

February 7, 2017

Ms. Elizabeth Valerio (Applicant)
5858 Wilshire Boulevard, #200
Los Angeles, CA 90036

Wilson/Maryland Mixed-Use, LLC (Owner)
c/o Mr. Marc Nathanson
9952 Santa Monica Blvd.
Beverly Hills, CA 90212

**RE: 201 NORTH MARYLAND AVENUE
PARKING EXCEPTION CASE NO. PPPEX 1629533**

Dear Ms. Valerio and Mr. Nathanson:

Pursuant to Chapter 30.32.020, the Director of Community Development has processed an application for a Parking Exception for the property located at **201 North Maryland Avenue**, in the Downtown Specific Plan – Maryland District (DSP/M), in the City of Glendale, County of Los Angeles.

CODE REQUIRES

- 1) Full-service restaurants in the DSP require five parking spaces for every 1,000 square feet of floor area (GMC 30.32.030.5 and 30.32.050).

APPLICANT'S PROPOSAL

- 1) To add a 1,300 square-foot mechanical mezzanine and a 1,000 square-foot second floor to a 5,850 square-foot full-service restaurant (currently under construction), without providing the additionally required parking. The new 1,000 square-foot second floor will be used for additional storage, restrooms and manager's office.

ENVIRONMENTAL RECOMMENDATION:

In March 2011, the Council and Agency certified a Mitigated Negative Declaration (MND) for the original Wilson/Maryland Lofts project. The MND determined that there were no impacts or less than significant impacts with the exception of Utilities and Service Systems (sewer impacts). Mitigation measures were identified that would reduce the potential impacts to less than significant levels.

An Addendum to the previously certified MND for the Wilson/Maryland lofts project (renamed Laemmler Lofts) was prepared in November 2011 that analyzed the impacts of the Laemmler Lofts project. The Addendum supported the finding that the 2011 revised project would not have resulted in any new significant environmental impacts or resulted in a substantial increase in the severity of previously identified significant impacts. The Addendum was acknowledged by both the Planning Commission and the City Council in May 2014 during the Development Agreement review and approval.

A Second Addendum has been prepared to address the scope of this current project. No new significant environmental impacts or a substantial increase in the severity of previously identified

significant impacts have been identified. The Second Addendum is included as an attachment to this approval letter and is acknowledged by the Director.

The application is hereby **APPROVED WITH CONDITIONS**, based on the following analysis and findings, and subject to the following conditions.

SUMMARY and BACKGROUND

The applicant is requesting approval of the Parking Exception to add a 1,300 square-foot mechanical mezzanine and a 1,000 square-foot second floor to a 5,850 square-foot full-service restaurant (currently under construction), without providing the additionally required parking. The new 1,000 square-foot second floor will be used for additional storage, restrooms and manager's office, and the mechanical mezzanine will not be habitable space.

The Laemmle Lofts project is a mixed-use development that includes a five screen Laemmle Theatre, approximately 6,979 square feet of commercial space (the subject full-service restaurant), and 42 residential units in a four-story building plus mezzanine ("Project"). The Parking Exception is for the addition within the full-service restaurant. The Project includes one level of subterranean parking with 45 spaces for Project residents. The project site is approximately 21,632 square feet and is located on the northwest corner of Wilson and Maryland Avenues, within the Downtown Specific Plan Maryland District.

The original Project approved in March 2011 did not have on-site parking. The Project was subsequently redesigned to include 45 on-site parking spaces. On November 26, 2011, the Revised Project received City Council approval of its entitlements including: (1) the Stage I/II design submission, a creative sign, and a sign program; (2) a parking reduction permit; and (3) Instrument Imposing Covenants on Real Property. In addition, the City Council and GRA approved an Amended and Restated DDA ("A&R DDA") that increased the GRA's financial assistance for the Revised Project to account for additional development costs associated with the parking.

The Project had a base parking requirement of 175 spaces: 67 spaces for the residences; 30 for the retail component (based on full-service restaurant parking ratio of five spaces per 1,000 square feet); and 78 spaces for the theater. City Council approved the Parking Reduction Permit, allowing the Project to provide only 45 on-site parking spaces for use by residents (including shared electric car). This included two tandem spaces and one shared space to be dedicated to a "shared" electric vehicle for residents. There will also be secured parking for 66 bicycles (for residents) and street level rack space for six bicycles (general public usage). Under the Zoning Code section 30.32.173 *et seq.*, required parking for vehicles can be reduced by one space for every five bicycle parking spaces above the minimum required. The Project is eligible for a 13-space reduction by providing 64 bike parking spaces above code. Accounting for the 44 on-site spaces (excluding the shared electric car), the parking space deficit is 118.

The Supreme Court's decision in the Matasantos case nullified the A&R DDA (and lead to dissolution of redevelopment). However, the land use entitlements approved in November 2011 for the Revised Project remained valid and the DDA for the original project remained an enforceable obligation. The elimination of redevelopment subsequently led to Project delays as the Successor Agency was required to undertake a series of complicated steps to receive approval to convey the Project site and amend the Project's business terms. The land use entitlements were set to expire at the end of November 2013. Pursuant to GMC Section 30.41.015, the Director of Community Development made the appropriate findings and granted a one-year extension for the Project's entitlements to November 26, 2014.

Meanwhile, a revised Development Agreement (DA) that provided a three-year term locking in the Project's entitlements, addressed the payment of the Park and Library Development Impact Fee as a "Pipeline Development Project", and outlined the Floor Area Ratio (FAR) and height increase, as requested under the DSP Height and Density Incentives, Public Open Space (Chapter 7.1.2), was presented to the Planning Commission on May 7, 2014, for consideration and recommendation. The DA was ultimately approved by City Council on May 27, 2014. The project is currently under construction.

PARKING EXCEPTION REQUEST

The applicant is requesting approval of the Parking Exception to add a 1,300 square-foot mechanical mezzanine and a 1,000 square-foot second floor to the 5,850 square-foot full-service restaurant (currently under construction), without providing the additionally required parking. The new 1,000 square-foot second floor will be used for additional storage, restrooms and manager's office (not for public use), and the mechanical mezzanine will not be habitable space. GMC Section 30.32.050 requires that all new projects, including such an addition, provide a minimum of five parking spaces for every 1,000 square feet of fast food and full service restaurant area in the DSP zone. The 2,300 square-foot addition would require an additional 12 parking spaces.

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 1629533, a request to add a 1,300 square-foot mechanical mezzanine and a 1,000 square-foot second floor to a 5,850 SF full-service restaurant (currently under construction), without providing the additionally required parking, 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, number of spaces or locations specified by the provisions of this title without impairment of the project's viability.

The required number of parking spaces for the new full service restaurant mezzanine cannot reasonably be provided on-site. The subterranean garage is one-level and extends from property line to property line. In order to provide an additional 12 parking spaces, the garage would have to be extended to a second level that would be cost prohibitive. The subject site is located on the corner of Wilson and Maryland Avenues. Immediately to the west of the Project is a private alley and Brand Boulevard businesses, while to the north is the Alex Theatre (which recently constructed subterranean facilities that extend to the subject site's northern boundary). Because the subject site is surrounded by public streets, a private alley, and improved property, no additional adjacent land is available that can be assembled with the subject site to provide space for additional parking.

There is a public parking garage (Exchange Parking Garage) directly south of the subject site which accommodates 694 parking spaces. This parking garage provides adequate space to accommodate the twelve parking spaces required for the additional 2,300 square feet added to the full service restaurant space.

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 and the Downtown Specific Plan. Applicable goals include promoting the general welfare and economic well-being of the area. The expansion of the restaurant at this location will encourage pedestrian activity, as well as help in maintaining the tax base and attracting a variety of restaurant patrons from nearby businesses and residential developments. Therefore, the project is complementary to the existing and proposed mix of land uses in the neighborhood.

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 a minor expansion of a full service restaurant that will serve the surrounding residents and businesses. 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 project involves exceptional conditions that do not apply generally to other property in the area. The existing building covers the entire subject site so that it is infeasible to alter the size or configuration of the structure to accommodate additional on-site parking. The subterranean parking level also covers the entire site; the only additional parking that could be provided would be to add another subterranean level to the completed garage that would be cost prohibitive to complete. The 2,300 square-foot addition includes 1,300 square-foot of non-habitable mechanical space and the remainder is back-of-house area for storage and restaurant office that will not be accessible to the public. Subsequently, this additional space will not technically be an expansion of the restaurant seating area, nor will it result in an increase in the parking demand. Therefore, there are exceptional circumstances that warrant approval of the requested parking exception for the number of parking spaces for the project.

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 the additional full-service restaurant space will not be detrimental to the public welfare or other developments in the surrounding neighborhood. The parking exception request is for twelve parking spaces for an additional 2,300 square feet of full-service restaurant space located within a mezzanine. Of this space 1,300 SF would be for non-public, mechanical related uses that would not generate additional trips to the subject site. The remainder of the addition will be accessible only to employees of the restaurant and will also not generate a parking demand. The restaurant is located in a 4-story commercial building that will utilize available public parking provided within walking distance including the nearby public parking garage located just south on Maryland Avenue. Furthermore, many of the restaurant patrons are anticipated to come by foot from surrounding businesses and residential developments. Therefore, the approval of a twelve parking space deficit is not expected to be detrimental to the public welfare or surrounding neighborhood.

Lastly, pursuant to GMC Section 30.32.020, approval of the parking exception is valid so long as the specific land use remains the same as at the time of permit issuance, including, but not limited to, tenancy, hours of operation, clientele served, services or goods offered and mix of

activities within the use. The permit does not run with the land. Accordingly, the parking provided will be sufficient for the proposed use, and any potential future uses would need to obtain a new parking exception, if required.

Therefore, Parking Exception PPPEX 1629533 is hereby **APPROVED**, subject to the following conditions:

CONDITIONS OF APPROVAL

1. That the proposed establishment 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 full service restaurant 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 other changes on this project shall be subject to review and approval of the Director of Community Development.
5. That an expansion or modification of the full services restaurant 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.

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 **February 20, 2017**, 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.

REVOCAION, 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

A Parking Exception Permit may be terminated by the review authority upon any interruption or cessation of the use permitted by the Parking Exception 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, Vilia Zemaitaitis, who acted on this case. She may

be reached at 818-937-8154 or vzemaitaitis@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,



Philip Lanzafame
Director of Community Development

PL:VZ: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-(J.Halpert); Traffic & Transportation Section (W. Ko/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 (S. Mirzaians); 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 - Vilia Zemaitaitis.

**SECOND ADDENDUM TO MITIGATED NEGATIVE DECLARATION
LAEMMLE (CINEMA LOFTS)
111 E. WILSON AND 215 N. MARYLAND AVENUES**

INTRODUCTION

After the adoption of the Final Mitigated Negative Declaration (MND) by the Agency on March 29, 2011, revisions were made to the proposed project as indicated below. The purpose of this addendum is to evaluate the proposed revisions.

DISCUSSION OF PROJECT CHANGES

Original Project (March 29, 2011)

The Original Project included the development of a mixed use building that included a five screen movie theater, restaurant space and 42 residential loft style live/work units in a four story building with a mezzanine approximately 66 feet in height. The theater and restaurant uses were located on the ground floor. The residential use occupied the remaining four floors. The Original Project totaled approximately 50,157 square feet including 10,316 square feet of theater use, 6,368 square feet of restaurant space and a total of 33,473 square feet of residential use.

The Original Project site was approximately 21,500 square feet in size located within the Maryland District of the Downtown Specific Plan (DSP) at the northwest corner of Maryland and Wilson Avenues. The site was developed with single story 3,825 square foot building occupied with a restaurant use and a city owned public parking lot with 45 metered parking spaces (Lot #17). A total of 70 offsite parking spaces were provided for the proposed project within the Exchange parking structure located one-half block south of the Original Project site at 115 North Maryland Avenue.

Theaters

The Original Project included a five screen movie theater with a total of 600 seats located on the ground floor. Access to the theater lobby and five theater spaces was from the Maryland Avenue side of the proposed development.

Restaurant

The Original Project included approximately 6,368 square feet of restaurant space located on the ground floor. Access was from Wilson Avenue and/or Maryland Avenue.

Lofts

The Original Project included 42 loft style live/work units averaging in size from approximately 625 square feet to 1,390 square feet. Access to the residential lofts was from a ground floor lobby located on the Wilson Avenue side of the proposed development. The loft units were located on the second through the fourth floors. A total of 13 units were to be located on the second floor, 14 units on the third floor, and 15 units on the fourth floor. The fourth floor units included a mezzanine level. All 42 units were proposed to include a private balcony. The balconies for the units facing Wilson and Maryland would have been located on the exterior of the building. All other units would have had balconies facing the interior of the building overlooking an interior courtyard. The public areas for the residential units included a courtyard located on the second and third floors and a roof deck. No open areas were provided on the third floor. A single elevator in the loft lobby provided access to the residential floors.

Parking

Development of the Original Project required removal of an existing city-owned parking lot located at the northwest corner of Maryland and Wilson Avenues (Lot 17). This lot contained 45 metered parking spaces with a time limit of three hours. The meters operate Monday through Saturday from 6:00 AM to 10:00 PM.

A total of 70 parking spaces within the city-owned Exchange parking structure were proposed to be set-aside for the residential portion of the Original Project. This structure is located approximately one-half block south of the Original Project site on the west side of Maryland Avenue (115 North Maryland Avenue). No parking was proposed on the Original Project site.

Revised Project (October 2011)

The Revised Project included the development of a mixed use building that included a five screen movie theater, restaurant space and 42 residential apartment units in a four story building with a mezzanine approximately 66 feet in height. The theater and restaurant uses were located on the ground floor; the residential use occupied the remaining three (plus mezzanine) floors. The Revised Project totaled 64,896 square feet that included 9,690 square feet of theater use, 5,978 square feet of restaurant space, and 38,973 square feet of residential use. Forty-four onsite parking stalls were to be provided in a subterranean structure for the residential units. In addition, one zero emissions vehicle (ZEV) for shared use by the residents was proposed.

The Revised Project site was 21,632 square feet located within the Maryland District of the Downtown Specific Plan (DSP) at the northwest corner of Maryland and Wilson Avenues. The site was developed with single story 3,825 square foot building occupied with a restaurant use and a city owned public parking lot with 45 metered parking spaces (Lot #17).

Theaters

The Revised Project included a five screen movie theater with a total of 400 seats located on the ground floor. Access to the theater lobby and five theater spaces was from Maryland Avenue.

Restaurant

The Revised Project included 5,978 square feet of restaurant space located on the ground floor. Access was from Wilson Avenue and/or Maryland Avenue.

Apartments

The Revised Project included 42 apartment units averaging in size from approximately 630 square feet to 1,538 square feet. Access to the units was from a ground floor lobby located on the Maryland Avenue. The apartment units were located on the second through the fourth floors. A total of 14 units were located on the second floor, 14 units on the third floor, and 14 units on the fourth floor. The fourth floor units include a mezzanine level. All but 11 of the 42 units include a private balcony. All balconies for the units were located on the exterior of the building, except for six units, which would have balconies facing the interior of the building overlooking an interior courtyard. The public areas for the residential units include a courtyard located on the second floor. No open areas were provided on the third floor. A single elevator is proposed in the loft lobby to provide access the residential floors.

Parking

A total of 44 onsite parking stalls were to be provided in a subterranean structure for the residential units. Each residential unit would have at least one parking stall. In addition, one zero emissions vehicle (ZEV) for shared use by the residents was proposed.

Discussion of Project Revisions for Current Project (January 2017)

The Current Project is a mixed use development featuring a movie theater, restaurant and 42 residential condominium units in a four story building (with mezzanine) approximately 63 feet in height. The theater and restaurant uses are located on the ground floor with the residential use located in the remaining three floors and mezzanine. The Current Project totals 65,094 square feet including 10,779 square feet of theater use; 6,979 square feet of restaurant space; and 47,336 square feet of residential use. Forty-four onsite parking stalls will be provided in a subterranean structure that serves the residential units; no on-site parking will be provided for the commercial uses. In addition, there will be one, zero emissions vehicle (ZEV) for shared use by the residents.

The project site is 21,632 square feet located within the Maryland District of the Downtown Specific Plan (DSP) on the northwest corner of Maryland and Wilson Avenues.

Theaters

The movie theater is located on the ground floor with the lobby accessible from Maryland Avenue. The Theater includes five screens and a total of 600 seats.

Restaurant

The Current Project includes approximately 5,979 square feet of restaurant space located on the ground floor and an additional 1,000 square feet located within a mezzanine (total 6,979 SF). The restaurant also includes the addition of a 1,300 square foot mechanical mezzanine that is non-occupied. Access would be from Wilson Avenue and/or Maryland Avenue.

Residential Condominium Units

The Current Project includes 42 residential condominium units (ownership, rather than rental), averaging in size from approximately 630 square feet to 1,487 square feet. Access is from the ground floor lobby located on the Maryland Avenue. The units are located on floors two through four. A total of 14 units are located on each floor. The fourth floor units include a mezzanine level. All but 11 of the 42 units include a private balcony. All balconies for the units face the exterior of the building, except for six units, which would have balconies facing the building's interior overlooking a courtyard. The public areas for the residential units include a courtyard located on the second floor. No open areas are provided on the third or fourth floor. A single elevator is proposed in the loft lobby to provide access the residential floors.

CEQA GUIDELINES

Pursuant to Title 14 CCR Section 15162, Subsequent Negative Declarations, subsection (a), when a negative declaration has been adopted for a project, no subsequent negative declaration shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous negative declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous negative declaration;

Section 15164 of Title 14 CCR allows for the preparation of an addendum if some changes to a previously adopted negative declaration are necessary but none of the conditions described in Section 15162 calling for the preparation of a subsequent negative declaration have occurred.

This Addendum concludes that the proposed addition to the restaurant will not result any of the circumstances requiring a subsequent or supplemental MND. The information and analysis in this Addendum shows that:

- (1) No substantial changes are proposed, or have occurred, in the approved Project, which will require major revisions to the previously adopted MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) No substantial changes are proposed or have occurred with respect to the circumstances under which the project is undertaken that will require major revisions of the previously adopted MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
- (3) No new information as defined by Public Resources Code Section 21166 and *State CEQA Guidelines* Section 15162 related to the approved Project results in any new or more severe significant effects not discussed or shown in the previously adopted MND.

ENVIRONMENTAL ANALYSIS

Aesthetics

As analyzed in Section A of the MND, no significant impacts to aesthetics are identified and no mitigation measures are required. No new or substantially greater impacts would occur with implementation of the Current Project when compared to those identified in the previous environmental review document.

Agricultural Resources

As analyzed in Section B of the MND, no impacts to agricultural resources are identified and no mitigation measures are required. No new or substantially greater impacts would occur with implementation of the Current Project when compared to those identified in the previous environmental review document.

Air Quality

As analyzed in Section C of the MND, no significant impacts to air quality are identified and no mitigation measures are required. A revised air quality model run was conducted for the Revised Project using the URBEMIS2007 Environmental Management Software to include the approximate 12,000 cubic yards of grading required for the subterranean garage. Based on the revised model run, the Revised Project changes did not exceed the SCAQMD thresholds of significance for construction or operations. The Current Project does not propose any changes or revisions to the

subterranean parking garage; which impacts were examined by the revised air quality model. As a result, no new or substantially greater impacts would occur with implementation of the Current Project when compared to those identified in the previous environmental review document.

Biological Resources

As analyzed in Section D of the MND, no impacts to biological resources are identified and no mitigation measures are required. No new or substantially greater impacts would occur with implementation of the Current Project when compared to those identified in the previous environmental review document.

Cultural Resources

As analyzed in Section E of the MND, no impacts to cultural resources are identified and no mitigation measures are required. No new or substantially greater impacts would occur with implementation of the Current Project when compared to those identified in the previous environmental review document.

Geology and Soils

As analyzed in Section F of the MND, no significant impacts to geology and soils are identified and no mitigation measures are required. No new or substantially greater impacts would occur with implementation of the Current Project when compared to those identified in the previous environmental review document.

Greenhouse Gas Emissions

As analyzed in Section G of the MND, no significant impacts to greenhouse gases are identified and no mitigation measures are required. The Current Project would continue to be designed to achieve LEED silver certification. The Current Project also includes a zero emissions vehicle (ZEV) for shared use by the residents of the project. The Current Project would include transportation demand management features such as providing long-term bike parking. By retaining these design features, a further reduction in greenhouse gases beyond the previously Original Project would be expected. No new or substantially greater impacts would occur with implementation of the Current Project when compared to those identified in the previous environmental review document.

Hazards and Hazardous Materials

The addition of the underground parking garage could result in a condition involving the release of hazardous materials into the environment. To address this potential impact a Phase II site assessment was conducted on August 18, 2011 by EP Associates that included a multi-depth soil and soil vapor investigation on the project site. This Phase II investigation was conducted in response to the findings of a Phase I Environmental Site Assessment also performed by EP Associates on April 15, 2011. The Phase I revealed that a former gasoline service station operated at the southernmost lot of the Site (Lot 12) from 1936 through 1964.

The Site is approximately 21,632 square feet of land that is located within the central business district and the former Central Glendale Redevelopment Project Area. Lots 10, 11, and 12 were used as a public parking lot. Lot 10 was never been developed with any structures. Lots 11 and 12 were jointly improved with a single-family residence from 1908 through at least 1928. The residence was located near the center of the lots. Lot 11 was also improved with a duplex residence at the west end of the lot during that period. By 1938, the single-family residence and duplex were demolished and the western portion of the lots was subsequently improved with the existing single-story commercial building that is currently occupied by Panda Inn, a restaurant.

In 1936, a gasoline service station (identified as Texas Company in 1936 and Union 76 in 1946) was constructed at Lot 12 of Parcel A along Wilson Avenue. The service station operated until 1964 at which time permits were obtained from the City of Glendale to remove the tanks and demolish the service station. In 1950, a car wash existed at Lot 11 and a store existed at Lot 12.

EP Associates' scope of work for the soil and soil vapor investigation consisted of installing 6 direct-push drilled borings to a maximum depth of 25 feet below ground surface (bgs) at the Site, and collecting soil and soil vapor samples at variable depths across the Site to assess the current concentrations of potential residual petroleum hydrocarbons, VOCs, and metals beneath the Site.

Eighteen soil samples were collected on August 18, 2011 by Interphase Environmental, Inc. Truck-mounted, Geoprobe-like direct push drilling and sampling equipment were utilized to advance the soil borings and soil vapor probes.

Results of the soil and vapor testing described above indicate that no TPH or VOCs were detected in the soil samples collected and analyzed during this investigation, and only typical background levels of some metals were detected in the soil samples. Trace concentrations of toluene above the RL and only trace estimated values of benzene, ethylbenzene, toluene, and/or m,p-Xylenes were detected in some of the soil vapor samples. None of the detected constituent concentrations in the soil or soil vapor samples exceeded regulatory screening levels for residential or commercial land uses.

The field findings and laboratory results of the subsurface investigation completed at the Site on August 18, 2011, did not reveal the presence of residual TPH, VOCs, or elevated metal concentrations in soils from the past uses of the Site as a gasoline service station. Nor were significant elevated VOC concentrations detected in soil vapor samples at the Site.

Based on the findings contained in the Phase II report, no new or substantially greater impacts would occur with implementation of the Current Project when compared to those identified in the previous environmental review document.

Hydrology and Water Quality

As analyzed in Section I of the MND, no significant impacts to hydrology and water quality are identified and no mitigation measures are required. No new or substantially greater impacts would occur with implementation of the Current Project when compared to those identified in the previous environmental review document.

Land Use

As analyzed in Section J of the MND, no significant impacts to land use are identified and no mitigation measures are required. The Original Project did not include any on-site parking; all project parking was assumed to be within existing nearby city-owned parking facilities. The Revised Project was redesigned to include 44 residential parking spaces within a one level subterranean parking garage provided on-site. In addition, long-term bike parking would also be provided within the project's garage. The increase in restaurant space would slightly increase the demand for parking for the Current Project's commercial uses. However, the addition of on-site parking reduces the Current Projects demand on city owned parking lots within the project area. As a result, no new or substantially greater impacts would occur with implementation of the Current Project when compared to those identified in the previous environmental review document.

Mineral Resources

As analyzed in Section K of the MND, no impacts to mineral resources are identified and no mitigation measures are required. No new or substantially greater impacts would occur with

implementation of the Current Project when compared to those identified in the previous environmental review document.

Noise

As analyzed in Section L of the MND, no significant impacts to noise are identified and no mitigation measures are required. The addition of the underground parking would result in an increase in construction noise compared to the Original Project. However, as disused in the MND the project would be required to comply with the City's Noise Ordinance (Municipal Code Chapter 8.36), which prohibits construction activities to between the hours of 7:00 p.m. on one day and 7:00 a.m. of the next day or from 7:00 p.m. on Saturday to 7:00 a.m. on Monday or from 7:00 p.m. preceding a holiday. In addition, no pile driving would be performed since the necessary shoring would be put in place using auger drills. As a result, no new or substantially greater impacts would occur with implementation of the Current Project when compared to those identified in the previous environmental review document.

Population and Housing

As analyzed in Section M of the MND, no significant impacts to population and housing are identified and no mitigation measures are required. The Current Project would result in a slight increase in population due to the modification to the residential units by adding bedrooms. However, even with the slight increase in population, the project changes would not exceed regional projections for the Arroyo Verdugo Subregion and the City of Glendale. As a result, no new or substantially greater impacts would occur with implementation of the Current Project when compared to those identified in the previous environmental review document.

Public Services

As analyzed in Section N of the MND, no significant impacts to public services are identified and no mitigation measures are required. No new or substantially greater impacts would occur with implementation of the Current Project when compared to those identified in the previous environmental review document.

Recreation

As analyzed in Section O of the MND, no significant impacts to recreation are identified and no mitigation measures are required. Modifying the Original Project to include studio, 1-bedroom and 2-bedroom unit from the original proposal of live/work loft style units would slightly increase the demand on the City's parks.

The Current Project design includes a number of private and common amenities which can be used for recreation purposes on the project site. These include a private patio or balcony for the majority of the units and common spaces consisting of a large outdoor area on the podium deck that includes passive seating areas, a bocce ball court, gambling table and wet bar with bar-b-q.

Also, in accordance with the requirements of the City of Glendale Municipal Code (Ordinance No. 5575 and Resolution No. 07-164), and subsequent amendments as adopted by the City Council, the applicant is required to pay a Development Impact Fee to the City for permit issuance.

Although there would be a slight increase demand for city parks, the Current Project includes recreational amenities that would help to offset the increased demand. As a result, no new or substantially greater impacts would occur with implementation of the Current Project compared to those identified in the previous environmental review document.

Traffic and Transportation

As analyzed in Section P of the MND, no significant impacts to traffic and transportation are identified and no mitigation measures are required. The change in the estimated trip generation would be de minimis as theater would have the same number of seats and the restaurant only slightly larger than the Original Project. The estimated trip generation for the residential units would remain the same since the demand estimates were based on multi-family use and not the number of bedrooms. No new or substantially greater impacts would occur with implementation of the Current Project when compared to those identified in the previous environmental review document.

Utilities and Service Systems

As analyzed in Section Q of the MND a mitigation measure was added to the project to reduce impacts associated with the conveyance of waste water to less than significant levels. However, no new significant impacts to utilities and service systems are identified that would require additional mitigation measures beyond those included in the MND. The estimated demand on public utilities would be de minimis as theater would have the same number of seats and the restaurant only slightly larger than the Original Project. The estimates on utility demands for the residential units would remain the same since the demand estimates were based on unit count and not the number of bedrooms or size of units. No new or substantially greater impacts would occur with implementation of the Current Project when compared to those identified in the previous environmental review document.