



CITY OF GLENDALE, CALIFORNIA

Community Development
Planning

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Glendale, CA 91206-4311
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glendaleca.gov

June 16, 2023

Professional Permits
Attn: Garry Potts
58171 Dragonfly Court
Osceola, IN 46561

**RE: 221 NORTH GLENDALE AVENUE
STANDARDS VARIANCE CASE NO. PVAR-000654-2022**

Dear Mr. Potts:

On June 7, 2023, the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.43, on your application requesting a Standards Variance for two new signs proposed for an existing retail liquor store (Total Wine). The variance requests for signage include: a second wall sign along the front elevation of the ground floor tenant space, where the zoning code allows a maximum of one wall sign on a building wall that directly faces a parking area; and to allow an additional wall sign on the parking structure parapet located at the driveway entrance along North Glendale Avenue, where the zoning code requires a wall sign to be attached to the occupancy building wall, in the "C2 II" – Community Commercial, Height District II Zone, described as Lots 1 thru 4, Parcel Map GLN No. 1598, located at **221 North Glendale Avenue**, in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL DETERMINATION

The project is exempt from CEQA review as a Class 11 "Accessory Structures" exemption pursuant to Section 15311 (a) of the State CEQA Guidelines because the proposal is to construct two new on-premise signs.

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 strict application of the provisions of any such ordinance would result in practical difficulties or unnecessary hardship inconsistent with the general purposes and intent of the ordinance.

The strict application of the sign regulations will result in unnecessary hardship that is inconsistent with the general purposes and intent of sign regulations to protect and enhance the physical appearance of the community, preclude sign clutter, create a more attractive business climate, and reduce obstructions that may contribute to safety hazards. The applicant is requesting standards variances for two new signs proposed for an existing retail liquor store (Total Wine). The project site is developed with a two-story, partially semi-subterranean, multi-tenant commercial shopping center (Glendale Fashion Center) that features various retail and food service uses. The existing retail liquor store, Total Wine, has been in operation since March 2023 and is located in an 18,000 square-foot tenant space on the lower level of the commercial complex along Glendale Avenue; the business is oriented towards the interior parking garage and is not visible from the street. Given the change in grade along Glendale Avenue and the sloped driveway leading to the lower garage level, the tenant space could be considered partially semi-subterranean. This tenant space was originally occupied in 2001 with a Longs Drugs retail store but had remained vacant for over a decade. The project site has two levels of parking for the commercial tenants with multiple entry points for vehicular access: the upper level has driveway entrances along East California Avenue (north), and the northerly portion of North Glendale Avenue (east), and the lower level has driveway entrances along East Wilson Avenue (south), and the southerly portion of North Glendale Avenue (east).

The first standards variance request is to allow a second wall sign on the building façade that faces the parking area located on the lower level of the commercial complex (Sign A), where, in accordance with GMC Section 30.33.120.A.1, each ground floor occupancy of a building is allowed a maximum of one (1) accessory wall sign. The second standards variance request is to allow an additional wall sign on the parking structure parapet located over the driveway entrance along North Glendale Avenue (Sign B), where, in accordance with GMC Section 30.33.120.A.4, wall signs shall only be attached to the occupancy building wall. The tenant space is located in the lower garage level and oriented towards the interior parking lot, so the strict application of these regulations would result in practical difficulties and unnecessary hardship for the business because it lacks visibility. In a large multi-tenant commercial shopping center, such as this, the limited visibility can make it confusing for business patrons to know where to go. This may impact the success of the business which may have led to the tenant space being vacant for over a decade. The placement of this second wall sign (Sign A) will provide better visibility for business patrons who are parking in the northerly portion of the lower-level parking lot and those who are coming down from the upper-level parking and shopping areas. The placement of the wall sign on the parking structure parapet (Sign B) will provide better visibility to business patrons traveling along North Glendale Avenue and provide a visual cue that the retail store and associated parking area in the lower level of the shopping center and can be accessed via the

driveway. Overall, the new signage will be integrated with the shopping center and the requests are consistent with the intent of the signage regulations to protect and enhance the physical appearance of the community, preclude sign clutter, create a more attractive business climate, and reduce obstructions that may contribute to safety hazards.

B. That there are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood.

There are exceptional circumstances and conditions applicable to the subject property that would not apply generally to other property in the same zone or neighborhood. First, the 8.6-acre project site is larger in comparison to the properties located on the block with frontage on four streets: North Glendale Avenue; North Isabel Avenue; East Wilson Avenue; and East California Avenue. Second, in addition to being a large site, there are multiple retail and restaurant businesses located in the shopping center with two levels of parking for the commercial tenants provided and accessed from three street frontages, one of which features a driveway to the upper level and another separate driveway to the lower parking level. Third, the tenant space is located in the lower garage level and oriented towards the interior parking lot with no direct frontage onto a street. The large site, multiple points of vehicular access, vast parking areas, and the location of the tenant space and its limited visibility can become confusing for patrons. The first variance request for a second wall sign along the front elevation (Sign A) oriented towards the parking lot area in the lower level will provide better visibility for the commercial shopping center's business patrons. The second request is to allow an additional wall sign on the parking structure parapet located along the driveway entrance to the lower-level parking area (Sign B) and retail stores, Ralphs and Total Wine. There are two points for vehicular access to the upper-level parking area along East California Avenue and North Glendale Avenue, and two points of vehicular access to the partially semi-subterranean lower levels along East Wilson Avenue, and North Glendale Avenue. While the lower-level entrance on Wilson Avenue has signage directing patrons to the location of the two commercial retail tenants, the lower-level entrance on Glendale Avenue only has one sign for the Ralphs grocery store. The subject retail liquor store is already at a disadvantage based on its location in the semi-subterranean portion of the project, as there is no direct frontage onto a street. The request for an additional wall sign (Sign B) on the parking structure parapet for the lower-level driveway entrance will help avoid confusion by providing a visual cue for patrons driving along Glendale Avenue as to where to park for and gain access to the business.

C. That the granting of the variance 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 variance requests to allow a second wall sign along a business storefront where only one is permitted, and an additional wall sign on the parking structure parapet located at the lower-level driveway entrance 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. Similar variance requests were approved in 1997 for the Ralph's grocery store, the other tenant located in the lower garage level, to allow a wall sign on the same parking structure parapet, and to allow for a second wall sign, where only one was allowed. These signs have been installed since the shopping center was constructed and have not caused any aesthetic or safety issues. The existing retail tenant is requesting the same type of variances. Rather than be detrimental to the public welfare or injurious to the property, the additional signage will help with the tenant's visibility within the larger shopping center. The Public Works Traffic Division did not cite that the requested signage would be a traffic or safety hazard, nor are any hazards anticipated as a result of the proposed signage. A design review application will be required for the associated modifications to the existing sign program, to ensure the proposed signage is integrated into the overall design and not have a visual impact on the surrounding neighborhood. Additionally, obtaining the required building permits and subsequent inspections will ensure proper installation of the proposed signs to eliminate potential safety issues. Overall, the applicant's variance requests are based on their operational needs and exceptional circumstances and are inconsequential deviations from their relative zoning code requirements for signage which will not have a negative impact to the surrounding area.

D. That the granting of the variance will not be contrary to the objectives of the ordinance.

Granting of the variances will be in keeping with the operational needs of the retail liquor store, and will not be contrary to the objectives of the applicable ordinance. The objective of sign regulations is to create a more attractive business climate, protect and enhance the appearance of the community, and reduce obstructions that may lead to safety hazards. First, the proposed signage will provide the business with more visibility, where they are currently at a disadvantage based on their semi-subterranean location with no street frontage. This helps foster a more attractive business climate and will provide patrons with visual cues regarding the location. The proposed signage is integrated into the overall building design and will be required to obtain the necessary design review and building permit approvals prior to installation. For these reasons, the intent to protect and enhance the appearance of the community is met. Finally, the proposed locations for the new signage has been reviewed by the Public Works Traffic Division and will not contribute to obstructions, which have the potential to impact automobile or pedestrian safety. Suggested conditions of approval have been included to mitigate any potential negative impacts.

CONDITIONS OF APPROVAL

APPROVAL of the Standards Variance 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 necessary permits (i.e. building, fire, engineering, etc.) shall be obtained from the Building and 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 all licenses, permits as required or approvals from Federal, State, County, or City authorities, including the City Clerk shall be obtained and kept current at all times.
4. That landscaped areas shall be maintained in good condition with live plants and free of weeds and trash.
5. That the premises shall be made available and accessible to any authorized City personnel for inspection to ascertain that all conditions of approval of this variance are complied.
6. That the applicant shall submit a design review application for a modification to the existing sign program to be approved by the Director of Community Development.

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.

All appeals must be filed using the City's online permit portal: www.glendaleca.gov/Permits. Create an account, click "Apply," type "appeal" in the search bar, and apply for "Appeal of Planning Decision." Any appeal must be filed within fifteen (15) days following the actual date of the decision with the prescribed fee prior to the expiration of the 15-day appeal period, on or before JULY 3, 2023. Information regarding appeals and appeals and fees may be obtained by calling the Community Development Department staff at 818-548-2140, or contacting the case planner, Vista Ezzati, at vezzati@glendaleca.gov or 818-937-8180.

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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 a Variance 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

A Variance may be terminated by the review authority upon any interruption or cessation of the use permitted by the Variance for one year or more in the continuous exercise in good faith of such right and privilege.

Extension

Variances 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 such variance.

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.

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.

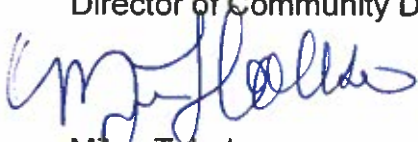
REVOCATION, CONTINUING JURISDICTION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over variances (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 Variance 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.

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 (Vista Ezzat at 818-937-8180) first and then, the Planning 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.

Sincerely,
Bradley Calvert
Director of Community Development



Milca Toledo
Planning Hearing Officer

MT:VEsm

CC: City Clerk (K.Cruz); Building and Safety (S.Hairapetian); Neighborhood Services Division (J.Sada); Design Review & Historic (J.Platt/K.Conley); Economic De. (M.Berry); Housing (P.Zovak / M. Fortney); Urban Design and Mobility F.Zohrevand); Parks, Recreation and Community Services and Park (T. Aleksanian/ A.Limayo); Information Services (G.Arnold); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Engineering Section-(J.Diaz/ D.Stimson); Traffic & Transportation Section (P.Casanova/S.Roudsari); General Manager for Glendale Water and Power (M.Young); Glendale Water & Power--Water Section (S.Boghosian/R.Takidin/F.Garcia); Glendale Water & Power--Electric Section (C.Babakhanlou/ S.Boghosian / F.Garcia/ H.Barkhordian/ D.Scorza); Police Dept. (Lt.S.Riley/Z.Avila); Dir. Of Public Works (Y.Emrani); Engineering and Land Development (A.Avazian/ S.Oganesyan / M.Oillataguerre/ R. Villaluna); Integrated Waste Management Admin. (D. Hardgrove); Maintenance Services/Street and Field / Urban Forester (L.Klick / C.Linares / O. Urquidez); and case planner – Vista Ezzati.