

August 12, 2014

Andrea Lee  
3214 Honolulu Avenue  
La Crescenta, CA 91214

**RE: 3214 HONOLULU AVENUE  
PARKING REDUCTION PERMIT NO. PPRP 1410842**

(SEE: CONDITIONAL USE PERMIT APPLICATION PCUP 1410836)

Dear Mr. Lee:

On July 30, 2014, 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 applications for a Conditional Use Permit to operate a private educational business in a C1 zone, and a request for a **Parking Reduction Permit** to allow the operation of private educational business without providing the additional parking required by code, located at **3214 Honolulu Avenue**, in the "C1"- Neighborhood Commercial Zone, described as Portions of Lots 146 and 147, Tract No. 5547, in the City of Glendale, County of Los Angeles.

CODE REQUIRES

Conditional Use Permit

- (1) A private educational business is a conditionally-permitted use in the C1 (Neighborhood Commercial) zone.

Parking Reduction Permit

- (2) The proposed private educational business has a 79-space parking deficit from what is required by Code.

APPLICANT'S PROPOSAL

Conditional Use Permit

- (1) A Conditional Use Permit to allow a tutoring business in a C1 zone.

Parking Reduction Permit

- (2) A Parking Reduction Permit to allow the operation of the tutoring business without providing the 79 additional parking spaces required.

ENVIRONMENTAL RECOMMENDATION: The project is exempt from review under the California Environmental Quality Act (CEQA) as a Class 1 "Existing Facilities" exemption, pursuant to State CEQA Guidelines Section 15301.

#### **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 application based on the following:

**A. 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 land use established in the Zoning Code is greater than what will be needed by the land use. The Zoning Code does not contain a specific parking requirement for tutoring centers; rather the parking requirement applied to this facility is used for private educational facilities such as full-time schools. The site previously operated as a private educational facility with no apparent conflicts with adjacent uses, indicating that sufficient parking to fulfill code requirements exists on-site. The business will use vans to transport children from schools to the site during the school year, reducing the parking demand and traffic generated by the facility. Peak demand will occur after 4:30 p.m., when parents arrive to pick up children. By then other businesses in the center have closed and more of the parking lot can be utilized by the private educational facility. During the summer the school will offer tutoring sessions starting at 9:00 a.m. and ending in the evening. Conditions limiting the number of employees and children and the size of the facility through a conditional use permit PCUP 1410836 will limit the impact to on-site parking to those impacts currently existing at the facility.

**B. 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, will be met. The purpose of parking regulations is to provide suitable and sufficient off-street parking facilities so nearby land uses are not negatively impacted and to protect public safety by lessening traffic congestion on public streets. The site contains 18 on-site parking spaces with the necessary dimensions to safely maneuver on-site. The driveway and circulation

patterns were reviewed by the Traffic and Transportation section of Public Works; no concerns or conditions were suggested by that section. No changes to the parking lot or circulation pattern are proposed. The site previously operated as a private educational facility in the same tenant space with no apparent conflicts with adjacent uses, indicating that sufficient parking to fulfill code requirements exists on-site. The business will use vans to transport children from schools to the site, reducing the parking demand and traffic generated by the facility. Peak demand will occur after 4:30 p.m., when parents arrive to pick up children. By then other businesses in the center have closed and more of the parking lot can be utilized by the private educational facility. During the summer the facility will be open during the day when other businesses are open, but limits on the size of the facility, employees and enrollment will limit impacts to those currently existing, which have not negatively impacted the neighborhood. While testimony was received from neighboring businesses and residents with concerns about parking for this facility, when questioned their concerns were focused on the City painting red curbs fronting and facing the subject property. The red curbs were added by the City to address public safety concerns and were not related to this tutoring facility. While there are fewer on-street parking spaces available directly fronting the subject property, there are available on-street spaces within this block of Honolulu during the hours of operation for the tutoring school.

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

A total of 79 parking spaces are required for the project. The site contains a 18-space parking lot. The site previously operated as a private educational facility with no apparent conflicts with adjacent uses, indicating that sufficient parking to fulfill code requirements exists on-site. The business will use vans to transport children from schools to the site, reducing the parking demand and traffic generated by the facility. Peak demand will occur after 4:30 p.m., when parents arrive to pick up children. By that time other businesses in the center have closed and more of the parking lot can be utilized by the private educational facility. The facility is also open during the summer from 9:00 a.m. for tutoring classes. Other future uses on the site will be reviewed on a case-by-case basis to determine if sufficient parking is needed. Since this proposal involves no new construction and no expansion of the existing building, no parking deficit is being created that would burden a future land use. The most common future uses on the site, general office or retail, will be able to operate without a parking reduction or parking use permit.

### **SUMMARY OF PLANNING HEARING OFFICER'S DECISION**

The Planning Hearing Officer was able to make the required findings for the parking reduction permit because the facility is presently operating without a negative impact to parking. Conditions of the parking reduction permit, as well as the related conditional use permit PCUP 1410836, limit the size of the tutoring center to that presently existing. While parking complaints were received from the public, the concerns focused on the red-curb recently added to Honolulu Avenue near the corner of Pennsylvania Avenue which was done to improve public safety, but was unrelated to the tutoring center. The applicant has demonstrated that on-site parking spaces have been and will continue to be adequate for the tutoring center.

### **CONDITIONS OF APPROVAL**

**APPROVAL** of this Parking Reduction Permit PPRP 1410842 is 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 as required from Federal, State, County or City authorities, including the City Clerk, shall be obtained and kept current at all times.
- 3) All necessary permits (i.e. building, fire, engineering, etc.) shall be obtained from the Building and Safety Section and all construction shall comply with the Glendale Building Code and all other applicable regulations.
- 4) Noise shall be contained to the site such that persons of normal sensitivity off-site are not disturbed. The Planning Hearing Officer's opinion shall prevail to arbitrate any conflicts.
- 5) 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 being met.
- 6) The premises shall be maintained in a clean and orderly condition, free of weeds, trash and graffiti.

- 7) There shall be no expansion or modification of the private educational facility or to the operation without the approval of the Planning Hearing Officer. Expansion or modification shall include increasing the floor area above 3,050 square feet, the reduction of parking spaces, or any other physical changes to the tenant space occupied by the private educational facility.

#### 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 **AUGUST 27, 2014**, 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 pm to 5 pm.

**APPEAL FORMS available on-line:** <http://www.glendaleca.gov/appeal>

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 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.

## **REVOCACTION**

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 Hearing Officer). To consider the revocation, the Hearing Officer shall hold a public hearing after giving notice by the same procedure as for consideration of a Parking Reduction Permit at least 10 days notice by mail to the applicant or permittee.

## **GMC CHAPTER 30.41 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.

## **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 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.

Sincerely,



Laura Stotler  
Planning Hearing Officer  
LS:sm

CC: City Clerk (K.Cruz); Police Dept. (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 (Roubik 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); A.&O, Der Hovanessian; G.Ohanganian; and case planner-Jeff Hamilton.