



CITY OF GLENDALE, CALIFORNIA

Community Development
Planning

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May 31, 2022

Alain Yotnegparian
14724 Ventura Boulevard, Suite 140
Sherman Oaks, CA 91403

**RE: PARKING EXCEPTION CASE NO. PPEX 2200875
6743 – 6745 SAN FERNANDO ROAD (Stock California)
DIRECTOR OF COMMUNITY DEVELOPMENT REVIEW**

Dear Mr. Yotnegparian:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.32.030, the Director of Community Development has processed an application for a Parking Exception for the property located at **6743-6745 San Fernando Road** in the “IMU” – Industrial/Commercial Mixed Use Zone, and described as Portion of Lots 21, 22 and 23, Block A, Tract No. 4736, in the City of Glendale, County of Los Angeles. The application is hereby **APPROVED**, based on the following analysis and findings, and subject to the conditions of approval.

ENVIRONMENTAL DETERMINATION

The project is exempt from CEQA review as a Class 1 “Existing Facilities” exemption pursuant to Section 15301 (a) of the State CEQA Guidelines, because the request is to allow for interior or exterior alterations of an existing tenant space without providing the code required parking.

PROJECT PROPOSAL

The proposed project consists of converting a portion of an existing 5,271 square-foot warehouse/wholesaling use to include retail services that is open to the general public. The parking exception required will result in a **15-space** parking shortfall to accommodate the conversion of a portion of the existing warehouse/wholesaling use to include retail sales.

SUMMARY AND BACKGROUND

The project site is 8,775 square-feet in size and is located along the south side of San Fernando Road in the “IMU” – Industrial/Commercial Mixed Use Zone. The site features an existing one-story, 5,271 square-foot commercial building that was originally developed in 1973 for a warehouse use with six parking spaces and two loading spaces located at the rear and accessed via an existing alley. Currently, the building is occupied by an existing

warehousing/wholesaling use and the business owner would like to convert 2,265 square-feet to include retail sales of their merchandise that would be open to the public. When there are multiple uses proposed as part of a business, the Zoning Code requires the most restrictive provision of the code to be applied for the entire tenant space, which in this case is retail parking at four spaces per 1,000 square-feet of floor area. The applicant’s request will result in a 15-space parking reduction to accommodate the change in use from warehouse/wholesaling to include retail sales.

PARKING EXCEPTION REQUEST

In accordance with Glendale Municipal Code (GMC) Section 30.32.030, 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. In many cases, the strict application of the parking code to require full on-site parking for these uses is not practical or desirable, and would prevent businesses from locating in the project area.

The current use is warehouse/wholesaling of toys, and the business owner would like to convert 2,265 square-feet of the existing space to allow for retail sales of the merchandise that would be open to the public. The rest of the building (2,646 square feet) will be maintained for the warehouse/wholesaling operations of the business. In accordance with GMC Section 30.03.010, when there are multiple uses proposed as part of a business, the Zoning Code requires the most restrictive provision of the code to be applied. In this case, the multiple uses proposed as part of the operation are warehouse/wholesaling with retail sales; warehousing/wholesaling requires one space per 1,000 SF of floor area, while retail sales requires four spaces per 1,000 square-feet of floor area, retail parking is the most restrictive provision of the code. The project site is developed with a total of six parking spaces at the rear, while the change in use to retail with warehouse/wholesaling requires 21 spaces. This is resulting in a 15-space parking shortfall to accommodate the change in use (see table below).

Use(s)	Parking Required
<u>Existing:</u> 5,271 square-foot warehouse/wholesaling use	1 space per 1,000 SF = 5 spaces
<u>Proposed:</u> 5,271 square-foot retail use that also includes warehouse/wholesaling	4 spaces per 1,000 SF = 21 spaces

REQUIRED/MANDATED FINDINGS

After considering the evidence presented with respect to this application, the Director of Community Development has determined that Parking Exception Case No. PPEX 2200875, a request to allow a 15-space parking reduction in conjunction with the operation of a retail use with warehouse/wholesaling located at 6743 – 6745 San Fernando Road, meets the findings of GMC Section 30.32.020 as follows:

- A. Parking spaces required for the proposed use or construction proposal cannot**

reasonably be provide in size, configuration, number of spaces or locations specified by the provisions of this title without impairment of the project's viability.

The subject site is an 8,775 square-foot lot located in the "IMU" – Industrial/Commercial Mixed Use Zone in the former San Fernando Road Corridor Redevelopment Project Area. The current use is warehouse/wholesaling of toys, and the business owner will be converting a portion of the existing space to include retail sales of the merchandise that is open to the public. This change of use from warehouse/wholesaling to retail sales with warehouse/wholesaling requires 21 parking spaces, where the site is developed with a total of six parking spaces at the rear. This results in a 15-space parking shortfall to accommodate the change in use.

The scope of the project and the existing conditions of the site result in practical difficulties that impair the project's viability if the strict requirements for number of parking spaces were applied because the required number of parking spaces for the change in use cannot reasonably be provided for on-site. The project site was originally developed in 1973 with a 5,271 square-foot commercial building with six parking spaces located at the rear. Based on the existing conditions of the site, there are no site planning alternatives available to accommodate the additional 15 parking spaces that are required for the change in use. The surrounding area is fully developed, and there is no additional land that can be acquired to provide more on-site parking. Therefore, the 15-space parking shortfall to accommodate the change of use cannot reasonably be provided on-site.

- B. The parking exception will serve to promote specific goals and objectives of the adopted plan for the Glendale Redevelopment Project Areas 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.**

The project is consistent with the intent of the goals and objectives of the former San Fernando Road Redevelopment Project Area. The area along San Fernando Road is zoned for a mix of commercial, industrial and residential uses. Applicable goals for the San Fernando Road Corridor include upgrading and improving existing industrial buildings which help maintain the tax base and attract a variety of business activities. The prior redevelopment plan called for a mix of uses and the prevention of blighting influences in the project area. The proposed change in use to retail sales with warehouse/wholesaling of toys will enhance the economic vitality of the neighborhood and is compatible to the types of businesses located in the vicinity. A leased and occupied building is an important factor for the economic stability of the operator(s) and neighboring commercial uses. This continuity of operable businesses will help to revitalize this area, remove physical blight, and improve the economic welfare of the area.

The project is consistent with the various elements and objectives of the General Plan. The Land Use Element designation of the site is Mixed Use and is zoned IMU, where

retail and warehouse/wholesaling uses are permitted and encouraged along major arterials, like San Fernando Road. The Land Use Element is the most directly related to the approval of this use and the other elements of the General Plan, including the Open Space, Recreation, Housing, and Noise Elements will not be impacted as a result of the applicant's request. The Circulation Element classifies San Fernando Road as a major arterial that is fully developed and can accommodate the traffic and circulation patterns for the use.

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.

There are conditions of the site that are applicable to the subject property and the intended use that do not apply generally to other property in the area, including the development of the site and the proposed partial conversion of the existing warehouse/wholesale use to include an on-site retail component. The existing business occupies the one-story, 5,271 square-foot commercial building on an 8,775 square-foot lot that features six parking spaces and two loading spaces located at the rear and accessed off the alley. Based on the current conditions of the property, the existing building footprint covers most of the site, thus limiting the possibility of altering the size or configuration of the structure to accommodate on-site parking that complies with the zoning code requirements. Additionally, because the surrounding area is already developed, there is no adjacent land that can be purchased for the purpose of providing additional parking for the site. The existing warehouse/wholesaling use will be including a retail component that is less than half of the business square footage, nevertheless triggering a parking recalculation for the entire building at the more intensive retail parking ratio. This type of business involving a warehousing/wholesaling/retail operation is atypical for the area, which usually features properties with only one use. Therefore, the project involves site constraints and a business operation that are unique to the property and which do not generally apply to other property in the area.

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 a 15-space shortfall for this project will not be detrimental to the public welfare or other developments in the surrounding neighborhood. The parking exception request is for the proposed use of the space as both a warehouse/wholesale use and a retail store; the parking code, however, requires that the business provide parking at the most intensive parking ratio for the entire building square footage. The mitigating circumstances that ensure that the requested exception will not be detrimental to the public welfare or injurious to property or improvements in the vicinity of the property or in the neighborhood include the operational differences, the surrounding uses, and the availability of on-street parking alternatives. As noted in Finding C above, there are operational differences from a

typical retail use that will mitigate any concerns related to neighborhood impacts. Whereas a typical retail use will devote a majority of their space to merchandise display and customer circulation, the proposed use will use approximately half of the tenant space for the retail use, while the remainder of the building is to be used to continue the existing operation as a warehouse/wholesaling business. The surrounding uses in the immediate area include retail, industrial (manufacturing, warehouse/wholesaling), and service uses. There are some residential uses located nearby, but they are not immediately adjacent to the subject site as they are located north of San Fernando Road, and it is not anticipated that the requested parking exception will impact these nearby residential uses. In addition to the six parking spaces provided on-site, the south side of San Fernando Road, as well as the adjacent streets feature on-street parking which can be utilized by patrons of the business as needed.

Lastly, pursuant to GMC Section 30.32.030, approval of the parking exception is valid so long as the land use remains the same as at the time of permit issuance. The approval of this Parking Exception 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 Case No. PPEX 2200875 is hereby **APPROVED**, subject to the following conditions:

CONDITIONS OF APPROVAL

APPROVAL of the **Parking Exception** shall be subject to the following:

1. That the development shall be in substantial accord with the plans submitted with the application for a Parking Exception, 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. 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 licenses, approvals and permits as required from Federal, State, County, and City authorities shall be obtained and kept current at all times.
3. That any necessary permits (i.e. building, fire, engineering, etc.) shall be obtained from the Building & Safety section and Public Works Department and any construction shall be in compliance with the Glendale Building Code and all other applicable regulations.
4. That the Parking Exception is valid only insofar as the specific use for which it was granted remains the same. The permit runs with the proposed warehouse/wholesaling/retail 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 Directory of Community Development. Intensification may include, but is not limited to, hours of operation, services or goods offered and mix of activities within the use.

5. That any other changes to this project shall be subject to review and approval of the Director of Community Development.
6. That all signs displayed shall comply with GMC Chapter 30.32 and shall require a separate permit.
7. That the facilities shall not be rented, leased or otherwise occupied for purposes not specified in this application.
8. That access to the premises shall be made available to all City of Glendale Community Development Department, Police Department, and Fire Department staff upon request for the purpose of verifying compliance with all laws and conditions of this approval.
9. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash, and graffiti.
10. That sufficient measures shall be enforced to effectively eliminate interior and exterior loitering, parking congestion, disturbing noise and light, and criminal activities.
11. 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.
12. That any necessary permits and licenses be obtained in order to comply with the open Code Compliance Case No. NBRCV 2100179.

APPEAL PERIOD (effective date), TIME LIMIT, LAPSE OF PRIVILEGES, TIME EXTENSION

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 City Council 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, appeal forms and fees will be provided by the Community Development Department (CDD) staff upon request by calling 818-548-2140.

The completed appeal form must be filed with the prescribed fee prior to expiration of the 15-

day period, on or before **June 15, 2022**.

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 June 15, 2022 deadline (mailed to Community Development Department – Planning Division, Attention Vista Ezzati, 633 East Broadway, Room 103, Glendale, CA 91206) OR emailed to the case planner Vista Ezzati at VEzzati@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: www.glendaleca.gov/appeals

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. Visit us.

GMC CHAPTER 30.41 PROVIDES FOR

TERMINATION

Every right or privilege authorized by a Parking Exception shall terminate two 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 Parking Exception may be terminated by the review authority upon any interruption or cessation of the use permitted by the Parking 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 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 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.

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 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 parking reduction and parking 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 parking exception at least 10 days notice by mail to the applicant or permittee. Continuing jurisdiction over any case is the purview of the Director of Community Development.

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, **Vista Ezzati**, 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, Vista Ezzati, during normal business hours at her direct line (818) 937-8180 or via email at VEzzati@glendaleca.gov, between 8:30 a.m. to 5:30 p.m. weekdays.

Sincerely,

John Takhtalian
Interim Director of Community Development


Erik Krause
Deputy Director of Planning

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