CITY OF GLENDALE, CALIFORNIA
Community Development
Planning

633 E. Broadway, Suite 103
Glendale, CA 91206-4311
Tel. (818) 548-2140 Fax (818) 240-0392
glendaleca.gov

August 20, 2020

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

RE: 744 SOUTH GLENDALE AVENUE, UNIT 1
PARKING REDUCTION PERMIT NO. PPRP1621936
(Live, Love, Play – Children's Indoor Play Area)

(SEE ALSO: PPRP 1809672)

Dear Mr. Khodadadi:

On February 5, 2020 and continued to February 26, 2020, the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.50, on your application for a Parking Reduction Permit to allow a reduction of fourteen (14) parking spaces for a change in use from a day care center to a children's indoor play area without providing the minimum required number of on-site parking spaces in an existing 3,529 square-foot, commercial tenant space, within an 8,486 square-foot building, on a 24,710 square-foot site located in "C3" - Commercial Service, Height District I Zone, located at **744 South Glendale Avenue – Unit #1,** described as the north half of Lot 16 and the south half of Lot 17, and Lots 14 – 15 of the Glendale Garden Home Tract, in the City of Glendale, County of Los Angeles.

CODE REQUIRES

(1) A Parking Reduction Permit is required when a use cannot provide the necessary parking on-site. As proposed, 14 additional parking spaces are required for the change in use from a day care center to a children's indoor play area.

APPLICANT'S PROPOSAL

(1) To allow an indoor children's play area in an existing tenant space without providing the required 14 additional on-site parking spaces.

ENVIRONMENTAL DETERMINATION

The project is exempt from CEQA review as a Class 1 "Existing Facilities" exemption pursuant to State CEQA Guidelines Section 15301 (e) (1) due to a change in use from a day care center to a children's indoor play area without providing the minimum number of required parking spaces.

After considering the evidence presented with respect to this application, the Planning Hearing Officer has **APPROVED WITH CONDITIONS** your request based on the following findings:

REQUIRED/MANDATED FINDINGS

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report by the Community Development staff thereon, and statements made at the public hearing with respect to this application, this Parking Reduction Permit application is **APPROVED** based on the following:

GMC 30.50.040 FINDINGS OF FACT

D. FOR 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.

The parking requirement for the use established in the Zoning Code is greater than what will be needed for this particular children's indoor play area because it is located along a busy commercial corridor with several bus routes, adjacent to dense residential development, the submitted parking analysis identified vacant on-site parking spaces and the use of valet parking during peak periods to park on neighboring business' lots.

The children's indoor play area (Live, Love, Play) is located within a tenant space in an 8,486 square-foot multi-tenant building. The building is located in the eastern portion of the site and the subject business is located in the northern portion of the building. The site is adjacent to South Glendale Avenue to the west and Windsor Road to the south. The drive aisle and parking orientation are arranged such that there is one way into the site and one way out of the site. Entrance to the site is from Glendale Avenue; exit from the site is onto Windsor Road. There are 23 on-site parking spaces.

The applicant is requesting a parking reduction permit to allow the children's indoor play area to locate on the site (it is currently operating without the proper approval and a business registration certificate) without the minimum number of parking spaces required by the Zoning Code. Children's indoor play areas require 10 parking spaces per 1,000 square feet of floor area. The indoor play area is 3,529 square feet, which includes the 2,596 square-foot main activity room, an adjacent 445 square-foot office and one-half of the 976 square-foot common bathroom area (shared by the other tenant). The indoor play area would, therefore, require 35 parking spaces (3,529 sf. tenant space/1,000 sf. x 10). However, the Zoning Code provides that 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. The immediate previous use of the tenant space was a day care center, which requires three parking space per 1,000 square feet of floor area or a total of eleven (11) parking spaces. Therefore, the proposed children's indoor play area requires a total of 24 parking spaces. The site contains 23 parking spaces; however, these spaces are shared with another tenant (Tarme, a fast food restaurant, is also requesting approval of a parking reduction permit – see PRP No. 1809672). The 3,529 square-foot tenant space in which the indoor play area is located represents approximately 42% of the area of the building. "Assigning" 42% of the on-site parking spaces to the indoor play area would result in 10 on-site parking spaces (23 x 0.42) provided. Therefore, the children's indoor play area is requesting a parking reduction permit for 14 parking spaces (24 spaces required – 10 spaces provided).

The subject site, located at 744 South Glendale Avenue, is adjacent to a heavily-traveled street and a relatively dense residential development. Metro (bus) lines 90 and 91 run adjacent to the subject site along Glendale Avenue and Beeline (City bus) lines 1, 2 and 11 run within walking distance. Residential areas around the site are zoned R-1650 and R-2250, which allow development of between 19 to 26 dwelling units per acre. Characteristics of the neighborhood, including transit availability and population density make alternative forms of transportation to and from the site feasible. As documented in the Parking Analysis prepared by JB and Associates, LLC and submitted by the applicant, it was observed that in any given shift two to three employees of the businesses (both the children's indoor play area and the fast food restaurant) utilize these public transportation options to arrive to or depart from the site. Similarly, patrons from the surrounding large, dense residential areas can walk to the site. These facts will incrementally reduce demand for on-site parking from that required by the Zoning Code.

According to the website of the children's indoor play area, its hours of operation for open play, where anyone from the public can patronize the business without having a reservation for a private party, are from 10:00 am – 7:00 pm on weekdays. No open play is available during the weekend. Private parties are available from 6:30 pm – 8:30 pm during the weekdays and from 11:00 am – 7:00 pm (three time slots) during the weekend. According to the applicant, the vast majority of private parties take place during the weekend. Fewer customers patronize the facility during open play time and, thus, generate sporadic, less intense parking demand while private parties produce a higher, more intense parking demand due to the organized nature of the event. This fact is demonstrated by findings contained in the submitted parking analysis, whereby there is a range of vacant parking spaces during the week while during the weekend there are times when the number of cars valeted exceeds the number of vacant spaces on the subject site. Results from the submitted parking analysis suggest that the parking need for the indoor play area is not as great as what is required in the zoning ordinance during times where private parties are not taking place. However, when private parties are occurring, other methods to ensure sufficient parking is present are needed.

In conjunction with the traffic study and other factors having to do with the site and surrounding area, a total of twelve (12) additional parking spaces for the entire site and both current uses (Live, Love, Play, the children's indoor play area and Tarme, the fast food restaurant) are needed, in addition to the 23 spaces currently on the site. As previously mentioned, the parking analysis acknowledges the use of valet parking under certain circumstances while the indoor children's play area is open. The applicant also submitted a valet plan along with their application. The submitted plan delineates an additional twelve twelve (12) parking spaces (in conjunction with the existing 23 spaces) that can be provided on the site. However, the valet plan potentially hinders disabled access to both uses on the site as well as the southern entrance to the fast food restaurant. It also renders approximately nine marked spaces within the parking lot useless without the assistance of a valet, leaving only 14 spaces that can be accessed and exited by a private automobile driver not utilizing valet. Through modification of the submitted valet plan, that does not block disabled access or building ingress/egress, an additional five parking spaces (instead of the proposed 12 spaces) can be created on the site, minimizing disruption of already marked spaces. The seven additional parking spaces are needed to meet anticipated demand (although not meeting minimum parking requirements provided in the Zoning Code) and need to be provided at an off-site location with submission and approval of a parking use permit application.

2. **The intent of the parking regulations, in compliance with all other applicable provisions of this chapter, is met.**

The intent of the parking regulations, in compliance with all other applicable provisions of this Chapter, is met because the project will provide 23 parking spaces on-site and, as conditioned, employ a valet service and provide off-site parking spaces, through application and potential approval of a parking use permit. The intent of the parking regulations is to provide suitable off-street parking and protect the public safety by lessening traffic congestion. The site on which the children's indoor play area (along with the fast food restaurant) is located provides 23 parking spaces on site. While the submitted valet plan shows that an additional twelve (12) parking spaces can be provided on site, the delineated plan potentially hinders disabled access to both uses and the southern entrance to the fast food restaurant. Approximately nine marked spaces within the parking lot are useless without the assistance of a valet, leaving only fourteen (14) spaces that can be accessed and exited by a private automobile driver. Additionally, as shown on the valet plan provided, a bottleneck is potentially created at the entrance to the site from Glendale Avenue, given the short on-site aisle length and locations of the valet podium and several of the potential tandem parking spaces. This situation would impede public safety along adjacent Glendale

Avenue, in opposition to an intent of the parking regulations. However, modifying the submitted valet plan to accommodate five additional parking spaces (instead of the now-proposed 12 spaces) will alleviate the bottleneck and minimize disruption of already-marked spaces. The seven additional parking spaces needed to meet anticipated demand (although not meeting minimum parking requirements provided in the Zoning Code) would

need to be provided at an off-site location with submission and approval of a parking use permit application. Approval of a parking use permit for seven spaces is a condition of approval of the subject parking reduction permit. It is important to note that approval of a parking use permit application by the Director of Community Development is not guaranteed and without its approval, the current parking reduction permit cannot be implemented. In addition to conditions concerning operating a valet service and submission and approval of a parking use permit, other conditions, including limiting the occupancy of the offices within the building to that of the existing tenants (not additional tenants) and requiring employees to park on-site are included so the intent of the parking regulations are met.

3. **Sufficient parking would be provided to serve the use intended and potential future uses of the subject parcel.**

Sufficient parking would be provided to serve the intended use and potential future uses of the subject parcel because the site provides 23 on-site parking spaces and conditions of approval will require, during certain peak times of the children's indoor play area operation, implementation of valet parking as well as off-site parking through application and necessary approval of a parking use permit. The Zoning Code requires that the children's indoor play area provide 24 parking spaces. The 23 on-site parking spaces are communal between the subject use and the adjacent tenant space, a fast food use. Shared use of the parking is feasible given that the peak parking demand for the indoor play area is when parties are scheduled and the peak parking demand for the restaurant is lunch and dinner times. With employment of a valet service, increasing on-site parking by five spaces through the use of non-traditional and inaccessible parking spaces is feasible. Requirements for an additional seven parking spaces provided off-site through obtaining approval of a parking use permit will secure sufficient parking for the uses on the site.

Parking reduction permits are tied to the use under which they are requested and do not "run with the land". Should the proposed children's indoor play area close and a new use is proposed, the applicant for the proposed use would either need to provide code-required parking for the proposed use or apply for another parking reduction permit and receive approval for this request, to ensure sufficient parking is provided for the use.

CONDITIONS OF APPROVAL

APPROVAL of this Parking Reduction Permit 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 public hearing except for any modifications as may be required to meet specific Code standards or other conditions stipulated herein to the satisfaction of the Director of Community Development.

2. That all necessary permits (i.e. building, fire, engineering, etc.) shall be obtained from the Building and Safety section and Public Works Department and all construction shall be in compliance with the Glendale Building Code UBC (Universal Building Code) and all other applicable regulations.

3. That Design Review Board approval or exemption shall be obtained prior to the issuance of a building permit for any exterior alterations to the building.

4. That the applicant shall comply with all Section/Department requirements as specified in their memos/interdepartmental communications to the satisfaction of the City or Department Director.

5. That a valet service shall be provided when a private party is scheduled for the children's indoor play area business, subject to the approval of the Traffic and Transportation Section of the Public Works Department. This valet service may work in conjunction with the valet service required as a condition of approval of Parking Reduction Permit Case No. PPRP 1809672.

6. That the submitted valet plan shall be modified to delineate no more than five additional spaces to the existing and accessible 23 parking space marked on the site.

7. That a Parking Use Permit application shall be submitted to allow the off-site parking of at least seven parking spaces for the business (see PPRP 1809672). These seven (7) spaces may be acquired solely by the children's indoor play area or in combination with the other on-site use as long as seven (7) spaces are provided for the entire site serving both uses. Should the parking use permit applicant not be approved, approval of Parking Reduction Permit Case No. PPRP 1621936 shall be void.

8. That all employees of the children's indoor play area shall park on the site.

9. That any modification of the facility or use shall require a new parking reduction permit application. Expansion shall constitute adding of additional floor area or any physical change as determined by the Director of Community Development.

10. That a Business Registration Certificate shall be obtained for the children's indoor play area.

11. That any proposed exterior lighting shall be directed away from adjacent properties and the public right-of-way to the satisfaction of the Director of Community Development.

12. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash and graffiti.

13. That noise shall be contained to the site, such that persons of normal sensitivity off-site are not disturbed.

14. 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 parking reduction permit are complied.

15. That an Acceptance Affidavit accepting the parking reduction permit and all its conditions shall be signed and notarized and submitted to the Director of Community Development 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 **SEPTEMBER 4, 2020.**

Any appeal must be filed on the prescribed forms within fifteen (15) days following the actual date of the decision. Information regarding appeals, appeal forms and fees will be provided by the Community Development Department (CDD) staff upon request by calling 818-548-2140.

Due to the current COVID-19 social distancing and work from home orders issued by federal, state and local governmental agencies, in order for any appeal to be considered timely, **the appeal must be postmarked by the SEPTEMBER 4, 2020 deadline (mailed to Community Development Department – Planning Division, Attention: Brad Collin, 633 East Broadway, Room 103, Glendale, CA 91206) OR emailed to the case planner (Brad Collin at bollin@glendaleca.gov) prior to the close of said business day**. The prescribed fee must be included along with the appeal application and may be submitted either in the form of a check or credit card payment. For credit card payment, please contact the case planner to make arrangements with the cashier. *Note:* The standard 2.5% fee for credit card payment applies.

APPEAL FORMS available on-line
https://www.glendaleca.gov/home/showdocument?id=11926.

If you have any questions, please do not hesitate to call me at (818) 548-3210.

(email: bcollin@glendaleca.gov).

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 Reduction 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 conditional use permit 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 30.4 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 Parking Reduction Permit.

Cessation

Any 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, 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.

Should you have any questions regarding this issue, please do not hesitate to contact the case planner, Brad Collin at (818) 548-3210 or bcollin@glendaleca.gov.

Sincerely,

Philip Lanzafame
Director of Community Development

Roger Kiesel, AICP
Planning Hearing Officer

RK: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 (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. B.Ortiz/E.Olsen/ M.Navareete/M.Kouassi); 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); Street and Field Services Admin.; Engineering and Environmental Management (C.Chew/R. Villaluna); and case planner Brad Collin.