



**CITY OF GLENDALE, CALIFORNIA**

Community Development  
Planning

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glendaleca.gov

September 28, 2022

Shervin Louie  
800 North Pacific Avenue  
Glendale, CA 91203

**RE: 800 NORTH PACIFIC AVENUE**  
ADMINISTRATIVE EXCEPTION NO. PAE 2202065

(SEE: ADMINISTRATIVE DESIGN REVIEW CASE NO. PDR1923117, AND  
PARKING REDUCTION PERMIT CASE NO. PPRP1923119)

Mr. Louie:

The Community Development Department has processed your application for an Administrative Exception pursuant to the provisions of the Glendale Municipal Code (GMC), Title 30, Chapter 30.44.020(K), to allow alterations to an existing gas station that is unable to meet all the standards A-Q as required by Section 30.34.020; specifically standard L, "A planting strip a minimum of five (5) feet wide shall be established and continuously maintained and landscaped along any property line abutting a street, except at driveways." The application request is to provide a two-foot (2'-0") wide planter (exclusive of curb) instead of a five-foot planter adjacent to the gas pump canopy on Pacific Avenue.

The full project includes demolition of a 1,510 square-foot (SF) building (service station and mini-market), two gas station pump canopies and one gas station pump, and construction of a new 1,789 square-foot (SF) retail building and a new 1,790 SF self-service car wash, as well as a new gas station pump canopy. A Parking Reduction Permit Case Number PPRP1923119 was approved on January 29, 2020 for reduced parking in conjunction with the new car wash, and Administrative Design Review Case Number PDR1923117 was approved on March 17, 2020 for the overall project.

The subject property is located at **800 North Pacific Avenue**, in the "C2-II" Zone (Commercial Service Zone, Height District II), described as Portion of Lot 38 and Portion of Lot 45 of Oliver's West Glendale Tract as per map recorded in Book 9 Page 58 of Maps in the Office of County Recorder of the County of Los Angeles.

### ENVIRONMENTAL DETERMINATION

The project is exempt from review under the California Environmental Quality Act (CEQA) as a Class 32 In-Fill Development Project, because: a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; c) The project site has no value as habitat for endangered, rare or threatened species; d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and e) The site can be adequately served by all required utilities and public services.

The applicant has submitted noise study documentation demonstrating that noise generated from the car wash, which has been designed to include noise mitigation techniques, will not exceed the maximum allowed exterior noise threshold (70 dBA) stipulated within Glendale Municipal Code Chapter 8.36 "Noise Control." See Attachment 6.

### **REQUIRED/MANDATED FINDINGS**

After considering the evidence presented with respect to this application, the plans submitted therewith, the Community Development Department 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.**

There are space restrictions on the subject site that preclude full compliance with the landscaping standard without hardship.

The project site is a 20,650 SF corner lot on Pacific Avenue and Burchett Street, just north of the State Route 134 Freeway. It is improved with a 1,510 SF building (service station and mini-market) and two gas station pump canopies. The building and southeast gas station pumps and canopy along Burchett Street are being demolished as part of the project. The gas pumps on Pacific Avenue will be maintained, with the most westerly pumps providing access to the gas station's only diesel fuel pumps. The proposed project includes a new 1,789 square-foot (SF) retail building and a new 1,790 SF self-service car wash. Upgrading of the existing gas station requires compliance with Glendale Municipal Code Section 30.34.020(L), which requires a five-foot landscape planter adjacent to the gas pumps on Pacific Avenue.

The project is not able to accommodate a five-foot landscape planter on Pacific Avenue while maintaining the existing diesel gas pumps at that location. The existing

gas pumps feature a 13'-6" clearance between the edge of the concrete gas pump landing and the sidewalk. Providing the required five-foot landscape planter, plus a six-inch curb on either side (six feet total width), would leave just 7'-6" remaining for vehicular clearance through the gas pump lane for diesel fueling adjacent to Pacific Avenue. This is significantly insufficient clearance for a vehicle or a diesel truck; vehicles requiring diesel fuel typically tend to be larger trucks, which exceed the standard width of compact and standard sedans. By reducing the planter width to two-feet plus a six-inch curb on the interior side, the resulting lane width will be eleven (11) feet, which will accommodate standard vehicles and larger trucks utilizing the diesel pumps and also provide clearance for door openings; the resulting drive aisle would be 8'-6" wide and allow 2'-6" of additional width for door clearance.

The gas pump is not able to be relocated to provide the additional space needed for the landscape planter, because the pumps are connected to an existing complex underground gas tank and piping system that is not able to be relocated. Further, the diesel pumps are strategically located toward the exterior of the site to avoid conflict with retail store pedestrian traffic.

**B. The granting of the exception, with any conditions imposed, 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 to allow a two-foot planter instead of a five-foot planter will not be materially detrimental to the public welfare because: 1) the existing site features no landscape planter, so landscaping is actually being increased with this project; 2) a 2'-6" decorative paving area will be provided adjacent to the landscape planter to fill in area in place of the required landscape planter to help provide some visual relief to the area lacking landscaping, 3) as part of the subject project, a street tree will be installed in the currently empty street tree well on the public sidewalk adjacent to the subject landscaping area, and 4) an additional street tree will be added along Pacific Avenue, subject to clearance by the Public Works and Glendale Water and Power Departments. These measures will help offset the reduced planter area and provide visual and landscape buffering between the gas station and the public street.

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

Granting of the exception to allow a two-foot planter instead of a five-foot planter will not be contrary to the objectives of the applicable regulations, which require a landscape buffer between the gas station and the public street. The four measures outlined in B above will help offset the reduced planter area to provide visual and landscape buffering between the parking area and the public street, thereby helping to meet the intent of the code section.

## **CONDITIONS OF APPROVAL**

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

- 1) That the project shall demonstrate compliance with all conditions of approval in the related Parking Reduction Permit case (Case Number PPRP1923119, approved on January 29, 2020) and Administrative Design Review case (Case Number PDR1923117, approved on March 17, 2020).
- 2) That the landscape planter be landscaped with shrubs or taller landscaping, and be well maintained at all times, free of trash and debris.
- 3) That a 2'-6" decoratively paved area shall be provided in the location where the landscape planter width is being reduced.
- 4) That the empty street tree well shall be planted with a street tree species approved by the Public Works Forestry section.
- 5) That an additional street tree well shall be installed and planted with an Urban Forestry-approved tree, on the sidewalk adjacent to the reduced landscape planter, if the proposed location complies with required clearances by Public Work and Glendale Water & Power.
- 6) 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 Community Development Department.
- 7) That all necessary permits shall be obtained from the Building and Safety Section and all construction shall be in compliance with the Glendale Building Code and all other applicable regulations.
- 8) That any expansion or modification of the service station which is different than what is represented as part of this Administrative Exception approval shall require a new application as determined by the Hearing Officer.

## **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 **October 13, 2022** 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 FORM is also available on-line:**

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

**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.

## **REVOCATION**

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**

You may contact the case planner, Cassandra Pruet, during normal business hours at (818) 937-8186 or via e-mail at [cpruett@glendaleca.gov](mailto:cpruett@glendaleca.gov).

Sincerely,



Erik Krause  
Planning Hearing Officer

EK:CP: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/A.Limayo); 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 (Cassandra Pruet).