glendale california
City of Glendale
Community Development
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September 15, 2016

Art Bedroussian
Vista Inn Glendale
2225 Campus Drive
El Segundo, CA 90245

RE: 114 WEST COLORADO STREET
ADMINISTRATIVE USE PERMIT CASE NO. PAUP 1612745
(Hampton Inn)

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.49, the Community Development Department has processed your application for an administrative use permit to allow the sales, service, and on-site consumption of beer and wine at a new Hotel in the "DSP/TD" – Down Town Specific Zone, Transitional District, located at **114 West Colorado Street,** described as Lots 19 and 20 of Grider and Hamilton's Lomita Park Tract (except the east 10 feet of said lot 19 in Brand Boulevard and except the northerly 125 feet of Lot 19 and except the northerly 125 feet of the easterly 35 feet of said Lot 20), and Lot 3 and the north 45 feet of Lot 4 of Tract No. 2382 in the City of Glendale, County of Los Angeles.

CODE REQUIRES

(1) The sales, service and on-site consumption of beer and wine requires an Administrative Use Permit in the DSP/TD –Downtown Specific Plan Zone/Transitional District.

APPLICANT'S PROPOSAL

(1) To allow on-site sales, service, and consumption of beer and wine (Type 20 and Type 70) at new hotel.

ENVIRONMENTAL RECOMMENDATION

The project is exempt from CEQA review per State CEQA Guidelines Section 15332, Class 32 "In-Fill Development Projects".

REQUIRED/MANDATED FINDINGS

After thorough consideration of the statements contained in the application, the plans submitted therewith, the above analysis by Community Development Department staff, and any comments received from the public with respect to this application, this Administrative Use Permit application has been **APPROVED WITH CONDITIONS** is based on the following findings
:

A. That the proposed use will be consistent with the various elements and objectives of the general plan.

The subject site is zoned DSP/TD (Downtown Specific Plan – Transitional District) and within the Downtown Specific Plan designation of the Land Use Element of the General Plan. The Circulation Element designates West Colorado Street and South Brand Boulevard as Major Arterials. The streets are fully improved serving a multitude of businesses and residential developments. The proposed hotel is currently under construction and is located alongside other commercial/service type businesses.

A hotel is a permitted use in this zone; however, on-site consumption of beer and wine requires the approved Administrative Use Permit. The consumption of alcoholic beverages is incidental to the hotel operation. The applicant is currently under construction for the new hotel. The various elements of the general plan identify this property as a Downtown Specific Plan. The proposed hotel use is consistent with this designation.

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 Hampton Inn is considered a hotel use, which is a permitted use in the Downtown area. The Glendale Police Department has reviewed the request to sell, serve, and consume beer and wine, and has recommended appropriate conditions to further safeguard the health, safety, and general welfare of the public.

The proposed hotel is located in Census Tract No. 3023.02 and contains other businesses selling alcoholic beverages. This census tract allows for four on-sale and three off-sale establishments. There are currently two on-sale license and three off-sale licenses in this census tract. According to the City's Part 1 crime statistics, there were 174 crimes reported in this census tract, which is below than the city-wide average of 178 crimes.

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

The Hampton Inn is located within a commercial district and surrounded by complementary uses. The hotel's request to sell and serve beer and wine will not adversely affect or conflict with adjacent uses or impede the normal development of surrounding property, since no change to the existing land use designation are proposed. The focus of the operation continues to be a hotel use. In this regard, the sales/service of beer and wine for on-site consumption is an enhancement to the hotel experience.

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 hotel will be four stories with parking on the first two levels. The building is currently under construction. The property will be fully improved with all necessary

utilities. South Brand Boulevard and West Colorado Street are considered Major Arterials and are fully improved serving a multitude of businesses. The service of beer and wine at a proposed hotel is not anticipated to generate additional traffic.

The hotel was approved for a variance for not providing a loading zone and approved for a parking reduction permit to provide 88 parking spaces instead of the required 94 parking spaces. The demand for parking will not be impacted by the service and consumption of beer and wine due to this service being provided to the guests of the hotel only.

REQUIRED ADDITIONAL FINDINGS OF FACT FOR AN AUP FOR ALCOHOL SALES, SERVICE AND CONSUMPTION:

That all the criteria set forth in Section 30.42.030 to be considered in making the findings in subsection a. through d. above have all been met and thoroughly considered:

1) That such use will not tend to intensify or otherwise contribute to the adverse impacts on the surrounding area caused by over concentration. The Glendale Police Department noted no concerns with this proposal as noted in finding B above.

2) That such use will not tend to encourage or intensify crime within the district. No evidence has been presented which would indicate that a hotel with sales, service, and consumption of beer and wine in this location has or would encourage or intensify crime within the district as noted in finding B above.

3) That such use will not adversely impact any other uses within the surrounding area (church, public or private schools or college, day care facility, public park, library, hospital or residential use). There are no public facilities, schools, or churches within the immediate vicinity. The proposed hotel should not impact those uses. Additionally, the project is conditioned to ensure the function of this hotel and sale of alcoholic beverages will be in compliance with all municipal codes and state law. The proposed on-site sales, service and consumption of beer and wine at this proposed hotel is not anticipated to adversely impact other neighboring uses in this area.

4) That the proposed use satisfies its transportation or parking needs as described above because as noted in Finding D. above adequate access, parking and delivery spaces are available to serve this use.

5) That the proposed sales and service of beer and wine at the hotel will serve a public necessity or public convenience for the area due to this being an added amenity for the guests of the hotel.

CONDITIONS OF APPROVAL

APPROVAL of this Administrative 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 except for any modifications as may be required to meet specific code standards or other conditions stipulated herein to the satisfaction of the Director of Community Development.

2. 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.

3. That sufficient measures shall be enforced to effectively eliminate interior and exterior loitering, parking congestion, disturbing noise, disturbing light, loud conversation, and criminal activities.

4. That the sales/service of beer and wine shall be in full accord with the regulations and conditions established by the State Department of Alcoholic Beverage Control.

5. That the parking area shall be kept adequately illuminated for security purposes during all hours of darkness. No lighting shall be installed or maintained that shines or reflects onto adjacent properties.

6. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash, and graffiti.

7. That access to the premises shall be made available to all City of Glendale Planning and Neighborhood Services Divisions, Police Department, and Fire Department staff upon request for the purpose of verifying compliance with all laws and conditions of this approval.

8. That no exterior signs advertising the sales/service of beer and wine shall be permitted.

9. That any expansion or modification of the facility which intensifies the existing Administrative Use Permit (AUP) shall require a new AUP application. Expansion shall constitute adding floor area, changes to the use or operation, or any physical chase as determined by the Planning Hearing Officer, with concurrence from the Director of Community Development.

10. That at all times when the premises are open for business, the service of any beer and wine shall be made only in the areas designated with an ABC license. Consumption of beer and wine will only be on those same licensed areas.

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 music or noise shall be contained within the edifice of the establishment. The business shall comply with all state and local laws and ordinances concerning excessive noise and disturbing the peace.

13. The front and back doors of the establishment shall be kept closed at all times while the location is open for business, except in case of emergency.

14. The Manager and or Staff should be proactive in the enforcement of the City of Glendale Clean Air Act. That the hotel shall adhere to the City's Fresh Air (smoking) Ordinance, Title 8, Chapter 8.52 of the Glendale Municipal Code.

15. That a Business Registration Certificate be applied for and issued for a hotel with sales, service, and consumption of beer and wine, subject to the findings and conditions outlined in this decision letter.

16. That authorization granted herein shall be valid for a period of ***TEN (10) YEARS UNTIL SEPTEMBER 15, 2026.***

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 **September 30, 2016,** 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

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.

REVOCATION, CONTINUING JURISDICTION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over variances, administrative use permits, and conditional use permits (individual cases heard and decided upon by the Planning Hearing Officer).

To consider the revocation, the Planning Hearing Officer shall hold a public hearing after giving notice by the same procedure as for consideration of a conditional use permit at least ten (10) days' notice by mail to the applicant or permittee. Continuing jurisdiction over any case is the purview of the Planning Hearing Officer, with concurrence by the Director of Community Development.

GMC CHAPTER 30.4 PROVIDES FOR

Termination

Every right or privilege authorized by an administrative 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.

Extension

An extension of the administrative use 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 administrative use permit.

Cessation

An Administrative Use Permit may be terminated by the review authority upon any interruption or cessation of the use permitted by the Administrative Use 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. 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, Bradley Collin at (818) 548-3210 or bcollin@glendaleca.gov

Sincerely,

Philip Lanzafame
Director of Community Development

Bradley Collin
Senior Planner

PL:BC:sm

CC: City Clerk (K.Cruz); Police Dept. (Lt.S.Bickle/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(J.Halpert); Dir. Of Public Works (R.Golanian); 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 (J. Jouharian,); Integrated Waste Management Admin. (D. Hartwell); Maintenance Services Section Admin. (D. Hardgrove); Street and Field Services Admin.; Environmental Management (M. Oillataguerra); and case planner – Bradley Collin.