glendale california
City of Glendale
Community Development
Planning & Neighborhood Services

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October 3, 2016

Mr. Casey S. Hughes
1340 East 6th Street, #507
Los Angeles, CA 90021

RE: 1840 DANA STREET
PARKING EXCEPTION CASE NO. PPPEX1622340

Dear Mr. Hughes:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.32.020, the Director of Community Development has processed an application for a Parking Exception for the property located at **1840 Dana Street**, in the "IND" - Industrial Zone, and described as Portion of Lot 7 of Tract No. 13571, 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 conditions of approval.

PROJECT PROPOSAL

The proposed project consists of converting the existing 13,497 square-foot industrial warehouse building to a creative office space building (no changes to the exterior and no additions are proposed). The parking exception request is to allow the change of use without providing the required number of parking spaces per the Zoning Code. As proposed, the project will result in a three-space parking shortfall.

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

BACKGROUND AND SUMMARY

The project is located in the far west side of the City, on the south side of Dana Street, just east of Allen Avenue, in the former San Fernando Road Corridor Redevelopment Area. The site is zoned IND - Industrial, and all surrounding properties are also zoned IND and feature primarily industrial buildings. Creative office spaces are encouraged in this area by the Redevelopment Plan.

The subject industrial building was originally part of a larger industrial park composed of three buildings on contiguous lots under single ownership: 700 Allen Avenue, 1841 Flower Street and 1840 Dana Street. In 2009, several smaller buildings were demolished in the south-east corner of Allen Avenue and Dana Street to provide an on-site parking lot for the three industrial structures that were recently renovated in preparation of conversion to office space.

Prior to 2009, the 1840 Dana Street building (previously addressed as 1850 Dana Street) had no parking associated with its warehouse use and was grandfathered at one space per 1,000 square feet, per GMC 30.32.050.D (parking credit of a total of 13.5 grandfathered parking spaces). Per Section 30.32.030.5, when a change in use requires more off-street parking than the previous use, additional parking spaces shall be provided equal in number to the difference between the total number of spaces required by the new use and the number of spaces required for the immediately previous use. At that time of the site redevelopment, the proposed creative office space use required 2.7 spaces for every 1,000 SF, per GMC 30.32.050.B, for a total of 36.5 spaces for the proposed 13,497 SF office building at 1840 Dana Street. The subject building was provided 23 parking spaces in the common parking lot in 2009 in anticipation of the proposed change of use from warehouse to creative office (the difference between 36.5 required spaces and the 13.5 grandfathered spaces).

In 2012, a lot line adjustment application was submitted to modify the industrial park's lot lines to allow the three existing buildings to be stand-alone projects, which could be sold individually. Each of the three buildings was to have the required parking provided on each parcel site, except for Parcel 2 (1841 Flower Street), which had eight parking spaces provided in a parking lot on the south-west corner of Flower Street and Irving Avenue. Following a lengthy, complicated process spanning four years, the recordation of the Certificates of Compliance for the new lot lines and the required three easements (i.e. Covenant & Agreement - Reserve Reciprocal Easement, Covenant & Agreement to Maintain Parking Area Open to Sky, and Covenant & Agreement to Provide and Maintain Off-Site Parking) was completed in 2016. Following the sale of the Parcel 3 (1840 Dana Street) and upon application of the tenant improvement permit to convert the warehouse building to office space, it was discovered that reconfigured property lines encompassed only 20 on-site parking spaces, and not the 23 required for the conversion.

PARKING EXCEPTION REQUEST

The parking exception request is to allow the conversion of the existing 13,497 square-foot building to creative office space without providing the three additional parking spaces required by Code (GMC Section 30.32.030.5).

CODE REQUIRES

1) A total of 23 parking spaces are required for the change of use from industrial warehouse to office use for the existing 13,497 SF building (GMC 30.32.030.5 and 30.32.050).

APPLICANT'S PROPOSAL

1) To allow conversion of an existing 13,497 square-foot industrial building to creative office space by maintaining the existing 20 onsite parking spaces and without providing the three additionally required parking spaces.

REQUIRED FINDINGS

After considering the evidence presented with respect to this application, the Director of Community Development has determined that Parking Exception Case No. PPPEX 1622340, a request to allow the conversion of the existing 13,497 square-foot building to creative office space without providing the three additional parking spaces required by Code (GMC Section 30.32.030.5), for the building located at 1840 Dana Street, 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 required number of parking spaces to allow the conversion of the existing 13,497 square-foot industrial warehouse building to a creative office use cannot reasonably be provided on-site. The subject lot is 19,023 square feet in area and features 20 on-site parking spaces in addition to the 10,780 square-foot building footprint. The 20 on-site parking spaces are located to the west of the subject building, within the subject site's property lines. The driveway/drive aisle for these spaces is part of a common easement granting access throughout the larger parking lot at the corner of Allen Avenue and Dana Street. There is no area available on the subject site where additional parking can be provided without modifying the existing building and site plan.

The project site is located in the IND - Industrial Zone in the former San Fernando Road Corridor Redevelopment Project Area. The zoning allows for commercial and industrial development, including office uses. Creative office spaces are encouraged in this area by the Redevelopment Plan. The conversion of the existing building from its former industrial warehouse use to a creative office space was approved in 2009, in conjunction with the provision of 23 parking spaces for the subject building within the common parking lot. However, following a lengthy, complicated lot line adjustment process with the two adjacent lots (700 Allen Avenue and 1841 Flower Street), the property lines for the subject site ended up only encompassing 20 on-site parking spaces. As proposed, the conversion would result in a parking shortfall of three parking spaces, which cannot be accommodated on-site. Furthermore, the adjacent properties are all developed and cannot accommodate additional parking area for off-site parking to serve the proposed creative office use.

Therefore, the three required parking spaces cannot reasonably be provided on-site for the proposed redevelopment of the building without affecting the feasibility of the project.

B. The parking exception will serve to promote specific goals and objectives of the adopted plan for the former Central Glendale 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.

This project is consistent with the intent of the goals and objectives of the former Central Glendale Redevelopment Project Area. Applicable goals included upgrading and improving existing industrial buildings which help maintain the tax base and attract a variety of business activities. The Redevelopment Plan also called for a mix of uses and the prevention of blighting influences in the former Project Area. The proposed conversion of the existing industrial warehouse building will enhance the economic vitality of the area and is compatible to the types of adjacent businesses. The introduction of the creative office use will help revitalize and improve the economic welfare of the area.

The project is consistent with the elements of the General Plan. The land use designation of the subject site is Industrial and is zoned Industrial (IND), where office uses are permitted by right. Per the Zoning Code, the IND zone is applied to areas appropriate for live/work housing and industrial activities including, but not limited to, assembly, entertainment production, manufacturing, research and development, service, and testing activities, in conformance with the General Plan. The project involves converting a vacant warehouse building into a creative office space that will fulfill the intent of the Redevelopment Plan and also compliment the

surrounding businesses. The Circulation Element classifies Dana Street as a local street designed to provide access to adjacent properties and to carry traffic to Allen Avenue (Urban Collector) and Flower Street (Minor Arterial). This street will be able to accommodate the incremental increase in traffic the proposed use would generate and is consistent with the Circulation Element. The site is not designated as a future park or open space site in the Open Space and Conservation Element or the Recreation Element. The site is not in an active fault zone as shown in the Safety Element. For all these reasons, the project will be consistent with the various elements and objectives of the Glendale General Plan.

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 existing 10,780 square-foot building footprint covers most of the 19,023 square-foot site, with the remaining area devoted to the 20 on-site parking spaces. The existing site plan thus limits the possibility of altering the size and configuration of the structure to accommodate additional on-site parking.

Furthermore, the creative office use is not the standard 9:00 a.m. to 5:00 p.m. general office operation; per the applicant, the creative office is comprised of different employee teams that work on projects and these teams do not typically work concurrently, so the office is not fully occupied at all times of the day. The creative office use provides flexible work space, rather than a typical office use, and the hours are extended into the evening.

Therefore, there are exceptional circumstances that don not apply generally to other property in the area due the unique type of office use proposed and the lack of space on the site to add the three spaces onsite.

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 for a reduced number of parking spaces for this project will not be detrimental to the public welfare or other developments in the surrounding neighborhood. The parking exception request is for three parking spaces required as part of the conversion of the existing industrial building to a creative office use. Approval of a three parking space deficit is not expected to be detrimental to the public welfare or surrounding neighborhood, given that the surrounding, primarily industrial area with ample street parking.

Lastly, pursuant to GMC Section 30.32.020, approval of the parking exception is valid so long as the specific land use remains the same as at the time of permit issuance. The permit does not run with the land. Accordingly, the parking provided will be sufficient for the proposed use, and any potential future uses would need to obtain a new parking exception, if required.

Therefore, Parking Exception PPPEX 1622340 is hereby **APPROVED**, subject to the following conditions:

CONDITIONS OF APPROVAL

1. That the proposed establishment 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 as authorized by the Director of Community Development. Nothing in this approval letter shall authorize the proposed project to deviate from any other zoning code requirements that are not specifically advertised in this application.

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

3. That the Parking Exception is valid only insofar as the specific use for which it was granted. The permit runs with the creative office 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.

4. That a new Business Registration Certificate be obtained for an office use.

5. That any other changes on this project shall be subject to review and approval of the Director of Community Development.

6. That an expansion or modification of the tenant space or office building 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.

7. That access to the premises shall be made available to all City of Glendale Planning, Neighborhood Services Divisions, Police Department, and Fire Department staff upon request for the purpose of verifying compliance with all laws and conditions of this approval.

APPEAL PERIOD

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 (CDD) upon request and must be filed with the prescribed fee prior to expiration of the 15-day period, on or before **OCTOBER 18, 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

TRANSFERABILITY

This authorization runs with the land 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 Parking Exception, (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 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 Parking 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.

Extension
An extension of the Parking Exception 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 Parking Exception.

Cessation
A Parking Exception may be terminated by the review authority upon any interruption or cessation of the use permitted by the Parking Exception for one year or more in the continuous exercise in good faith of such right and privilege.

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, Vilia Zemaitaitis, who acted on this case. She may be reached at 818-937-8154 or vzemaitaitis@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

EK:VZ:AC: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 planners – Vilia Zemaitaitis and Allen Castillo .