CITY OF GLENDALE, CALIFORNIA
Community Development
Planning

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April 15, 2019

Nareg Khodadadi
213 North Orange Street, Suite E
Glendale, CA 91203

RE: 328 NORTH ORANGE STREET
PARKING EXCEPTION CASE NO. PPPEX 1819140
(DIRECTOR OF COMMUNITY DEVELOPMENT REVIEW)

Dear Mr. Khodadadi:

Pursuant to Chapter 30.32.020, the Director of Community Development has processed an application for a Parking Exception for the property in the "DSP/MO" – Downtown Specific Plan/ Mid Orange District, located at **328 North Orange Street**, and described as Lot 29, Block 7, Glendale Park Tract, 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.

PROJECT PROPOSAL

The proposed project consists of adding 4,537 square feet of new general office area to an existing retail building, located at 328 North Orange Street. This new general office area is comprised of utilizing 2,262 square feet of open area (shell) on the second floor that, per City records, was never included in the original floor area for the building. In addition, the applicant is proposing to add 2,275 square feet of general office in front of the previously mentioned building shell. Both areas are above and within the existing first floor footprint. While the office space in the front will be visible from the street there will be an 870 square foot open balcony that provides some building modulation between the first floor and the second floor. The second floor addition is currently being processed as an Administrative Design Review application, where scale, massing, and architectural details will be evaluated. The parking exception request is to allow the added general office area without providing the additional nine (9) parking spaces required by Code.

ENVIRONMENTAL DETERMINATION
Categorically Exempt. The project is exempt from CEQA review as Class 1 "Existing Facilities" exemption pursuant to State CEQA Guidelines Section 15301 because this application is for an addition to an existing retail building that is less than 6,000 square feet for proposed general office use. While there is a proposal to utilize an existing open area (shell)

and add 2,275 square feet on the second floor of the tenant space, these two areas are within the footprint of the existing building. There will be a change to the façade of the building in as much as a new second floor will be added. This is currently being processed through the Design Review process. A parking exception is being processed concurrently to address the inability to provide the required parking.

SUMMARY AND BACKGROUND

The project is located on the east side of Orange Street between Lexington Drive and California Avenue. The site and adjacent properties along the east side of Orange Street are zoned DSP/MO – Downtown Specific Plan, Mid Orange District. The properties to the east, across the alley, are zoned DSP/AT – Downtown Specific Plan, Alex Theatre District and the properties across Orange Street, to the west, are zoned DSP/OC – Downtown Specific Plan, Orange Central District. This subject zone allows for a complementary/accessory service and retail businesses at the street level that support corporate headquarters, hotels, mixed-use and residential buildings located in this district. The existing retail store and proposed general office are consistent with the "DSP", Mid Orange District zone. Presently, there are no parking spaces on-site, there is on-street parking along Orange Street, and there are three City-owned public parking lots (lot #2, lot #6, and the Orange Street Garage) within the vicinity of the subject property, all available to the proposed general office space. There are approximately 625 parking spaces in the Orange Street garage which can accommodate the nine (9) space deficiency for the proposed general office area.

The existing building is two stories; however, the existing second floor is not recognized as floor area for the subject building and appears to be a shell space. The first floor was previously used as a medical supply store which has been replaced with a market adjacent to Orange Street and general office space located in the rear of the building. The applicant is proposing to do a tenant improvement to create two new tenant spaces on the second floor. Both of the new spaces will be general office use.

PARKING EXCEPTION REQUEST

The applicant is requesting a parking exception to allow the creation of two general office tenant spaces on the second floor without providing the required parking. One of the spaces is a conversion of shell space that was never recognized as floor area, which will be 2,262 square feet. This space is located at the rear of the subject building, along the east side. In addition, the applicant is proposing to add another general office space that would be 2,275 square feet located toward the western side of the property, adjacent to Orange Street.

GMC Section 30.32.050 requires that all new projects shall provide a minimum of two parking spaces per 1,000 square feet of general office area in the DSP zone. The two areas being added total about 4,537 square feet. According to GMC 30.32.030.B.1, the addition of these two tenant spaces to be used for general office would require an additional nine on-site parking spaces, which cannot be accommodated on the subject site.

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

1819140, a request to allow for the addition two tenant spaces of about 4,537 square feet to be used as general office without providing nine additional on-site parking spaces, located on the second floor of an existing retail space at 328 North Orange 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, and number of spaces or locations specified by the provisions of this title without impairment of the project's viability;

The scope of the project and the existing conditions of the site result in practical difficulties that impair the project's viability if the strict requirement for number of parking spaces were applied.

The subject site is located within the city's downtown core, an urbanized area consisting of old and new buildings. In the most cases, these buildings are constructed to the property line in order to encourage pedestrian activity and create a lively streetscape. Many of these older buildings were built to a different set of zoning standards and many are legal nonconforming in a number of requirements, including parking.

The 7,750 square feet project site is zoned DSP Mid-Orange District and is located in the former Central Glendale Redevelopment Project Area. The Central Project Area was established with the intent of revitalizing the community's central core through the creation of a dynamic and diverse downtown; the Downtown Specific Plan continues to implement that vision. In addition to providing a framework to guide responsible growth and development in Downtown Glendale, the DSP supports a variety of economic activities and mixed use development, including very dense urban housing, to provide a diverse downtown climate, seeks to preserve the distinctive character of each of the DSP's districts, and encourages quality urban design. The zoning promotes a variety of commercial and residential development, and allows for general office uses by right. The subject building has housed a retail store, since its construction in 1955.

The proposal is to create two general office tenant spaces on the second floor. The proposed office areas result in a parking space deficiency of nine (9) spaces. The resulting increase in the number of required parking spaces, however, cannot be accommodated onsite given the current building footprint and site plan. There is no physical room to provide any additional parking on the property. Furthermore, the adjacent lots are all fully developed so no additional area is available to be used for off-site parking for the proposed use. There is on-street parking along Orange Street, and there are three City-owned public parking lots (lot #2, lot #6, and the Orange Street Garage) within the vicinity of the subject property, all available to service the general office. Further, there are approximately 625 parking spaces in the Orange Street garage which can accommodate the nine (9) space deficiency in this request.

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 include promoting the general welfare and economic well-being of the area. The general office spaces at this location provides diversity to the project area while being consistent with and complimentary to other uses.

The project is consistent with the elements of the General Plan. The Land Use Element encourages a vibrant array of commercial (retail, service, office, entertainment) uses, in addition to very high density, urban housing and mixed use developments. The project involves the creation of two general office tenant spaces that serves the community. The Circulation Element classifies Orange Street as an Urban Collector that can accommodate the traffic and circulation patterns for this commercial land use. 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 size and location of the site are the exceptional circumstances which warrant granting the requested parking exception. The site is a modest 7,750 square feet and is surrounded by Orange Street to the west, a two-story building to the south, a two story parking structure to the north and an alley to the east. No additional adjacent land can be purchased to provide space for additional parking. Many of the adjacent neighbors and other lots in the immediate area along Orange Street are built with very limited parking spaces on site or none at all, because the buildings occupy most of the lot area. The site is not large enough to accommodate on-grade parking or an underground garage, which even if feasible, would require access directly from the alley, when virtually all the mid-block structures along Orange Street are narrow (50 foot linear frontages), are built with zero lot lines which, for a site planning perspective, do not provide the opportunity for vehicular access directly from Orange Street or the rear alley. Furthermore, such access would disrupt the pedestrian orientation and intimate-scale of traditional storefronts in this part of downtown and would be inconsistent with the DSP.

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 nine space parking reduction will not be detrimental to the public welfare or other developments in the surrounding neighborhood. The parking exception request for nine spaces for the addition of two general office tenant spaces, involves a tenant improvement to the shell portion of the building as well as adding an office space toward the front of the building. There is parking provided within the nearby public parking lots located within walking distance on Orange Street. Therefore, the approval of a parking exception for nine parking spaces will not be detrimental to the public welfare or surrounding neighborhood.

CONDITIONS OF APPROVAL

Therefore, Parking Exception PPPEX 1819140 is hereby **APPROVED**, subject to the following conditions:

1. That the development 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 and 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 general 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 any expansion or modification of the uses 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.

5. That a trash enclosure shall be provided at the rear of the building adjacent to the alley subject to the approval of Planning, Building and Safety, and Integrated Waste Management Departments.

6. That the project shall be required to reviewed and approved through the Design Review Board process, which includes Administrative review.

7. That all future tenants to occupy the building shall obtain a Business Registration Certificate (BRC) prior to occupancy or approval of any tenant improvement building permits.

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 Building and Safety Division upon request and must be filed with the prescribed fee prior to expiration of the 15-day period, on or before **May 1, 2019**, in the Building & Safety Division, 633 East Broadway, Room 101.

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.

CESSATION
Any 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, Bradley Collin, who acted on this case. He may be reached at 818-548-3210 or bcollin@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,

Laura Strexler for

Philip Lanzafame
Interim Director of Community Development

PL:LS:BC: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 - Bradley Collin.