glendale california

City of Glendale
Community Development
Planning & Neighborhood Services

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January 26, 2016

Khan Consulting Inc.
Attn: Rodney V. Khan
1111 North Brand Boulevard, Suite 403
Glendale, CA 91202

**RE: 543 ARDEN AVENUE and**
**819-821 NORTH PACIFIC AVENUE**
**PARKING USE PERMIT NO. PPUP 1525481**

Dear Mr. Khan:

Pursuant to Chapter 30.51.030, the Director of Community Development has processed an application for a Parking Use Permit (PPUP 1525481) to allow a portion of the required parking for a proposed museum located at 543 Arden Avenue at the existing parking lot located at **819-821 North Pacific Avenue,** in the "C2 II" - (Community Commercial, District II) zone, described as Portion of Lots 46 and 47, Oliver's West Glendale Tract, in the City of Glendale, County of Los Angeles.

## ENVIRONMENTAL DETERMINATION

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

The application is hereby **APPROVED**, based on the following analysis and findings and subject to the following conditions.

## PROJECT PROPOSAL

The applicant is requesting that a portion of the required parking for the proposed museum located at 543 Arden Avenue be located at an existing parking lot located at 819-821 North Pacific Avenue.

## SUMMARY AND BACKGROUND

The Lark Music Society has been operating as a 1,600 square-foot private educational institution along with a 4,000 square-foot warehouse at 543 Arden Avenue since 2006. The site currently provides 12 parking spaces for the two uses on the property. The applicant is proposing to convert the existing warehouse to a museum. Currently, 4 parking spaces are provided for the warehouse on the site. Sixteen parking spaces are

required for a 4,000 square-foot museum. Since the site already accommodates 4 spaces for the warehouse, a difference of 12 spaces must be provided. The applicant is requesting a parking use permit to use 21 spaces of an existing parking lot located at 819-821 North Pacific Avenue to fulfill their parking requirement, 9 spaces more than required.

## PARKING USE PERMIT REQUEST/REQUIRED FINDINGS

A parking use permit for the use of off-site parking facilities to satisfy the parking requirements for a proposed use shall be granted only if the reviewing authority finds that certain findings can be met. After thorough consideration of the statements contained in the application and the plans submitted therewith, the Director of Community Development has **GRANTED WITH CONDITIONS** your application based on the following:

1) **The off-site parking is a permitted or conditionally permitted use allowed within the applicable zoning district and complies with all of the applicable provisions of this Zoning Ordinance.**

   The parking lot on which the off-site parking is proposed on is located at 819-821 North Pacific Avenue and is used for a dental office along with a private specialized school. The off-site parking site is located in the C2 (Community Commercial) zone, where parking lots are permitted. The parking lot complies with all the provisions of the City's Zoning Ordinance.

2) **The off-site parking spaces are located within 1000 feet measured from the primary entrance to the site. The reviewing authority may approve off-site parking spaces with valet service or parking spaces for employees located more than 1000 feet from the primary entrance to the site where the separation remains reasonable for walking or pedestrian-oriented features of the intervening distance make walking between the two sites reasonable.**

   The off-site parking lot located at 819-821 North Pacific Avenue is approximately 400 feet east of the primary entrance of the site located at 543 Arden Avenue. The subject site and the parking lot are located on opposing sides of the street but have pedestrian oriented features like sidewalks that make walking between the two sites reasonable.

3) **The applicant shall provide evidence of a valid lease or a covenant satisfactory to the City Attorney. All leases subject to this provision shall have a minimum termination period of not less than ninety (90) days.**

   The applicant (Lark Music Society) has provided evidence that a Commercial Lease Agreement with the owner (Matossian Family Trust) of the off-site parking

lot has been recorded to allow the applicant to use the parking lot only during specific hours that do not conflict with the existing businesses hours of operation. The Lease Agreement allows the applicant to use 21 off-site parking spaces located at 819-821 North Pacific Avenue. This agreement has a termination period of not less than 90 days.

4) **The applicant has demonstrated that the off-site parking will be available to the use, and that no substantial conflict will exist in the principal hours or periods of peak parking demands of any uses which are proposed to share the parking.**

   No substantial conflict will exist between the existing uses and the proposed museum because the hours of operation do not overlap at any point. The museum will be open at 6:30 p.m. on Friday and Saturday and 9:00 a.m. on Sunday. The existing uses that currently use the parking lot on North Pacific Avenue are closed during these times.

5) **Access to the site is adequate to accommodate the proposed off-site parking and any resulting excess traffic to the facility.**

   No changes to the access of either the proposed museum or the off-site parking lot are proposed as a result of the parking use permit request. Access to the site is adequate to accommodate the proposed off-site parking. The existing parking lot located at 819-821 North Pacific Avenue is 400 feet east of the proposed museum. No excess traffic on the surrounding streets is anticipated since both uses will not be operating at the same time and no additional parking is requested.

6) **The design, location, size and operating characteristics of the proposed off-site parking are compatible with the existing and future land uses on-site and in the vicinity of the subject property.**

   The parking lot in which the off-site parking is proposed has existed for a number of years and is compatible with the surrounding commercial and office uses. The businesses that use the parking lot will be closed during the hours the proposed museum will be operating. As a result, none of the surrounding uses will be impacted.

7) **The establishment, maintenance, or operation of the proposed parking at the location proposed does not endanger, jeopardize, or otherwise constitute a nuisance for persons residing or working in the neighborhood of the proposed parking lot or structure.**

   There have been no code compliance issues identified with regard to the off-site parking lot. Therefore, it is not anticipated that the use of the parking lot located east of the proposed museum will endanger, jeopardize or cause a nuisance for people living or employed in the neighborhood.

8) **Any off-site parking spaces in close proximity to residential uses must be designed and operated to comply with the City's noise requirements in Chapter 8.36 of the Municipal Code.**

   A residential use is adjacent to the off-site parking lot at 819-821 North Pacific Avenue. A condition of approval has been added to this approval requiring the museum operator to monitor disturbances in the off-site parking lot. Compliance with this condition will ensure that the use of the parking lot will be in compliance with the City's noise requirements.

9) **Any proposed valet parking use will not generate excessive traffic on surrounding public streets and shall not utilize any residential street.**

   No valet parking is proposed.

10) **For shared parking, different peak hour parking demands existing between the separate uses or a single trip is likely to be made to two or more of the businesses proposed to share the parking.**

   The existing lot at 819-821 North Pacific Avenue has a sufficient amount of parking spaces (21) to accommodate the existing uses; a private specialized school and a dental office. The use of this lot for the museum will provide more than the minimum amount of parking spaces required by code since the businesses that share the parking lot will not be operating at the same time.

## CONDITIONS OF APPROVAL

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 Director of Community Development.

2. That all necessary licenses (i.e. building, fire, engineering, etc.) shall be obtained from the Building and Safety section and Public Works Department and all construction shall be in compliance with the Glendale Building Code UBC (Universal Building Code) and all other applicable regulations.

3. That access to the premises shall be made available upon request to all City of Glendale authorized staff (i.e. Community Development Department, Building and Safety Division, Fire Department, Police Department, etc.) for the purpose of verifying compliance with all laws and the conditions of this approval.

4. That the parking use permit is valid only insofar as the specific use for which it was granted or similar use (as determined by the Director of Community

Development). 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 Director of Community Development.

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

6. An Acceptance Affidavit accepting the permit and all its conditions shall be signed, notarized and submitted prior to the issuance of a Business Registration Certificate. The Acceptance Affidavit shall be recorded with the Los Angeles County Assessor's Office with proof of such recording provided to the city.

7. 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.

8. That the museum operator and his/her employees shall make an active and conscientious effort to keep visitors and employees of the museum from trespassing on other nearby properties or otherwise from making disturbances in the area.

9. That sufficient measures be enforced to effectively eliminate loitering, parking congestion, disturbing noise, disturbing light, load conversation and criminal activities.

## 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 10, 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 consideration of a conditional use permit 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 parking use 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 use 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 administrative use 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. 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.

Should you have any questions regarding this issue, please do not hesitate to contact the case planner, Danny Manasserian at (818) 937-8159 or dmanasserian@glendaleca.gov.

Sincerely,

Phil Lanzafame
Director of Community Development

Erik Krause
Planning Hearing Officer

EK:sm

CC: City Clerk (K. Cruz); City Attorney's Dept. (G. van Muyden); Fire Prevention Engineering Section-(J. Halpert); 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/8. Ortiz); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (S. Mirzaians); Integrated Waste Management Admin. (D. Hartwell); Maintenance Services Section Admin. (D. Hardgrove); Street and Field Services Admin.; Engineering and Environmental Management (C.Chew/R. Villaluna); and case planner Danny Manasserian