CITY OF GLENDALE, CALIFORNIA
Community Development
Planning

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December 13, 2018

Ellie Bae
3628 Foothill Boulevard
Glendale, CA 91214

RE: 3628 FOOTHILL BOULEVARD
PARKING REDUCTION PERMIT NO. PPRP1810814
(In-Art)

Dear Ms. Bae:

On November 28, 2018, the Planning Hearing Officer conducted and closed a public hearing, pursuant to Section 30.50.040, subsection D. of the Glendale Municipal Code, on your application for a Parking Reduction Permit No. PPRP1810814, requesting to operate an after school academy (In-Art) providing art tutoring in an existing 2,352 square-foot, two (2)-story building, providing four (4) on-site parking spaces, where nine (9) spaces are required, in the "CH" - (Commercial Hillside) Zone described as Portion of Lot 27 of LS Map in Book 14, Pages 27 and 28, in the City of Glendale, in the County of Los Angeles.

CODE REQUIRES

(1) Nine (9) on-site parking spaces are required at this location for a change of use from office (2.7 spaces per 1,000 square feet) to private specialized school (four (4) spaces per 1,000 square feet of floor area, with no classroom seating). A parking reduction permit is required when a use cannot provide the necessary parking on-site.

APPLICANT'S PROPOSAL

(1) A Parking Reduction Permit to allow a private specialized school (In-Art) without providing the required parking.

ENVIRONMENTAL DETERMINATION

The project is exempt from CEQA review as a Class 3, Conversion of Small Structures exemption pursuant to State CEQA Guidelines Section 15303 because it is for a change of use with only minor interior modifications and the structure is less than 2,500 square feet in floor area.

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 parking reduction application based on the following:

For a parking reduction permit based on findings pursuant to Section 30.50.040, subsection D. regarding any other circumstance where the applicant wishes to request a parking reduction. Such reduction may be granted where the review authority finds that:

1. The parking need for the land use is not as great as for similar land uses or the parking requirement for the land use established in the Zoning Code is greater than what will be needed by the land use. Presently, the 2,352 square-foot building provides four on-site parking spaces at the rear of the property. In 1988, a Certificate of Occupancy was issued by the City to operate a general office use - this is the most recent certificate issued for the operation of a single use (an office) in the approximately 2,352 square-foot building. For purposes of calculating parking for the entire 2,352 square-foot office use, the following applies: the previous 2,352 square-foot office use required six spaces (2.7 spaces/1,000 square feet of floor area). The change of use to a private specialized education/training school requires nine (9) spaces (4 spaces/1,000 square feet of floor area - without classroom seating). As proposed, given the change of use and size of instruction area of 2,352 square feet, the project will result in a parking shortfall of three spaces.

   The parking requirement of 4/1000 square feet of floor area is greater than what will be required by the proposed use due to the business' characteristics - hours of operation, specialized instruction, limited number of employees and majority of enrollment of school-age children. The proposed use is for a single tenant for purposes of operating an after school academy for art instruction and tutoring (private specialized education/training) with limited hours of operation. Art instruction will generally be one-to-one by appointment only with a maximum of two instructors on-site at any given time during the school's operation. It is expected that four to five students will be scheduled for appointments per day. The appointments will range from 30 minutes to two hours depending on the type of art review. A significant amount of area is used only in the art gallery on the lower level, which provides special lighting to review student's art work. The students will be comprised of grades kindergarten through twelfth grade and the majority of students will be dropped off and picked up by their parents. The school will operate weekdays (Tuesday through Friday) from 4:30 p.m. to 7:30 p.m. and Saturday from 10:00 a.m. to 4:00 p.m. The remainder of the time the school will not be used. While the change of use will necessitate three additional parking spaces, given the businesses' characteristics and operation as described above, it will not generate the parking need of a typical private specialized education/training school because the nature of this business operates by appointment only, students are generally dropped off and picked up by parents and the limited number of employees. Therefore, the number of spaces needed for the land use will be provided.

2. The intent of the parking regulations, in compliance with all other applicable provisions of this Chapter, is met. It is the intent and purpose of the parking regulations to provide for the general welfare and convenience of persons utilizing the various uses within the city through the provisions of suitable off-street parking and protect the public safety by reducing traffic congestion on the public streets. As described in Finding 1, the nature of the proposed business will not generate the same need for parking as a typical private specialized education/training school with classroom seating. Rather, the proposed school will provide art instruction (without classroom seating) with one to two instructors per student by appointment only with a maximum of two instructors on-site at any given time during the school's operation. Further, approximately four to five students will be scheduled for appointments per day.

   The existing building was constructed in 1979 with three on-site parking. Currently, there are four on-site parking spaces. For nearly 30 years, the existing building has operated a general office use without any noticeable impacts to the surrounding neighborhood and uses. Though the change of use from an office to a private specialized education/training school (art tutoring academy) would result in a three space shortfall, this shortfall will not have a significant impact on the surrounding uses, and therefore, will not impede their normal operations. According to the operator, two of the four on-site parking spaces will be used for the instructors and the remaining two spaces will be available for either students or parents, however it is expected that the majority of the students will be dropped off. Therefore, the intent of the parking regulations to provide sufficient on-site parking will be met since the business characteristics and operation is not expected to demand more than the existing four parking spaces. In addition, traffic circulation will continue to meet City standards as no changes will be made to the existing driveway and parking area or nearby street network.

3. Sufficient parking would be provided to serve the art tutoring academy, a private specialized education/training school, intended and potential future uses of the subject parcel. As noted above, the existing building has operated as an office use for nearly 30 years without notable parking issues. Therefore, the existing four parking spaces provided for the new use are expected to be sufficient given the project's characteristics. The proposed art school will be occupied by one tenant and operate with limited hours with a maximum of two instructors on-site at one time. According to the applicant, the instructors provide one-to-one instruction by appointments only and the number of students on-site at a time is expected to be one to three people. While there are four existing on-site parking spaces to serve the use, it is expected that only two spaces will be used for the instructors since most of the students will be dropped off. Therefore, the operation of the school will not increase the need for additional parking given the business' characteristics described above. The conditions of approval require that the parking reduction permit is valid for the specific use for which it was granted or similar land use (as determined by the Planning Hearing Officer in concurrence with the Director of Community Development). The permit will run with the specific land use as long as there is not intensification of the use or that other uses proposed will not require more parking as provided herein as determined by the Planning Hearing Officer. In addition, any expansion or modification of the facility or use which intensifies the existing use shall

require a new Parking Reduction Permit application. Therefore, the existing four parking spaces would be sufficient parking provided for the proposed and future use of the building. Further, no major concerns were expressed by other departments or presented at the public hearing that the change of use to an art tutoring academy (private specialized education/training) while maintaining four on-site parking spaces, where three additional spaces are required, would present a significant parking impact to this area.

CONDITIONS OF APPROVAL

APPROVAL of this Parking Reduction Permit shall be subject to the following conditions:

1. 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 Planning Hearing Officer.

2. All necessary licenses or permits as required from Federal, State, County or City shall be obtained and kept current at all times, including a Business Registration Certificate from the City of Glendale.

3. The facilities shall not be rented, leased or otherwise occupied for purposes not specified in these applications.

4. The parking reduction permit is valid for the specific use for which it was granted or similar land use (as determined by the Planning Hearing Officer in concurrence with the Director of Community Development). The permit runs with this specific land use as long as there is not intensification of the use or that other uses proposed will not require more parking as provided herein as determined by the Planning Hearing Officer.

5. Any expansion or modification of the facility or use which intensifies the existing use shall require a new Parking Reduction Permit application. Expansion shall constitute adding floor area, changes to the use or operation, or any physical change as determined by the Planning Hearing Officer, with concurrence from the Director of Community Development.

6. The premises shall be maintained in a clean and orderly condition, free or weeds, trash and graffiti.

7. That all signs displayed shall conform to the requirements of the Glendale Municipal Code.

8. That no outside storage shall be allowed on the site.

9. That a Business Registration Certificate shall be applied for and issued for the Art tutoring academy (private specialized education/training school).

10. That a maximum of three (3) instructors providing instruction be allowed at any given time.

11. That a maximum of five (5) students receiving instruction be allowed at any given time.

12. That the business shall adhere to the following hours when providing instruction: weekdays from 3:30 p.m. to 7:30 p.m. and weekends from 10:00 a.m. to 4:00 p.m.

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

14. An Acceptance Affidavit accepting the parking reduction permit and all its conditions shall be signed and notarized and submitted to the Planning Hearing Officer prior to the issuance of a Business Registration Certificate.

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 (CDD) upon request and must be filed with the prescribed fee prior to expiration of the 15-day period, on or before **DECEMBER 28, 2018,** at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday thru Friday 7:00 am to 12:00 pm, 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 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 30.16.610 of the Glendale Municipal Code, 1995, provides for the Director of Community Development to have continuing jurisdiction over any Parking Reduction Permit which is or has been granted and may revoke any Parking Reduction Permit in whole or in part at any time for failure to comply with any condition or requirement imposed at the time of approval.

GMC CHAPTER 30.4 PROVIDES FOR

Termination
Every right or privilege authorized by a Parking Reduction 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 Reduction 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.

Cessation
A Parking Reduction Permit may be terminated by the review authority upon any interruption or cessation of the use permitted by the Parking Reduction Permit 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. 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.

You may contact the case planner, Kathy Duarte, during normal business hours at (818) 937-8163 or via e-mail at kduarte@glendaleca.gov.

Sincerely,

Milca Toledo
Planning Hearing Officer

MT:KD: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 (P.Casanova); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S. Boghosian/R.Takidin); Glendale Water & Power--Electric Section (B. Alshanti/B.Ortiz/E.Olsen); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (R.Sada/J.Jouharian/); Integrated Waste Management Admin. (D. Hartwell); Maintenance Services Section Admin. (D. Hardgrove/J.Cawn); Street and Field Services Admin.; Engineering and Environmental Management (C.Chew/R. Villaluna); June Choe; and case planner Kathy Duarte.