

May 26, 2017

Genesis Consulting, Inc.
Attention: Alex Y. Woo
3530 Wilshire Boulevard, Suite 1610
Los Angeles, CA 90010

**RE: 300 EAST COLORADO STREET
CONDITIONAL USE PERMIT NO. PCUP 1703425
(ANYTIME FITNESS)**

Dear Mr. Woo:

On May 24, 2017, the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.42, on your application for a conditional use permit to establish a new 4,988 square-foot gym (Anytime Fitness) on a 16,460 square-foot lot in the "DSP/EB" - Downtown Specific Plan/East Broadway District, described as Lot 10 and a Portion of Lot 9, Grider and Hamilton's Lomita Park, in the City of Glendale, in the County of Los Angeles.

CODE REQUIRES

(1) Approval of a Conditional Use Permit is required for gyms and health clubs in the DSP/EB - Downtown Specific Plan/ East Broadway District.

APPLICANT'S PROPOSAL

(1) To allow the establishment of a gym in the DSP/EB - Downtown Specific Plan/ East Broadway District.

ENVIRONMENTAL DETERMINATION

The project is exempt from CEQA review 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. That the proposed use will be consistent with the various elements and objectives of the general plan.

The proposed gym (Anytime Fitness) will be consistent with the various elements and objectives of the general plan. The subject property is located in the East Broadway District of the Downtown Specific Plan, which encourages moderate density mixed-use developments with upper level housing and ground-level retail storefronts. The subject site, located between the Central Glendale Redevelopment Area and the Civic Center, is in an area with commercial, multi-family residential, civic, open space and cultural uses.

Anytime Fitness will complement the East Broadway District with a convenient location for a membership-based gym. Given the applicant is requesting to establish a new gym, other elements of the General Plan, including the Open Space, Recreation, and Housing, will not be impacted.

It is not anticipated that the applicant's request will create a negative traffic related impact. The subject site is located on a corner lot at the intersection of East Colorado and South Louise Streets. These streets are identified as a major arterial and a local street, respectively, by the Circulation Element. The functional purpose of major arterial streets is to handle the heavier traffic volumes and distribute traffic to freeways, collector streets and business centers within and outside of the City's boundaries. East Colorado Street is suitable for the proposed use. Furthermore, it is not anticipated the proposed use will generate traffic-related impacts on South Louise Street. South Louise Street is designed to provide low-volume traffic from residences to arterial streets, such as East Colorado Street. The majority of traffic visiting the site is expected to utilize East Colorado Street, which is designed to be an efficient route dispersing traffic with maximum flow.

B. That the use and its associated structures and facilities will not be detrimental to the public health or safety, the general welfare, or the environment.

The proposed gym will not be detrimental to the public health or safety, the general welfare, or the environment. The use will be situated within an existing one-story, 4,988 square-foot commercial building that previously operated as a retail store. The applicant does not propose expansion of floor area or modifications to the exterior of the building. The gym will be available to members 24 hours a day and seven days a week with staffed and non-staffed operational hours. The establishment will be staffed from 10:00 a.m. until 6:30 p.m., Monday through Saturday, and 11:00 a.m. until 3:00 p.m. on Sundays. During non-staffed hours, gym membership holders will be provided key cards to access the facility. Anytime Fitness has a company security compliance program to ensure the safety of all their members. Panic buttons for emergencies will be provided within the gym during non-staffed hours. Cameras will be recording the premises 24 hours a day and will have a backlog of 30 days minimum. A copy of the Anytime Fitness Security Compliance program checklist and application was routed to the Police Department for review. Comments received from the Police Department did not have major concerns in regards to the operation of the business; however, did recommend several standard conditions to minimize impacts of loitering, nuisance or trespassing.

C. That the use and facilities will not adversely affect or conflict with adjacent uses or impede the normal development of surrounding property.

The proposed use will not adversely affect or conflict with adjacent uses or impede the normal development of the surrounding property. The project site is located on East Colorado Street that is developed with a mix of existing commercial uses to the east, civic uses to the west, and residential uses to the south, and a church to the north. The proposed gym will be conducted entirely within the building and does not propose any changes to the existing building or property. As a result, the proposed gym will be compatible with the adjacent uses and will not impede the normal development of the surrounding property.

D. That adequate public and private facilities such as utilities, landscaping, parking spaces and traffic circulation measures are or will be provided for the proposed use.

The gym will not result in inadequate public or private facilities. The scope of work does not include expansion of the existing floor area. Rather, the applicant proposes to change the use from retail to gym. The required amount of parking by the Zoning Code for retail establishments and gyms are four and ten parking spaces per 1,000 square-feet of area, respectively. While the change of use appears to be deficient 30 parking spaces, the code allows the change of specific uses within tenant spaces less than 5,000 square-feet located in the DSP to be interchanged without the need to provide additional parking beyond that currently provided on-site. Because both retail establishments and gyms are listed in the change of use provision of the Parking Chapter (30.32.030 C), no additional parking spaces are required. Lastly, the existing commercial building occupies approximately one-third of the site with the remaining occupied by residential buildings and paved parking spaces without any landscaping. Because the applicant does not propose any exterior modifications to the building or the parking lot, additional landscaping is not required to meet minimum standards.

CONDITIONS OF APPROVAL

APPROVAL of this Conditional Use 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 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. 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 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
4. That any expansion or modification of the facility or use that intensifies the existing Conditional Use Permit shall require a new Conditional Use Permit application. Expansion shall constitute adding floor area, changes to the use or operation, or any physical change as determined by the Planning Hearing Officer, with concurrence from the Director of Community Development
5. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash and graffiti.
6. That adequate means shall be provided for the collection of solid waste generated at the site and that all recyclable items shall be collected and properly disposed of to the satisfaction of the Integrated Waste Administrator of the City of Glendale. No trash containers shall be stored in any parking, driveway, or landscaping area.

7. That the proprietor and his/her employees shall make an active and conscientious effort to keep customers and employees from trespassing on other nearby properties or otherwise making disturbances in the area.
8. That access to the premises shall be made available upon request to all City of Glendale authorized staff (i.e. Planning and Neighborhood Services Division, Building and Safety Division, Fire Department, Police Department, etc.) for the purpose of verifying compliance with all laws and the conditions of this approval.
9. That sufficient measures shall be enforced to effectively eliminate exterior loitering, disturbing noise, disturbing light and loud conversations.
10. That signs indicating no loitering or trespassing shall be posted and clearly visible.
11. That the facilities shall not be used as a place for lodging, food or alcoholic service, or any type of illicit activity.
12. That the authorization granted herein shall be valid for a period of **FIVE (5) YEARS, UNTIL MAY 26, 2022**, at which time, a reapplication must be made.

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 **JUNE 12, 2017**, 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.

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

GMC CHAPTER 30.41 PROVIDES FOR

TERMINATION

Every right or privilege authorized by a Conditional Use 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.

CESSATION

A Conditional Use Permit may be terminated by the review authority upon any interruption or cessation of the use permitted by the Conditional Use Permit 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 conditional use permit.

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 Conditional Use Permit 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.

300 EAST COLORADO STREET
CONDITIONAL USE PERMIT NO. PCUP 1703425
(ANYTIME FITNESS)

You may contact the case planner, Dennis Joe, during normal business hours at (818) 937-8157 or via e-mail at djoe@glendaleca.gov.

Sincerely,



Roger Kiesel
Planning Hearing Officer

RK:DJ: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 Dennis Joe.