

June 30, 2014

Applicant:  
CP IV Glendale, LLC  
1000 Sansome Street, Suite 180  
San Francisco, CA 94111

Owner:  
Causey Investments  
c/o Marjorie S. Rhodes LLC  
1401 Avocado Avenue, Suite 901  
Newport Beach, CA 92660

**RE: 540 N. CENTRAL AVENUE (SITE "B")  
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1407288**

Dear Ms. Rhodes:

Pursuant to the provisions of the Glendale Municipal Code, Chapter 30.44.020 (E) for a maximum twenty (20) percent deviation from one or more numeric standards in this Title, the Community Development Department has processed your application for an Administrative Exception to allow up to a one foot reduction (9.5 and 10.4 percent) to the required width of up to 181 parking spaces where adjacent to a wall or column, as defined in Chart II of Glendale Municipal Code Section 30.32.180. This application is in conjunction with a 192-unit project consisting of a six-story residential building wrapping an above-ground parking garage with a total of 295 spaces. The subject property is located at **540 N. Central Avenue – Site "B" (includes address 526-540 N. Central Avenue, 200-214 West Doran Street and 527-531 North Orange Street)**, in the "DSP/OC" – Downtown Specific Plan – Orange-Central District, and described as Lot 10, Block 11 of the Glendale Boulevard Tract and Lots 7-14 of Tract 614, in the City of Glendale, County of Los Angeles.

**ENVIRONMENTAL RECOMMENDATION:** A Final EIR was certified for the project on November 5, 2013.

#### **REQUIRED/MANDATED FINDINGS**

After considering the evidence presented with respect to this application, the plans submitted therewith, the Planning Hearing Officer has **GRANTED 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 2.02 acres in size, bounded by Central Avenue on the west, Doran Avenue on the north and Orange Street on the east. The project site currently features a three-story medical office building, surface parking and a vacant lot. The Project, approved by City Council on November 5, 2013, consists of a six-story, 192 residential unit building wrapping a 275 space above-grade parking structure.

By allowing the applicant to design some parking spaces slightly narrower than required by Code when adjacent to columns and walls provides a design improvement to allow an additional 20 parking spaces to be included within the structure for a total of 295 spaces. As designed, the parking structure provides the Code required back-up, drive aisles, and turning radius to sufficiently move cars. There are space restrictions on the site that prevent some parking spaces from complying with the Zoning Code. Due to structural requirements for the parking structure, the columns cannot be located to the full recessed distance and also provide Code compliant drive aisles and turning radius to safely maneuver cars within the parking structure. Staff visited an existing residential project with parking space dimensions nearly identical to this proposal. During the visit, staff observed cars using the spaces and believes that combined with Code compliant drive aisles, back-up space and turning radius dimensions, these spaces will still be large enough to allow most automobiles to maneuver sufficiently. Requiring fully Code-compliant parking spaces for slightly reduced parking stall widths combined with the structural column spacing restrictions and design improvements would unduly restrict the flexibility for reasonable use and improvement of the property.

**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 proposed reduced dimensions of the parking spaces will be functional. As proposed, the width will allow both driver and passengers to enter and exit the parked vehicles with enough room to open and close doors safely and comfortably without hitting a column, wall, or adjacent parked vehicle. Staff visited an existing residential project with parking space dimensions nearly identical to this proposal. During the visit, staff observed cars using the

spaces and believes that combined with Code compliant drive aisles, back-up space and turning radius dimensions, these spaces will still be large enough to allow most automobiles to maneuver sufficiently. As such, the project will not be detrimental to the public welfare, injurious to the property, or improvements in the zone.

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

The intent of dimension standards for residential parking spaces is to ensure the spaces provided are useable. The purpose of the administrative exception procedure is to provide a simplified means for considering applications for minor deviations from 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 minor deviations to some parking stalls width will allow the project to maximize the number of off-street parking spaces while still providing useable parking spaces, as confirmed by staff. Therefore, granting this exception will not be contrary to the objective 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 submitted with the application 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 necessary permits shall be obtained from the Building and Safety Division 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 project, which is different than what is represented as part of this Administrative Exception application, shall require a new application as determined by the Hearing Officer.

**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 **JULY 15, 2014**, at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday thru Friday 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 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.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.

## **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.

Should you have any questions regarding this issue, please do not hesitate to contact the case planner, Vilia Zemaitaitis during normal business hours at his direct line (818) 937-8154 or office line (818) 548-2115 or [vzemaitaitis@glendaleca.gov](mailto:vzemaitaitis@glendaleca.gov), between 7:30 a.m. to 5:30 p.m. weekdays.

Sincerely,



Erik Krause  
Principal Planner

EK:VZ:sm

CC: City Clerk (K.Cruz); Police Dept. (Lt.S.Bickle/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section- (D.Nickles); City Engineer and Traffic & Transportation Section (R.Golanian/G.Tom); Director of Public Works and General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (R.Takidin); Glendale Water & Power--Electric Section (M.Kelley/M.Jackson); Parks, Recreation and Community Services Dept. (E.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-Vilia Zemaitaitis.