CITY OF GLENDALE, CALIFORNIA
COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division

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May 15, 2013

Lilit Davtyan
5301 Balboa Boulevard
Encino, CA 91316

RE: 1113 SOUTH CENTRAL AVENUE
PARKING REDUCTION PERMIT NO. PPRP 1227790
(Kid's Playland)

Dear Ms. Davtyan:

The Planning Commission of the City of Glendale, at its meeting held on May 15, 2013, conducted a public hearing on your appeal regarding Variance Case No. PPRP 1227790 located at **1113 South Central Avenue**, for a parking reduction permit to change the use from a medical lab to a children's indoor playground without providing eleven (11) additional parking spaces, in the"C3" - Commercial Service Zone, Height District I Zone, described as Portion of Lot 17, Watts Subdivision, in the City of Glendale, County of Los Angeles.

After due consideration, the Planning Commission **reversed** the Planning Hearing Officer's decision and **APPROVED** said Variance Case No. PVAR 1227790.

A copy of the motion adopted by the Planning Commission is attached.

Under the provisions of Chapter 2.88 of the Glendale Municipal Code, any person affected by the decision of the Planning Commission has the right to appeal said determination to the City Council 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 at the hearing.

Any appeal must be filed within fifteen days, following the actual date of such action, as outlined by the Chairman of the Planning Commission at the public hearing. Information regarding appeals and the appeal forms will be provided upon request and must be filed in the Building and Safety Division, 633 East Broadway, Room 101, together with the required filing fee for such appeal, no later than 5:00 p.m. on **MAY 30, 2013.**

WE RECYCLE

If you need additional advice on filing an appeal, please confer with the City's Building and Safety Division, Room 101 of the Municipal Services Building, 633 East Broadway, or phone (818) 548-3200.

Sincerely,

Milca Toledo
Planner

MT:sm
Attachment

CC: City Clerk (K.Cortes); Police Dept. (Tim Feeley/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 (Stephen Zurn); Glendale Water & Power--Water Section (R.Takidin); Glendale Water & Power--Electric Section (M.Kelley/M.Jackson); Parks, Recreation and Community Services Dept. (Emil 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); Shoghig Yepremian-rep. the applicant; Rafi Nazaryan-rep. the applicant; and case planner – Milca Toledo.

MOTION

Moved by Planning Commissioner Landregan, seconded by Planning Commissioner Scheetz, that upon review and consideration of all materials and exhibits of current record relative to Parking Reduction Permit Case No PPRP 1227790, located at 1113 South Central Avenue, and after having conducted an appeal hearing on said matter, that the Planning Commission hereby **reverses** the Planning Hearing Officer's decision and **APPROVES** said Parking Reduction Permit Case No. PPRP 1227790 in accord with revised findings and conditions:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.50 on your application for a Parking Reduction Permit to change the use from a medical lab to a children's indoor playground without providing eleven (11) additional parking spaces, a Parking Reduction Permit is required due to the change in use from a medical lab (without patient visitation) to a children's indoor playground use, which requires an additional eleven (11) parking spaces that cannot be provided on site, located at **1113 South Central Avenue,** in the "C3" - Commercial Service Zone, Height District I, described as Portion of Lot 17, Watts Subdivision, in the City of Glendale, County of Los Angeles.

APPLICANT'S PROPOSAL
Parking Reduction Permit:
(1) To allow a proposed children's indoor playground school while not providing the required eleven (11) additional parking spaces as a result of the change in use from a medical lab (without patient visitation) to a children's indoor playground.

CODE REQUIRES
Parking Reduction Permit:
(1) A parking reduction permit is required when a use cannot provide the necessary parking on-site.

ENVIRONMENTAL RECOMMENDATION: Exempt.

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 Planning Commission public hearing with respect to this application, the ***Planning Commission*** has **GRANTED WITH CONDITIONS** your application based on the following:

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 a 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.**

For mixed use projects, a request for parking reduction may be granted where the review authority determines that a reduction is justified based on characteristics of the uses, an hourly parking demand studies published by the Urban Land Institute, or other appropriate source as determined by the Director of Community Development

The subject tenant space is one of eight commercial tenant spaces on the property. The proposed children's indoor playground is 1,500 square feet. The operator is proposing to use the existing 69 on-site parking for their employees and patrons. The previous medical lab use (without patient visitation) required 2.7 spaces per 1,000 square feet of floor area (four spaces). The proposed children's indoor playground use will require 10 spaces per 1,000 square feet of floor area (15 spaces). Based on the above parking requirements, the proposed children's indoor playground will require 11 additional parking spaces (15 minus 4) as per section 30.32.030 B 5, GMC. A parking reduction permit is required because the applicant is unable to provide the required 11 spaces on site.

The business owner indicated that they will operate the business seven days a week (Monday through Sunday) from 10 a.m. to 6 p.m. and have a maximum of three employees. The proposed children's indoor playground will cater to children age two to twelve years. The business operator is proposing to rent the facility for parties or similar private functions for a maximum of two hours per event. In some instances, some parents and their child may carpool with other parents attending the same event. This will minimize the need to occupy an excessive number of parking spaces.

The majority of the businesses on the property are open for business weekdays from 9:00 a.m. to 5:00 p.m. with the exception of the retail use, the financial institution and the billiard establishment, which operate on the weekends. The subject tenant space is abutting the billiard establishment which is owned by the same business operator as the children's indoor playground. As indicated above, the applicant intends to operate the children's indoor playground daily from 10:00 a.m. to 6:00 p.m. from 11:00 a.m. to 5:00 p.m., thereby not conflicting with the billiards operating hours of 6:00 p.m. to 12:00 a.m. midnight.

While the hours of operation of the children's indoor playground coincide with the operating hours of the remaining uses on-site, during lunch peak hours, the proposed use will not exacerbate the existing parking demand in the area. There are no restaurants or similar food establishments on-site which are generally heavily patronized during lunch and dinner peak hours. The majority of the uses on the site include offices (medical, dental and general) and a specialized retail store (gun shop), which are either sometimes closed or slow during lunch peak hours. The hours of operation of the uses on the site are as follows:

- The dental office (Monday through Saturday), CPA office, and medical offices (Monday through Friday): 8:30 a.m. to 5:00 p.m.
- The financial institution: (Monday through Saturday) 8:00 a.m. to 8:00 p.m.
- A second medical office: (Monday through Friday) 10:00 a.m. to 6:00 p.m.
- The retail store [gun shop]: (Monday through Saturday) 10:00 a.m. to 8:00 p.m.
- The billiard establishment: (Monday through Sunday) 6:00 p.m. to midnight.

The residential dwelling units are currently occupied. Both units have their own private attached garage to the unit, and therefore, will not be impacted as a result of the establishment of the children's indoor playground. The indoor playground will not have a kitchen, cater or prepare food on-site. There is the possibility that the event's host may bring prepared food to the facility and serve the guests (e.g., cake, pizza, etc.). However, the food will be for the guests only attending the private party and not open to the public. Although the applicant's request that the business stay open until 6 p.m. a condition has been added that the facility shall close at 4 p.m. For facts stated herein, staff does not believe that parking will conflict or exacerbate the existing parking situation on-site.

CONDITIONS OF APPROVAL

APPROVAL of this Parking Reduction Permit 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 Division 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 Development Department). 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 the facilities shall not be rented, leased or otherwise occupied for purposes not specified in this application.

6. That the business shall generate as a children's indoor recreation center as defined in Title 30 of the GMC and no banquets are allowed.

7. Any new rooftop equipment shall be appropriately screened from the public right-of-way.

8. All signs require a separate sign permit.

9. No signs/banners shall be permitted to be attached to the existing wrought iron fence and gate.

10. That all music, lighting, and noise shall be confined to the inside of the premises so as not to disturb occupants of other businesses or properties and patrons on the public right-of-way.

11. That in order to avoid traffic congestion and increased parking demand for the limited on site parking, the applicant shall provide a thirty (30) minute break or transition between events/functions.

12. The property needs to comply with the Fresh Air ordinance meaning that there maybe no smoking on the sidewalk in front of the building. No Smoking signs have to be posted at points of entrance and exit.

13. **That the operating hours of the children's indoor playground shall be 10:00 a.m. to 4:00 p.m. daily (Monday thru Sunday).**

14. That the sixty-nine (69) on-site parking spaces shall be maintained and clearly striped according to the parking plan submitted.

15. 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 Zoning Use Certificate.

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.

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.

REVOCATION

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 ten (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 and/or 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.

VOTE
Ayes: Astorian, Landregan, Scheetz, Yesayan
Noes: None
Abstain: None
Absent: Lee

THE REGULARLY SCHEDULED PLANNING HEARING OFFICER MEETING OF MAY 22, 2013, AT 9:30 A.M. HAS BEEN CANCELLED.