



CITY OF GLENDALE, CALIFORNIA
COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division

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June 5, 2013

Mr. James Arlan Boggs
4551 San Fernando Road, Suite 214
Glendale, CA 91204

&

Mr. Appo Jabarian
4551 San Fernando Road, Suite 208
Glendale, CA 91204

**RE: 4551 SAN FERNANDO ROAD
PARKING EXCEPTION NO. PPEX 1231816
(His Life City Church)**

Dear Messrs. Boggs and Jabarian:

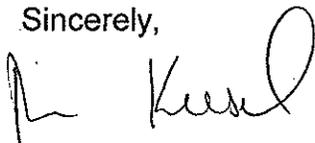
The Planning Commission of the City of Glendale, at its meeting held on May 15, 2013 conducted a public hearing, and on June 5, 2013, the Planning Commission **reversed** the Director of Community Development Department's decision and **DENYING** said Parking Exception No. PPEX 1231816 located at 4551 San Fernando Road, to allow the location of a church (His Life City Church) in the "IMU" - Industrial/Commercial Mixed Use zone without providing the minimum number of required parking spaces, described as a Portion of Lot 11, Watt's subdivision of a part of the Rancho San Rafael, in the City of Glendale, County of Los Angeles.

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 **JUNE 20, 2013**.

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,



Roger Kiesel
Senior Planner

RK: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); Applicant: Nardi Associates, LLP, Atten: Matias Creimer, 805 S. Shamrock Ave., Monrovia, CA 91016; and case planner – Roger Kiesel.

MOTION

Moved by Planning Commissioner Astorian, seconded by Planning Commissioner Landregan, that upon review and consideration of all materials and exhibits of current record relative to Parking Exception Permit No PPEX 1231816, located at 4551 San Fernando Road, and after having conducted an appeal hearing on said matter, that the Planning Commission hereby reverses the Community Development Director's decision and **DENIES** said Parking Exception Permit No. PPEX 1231816 in accord with revised findings and conditions.

Vote as follows:

Ayes: Astorian, Landregan, Scheetz, Yesayan

Noes: None

Abstain: None

Absent: Lee

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 Commission was unable to make the necessary findings and has **DENIED** your application for a parking exception because evidence provided does not demonstrate that an exception is justified based on the characteristics of the existing uses and proposed use, based on the following:

PARKING EXCEPTION PERMIT NO. PPEX 1231816 - 4551 SAN FERNANDO ROAD

- A. Parking spaces required for the proposed use or construction proposal cannot reasonably be provided in size, configuration, number of spaces or locations specified by the provisions of this title without impairment of the project's viability;**

Parking spaces required for the proposed use or construction proposal cannot reasonably be provided in size, configuration, in the number of spaces or locations specified by the provisions of this Title without impairment of the project's viability. The required parking for the church cannot be met on site. The site is developed with an L-

shaped building along the southern and western property lines. Fifty-six parking spaces are located in the center of the site. There is no vacant area on the site to locate additional parking nor could the existing parking be arranged more efficiently to accommodate new spaces.

B. The parking exception will serve to promote specific goals and objectives of the adopted plan for the San Fernando Road Corridor Redevelopment Project Area and will be consistent with the various elements of the General Plan and will promote the general welfare and economic wellbeing of the area.

The parking exception will not serve to promote specific goals and objectives of the adopted plans for the Glendale Redevelopment Areas, will not be consistent with the various elements of the General Plan nor promote the general welfare and economic well-being of the area. The subject site is located within the San Fernando Road Corridor Redevelopment Project Area. Goals of this Area include the elimination and prevention of blight, the provision for increased revenues to the city, and the promotion of private sector investment to facilitate commercial sales activity. The granting of the parking exception may significantly impair the occupants of the other tenant spaces on the site. Testimony before the Commission indicated that the church may use the premises when other businesses are in operation, which would diminish any ability of the existing parking structure to accommodate the mix of uses. In addition, the Commission noted a lack of adequate back-up space in some of the parking areas of the site and egress/ingress problems within the site, particularly with regard to the narrow ramp leading to the upper level parking and tenant spaces, making problematic the use of the site by a church, which by its nature often attracts new users unfamiliar to the site. Further, the Commission was presented with conflicting evidence regarding the availability of the spaces for use by the church instead of the other tenants. All of these facets indicate an unwarranted threat to the continuation and success of existing business in the San Fernando Road corridor, which is contrary to the General Plan and will not promote the general welfare and economic well being of the area.

C. The project involves exceptional circumstances or conditions applicable to the property involved, or the intended use or development of the property that do not apply generally to other property in the area;

The parking regulations in the Zoning Code assume, on their face, that the land uses on any site will be available to those uses at all times. The Zoning Code does allow for shared parking in the exceptional circumstance where there are uses planned which can be shown to have complementary peak parking demands. The testimony before the Planning Commission indicated substantial conflict in the hours of intended use of the parking spaces between the applicant and the existing tenants. Therefore, there are no exceptional circumstances or conditions applicable to the intended use or development of the property involved and the potential conflict in parking demand unresolved by conflicting evidence would be self-imposed. Further, there has been no evidence presented that there are exceptional circumstances or conditions applicable to the property itself.

D. There are mitigating circumstances whereby the exception will not be materially detrimental to the public welfare or injurious to property or improvements in the vicinity of the property or in the neighborhood in which the property is located.

The granting of the parking exception may significantly impair the occupants of the other tenant spaces. Testimony before the Commission indicated that the church wishes to use the premises when other businesses may be operating, which would diminish any ability of the existing parking structure to accommodate the mix of uses. In addition, the Commission noted a lack of adequate back-up space in some of the parking areas of the site and egress/ingress problems within the site, particularly with regard to the narrow ramp leading to the upper level parking and tenant spaces, making problematic the use of the site by a church, which by its nature often attracts new users unfamiliar to the site. Further, the Commission was presented with conflicting evidence regarding the availability of the spaces for use by the church instead of the other tenants. Therefore, there are insufficient mitigating circumstances and granting of the parking exception may be materially detrimental to the public welfare or injurious to property or improvements in the vicinity of the property or in the neighborhood in which the property is located.