



CITY OF GLENDALE, CALIFORNIA
COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division

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www.ci.glendale.ca.us

January 25, 2013

Susan Wong
Calstar Motors Inc.
110 East Maple Street
Glendale, CA 91204

&

Susan Wong
Calstar Motors Inc.
700 South Brand Boulevard
Glendale, CA 91204

Also Inform: Lisa Black
Representing the applicant
5776 Lintero Canyon Road, D-430
Westlake Village, CA 91362;

**RE: 110 EAST MAPLE STREET
VARIANCE CASE NO. PVAR1234411
(Mercedes Benz Dealership)**

Dear Ms. Wong:

On January 9 2013, 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 application to allow the installation of a new projecting sign, which exceeds maximum size and thickness requirements and which projects further into the right-of-way than otherwise permitted, located at **110 East Maple Street**, in the "CA" - Commercial Auto zone, described as Lot No. 179 MB 6 and Lot No. 9 MB 27-6; Portion of Lot No. 180 Grider and Hamiltons Lomita Park Tract, in the City of Glendale, County of Los Angeles.

APPLICANT'S PROPOSAL
Standards Variance

- (1) Allow a 25 square-foot projecting sign.
- (2) Allow a projecting sign, which is 11 inches thick.
- (3) Allow a projecting sign to encroach 4.5 feet into the public right-of-way.

CODE REQUIRES

Standards Variance

- (1) The area of a projecting sign shall not exceed six square feet.
- (2) A projecting sign shall not exceed a thickness of six inches.
- (3) A projecting sign shall not encroach into the public right-of-way more than three feet.

ENVIRONMENTAL RECOMMENDATION: Exempt.

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:

1. **Strictly applying the sign regulations will result in unnecessary hardship inconsistent with the intent of the ordinance.**

Sign regulations protect and enhance the physical appearance of the community, create a more attractive business climate and reduce obstructions that may contribute to safety hazards. The projecting sign will be 25 square feet in area. The parking structure along East Maple Street is 230 feet in length. While this sign is 19 square feet larger than permitted, only one projecting sign will be allowed on the East Maple Street façade of the building even though the extended street frontage of the building is significantly wider than a standard commercial frontage. The proposed 4.5-foot projection into the public right-of-way and 11-inch thickness is appropriate to maintain sign proportions. An unnecessary hardship would result since only one projecting sign is allowed for this extremely long building frontage.

2. **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 length of the building façade is the exceptional circumstance which warrants granting the requested variance. The extended length of the parking structure at 230 feet would typically be divided into four or five tenant spaces in most commercial districts within the city, each of which would be allowed one projecting sign. It is reasonable, therefore, to allow the one projecting sign proposed for this site to exceed permitted sign area, thickness and projection standards.

3. **The granting of the variance to allow installation of a projecting sign will not be detrimental to the public welfare or injurious to the property or improvements in the neighborhood.**

Neither the Engineering or the Traffic and Transportation Sections cited safety hazards related to the proposed sign. The projecting sign is 11 feet above the adjacent sidewalk, which will not create a pedestrian or automobile hazard. The proposed sign is simple, clean-lined and contemporary in appearance and is complementary to the style of the dealership and signs installed at this business.

4. The granting of the variance will not be contrary to the objectives of the ordinance.

Sign regulations are intended to protect and enhance the appearance of the community, and reduce obstructions that may lead to safety hazards. The projecting sign is the only projecting sign located on the parking structure, which has 230 feet of frontage on East Maple Street. In most commercial areas of the city, four or five businesses would occupy that length of street frontage. The projecting sign will be installed 11 feet above the sidewalk grade and the location of the sign will not contribute to obstructions, which may adversely impact automobile or pedestrian safety. The sign integrates well within the building façade thereby enhancing the look of the building and by extension the South Brand Boulevard neighborhood.

SUMMARY OF PLANNING HEARING OFFICER'S DECISION

The Planning Hearing officer was able to make all four required findings in favor of the variance application to all allow the applicant's request for a new projecting sign, which exceeds maximum size, thickness, and projection requirements based on the criteria for variances in Chapter 30.43 of the Glendale Municipal Code.

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 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 licenses, permits as required or approvals from Federal, State, County or City authorities including the City Clerk shall be obtained and kept current at all times.
3. That all necessary permits (i.e. building, fire, engineering, etc) shall be obtained from the Building and Safety section and all construction shall comply with the Glendale Building Code and all other applicable regulations.
4. That the premises shall be made available and accessible to any authorized City personnel for inspection to ascertain that all conditions of approval of this conditional use permit are complied.
5. That the applicant shall obtain an encroachment permit to allow the sign to project over the public right-of-way.

APPEAL PERIOD, TIME LIMIT, LAPSE OF PRIVILEGES, TIME EXTENSION:

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 Building and Safety Section upon request and must be filed with the prescribed fee prior to expiration of the 15-day period, on or before **February 11, 2013**, in the Building and Safety Division, 633 East Broadway, Room 101.

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

Variances 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 such variance

APPEAL FORMS available on-line
<http://www.ci.glendale.ca.us/planning/SubmittingAProject.asp>

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.

REVOCAION, CONTINUING JURISDICTION

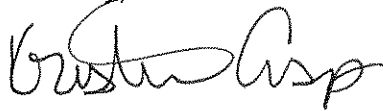
Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over variances and conditional use permits (individual cases heard and decided upon by the Planning Hearing Officer).

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 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.

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 (*Roger Kiesel at 818.937.8152*) 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,



Kristen Asp
Planning Hearing Officer

KA:sm

CC: City Clerk (K.Cortes); Police Dept. (Tim Feeley/Z.Avila); City Attorney's Dept. (G. van Muyden/M.Yun); Fire Prevention Engineering Section-(D.Nickles); City Engineer and Traffic & Transportation Section (Roubik Golanian/G.Tom); Director of Public Works and General Manager for Glendale Water and Power (Stephen Zurn); Glendale Water & Power--Water Section (R.Takidin); Glendale Water & Power--Electric Section (M.Kelley/M.Jackson); Parks, Recreation and Community Services Dept. (Emil Tatevosian); 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 – Roger Kiesel.