glendale california

City of Glendale
Community Development
Planning & Neighborhood Services

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April 21, 2016

Stephan Gevorkian
6514 San Fernando Road
Glendale, CA 91201

RE: 6514 SAN FERNANDO ROAD
PARKING EXCEPTION CASE NO. PPPEX1605726
(Dynamic Duo Dance Studio)

Dear Mr. Gevorkian:

Pursuant to Chapter 30.32.020, the Director of Community Development has processed an application for a Parking Exception (Case No. PPPEX 1605726) for the property located at **6514 San Fernando Road,** in the "SFMU" (Commercial/Residential Mixed Use) Zone described as Parcel A, Parcel Map No. GLN 1082, in the City of Glendale, County of Los Angeles. The application is hereby **APPROVED**, based on the following analysis and findings and subject to the following conditions.

ENVIRONMENTAL DETERMINATION
This project is exempt from environmental review as a Class 1 "Existing Facility" exemption (Section 15301 (e)(1) of the State CEQA Guidelines).

PROJECT PROPOSAL

The project consists of converting an existing 2,970 square-foot food processing for catering business ("Con Sazon Authentic Peruvian Cuisine"), located at 6514 San Fernando Road to a physical instruction school ("Dynamic Duo Dance Studio") without providing the required 24 on-site parking spaces required per Code.

SUMMARY AND BACKGROUND

Dynamic Duo Dance Studio currently operates in a 2,350 square-foot tenant space located at 6318 San Fernando Road. They propose to move to the subject site consisting of a 2,970 square-foot tenant space located at 6514 San Fernando Road, which is approximately four blocks away from 6318 San Fernando Road. The applicant has indicated that dance instruction will be from 3:00 p.m. until 9:00 p.m. Monday through Friday. On Saturday's the studio will offer instruction from 10:00 a.m. until 2:00 p.m. and will be closed Sundays and on all major holidays. There will be two employees providing dance instruction with a maximum of 10 to 15 students per class. A condition will be included to ensure that no more than one class instruction is given at a time.

The applicant has stated the majority of the students are children ranging from ages 5 to 16 years old. The majority are not of driving age with the exception of the 16 year olds. Therefore, most of the students attending classes are expected to be dropped off. Student drop-off is feasible and safe in the area. Student drop-off locations can take place in the parking spaces located at the rear of the building and in front of the building on San Fernando Road. However, if drivers prefer to stay and wait for the student to end dance instruction, parking is necessary.

Presently, the site has the potential to accommodate a few parking spaces at the rear of the lot. However, presently there are no striped parking spaces. While there appears to be evidence (photographs) that at least four vehicles can park on-site, in order to comply with ADA parking requirements, the final number of proposed parking spaces will likely result in three spaces.

PARKING EXCEPTION REQUEST

The Code requires that upon the change of use within an existing building, additional parking spaces be provided for the new use over and above the number of spaces required by the prior use. In many cases, a strict application of the parking code to require full on-site parking for these uses is not practical and would prevent businesses from locating in the San Fernando Road Redevelopment project area.

The previous food processing for catering use (light industrial) required 2 spaces per 1,000 square feet of floor area. The new physical instruction school will require 10 spaces per 1,000 square feet of floor area. According to Section 30.32.030 and 050, Title 30 of the GMC, the parking shortfall for the new physical instruction school will be 24 parking spaces.

Use(s)	Parking Required	Additional Required Parking	Comments
Previous 2,970 SF catering (light industrial)	Light Industrial (food processing for catering): 2 spaces per 1,000 sf of floor area= 6 spaces	n/a	Pursuant to Code, 6 spaces exist from the previous use based upon 2/1,000 for the 2,970 SF food processing use. Only the additional spaces need to be provided.
Proposed 2,970 SF Physical Instruction School	Instruction: 10 spaces per 1,000 SF of floor area= 30 spaces	24	Conversion of food processing use to physical instruction requires 30 spaces. Credit is received for the 6 spaces attributed to the prior use, a net of 24 new spaces are required.

Although the Zoning Code does not permit on-street parking spaces to be used in meeting parking requirements, on-street parking located on both sides of San Fernando Road is available. Staff conducted two field surveys on a weekday (a typical workday) between the evening hours of 4:30 p.m. and 7:30 p.m. coinciding with the proposed primary operating hours of the dance studio. It was observed that there was on-street parking available on the both sides of San Fernando Road. In addition, it was observed that on-street parking had frequent turn-over.

Based on field observations, nearby uses along the east and west sides of San Fernando Road that were open included, retail, warehousing, and offices and all appeared able to accommodate their parking demands with on-site parking. The results suggest that on-street parking generally exists throughout the day and evening along San Fernando Road.

On two occasions, staff visited the existing business location at 6318 San Fernando Road and observed approximately 10-15 young children during class session and approximately one to six adults waiting for students. According to the dance studio instructor, students are generally dropped off and picked up after the 45 minute class has ended. Based on the above, it is expected to have some parents or drivers utilizing available on-site and on-street parking in the area. However, the dance studio does not have a parking demand of 30 or 24 spaces. Based on the total number of students for each class, in a worst case scenario with every student individually driven to class in a vehicle where the parent or driver stays, 16 spaces would be the parking demand.

There are potentially three on-site parking spaces at the rear of the property adjacent to the alley and available on-street parking along San Fernando Road. Neighboring uses along the west side of San Fernando Road are retail, warehouse, and wholesale uses with available on-site parking to meet their parking needs. Based on the nature of the proposed business, utilizing both on-site parking and on-street parking would be sufficient to meet the parking demand of the Dynamic Duo Dance Studio.

REQUIRED/MANDATED FINDINGS

After considering the evidence presented with respect to this application, the Director of Community Development has determined that Parking Exception Case No. PPEX 1605726, a request for a 24 space parking exception in conjunction with a new physical instruction school (dance studio) at 6514 San Fernando Road, meets the findings of Section 30.32.020 as follows:

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;

The subject property is located on the east side of San Fernando Road. The site is currently developed with a 2,970 square-foot commercial building. The most recent Zoning Use Certificate approved for this address was a food processing for catering use (light industrial). The applicant is proposing to occupy the entire 2,970 square-foot building and change the use to a physical instruction school (dance studio). As proposed, the floor plan will include a 2,140 square-foot dance studio (instruction area), a 400 square-foot lobby and a 430 square-foot office area. If the parking were to be calculated solely based on the instruction area, the parking shortfall would result in approximately 16 spaces.

The existing building was constructed in 1948. The building permit records do not indicate if parking was originally established on the property. However, the site has the potential to accommodate three spaces at the rear of the lot next to the alley. It is not possible to provide the additional parking on-site without significantly modifying the existing building. Based on the existing site conditions, there is no room to accommodate additional parking spaces required by the Zoning Code for the change of use.

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 well being of the area.

The site is located in the San Fernando Road Corridor Redevelopment Project Area. The primary goal of the former Redevelopment Agency's project area plan was to remove blight. This goal remains a vital economic development goal for the City. The redevelopment plan called for a mix of uses in the project area and the prevention of the re-introduction of blighting influences in the project area. The City's Zoning Code for the San Fernando Road area similarly supports mixed use and the proposed physical instruction school (dance studio) adds to the diversity of the project area while remaining consistent with and complementary to other uses. An occupied building is an important factor for the economic stability of the operator(s) and neighboring commercial uses. This will help continue to revitalize this area, remove physical blight, and it will help improve the economic welfare of the area.

The project is located in the SFMU Zone which allows for the introduction of a mix of commercial residential uses, or stand-alone commercial uses and residential uses. The intent of this zoning is to allow for a range of uses to provide appropriate transition and greater compatibility with adjacent residential neighborhoods. The subject site is located in an area surrounded by commercial uses and residential multi-family across the alley to the east. The proposed physical instruction school would contribute to the diversity of the uses in this part of San Fernando Road, thereby meeting the intent of the Zoning Code and is an appropriate use in a neighborhood which includes multi-family residential development.

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 site cannot accommodate all required on-site parking due to site constrictions, the anticipated parking demand can be met based on field observations conducted by City staff.

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 building was constructed in 1948 during a time where there were no parking regulations. The subject site is located in area where commercial retail and warehouse uses dominated this part of town. In the last several years, there has been a subtle change with the type of uses established along San Fernando road. A noticeable change has been a shift from industrial/heavy commercial uses to retail, creative and employee intensive uses. The proposed physical instruction school would be an appropriate addition to this diverse commercial area.

An exceptional circumstance related to the proposed use is that if allowed, it would provide a recreational activity for children, which is not common in this part of town. This part of the city does not have many parks or other type wholesome recreational activity in which children can engage since the area is primarily characterized by industrial/commercial uses. If established, this new use has the potential to attract complimentary uses which provide either additional recreational activity for children or other services like stores and restaurants. It may set a precedent in this part of the city and potentially introduce more pedestrians in the area. In addition, the proposed use has the potential to attract children in the area, especially in the nearby multi-family residential zone to engage in a recreational activity. The proposed use would be an asset to this part of the city.

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.

Although the Zoning Code does not permit on-street parking spaces to be used in meeting on-site parking requirements, on-street parking is available around the area. On-street parking is permitted on both sides of San Fernando Road in this area and nearby street has available on-street parking. In March and April 2016, City staff conducted two field surveys of the area after 4:00 p.m. on weekdays (a typical workday). Based on field observations, nearby uses are able to accommodate their parking demands due to the existence of on-street parking spaces in the area and the potential to accommodate three spaces on-site. Most of the uses including retail uses along San Fernando Road have on-site parking. The results of the field survey suggest that on-street parking generally exists throughout the day along San Fernando Road. Utilizing on-street parking would accommodate additional parking demand that will not be met on-site.

The applicant has indicated that dance instruction will be from 3:00 p.m. pm until 9:00 p.m. Monday through Friday. On Saturday's the studio will offer instruction from 10:00 a.m. until 2:00 p.m. and will be closed Sundays and on all major holidays. There will be two employees providing dance instruction with a maximum of 10 to 15 students per class age ranging from 5 to 16 years old. Based on the nature of the business, some students will be dropped off. In this case, there is no parking demand. On the other hand, for those drivers that need to park a vehicle either because they dropped off a student(s) or take lessons at the facility, there are potentially three parking spaces that will be proposed on-site and on-street parking is in front of the property along San Fernando Road to meet the parking demand. In a worst case scenario, if all 15 students were in attendance and were to require parking, based on the hours of operation and a condition to require a 15 minute break between classes, parking demand for 16 vehicles (including one employee) could be accommodated by utilizing both on and off-site parking.

Therefore, Parking Exception PPEX 1605726 is hereby **APPROVED**, subject to the following conditions:

CONDITIONS OF APPROVAL

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 Director of Community Development.

2. That all necessary permits shall be obtained from the Building and Safety Section and all construction shall be in compliance with the Glendale Building Code and all other applicable regulations.

3. That all signs require a separate sign permit.
4. That design review approval or exemption shall be obtained for any changes to the exterior of the building prior to the issuance of a building permit.

5. That no signs/banners shall be permitted to be attached to the existing wrought iron fence and gate.

6. That the facilities shall not be rented, leased or otherwise occupied for purposes not specified in this application.

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

8. That this parking exception is limited to the subject use, a physical instruction school (dance studio).

9. That the Parking Exception is valid only insofar as the specific use for which it was granted or similar land 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.

10. That any expansion or modification of the use, floor area, parking, etc., which is different than what is represented as part of this Parking Exception application, shall require a new application as determined by the Director of Community Development.

11. That any new rooftop equipment shall be appropriately screened from the public right-of-way.

12. That in order to avoid traffic congestion and increased parking demand for the limited on-site parking, the applicant shall provide a 15 minute break or transition between classes.

13. That a permit and final inspection shall be required for the striping of the parking lot in compliance with zoning and Building Codes prior to issuance of a Business Registration Certificate.

14. 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.

15. That adequate means shall be provided for the collection of solid waste generated at the site and that all recyclable items shall be collected and properly disposed of to the satisfaction of the Integrated Waste Administrator of the City of Glendale. No trash containers shall be stored in any parking, driveway, or landscaping area.

16. That no dance recitals shall be permitted on-site.

17. That no more than one class instruction shall be given at a time.

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 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 **May 6, 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 (COD), 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 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 or

the proposed operator, 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 parking exception permits.

To consider the revocation, the Community Development Department shall hold a public hearing after giving notice by the same procedure as for consideration of a parking exception permit at least ten (10) days' notice by mail to the applicant or permittee. Continuing jurisdiction over any case is the purview of the Director of Community Development.

GMC CHAPTER 30.41 PROVIDES FOR

TERMINATION
Every right or privilege authorized by a parking exception 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 exception 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 conditional 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, Milca Toledo, who acted on this case. She may be reached at 818-937-8181 or mitoledo@glendaleca.gov. This would include clarification and 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,

Philip Lanzafame
Director of Community Development

Erik Krause
Interim Deputy Director of Planning

PL:EK:MT:KA: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-(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/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); and case planner – Milca Toledo.