CITY OF GLENDALE, CALIFORNIA
Community Development
Planning

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glendaleca.gov

November 14, 2018

Arun K Jain
c/o Ankor Design Development & Construction, Inc.
737 Foothill Boulevard
La Crescenta, CA 91011

RE: ADMINISTRATIVE EXCEPTION CASE NO. PAE 1821739
1300-1310 South Central Avenue

Dear Mr. Jain:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.44 an Administrative Exception has been processed to allow a one-foot reduction, or 20 percent deviation, from the required five-foot interior setback of a trash enclosure, as required by Table 30.12 - B of Chapter 30.12.130 of the Glendale Municipal Code. The subject property is located at **1300-1310 South Central Avenue**, in the C3 I (Commercial Services, Height District I) Zone, and described as Portions of Lots 4 -7, Vine Cottage Tract, in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL DETERMINATION: This project is exempt from environmental review as a Class 3 "New Construction" exemption (Section 15303 (e) of the State CEQA Guidelines), as the proposal involves the construction of an accessory structure.

REQUIRED/MANDATED FINDINGS

After considering the evidence presented with respect to this application, the plans submitted therewith, the Community Development Department has been **APPROVED WITH CONDITIONS**, your application based on the following findings:

A. The granting of the exception will result in design improvements, or there are space restrictions on the site that preclude full compliance with the Code requirements without hardship.

The subject property is approximately 22,275 square-feet and located at the southeast corner of South Central Avenue and West Cypress Street. The site is developed with a one-story, 7,033 square-foot, medical office building (constructed in 1964) and is serviced by 36 at-grade parking spaces on the remaining portions of the subject property.

On April 27, 2017, the Design Review Board approved a new three-story, 6,792 square-foot medical office building above the existing parking lot on the subject property. The existing medical office building will be maintained. On April 9, 2018, the plans for this project were submitted to the Building & Safety Division for plan check (Building Permit No. BB1807550). The Public Works Integrated Waste Division commented that the interior dimensions for the trash enclosure servicing the project site did not comply with minimum interior standards (8-feet, 6-inches by 18-feet) to accommodate either a one cubic yard trash container (or two 96 gallon trash containers) and two, 64 gallon containers for recycling and organics. Since the ground level will be primarily occupied by required parking, the applicant is requesting to locate the trash enclosure with a one-foot reduction from the required five-foot interior setback to accommodate a wider trash enclosure.

There are space restrictions on the property that prohibit an increase in the width of the trash enclosure because the remaining portions of the site are occupied by required existing and proposed parking spaces. No parking spaces can be eliminated because the site will contain the minimum number of spaces required and no space can be modified since all are configured at code minimum dimensions. To provide a wider trash enclosure within the confined area without eliminating required parking spaces, the applicant proposes an inconsequential reduction to the interior setback for the trash enclosure (four-feet proposed; five-feet required). The minor 20-percent reduction for the interior setback for the trash enclosure will result in a functional trash enclosure design that will allow Integrated Waste to service the site, as well as preserve the minimum amount of parking spaces required for the existing and proposed commercial buildings.

B. The granting of the exception 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 granting of an administrative exception to allow a 20-percent deviation to the required interior setback (four-feet proposed; five-feet required) for a new trash enclosure will not be materially detrimental to the public welfare or injurious to the property or improvements in the C3 zoned neighborhood in which the property is located because the reduced interior setback will allow a wider trash enclosure with interior dimensions satisfying City standards for storing trash, recycling and organic containers. While the container door configuration for the trash enclosure does not provide adequate access for trucks (7-foot wide proposed; 15-foot wide required), a condition will be added to approval of this project requiring all waste bins and carts to be pulled out and returned after service.

Additionally, the minor one-foot interior setback reduction for the trash enclosure will not be materially detrimental to the abutting residential property to the east because the trash enclosure will be separated by an existing approximately 4-foot tall block wall with approximately 3-feet, 6-inches of new landscaping to provide a buffer between the two uses. The trash enclosure will be located on the lot where an existing trash enclosure services the site currently and will not introduce a new ancillary use to this area of the property.

C. The granting of the exception will not be contrary to the objectives of the applicable regulations.

The purpose of the administrative exception procedure is to provide a simplified means of considering applications for minor deviations from Zoning Code standards. These

standards have been developed to allow reasonable use of properties in order to promote the public health, safety, and general welfare.

The intent of a setback requirement is to maintain appropriate light, air, circulation, and privacy among properties. The applicant's request is to allow a one-foot reduction, or 20 percent deviation, from the required five-foot interior setback for a trash enclosure along the western interior property line. The granting of an administrative exception will not be contrary to the objectives of the code because the new trash enclosure will be located at the same location as the existing trash enclosure and will include a four-foot wide landscaped area along the western property line maintaining adequate spacing between the properties. Furthermore, allowing a minor deviation from the required interior setback will avoid conflicts with other code sections, such as minimum amount of parking spaces, minimum parking stall dimensions and standards for the storage of trash, recycling and organic containers. Therefore, granting this exception will not be contrary to the objectives of the applicable regulations.

CONDITIONS OF APPROVAL

APPROVAL of this Administrative Exception shall be subject to the following conditions:

1) That the development shall be in substantial accord with the plans presented in conjunction with the application for the Administrative Exception, except any modifications as may be required to meet specific Code standards or other conditions stipulated herein to the satisfaction of the Community Development Director.

2) That all necessary permits (i.e., building, fire, engineering, etc.) 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 any expansion or modification of the trash enclosure which is different than what is represented as part of this Administrative Exception approval shall require a new application. Expansion shall constitute extended walls or any physical change as determined by the Hearing Officer.

4) That Design Review approval or exemption shall be obtained prior to the issuance of a building permit.

5) That the premises, including landscaping areas, be maintained in a clean orderly condition, free of weeds, trash, and graffiti.

6) That it is the responsibility of the property owner to remove all waste bins and carts from the trash enclosure for trash, organics and recycling collection services, and it is also the responsibility of the property owner to return all waste bins and carts back into the trash enclosure after service.

APPEAL PERIOD, TIME LIMITS, LAPSE OF PRIVILEGES, TIME EXTENSIONS

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 (CDD) upon request and must be filed with the prescribed fee **prior to expiration of the 15-day period, on or before November 29, 2018** at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday thru Friday from 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 5:00 p.m.

GMC CHAPTER 30.41 PROVIDES FOR

TERMINATION: Every right or privilege authorized by an Administrative 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.

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

EXTENSION: Permits 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 the administrative exception.

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.

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.

REVOCATION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over variances, conditional use permits and administrative exceptions. To consider the revocation, the Director of Community Development shall hold a public hearing after giving notice by the same procedure as for consideration of a variance at least 10 days notice by mail to the applicant or permittee.

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 first and then, the 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.

You may contact the case planner, Dennis Joe, during normal business hours at (818) 937-8157 or via e-mail at djoe@glendaleca.gov.

Sincerely,

Roger Kiesel
Senior Planner

RK:DJ:sm

CC: City Clerk (K.Cruz); Police Dept. (A.Jenks/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(J.Halpert); Traffic & Transportation Section (Larry Tan/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 (Rene Sada); 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 – Dennis Joe