the other commercial zones in the City, elevator shafts and rooftop stairwells not exceeding 15 feet in height above the roof of a building are not calculated as part of the overall height; this exemption for stairs and elevator shafts was inadvertently omitted in the DSP and will be corrected in the next set of amendments. As such, the applicant's request to allow for a height increase as a result of the elevator shaft and stairwell for this commercial hotel project is appropriate.

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 stairwell and elevator shafts of the new hotel project to exceed the maximum permitted height by four feet would not be materially detrimental to the public welfare or injurious to the surrounding properties. Approval of the height exception allows the project to comply with life safety requirements of the Building and Safety Division, and the Fire Department while maintaining a consistent design. Additionally, the height increase is only for the portions of the building that feature the stairwell and elevator shaft, and the remainder of the building will comply with the 95-foot height maximum. 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 limitations are a means for relating heights on adjoining lots as well as for controlling the height on a project site. 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 applicant's request for a minor deviation to allow a four-foot height increase for the portions of the new hotel project that feature the required stairwells and elevator shafts, will allow reasonable development of the subject property and will not be contrary to the objectives of the applicable regulations. Further stairwells and elevator shafts are exempt from height calculations in all other commercial zones. The development meets all other zoning requirements for the DSP/TD zone, including floor area, public open space, setbacks, and parking.

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 an 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. 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.
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 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.
4. That the Administrative Exception for height shall only be applicable to those portions of the building containing stairwells or elevator shafts.
5. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash, and graffiti.

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

The completed appeal form must be filed with the prescribed fee prior to expiration of the 15-day period, on or before **MARCH 2, 2022**.

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 MARCH 2, 2022 deadline (mailed to Community Development Department – Planning Division, Attention Vista Ezzati, 633 East Broadway, Room 103, Glendale, CA 91206) OR emailed to the case planner Vista Ezzati at VEzzati@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 FORM is also available on-line:

<https://www.glendaleca.gov/home/showdocument?id=11926>

GMC CHAPTER 30.41 PROVIDES FOR TERMINATION

Every right or privilege authorized by an Administrative Exception shall terminate two 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 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 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.

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 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

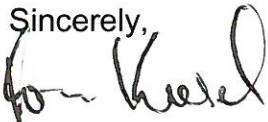
Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over Administrative Exceptions. To consider the revocation, the Director of Community Development shall hold a public hearing after giving notice by the same procedure as for consideration of a Variance 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 contact with this office regarding this determination must be with the case planner, **Vista Ezzati**, 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, Vista Ezzati, during normal business hours at her direct line (818) 937-8180 or via email at VEzzati@glendaleca.gov, between 8:30 a.m. to 5:30 p.m. weekdays.

Sincerely,



Roger Kiesel
Senior Planner

RK:VZ: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-(S.Demirjian/F.McLean); Traffic & Transportation Section (P.Casanova/Mark Bueno-Traffic Engineer Assoc.);

General Manager for Glendale Water and Power (M.Young); 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-Vista Ezzati.