glendale california
City of Glendale
Community Development
Planning & Neighborhood Services

633 E. Broadway, Room 103
Glendale, CA 91206-4311
Tel 818.548.2140 Tel 818.548.2115
Fax 818.240.0392 ci.glendale.ca.us

June 16, 2015

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

RE: 810-822 EAST COLORADO STREET
ADMINISTRATIVE EXCEPTION PERMIT NO. PAE 1424777
(Sayat Nova)

ALSO SEE: (1) CONDITIONAL USE PERMIT NO. PCUP 1418750
(2) ADMINISTRATIVE USE PERMIT NO. PAUP 1504397

Dear Mr. Nazarian:

On May 20, 2015, the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.44., and has processed your application for an Administrative Exception to allow the construction of a new one-story commercial building for retail uses, a change of use and expansion of an existing restaurant to a banquet hall without providing the required number of parking spaces for all uses on-site. As proposed, 39 parking spaces are provided where a total of 41 parking spaces are required. The subject property is located at **810-822 East Colorado Street**, in the "C3"- Commercial Service Zone, Height District I, described as a Portion of Lots 14 and 24, Tract No. 1164 and Childs Tract, in the City of Glendale, County of Los Angeles.

APPLICANT'S PROPOSAL
Administrative Exception
(1) A twenty (20) percent deviation of a numeric standard to allow the construction of a new commercial one story building for retail uses, a change of an existing restaurant to a banquet hall and floor area expansion of the existing non-conforming restaurant without providing the required number of parking spaces for all uses on-site.

CODE REQUIRES
Administrative Exception
(1) A total of 39 parking spaces are provided where 41 parking spaces are required by Chapter 30.32.050 of the Glendale Municipal Code.

ENVIRONMENTAL RECOMMENDATION
Exempt per State CEQA Guidelines, Section 15301, Class 1 "Existing Facilities" and Section 15303, Class 3 "New Construction".

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. 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.

The subject site is 25,054 square feet. The site is developed with three buildings as follows: a 2,935 square-foot restaurant/banquet hall (822 East Colorado Street), a 1,705 square-foot full-service restaurant at the rear (820 East Colorado Street), a vacant commercial building at the southwest corner of the site (810 East Colorado Street) and a surface parking lot. The vacant building is proposed to be demolished. The remaining existing buildings will remain on the east side of the property. The restaurant/banquet hall (822 East Colorado Street) will add 795 square feet of floor area at the rear by connecting the 1,705 square-foot building (820 East Colorado Street) to the existing front building (822 East Colorado Street). With the proposed changes, an additional 663 square feet of banquet seating area is proposed. In addition, a new retail commercial building is proposed in the center, towards the front of the site facing Colorado Street. As proposed, 39 surface parking spaces will be provided on-site.

This site is located on Colorado Street, a major arterial, surrounded by a mix of low scale commercial uses. New development should carefully consider the relationship of a building to the street including property lines and the sidewalk.

As such, new development should enhance the pedestrian activity by improving its physical attractiveness of the street. The proposed project's goal is to revitalize the site by constructing a new one-story commercial building and expanding the banquet hall seating area. As proposed, the site plan and construction of the new retail building at the front of the

property will result in design improvements for the site as a whole. The site plan currently does not include a large surface parking lot with limited landscaping, which does not lend itself to a pedestrian friendly environment nor does it enhance the site. The proposed 3,236 square-foot commercial building will serve to improve the site's physical attractiveness as viewed from the street and enhance and encourage pedestrian activity. The existing parking area will be modified to include new landscaping throughout that will further enhance the aesthetics of the site.

B. The granting of the exception 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.

The proposed development of a new one-story 3,236 square-foot commercial retail building with 39 on-site parking spaces will not be detrimental to the public welfare, injurious to the property, or improvements in the zone. The area surrounding the site to the east, west and north of Colorado Street are developed with a mix of commercial uses, including other banquet hall uses, a tavern, offices, and retail uses. As proposed, the project requires 41 parking spaces to serve the new proposed retail building and the existing restaurant/banquet hall change of use and seating area expansion. The project will provide 39 parking spaces, which results in a two-space parking shortfall.

The proposed change of use of Sayat Nova from a full service restaurant/banquet hall to be used only as a banquet hall includes 1,939 square feet of seating area in the existing building at the front of the property facing Colorado Street and 663 square feet of seating area expansion within the existing building at the rear. A total of 28 spaces total are required for the banquet hall use. The operator has and will continue to offer valet parking for banquet hall patrons.

Through the Administrative Exception process, the Zoning Code allows a maximum 20 percent deviation from numeric standards in the code. The applicant is requesting an approximate eight percent reduction of the required 41 parking spaces by providing 39 spaces on-site. The parking shortfall of two spaces will not negatively impact surrounding uses or exacerbate the existing parking conditions in the area. Based on the scale of the proposed retail building and type of commercial uses proposed, it is not expected that the proposed retail uses will occupy all of the required thirteen (13) spaces at the same time.

The proposed operating hours of the retail and banquet hall uses will only conflict on Friday, Saturday and Sundays, when most banquet events take place. The banquet hall will offer its patrons valet parking service to address this situation. The valet service will allow vehicles to be parked in tandem configuration, which allows for flexibility when parking is shared. In order to adequately accommodate the shared parking demand for the proposed retail use(s) and the banquet hall, a condition will be included to reserve a minimum of ten parking spaces exclusively on-site for the retail use(s) when the retail business and a banquet event is taking place simultaneously. With the valet service, it is expected that these vehicles can be parked on-site within the available spaces in a tandem configuration. In a worst case scenario, if all 39 spaces were occupied, the two-space parking shortfall could be accommodated on Colorado Street.

C. The granting of the exception will not be contrary to the objectives of the applicable regulations.

The proposed commercial building meets all other Zoning Code requirements of the "C3" Zone such as height, landscaping, and setbacks. The purpose of the Administrative Exception procedure is to provide a simplified means for considering applications for minor deviations from code standards. These standards have been developed to allow reasonable use of properties in order to promote the public health, safety, and general welfare. The proposed shortfall of two parking spaces will allow reasonable development of the site that will meet all other zoning regulations and allow the construction of a new one-story commercial retail building and the change of use/expansion of the restaurant/banquet hall to exclusively a banquet hall with 39 on-site parking spaces. As proposed, the development of the new building at the front of the property is in keeping with the objectives of the City's Comprehensive Design Guidelines as it relates to site planning and overall, improvement of the site with new landscaping and screening along the rear property line abutting residential uses. Therefore, granting the minor exception to allow a two-space parking shortfall where 41 parking spaces are required will not be contrary to the objectives of the applicable regulations.

The project is located in the "C3" Zone which allows for the introduction of a mix of commercial uses. The intent of this zoning is to offer a full range of goods and services to the community along commercial thoroughfares, such as Colorado Street. The new retail

building and change of use/expansion of the restaurant/banquet hall to exclusively a banquet hall use would contribute to the diversity of uses in this part of south Glendale, thereby meeting the intent of the Zoning Code. The objective of the parking regulations in the Zoning Code is to assure adequate on-site parking so as to not impact neighbors. While the proposed uses will have a two space shortfall, the shortfall is anticipated to be met and accommodated on-site based on the nature of the businesses, the hours of operations for each use and ability to use valet service when needed.

CONDITIONS OF APPROVAL

APPROVAL of this Administrative Exception shall be subject to the following:

1. That the development shall be in substantial accord with the plans submitted with the application except for any modifications as may be required to meet specific Code standards or other conditions stipulated herein to the satisfaction of the 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 design review approval or exemption shall be obtained prior to the issuance of a building permit.

4. That a minimum of ten parking spaces on-site shall be reserved for the retail uses Friday through Sunday when the retail uses are open for business and when a banquet activity is being held.

5. That the applicant shall comply with all conditions of approval for Conditional Use Permit Case No. PCUP 1418750.

6. That the applicant shall comply with all conditions of approval for Administrative Use Permit Case No. 1504397.

7. That valet service be provided for banquet hall patrons. Patrons shall remain at the banquet hall site for delivery of their vehicles.

8. That the use of speaker systems and walkie-talkies is prohibited in the parking area.

9. That a valet plan shall be submitted for review and approval to the Traffic and Transportation Division.

10. That a valid valet permit shall be maintained at all times, to the satisfaction of the Traffic and Transportation Division.

11. That noise shall be contained to the site, such that persons of normal sensitivity off-site are not disturbed. The Planning Hearing Officer's opinion shall prevail to arbitrate any conflicts.

12. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash and graffiti.

13. That the Administrative Request 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.

14. That any expansion or modification of the uses, floor area, parking, etc., which is different than what is represented as part of this Administrative Exception application, shall require a new application as determined by the Hearing Officer.

APPEAL PERIOD, TIME LIMITS, LAPSE OF PRIVILEGES, TIME EXTENSIONS

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 (COD) upon request and must be filed

with the prescribed fee prior to expiration of the 15-day period, on or before **JULY 1, 2015**, at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday thru Friday 7:00 a.m. to 12:00 p.m., or at the Community Development Department (COD), 633 East Broadway, Room 103, Monday thru Friday 12:00 p.m. to 5 p.m.

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.

APPEAL FORMS available on-line http://glendaleca.gov/appeals

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 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

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over Variances, Administrative Use Permits, Administrative Exceptions, and Conditional Use Permits. 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

The Applicant is further advised that all subsequent contacts with this office regarding this determination must be with the Case Planner first and then, the 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,

Roger Kiesel
Planning Hearing Officer

RK: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); Dir. of Public Works (R. Golanian); Traffic & Transportation Section (W.Ko/S.Vartanian); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (R.Takidin/G.Tom/S.Boghosian); Glendale Water & Power--Electric Section (V.Avedian/B.Ortiz/E.Olsen); Dir. Parks, Recreation and Community Services Dept. (J.Duran); 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); Avetis Keshishian-owner; and case planner-Milca Toledo.