

March 19, 2014

Garo Nazarian  
c/o Domus Design  
109 East Harvard Street, Suite 306  
Glendale, CA 91205

**RE: 109 EAST HARVARD STREET  
(PARKING REDUCTION PERMIT NO. PPRP 1328215)**

(SEE: CONDITIONAL USE PERMIT NO. PCUP 1319136)

Dear Mr. Nazarian:

On March 5, 2014, the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.50.040, on your applications for a *PARKING REDUCTION PERMIT* and a Conditional Use Permit to allow the sales, service and on-site consumption of all types of alcoholic beverages at an existing banquet hall that is proposing to expand their seating/serving area without providing the required number of parking spaces for the expansion, located at **109 East Harvard Street**, in the "DSP/M" - (Downtown Specific Plan/Maryland "Arts & Entertainment" District, described as Lots 4, 5, 6 and 7, Block 57, Campbell and Thompson's Tract, in the City of Glendale, County of Los Angeles.

#### APPLICANT'S PROPOSAL

##### Parking Reduction Permit

- 1) To expand the existing banquet hall by adding 1,152 square feet of seating area onto an outdoor deck without providing the required 33 additional on-site parking spaces for the expansion.

#### CODE REQUIRES

##### Parking Reduction Permit

- 1) A parking reduction permit is required when a use cannot provide the necessary parking on-site. As proposed, 33 parking spaces are required for the expansion of the banquet hall's seating area onto an outdoor deck.

ENVIRONMENTAL RECOMMENDATION: The project is exempt from CEQA review as a Class 1 "Existing Facilities" exemption pursuant to State CEQA Guidelines Section 15301.

## 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:

**Pursuant to Section 30.50.4B of the Glendale Municipal Code, a request for a parking reduction permit may be granted for the proposed intensification of use within an existing building that is determined by the review authority to be located within a reasonable distance of an off-street City parking facility. A request for parking reduction may be granted by the review authority, based on the type of use and its associated parking characteristics, including:**

1. Peak hours of use and turnover rate;
2. The ability of the use to meet parking requirements through other means;
3. The availability of spaces in the nearby City parking facility;
4. The distance to the use from the parking facility; and
5. Measures proposed by the applicant to ensure employee and patron use of the City parking facility.

The banquet hall is on the second floor of a three-story multi-tenant commercial building bounded by Brand Boulevard to the west, Harvard Street to the south and Maryland Avenue to the east. The site is located in the Downtown Specific Plan-Maryland "Arts and Entertainment" District, which is comprised of a mix of commercial establishments, including, but not limited to retail/services, offices, restaurants, and entertainment opportunities. Access to the banquet hall is from the ground floor lobby entrance on Harvard Street which includes both stairs and elevator accessibility to the banquet hall on the second floor. According to the floor plan submitted, the existing total floor area of the banquet hall is 12,295 square feet inclusive of a 6,720 square-foot seating area. The proposed expansion of the seating area onto an outdoor deck will be 1,152 square feet. This seating/serving expansion will require 33 additional parking spaces based on the following calculations: 28.6 parking spaces per 1,000 square feet of the new 1,152 square-foot seating area.

The building was built with no on-site parking spaces. Rather, parking for the building was ensured through a Covenant and Agreement with the City of Glendale and the property owner(s) of 142-156 South Brand Boulevard and 145 South Maryland Avenue which allows businesses located at the above address to park at the Glendale Marketplace Parking structure. The Glendale Marketplace Parking structure is located on northeast corner of Maryland Avenue and Harvard Street, approximately a two minute walk east of the subject site. The parking structure has approximately 1,077 parking spaces. The applicant is proposing to expand the existing banquet hall's seating area onto a 1,152 square-foot outdoor deck and to continue offering the on-site sales, service and consumption of all types of alcoholic beverages during banquet functions.

Because the building is located in a prime downtown Glendale area, public parking lots, on-street parking and a parking structure are located within walking distance to the banquet hall. For example, both Brand Blvd. and Harvard Street have available on-street parking, there is a City-owned public parking lot number 10 located across the street to the south on Harvard Street and the Glendale Marketplace public parking structure is located approximately 200 feet east of the banquet hall (across the street from the site).

The applicant is proposing to continue using the neighboring Marketplace parking structure for their employees and patrons. As previously stated, the 1,152 square-foot outdoor seating (deck) expansion will require 28.6 spaces per 1,000 square feet of seating area. Based on the above parking requirements, the banquet hall expansion will require 33 additional parking spaces as per section 30.32.030 B 5, GMC. A parking reduction permit is required because the applicant is unable to provide the required 33 spaces on site.

The business owner indicated that they will operate the business weekdays from 10:00 a.m. to 2:00 a.m. daily. While the banquet hall use has similar lunch and dinner peak hours as a restaurant and other eating establishments, the proposed expansion will not exacerbate the existing parking demand in the area because there are multiple City-owned public parking lots within close proximity with available parking to meet the parking demand of 33 additional spaces for the expanded area as well as surrounding uses. In addition, the existing Covenant and Agreement between the property owner and the City allows businesses located at 142-156 South Brand Boulevard and 145 South Maryland Avenue to park at the Glendale Marketplace Parking structure on northeast corner of Maryland Avenue and Harvard Street (east of the site). Said Covenant and Agreement includes the parking demand of the subject banquet hall as well as the parking demand of other uses included in the agreement.

The Marketplace Parking structure has approximately 1,077 parking spaces. In addition, there is a public parking lot number 10 with three hour parking located across the street next to the Central Library and on-street parking along Brand Blvd and Harvard Street. While self parking is an option, the facility has and will continue to offer valet parking for banquet hall patrons during banquet functions. Based on the November 2013 parking garage occupancy report for the Glendale Marketplace parking structure, there is sufficient parking to accommodate the parking shortfall of 33 parking spaces resulting from the expansion (see attached report). According to the report, during lunch peak hours (12:00 p.m. - 2:00 p.m.) there were approximately 500 spaces occupied on a Friday's and approx. 530 spaces occupied on Saturday's and Sunday's. During dinner peak hours (6:00 p.m. -8:00 p.m.) there were approximately 600 spaces occupied on Fridays and between 500-600 spaces occupied on Saturdays and Sundays. The report showed that the highest number of occupied spaces during weekday lunch peak hours was 703 spaces occupied and 744 spaces occupied during dinner peak hours. In summary, the parking occupancy report demonstrates that there is adequate parking supply in the Marketplace Public Parking structure to more than accommodate the forecast peak parking demands for the expanded banquet hall. There is adequate parking in the Glendale Marketplace Parking structure to accommodate the 33 additional spaces required by the Zoning Code for banquet hall's 1,152 square-foot expansion as well as the parking demand of other businesses that rely on the Marketplace parking.

## **SUMMARY OF PLANNING HEARING OFFICER'S DECISION**

The Planning Hearing Officer was able to make the required findings for granting a parking reduction permit because this banquet hall is located within a building at 109 East Harvard that was designed to share parking with the Glendale Marketplace Parking structure. Although the outdoor deck would require an additional 33 parking spaces by code, the outdoor deck is not anticipated to generate a need for additional parking since the outdoor deck would be an amenity for patrons using the indoor banquet facilities. Peak hour parking surveys show that parking is available in the Glendale Marketplace Parking Structure to accommodate the existing facility as well as the additional 33 parking spaces.

## **CONDITIONS OF APPROVAL**

**APPROVAL** of this Parking Reduction Permit PPRP1328215 is 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 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.
3. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash and graffiti.
4. That the parking reduction is valid only insofar as the specific use for which it was granted or similar land use (as determined by the Planning Hearing Officer in concurrence with the Director of Community Planning). The permit runs with this specific land use as long as there is no intensification of the use or that other uses proposed will not require more parking as provided herein as determined by the Planning Hearing Officer.
5. That all necessary licenses as required from Federal, State, County or City authorities including the City Clerk shall be obtained and kept current at all times.
6. That any expansion or modification of the facility or use which intensifies the existing permit shall require a new Parking Reduction Permit approval application as determined by the Planning Hearing Officer.
7. That the proprietor and his/her employees shall make an active and conscientious effort to keep customers and employees from trespassing on other nearby properties or otherwise making disturbances in the area.

8. That the applicant shall make an effort to keep noise within the building and shall keep noise levels below limits imposed by the Glendale Noise Ordinance 8.36. The Planning Hearing Officer's opinion shall prevail to arbitrate any conflicts.
9. That sufficient measures be enforced to effectively eliminate interior and exterior loitering, parking congestion, disturbing noise, disturbing light, loud conversation and criminal activities.
10. That if the applicant provides valet services for special events, a valet plan shall be submitted for review and approval to the Traffic and Transportation Division, and a valid permit shall be obtained.
11. That the applicant shall comply with all conditions of approval for conditional use permit Case No. PCUP 1319136.
12. That an Acceptance Affidavit accepting the permit and all its conditions shall be signed, notarized, and a recorded certified copy be submitted to the Planning Hearing Officer prior to the issuance of a Business Registration Certificate.

**APPEAL PERIOD (effective date), TIME LIMIT, LAPSE OF PRIVILEGES, TIME EXTENSION**

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 **APRIL 3, 2014** at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday thru Friday 7:00 am to 12:00 pm, or at the Community Development Department (CDD), 633 East Broadway, Room 103, Monday thru Friday 12:00 pm to 5 pm.

**APPEAL FORMS available on-line:**

<http://www.ci.glendale.ca.us/planning/SubmittingAProject.asp>

To save you time and a trip - please note that some of our FORMS are available on line and may be downloaded. AGENDAS and other NOTICES are also posted on our website.

### **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 (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.

### **REVOCAION**

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over parking reduction permits (individual cases heard and decided upon by the Hearing Officer). To consider the revocation, the Hearing Officer 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.

### **GMC CHAPTER 30.41 PROVIDES FOR**

#### **TERMINATION**

Every right or privilege authorized by a parking reduction permit 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.

#### **EXTENSION**

An extension of the parking reduction permit 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 parking reduction permit.

### **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 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,



Laura Stotler  
Planning Hearing Officer  
LS:sm

CC: City Clerk (K.Cruz); Police Dept. (S.Bickle/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(D.Nickles); City Engineer and Traffic & Transportation Section (Roubik Golanian/G.Tom); Director of Public Works and General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (R.Takidin); Glendale Water & Power--Electric Section (M.Kelley/M.Jackson); Parks, Recreation and Community Services Dept. (E.Tatevosian); Neighborhood Services Division (A.Jimenez); Integrated Waste Management Admin. (D.Hartwell); Maintenance Services Section Admin. (D.Hardgrove); Street and Field Services Admin.; Environmental Management (M.Oillataguerra); Mimo Baroyan-owner; Albert Abkarian, attorney representing the owner; Ute Baum; Susan Bolan; Claudia Culling; Brock Hill; Albert Hoffman; Mr. & Mrs. Francis Jennings; Richard and Carol Lee; Grant Michals; Bill Nicoll; Jennifer Pinkerton; Tom Stapleton; Damon Wallace; Rondi Werner; Vrej Sarkissian; and case planner-Milca Toledo.