glendale california

City of Glendale
Community Development
Planning & Neighborhood Services

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February 11, 2016

Alajajian Marcoosi Architects, Inc.
320 West Arden Avenue, Suite #120
Glendale, CA 91203

&

Rodney Khan
1111 North Brand Boulevard, Suite 403
Glendale, CA 91202

RE: 919-1011 EAST COLORADO STREET
VARIANCE CASE NO. PVAR 1508658

Dear Mr. Alajajian:

On January 27, 2016, the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.43, on your application for a Variance to allow the construction of a four (4) story 134 room hotel on a 37,500 square-foot lot where only three-stories is allowed. The subject property is located at **919-1011 East Colorado Street**, in the "C3" - Commercial Service Zone, described as Lots 17-22, Block B, Wright & Callenders Wrightland Tract in the City of Glendale, County of Los Angeles.

CODE REQUIRES

(1) Maximum Height Limit in C3 District I: 3 stories and 50 feet (GMC 30.12.030, Table 30.12)

APPLICANT'S PROPOSAL

(1) Height: 4 stories and 50 feet in overall height.

ENVIRONMENTAL RECOMMENDATION

An Initial Study was prepared per CEQA guidelines and circulated for the 20 day review period, starting on December 31, 2015. The Hearing Officer adopted the Proposed Negative Declaration prior to making a determination regarding the Variance application.

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. That the strict application of the provisions of any such ordinance would result in practical difficulties or unnecessary hardship inconsistent with the general purposes and intent of the ordinance.

The variance request is to allow a four (4)-story, 50-foot high building where the Code allows a maximum three (3)-story, 50-foot high building in the C3 Height District I zone (GMC 30.12.030, Table 30.12-B Maximum Height Limits). The proposal is for a four-story, 134-room hotel on a 37,500 square-foot lot with 300 feet of frontage along Colorado Street. The overall building height would meet Code requirement, though would exceed the story limit by one floor. The hotel building sits along the street front property line, in compliance with the Design Guidelines, and is setback 50 feet from the adjacent multi-family residences to the north/rear. The project provides the required number of on-site parking spaces (134). In addition, a hotel use in the C3, General Commercial zone, is a permitted use.

Strict application of the height standard for both number of stories and overall building height would result in an unnecessary hardship inconsistent with the general purposes of the ordinance. The intention of the Code is to limit both the visual impact of large buildings and, to a lesser degree, the development impact of large buildings on the surrounding community. The height limit is expressed as both an absolute height, in number of feet, as well as the number of stories. Of these two standards, the absolute height in number of feet is more important visually in terms of massing and scale. Increasing the height in number of feet by 33% while keeping the number of stories the same (for example, 3 stories but a 67 foot height) will produce a larger visual impact than would increasing the number of stories by 33% while keeping the number of feet the same (4 stories with a 50 foot height). The issue of floor-to-floor heights for commercial versus residential projects plays a significant factor in overall building height. Due to construction requirements and standard building practices, commercial office buildings have taller floor-to-floor heights (12 to 15 foot, with a standard 15 to 20 foot first floor) then residentially-oriented projects. The C3 Height District I height limit of three stories and 50 feet provides an adequate building envelope for three-story office buildings with typical 15-foot floor-to-floor heights. This project,

however, is a hotel project whose residential floors have typically shorter floor-to-floor heights. Essentially, less commercial office floors (at a 15 foot average) would fit within a 50 foot building envelope than the proposed 15-foot first floor and 10-foot second, third and fourth floors proposed in this hotel project. The dual standard height limit, therefore, applies to standard office construction and not hotel development. Therefore, strict application of both height limit criteria for this hotel project appears to be an unnecessary hardship inconsistent with the intent of the ordinance.

As the proposed, the project will meet all other code standards except for the number of stories.

B. There are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood.

The proposed four (4)-story, 134-room hotel on the 300-foot by 125-foot parcel in the C3 (I) zone involves special circumstances because the intended use is an all-suites hotel that will not create the impacts that the four story height limit seeks to avoid. As noted in Finding A. above, the purpose of limiting the number of stories is primarily to control visual impacts, but also to limit other impacts of development, including spillover parking or traffic generation. The Institute of Traffic Engineers Trip Generation Handbook lists trip generation rates for hotels based on the number of occupied rooms. According to the City's Economic Development Division, hotels in Glendale average around 80% occupancy, which translates into 107 occupied rooms out of 134 total hotel rooms. Not taking into account the current trips generated by the existing gymnasium use, the number of trips generated by the proposed hotel use during the peak period of traffic on adjacent streets would be 72 trips in the a.m. peak hour and 74 in the p.m. peak hour (0.67 trips per occupied room for the a.m. peak hour and 0.7 trips for the p.m. peak hour). By contrast, an office use of approximately 52,975 square feet which would be the likely land use scenario for a code-compliant three-story commercial building within the same building envelope (the hotel proposal minus one full floor) would generate more trips – 83 in the a.m. peak period and 79 in the p.m. peak hour, based on trip generation rates of 1.56 per 1000 square-foot in the morning and 1.49 in the evening. Therefore, the traffic impact from the proposed four-story, 134-room hotel is less than what would be anticipated from a three-story, code-compliant office building in the same C3 zone or commercial services neighborhood.

Furthermore, approximately one-third of the ground floor of the proposed hotel is devoted to common amenities areas for the guests (business center, fitness gym, meeting room, lounge area, etc.). The additionally requested fourth floor for the hotel development helps offset the area devoted to these common amenity areas (in addition to the typical office, storage, and ancillary spaces) within the 50-foot tall project. Such areas are not typically included in multi-tenant office buildings, but are standard amenities of and count towards floor area for all-suite hotels, such as the one proposed.

C. The granting of the variance 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 proposal will result in a hotel project along a major east-west, commercial thoroughfare on a 300-foot wide lot with no anticipated negative impacts to the neighborhood or public welfare. The building has been designed to sensitively relate to its surrounding context and neighboring developments. As noted in Finding B. above, the hotel features a substantial setback at the rear, providing considerable separation between the building and the residential developments to the north/rear. The hotel use itself is compatible with the surrounding commercial uses along Colorado Street, as well as the multi-family residential uses to the north and south of Colorado Street (and throughout the City). Based on the technical memo submitted for the proposed Glendale Holiday Inn Suites, the Traffic & Transportation staff has determined that the project will not have any traffic impacts. The Traffic & Transportation staff also reviewed and approved the configuration of the project driveway; staff commented that given the estimated low number of trips to be generated by the project, no significant impacts are expected and no turning restrictions for the driveway are recommended. Furthermore, the Initial Study, prepared on behalf of the project by staff, analyzed 17 environmental factors identified with the hotel development that could potentially impact the surrounding neighborhood. The Initial Study concluded that the proposal would have no significant impact on the neighborhood's environment. Even though the proposed project deviates from the number of stories permitted by right in the C3 Height District I zone, its overall building height is consistent with the 50 foot height maximum and the project complies with all other zoning standards, including parking, landscaping, etc. The project provides 134 on-site parking spaces, as required by Code, and complies with the C3 setback and landscaping standards to ensure adequate air, light and open space between structures. Lastly, the project requires review and approval by the Design Review Board for site planning, design and mass/scale to ensure compatibility with the neighborhood.

D. The granting of the variance will not be contrary to the objective of the ordinance.

As discussed in Findings A. and B. above, the intention of the height standard is to limit both the visual impact of large buildings and, to a lesser degree, the development impact of large buildings on the surrounding community, such as parking, traffic, etc. The project is within the allowed overall building height for the C3 Height District I zone and will not appear more massive than intended by Code. The 134 suite room hotel use with its four floors will also have less traffic impacts than a similarly sized, three-story office building. Therefore, approval of an additional story within the permitted building envelope would not be contrary to the objectives of the height limit.

With the exception of the variance request for the number of stories, the project is designed to be consistent with the remaining development standards for C3 Height District I zone. The C3 Zone offers a full range of goods and services to the community located along commercial thoroughfares within the City in conformance with the comprehensive general plan. A hotel is permitted use in the C3 zone and this hotel project will be located on Colorado Street, which is a designed as a Major Arterial in the City's Circulation Element. In order to maintain the health, safety and general welfare and to assure compatibility with surrounding areas, commercial uses and building heights shall be restricted and buffering techniques incorporated into the development design. The proposed hotel with its 50 foot rear setback fulfills the intent of this zone and land use category by providing a service (hotel) use for the temporary housing needs of the surrounding residential and commercial neighborhoods, while providing an appropriate separation from the residential developments to the north. The requested story deviation allows the project to provide a functional form of an all-suite hotel development that is appropriate for the site, considering its location on one of the City's major commercial boulevards; Colorado Street features a wide right of way (80') which can visually and practically accommodate the increased number of stories within the permitted building height envelope. The proposed type of development is also consistent with the intent of the City's General Plan's Land Use Designation of Commercial Services and the Circulation Element to encourage auto-oriented land uses along major arterials, especially those uses that attract trips from both within and outside the City.

CONDITIONS OF APPROVAL

APPROVAL of this Variance shall be 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 <u>except</u> 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 (i.e., building, fire, engineering, etc.) 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 shall be obtained prior to the issuance of a building permit.

4. That if any buildings, sidewalks, curb or gutter, fencing or landscape areas, etc., adjacent to the site are damaged during the course of construction on public or private property, the damage shall be repaired to the satisfaction of the Planning Hearing Officer for private property and the Director of Public Works for public property.

5. That a complete automatic fire sprinkler system and sounding devices shall be installed throughout the entire building in accordance with the recommendations of the National Fire Protection Association and the requirements of the Glendale Fire Division. The fire sprinkler plans shall be submitted to the Glendale Fire Engineering Bureau prior to the issuance of any building permits.

6. That any proposed exterior lighting shall be directed onto the driveways, walkways and parking areas within the development and away from adjacent properties and the public right-of-way to the satisfaction of the Hearing Officer. That any proposed exterior lighting shall be directed away from adjacent properties and the public right-of-way to the satisfaction of the Hearing Officer.

7. That (water conserving) plant materials shall be installed as represented on the plan displayed at the public hearing and in accordance with the approved landscape plan. This landscaping plan shall include a complete irrigation plan with water conserving devices, shall be prepared by a person licensed to prepare such plans and shall be approved by the Hearing Officer prior to the issuance of a building permit.

8. That landscaping areas shall be maintained in good condition with live plants and free of weeds and trash.

9. That adequate means be provided for the collection of solid waste generated at the site and that all recyclable items be collected and properly disposed of to the satisfaction of the Integrated Waste Management Administrator of the City of Glendale.

10. That State Accessibility Standards be met for all parking requirements and building entrance accessibility as required by the Building and Safety Section.

11. That any expansion or modification of the facility shall require a new variance. Expansion shall constitute adding of an additional hotel rooms, floor area, or any physical change (except for consolidation of hotel rooms), as determined by the Hearing Officer.

12. That the premises shall be made available to any authorized City personnel (Fire, Police, Neighborhood Services, etc.), for inspection to ascertain that all conditions of approval of this variance are complied with.

13. That the applicant shall comply with all Section requirements as specified in their respective memos to the satisfaction of the City Department Directors.

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 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. 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 **FEBRUARY 26, 2016**, 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 (CDD), 633 East Broadway, Room 103, Monday thru Friday 12:00 p.m. to 5 p.m.

APPEAL FORMS available on-line: http://www.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. Visit us.

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, CONTINUING JURISDICTION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over variances, administrative use permits, and conditional use permits (individual cases heard and decided upon by the Planning Hearing Officer).

To consider the revocation, the Planning Hearing Officer shall hold a public hearing after giving notice by the same procedure as for variance, at least ten (10) days' notice by mail to the applicant or permittee. Continuing jurisdiction over any case is the purview of the Planning Hearing Officer, with concurrence by the Director of Community Development.

GMC CHAPTER 30.41 PROVIDES FOR

Termination
Every right or privilege authorized by a variance 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
A Variance may be terminated by the review authority upon any interruption or cessation of the use permitted by the Variance for one year or more in the continuous exercise in good faith of such right and privilege.

Extension
An extension of the variance 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 variance.

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 (Vilia Zemaitaitis *at 818-937-8154*) first and then, the 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.

Sincerely,

Bradley Collin
Planning Hearing Officer

BC:VZ:sm

Cc: City Clerk (K.Cruz); Police Dept. (Lt.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 (G. Tom/S. Boghosian); Glendale Water & Power--Electric Section (V. Avedian/B. Ortiz); Parks, Recreation and Community Services Dept. (T. Aleksanian); 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); G.Abrahamian; S.Baghoomian; B.Curow; V.Dopukhanian; A.Foote; C.Hammer; A.Hamezopoulos; J.Kanaly; M.Moore; I.Omuto; F.Rozito; A.Salazar; B.Salazar; V.Soto; R.Villalta; J.Yakubyan; and case planner and case planner – Vilia Zemaitaitis.

A RESOLUTION OF THE PLANNING HEARING OFFICER
OF THE CITY OF GLENDALE, CALIFORNIA,
ADOPTING A CERTAIN NEGATIVE DECLARATION
PREPARED PURSUANT TO THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT

WHEREAS, the Community Development Director considered the Initial Study and the Proposed Negative Declaration, prepared on behalf of Standards Variance Case PVAR 1508658 to allow four stories when a maximum of three stories are permitted by right (while still in compliance with the overall height limit of 50 feet in the C3 Height District I zone) for a new 134-room hotel, to be located at 919-1011 East Colorado Street, pursuant to the California Environmental Quality Act; and

WHEREAS, the Proposed Negative Declaration was made available for a 20-day public review and comment period from December 31, 2015 to January 20, 2016; and

WHEREAS, a Final Negative Declaration has been prepared and no comments were received during the review period; and

WHEREAS, the Final Negative Declaration reflects the independent judgment of the City of Glendale; and

WHEREAS, the Planning Hearing Officer has read and considered the Negative Declaration; and

WHEREAS, the Planning Hearing Officer acknowledges the findings of the Community Development Director with respect to the preparation of the Negative Declaration; and

WHEREAS, the Glendale Planning Division has been identified as the custodian of record for the Negative Declaration.

NOW, THEREFORE, BE IT RESOLVED that the Planning Hearing Officer of the City of Glendale finds on the basis of the whole record, including the Initial Study, that there is no substantial evidence that the project will have a significant effect on the environment, and that the Planning Hearing Officer adopts the Final Negative Declaration for Case No. PVAR 1508658 for 919-1011 East Colorado Street.

Adopted this 11th day of February, 2016

Planning Hearing Officer

PROJECT DETERMINATION:

Variance approved with conditions.