



CITY OF GLENDALE, CALIFORNIA

Community Development
Planning

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March 7, 2024

Shervin Louie
800 North Pacific Avenue
Glendale, CA 91203

**RE: 800 NORTH PACIFIC AVENUE
ADMINISTRATIVE EXCEPTION NO. PAE-000776-2023**
(SEE ADMINISTRATIVE DESIGN REVIEW CASE NO. PDR1923117,
PARKING REDUCTION PERMIT CASE NO. PPRP1923119, AND
ADMINISTRATIVE EXCEPTION CASE NO. PAE2202065)

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(E), to allow a maximum twenty (20) percent deviation from one (1) or more numeric standards in this title. The application request is to provide an eight-foot (8'-0") wide planter (exclusive of curb) instead of a ten-foot (10'-0") wide planter (20% deviation) adjacent to the car wash on Burchett Street, as required by GMC 30.34.030(C)(2). 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.

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, an Administrative Design Review (Case Number PDR1923117) was approved on March 17, 2020, for the overall project, and an Administrative Exception (Case Number PAE2202065) was approved on August 22, 2022, for a reduced planter width (two feet instead of five feet) adjacent to the gas pump canopy on Pacific Avenue.

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 1.

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 proposed project includes a new 1,789 square-foot (SF) retail building and a new 1,790 SF self-service car wash. A new car wash requires compliance with Glendale Municipal Code Section 30.34.030(C)(2), which requires a ten-foot landscape planter adjacent to the car wash on Burchett Street.

The project is not able to accommodate a ten-foot landscape planter on Burchett Street while maintaining the required turning radii for vehicles to enter the car wash. Vehicles must make two turns as they approach the car wash entrance, and with the 10-foot planter, the turns are not able to be made without vehicle wheels conflicting with the planters on either side of the driveway, particularly for trucks and vans which are wider. Further, the additional turning space is required for the car wash to function properly. More specifically, the car wash requires vehicles to straighten before entering, in order for the wheels to be aligned correctly (see further details in Attachment A – applicant writeup).

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 an eight-foot planter instead of a ten-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'-0" 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 that currently is lacking landscaping, 3) as part of the project, a new street tree will be installed in the adjacent public right-of-way, located at the existing driveway curb cut on Burchett Street that will be removed as part of the project. These measures will help offset the reduced planter area and provide visual and landscape buffering between the car wash 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 an eight-foot planter instead of a ten-foot planter will not be contrary to the objectives of the applicable regulations, which require a landscape buffer between the car wash and the public street. The 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 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), Administrative Design Review case (Case Number PDR1923117, approved on March 17, 2020), and Administrative Exception case (Case Number PAE2202065, approved on August 22).
- 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'-0" decoratively paved area shall be provided in the location where the landscape planter width is being reduced.
- 4) That a new street tree be planted on the Burchett Street parkway area, adjacent to the area of the reduced planter width. The tree species must be approved by the Public Works Urban Forestry section.
- 5) That the existing driveway and curb cut on Burchett Street shall be removed and restored as a pedestrian sidewalk.

- 6) That an additional street tree well shall be installed and planted with an Urban Forestry-approved tree, on the public right-of-way at the location of the removed driveway and curb cut.
- 7) That a decoratively paved walkway shall be provided at the northern boundary of the parking lot, between Pacific Avenue and the new retail store.
- 8) That three trees shall be planted in the interior planter along the northern boundary.
- 9) That the project must comply with the Departmental Comments described in Attachment 6
- 10) 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
- 11) 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.
- 12) That design review approval or exemption shall be obtained prior to the issuance of a building permit.
- 13) 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 **March 22, 2024**.

All appeals must be filed using the City's online permit portal at www.glendaleca.gov/Permits. Create an account, click "Apply," type "appeal" in the search bar, and apply for "Appeal of Planning Decision." Information regarding appeals and fees may be obtained by calling the Community Development Department staff at 818-548-2140, or contacting the case planner, Cassandra Pruett at CPruett@glendaleca.gov or 818-937-8186.

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 variances, conditional use permits and 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 10 days' notice by mail to the applicant or permittee.

NOTICE – subsequent contacts with this office

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

Sincerely,



Erik Krause
Planning Hearing Officer

EK:CP

Attachments:

- 1) Applicant writeup
- 2) Location Map
- 3) Site plan
- 4) Photos
- 5) Plans approved with Administrative Design Review and Parking Reduction Permit Applications
- 6) Departmental Comments