glendale california

City of Glendale
Community Development
Planning & Neighborhood Services

633 E. Broadway, Room 103
Glendale, CA 91206-4311
Tel 818.548.2140 Tel 818.548.2115
www.glendaleca.gov

November 7, 2016

Applicant:
Apro LLC
17311 South Main Street
Gardena, CA 90248

RE: ADMINISTRATIVE USE PERMIT CASE NO. PAUP 1618853
1118 North Glendale Avenue
(United Oil Gas Station)

The Director of Community Development will render a final decision on or after **November 17, 2016**, for the following project:

Project proposal: Application for an Administrative Use Permit (AUP) to allow the sale of beer and wine (Type 20) for off-site consumption at an existing food store located in a gas station.

STAFF RECOMMENDATION: APPROVE WITH CONDITIONS

DRAFT 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, approvals and permits 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 service of alcoholic beverages shall be in full accord with the regulations and conditions established by the State Department of Alcoholic Beverage Control.

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

6. That all signs displayed shall conform to the requirements of the Glendale Municipal Code.

7. That any expansion or modification of the facility or use which intensifies the existing business shall require a new Administrative Use Permit application. Expansion shall constitute adding floor area, increased hours of operation, changes to the use or operation, or any physical change as determined by the Director of Community Development.

8. That at all times when the premises are open for business, the service of alcoholic beverages shall be made only in the areas as designated with the ABC license.

9. That the sale of beer and wine shall be permitted only between the hours of 6:00 AM to 2:00 AM each day of the week.

10. That the premises shall be operated in full accord with applicable State, County, and local laws.

11. That the store provide training for its personnel regarding prohibiting sales to minors or intoxicated persons. Alcohol Beverage Control staff is available and can provide for this training.

12. That store display racks should be positioned such that they are in a clear line of sight by management and staff with no restricting view.

13. That signs be posted clearly specifying no sales to minors or intoxicated persons.

14. That appropriate lighting for the display areas where alcoholic beverages would be sold should be required.

15. That the proprietor and his/her employees shall make an active and conscientious effort to keep customers and employees from trespassing, loitering, or consuming an alcoholic beverage on the property, adjacent properties or otherwise making disturbances in the area.

16. That the sale of beer and wine for consumption on the premises is strictly prohibited.

17. That signs indicating no loitering or trespassing should be posted.

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

19. Individual unit sales of alcoholic beverages should be restricted. No individual unit sales for beer should be allowed. No individual unit sales for wine less than a full sized bottle should be allowed. This can reduce the potential for individuals to buy one or two units and walk outside to consume them on or near the premise.

20. That the use shall adhere to the City's Fresh Air (smoking) Ordinance, Title 15, Chapter 8.52 of the Glendale Municipal Code.

21. That no signs advertising the availability of alcoholic beverages shall be visible from outside the building.

DRAFT

22. That a Business Registration Certificate be applied for and issued for a food store located in a gas station with the off-site sales of beer and wine, subject to the findings and conditions outlined in this decision letter.

23. That authorization granted herein shall be valid for a period of 10 years until ***November 17, 2026.***

PROJECT BACKGROUND

Previous Permits for the Site:

On June 16, 1997, the Zoning Hearing Officer granted Standards and Setback Variance Case No. 9679-S with conditions to replace two existing canopies at an existing automobile service station with a 13,800 square foot lot, where a 14,400 square foot lot is required.

On October 1, 2008, the Zoning Administrator granted Standards and Setback Variance Case No. 2008-022 with conditions to allow a retail market to be added to an existing gas station, previously approved by Variance Case No. 9679-S, which approved a gas station that did not meet development standards.

On November 14, 2008 Zoning Use Certificate No. PZUC-20080716 was issued for "United Oil", an 878 square foot service station use.

Related Concurrent Permit Application(s):
There are no other related concurrent permit applications on file for the subject address.

Environmental Determination:
The project is exempt from CEQA review as a Class 1 "Existing Facilities" exemption, pursuant to State CEQA Guidelines Section 15301.

General Plan:
Community Services

Zone:
C2 – Community Commercial Zone (District I)

Description of existing property and uses: The project site is developed with a gas station that includes a one-story 1,139 square-foot food market, located between North Glendale Avenue and North Verdugo Road (where North Verdugo Road splits), creating a triangular shaped lot. Currently, the service station has 4 parking spaces on-site, including one handicap space. The site has been a gas station since 1938, but recently in 2008, a retail market was added. The existing service station, "United Oil" has been operating at this location since 2008.

Neighboring zones and uses:

	Zoning	Existing Uses
North	R-2250	Multi-Family Residential Use
South	C2	Commercial Use
East	R-2250	Multi-Family Residential Use
West	R-2250	Multi-Family Residential Use
Project Site	C2	Commercial Use

COMMENTS FROM OTHER CITY DEPARTMENTS: No major concerns were received from the various city divisions/departments for the service station to sell beer and wine for off-site consumption. Conditions were received from the Police Department to ensure that any potential negative impact will be appropriately mitigated.

PROJECT ANALYSIS

The applicant is requesting approval of an Administrative Use Permit (AUP) to allow the sale of beer and wine for off-site consumption at a food market located in an existing gas station. According to City records, the existing gas station/food market, "United Oil", has operated at this location since 2008, but has been a gas station with different tenants since 1938. This request will be the first to allow the sale of beer and wine for off-site consumption.

The subject site is located in the C2 (Community Commercial) Zone and the General Plan Land Use Element designation is Community Services. These areas desire retail services and are generally located along the city's major arterials, like North Glendale Avenue. The sale of beer and wine for off-site consumption at this location is appropriate in an area of the city zoned for commercial uses and will provide an option for the community to purchase beer and wine for off-site consumption.

The sale of beer and wine for off-site consumption at the existing gas station/food market will be consistent with the elements and objectives of the General Plan. The project site is already developed and the applicant's request is only to allow the sale of beer and wine for off-site consumption at the existing gas station/food market. A commercial shopping center with retail uses that sell beer and wine for off-site consumption is located south of the project site. The project site will not affect the residential uses located nearby. Other elements of the General Plan, including Open Space, Recreation, Housing, and Noise Elements, will not be impacted as a result of the applicant's request. This application does not include any added floor area or modifications to the existing building; therefore, there will be no increase in the demand for parking. The subject property is existing and non-conforming in terms of parking and landscaping. The applicant's request to allow the sale of beer and wine is not anticipated to create any negative traffic-related impacts to North Glendale Avenue or North Verdugo Road over and above the existing conditions.

The sale of beer and wine for off-site consumption at the existing gas station/food market will not be detrimental to the safety and public welfare of the neighborhood in general. According to the Glendale Police Department, the subject property is located in Census Tract 3010 where the suggested limit for off-sale alcohol establishments is three. Currently, there are six off-sale establishments located in this tract, and "United Oil" will be the seventh license. Based on Part 1 crime statistics for this Census Tract, there were 102 crimes in 2015, 57% below the citywide average of 178.

The sale of beer and wine for off-site consumption at the existing gas station/food market is not anticipated to be detrimental to the community or adversely conflict with the community's normal development. It will not conflict with nearby land uses and will provide an option for the community to purchase beer and wine for off-site consumption at a gas station/food market. There are four public facilities within the immediate area of the subject site: Saint Gregory Armenian Catholic Church located at 1510 East Mountain Street (0.3 miles to the northeast), Woodrow Wilson Middle School located at 1221 Monterey Road (0.3 miles to the south), Glendale Community College located at 1500 North Verdugo Road (0.4 miles to the northeast), and Verdugo Park located at 1621 Canada Boulevard (0.7 miles to the northeast). While these

facilities and uses are within close proximity, the applicant's request will not impede the operation of such uses since they are not directly adjacent to the project site.

Overall, the applicant's desire to allow the sale of beer and wine for off-site consumption at the existing service station is supportable based on the facts surrounding this application and the findings.

DRAFT FINDINGS

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

The subject site is located in the C2 (Community Commercial) Zone and the General Plan Land Use Element designation is Community Services. Goods and services that are offered in this zone generally attract clientele from the adjoining residential neighborhoods as well as the surrounding community. The sale of beer and wine for off-site consumption at this location is appropriate in an area of the city zoned for commercial uses and will provide an option for the community to purchase beer and wine for off-site consumption.

The sale of beer and wine for off-site consumption at the gas station/food market will be consistent with the elements and objectives of the General Plan. The land use designation of the site is Community Services where retail services along a major arterial, like North Glendale Avenue, are desired. The project site is already developed and the applicant's request is only to allow off-site sales of beer and wine at the existing gas station/food market. The project site is located near a commercial shopping center with retail uses that sell beer and wine for off-site consumption. Residential neighborhoods are located nearby but do not affect the use. Elements of the General Plan, including Open Space, Recreation, Housing, and Noise Elements, will not be impacted as a result of the applicant's request. This application does not include any added floor area or modifications to the existing building; therefore, there will be no increase in demand for parking. Adequate utilities and traffic circulation measures are already provided.

The Circulation Element identifies North Glendale Avenue as a major arterial. It is fully developed and can adequately handle the existing traffic circulation around the site. The site may become congested at times, but the applicant's request to allow the sale of beer and wine for off-site consumption at an existing gas station/food store will not affect the traffic. Multi-family properties are located nearby but will not be affected by the use. The applicant's request to sell beer and wine for off-site consumption is not anticipated to create any negative traffic-related impacts on North Glendale Avenue over and above the existing conditions.

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 sale of beer and wine for off-site consumption at the existing gas station/food market will not be detrimental to the health, safety and public welfare of the neighborhood in general. According to the Glendale Police Department (GPD), the subject property is located in Census Tract 3010 where the suggested limit for off-sale alcohol establishments is three. Currently, there are six off-sale establishments located in this tract, and "United Oil" will be the seventh license. Retail uses similar to the existing gas station food market frequently sell beer and wine for off-site consumption as part of their service. This service is not typically associated with public drunkenness or other alcohol-related crimes. Based on Part 1 crime

statistics for this Census Tract, there were 102 crimes in 2015, 57% below the citywide average of 178.

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

It is not anticipated that the sale of beer and wine for off-site consumption at the existing gas station/food market will be detrimental to the community or adversely conflict with the community's normal development. Since 2008, "United Oil" has operated without any major incidents. The subject property is located near residential neighborhoods and other retail businesses are located to the south. The sales of beer and wine for off-site consumption at the existing gas station/food market will not conflict with nearby uses.

There are four public facilities within the immediate area of the subject site: Saint Gregory Armenian Catholic Church located at 1510 East Mountain Street (0.3 miles to the northeast), Woodrow Wilson Middle School located at 1221 Monterey Road (0.3 miles to the south), Glendale Community College located at 1500 North Verdugo Road (0.4 miles to the northeast), and Verdugo Park located at 1621 Canada Boulevard (0.7 miles to the northeast). While these uses are within close proximity, the applicant's request will not impede the operation of such use because the use is not being intensified or modified.

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 applicant's request to allow the sale of beer and wine for off-site consumption at an existing gas station/food market will not result in inadequate public or private facilities. The project site is already developed and associated facilities are existing. The existing gas station/food market, "United Oil", has been operating at this location since 2008 with no issues. The property is existing and non-conforming in terms of parking and landscaping. The existing on-site parking has proven to meet the parking demand of the gas station/food market and has not resulted in conflicts with nearby businesses or residential development. North Glendale Avenue, as identified in the Circulation Element, is a fully developed major arterial and can adequately handle the existing traffic circulation. In addition, no expansion of the existing use is proposed.

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

That all the criteria set forth in Section 30.49.030 (E) to be considered in making the findings in subsection a. through d. above have all been met and thoroughly considered:

1) That where an existing or proposed on-site use is located in a census tract with more than the recommended maximum concentration of on-site uses or that where an existing or proposed off-site use is located in a census tract with more than the recommended maximum concentration of off-site uses, both as recommended by the California Department of Alcoholic Beverage Control, such use does not or will not tend to intensify or otherwise contribute to the adverse impacts on the surrounding area caused by such over concentration based on the comments submitted by the City of Glendale Police Department. The sale of beer and wine for off-site consumption at the existing gas station/food market does not, or will not, tend to encourage or intensify crime within this reporting district as noted in Finding B above.

2) That where the existing or proposed use is located in a crime reporting district with a crime rate which exceeds 20 percent of the city average for Part 1 crimes, as reported by the Glendale Police Department, such use does not or will not tend to encourage or intensify crime within the district because conditions have been included in the approval of this application to ensure that any potential negative impacts will be appropriately mitigated. As noted in Finding B above, no evidence has been presented that would indicate that the sale of beer and wine for off-site consumption at the subject site would encourage or intensify crime within the district.

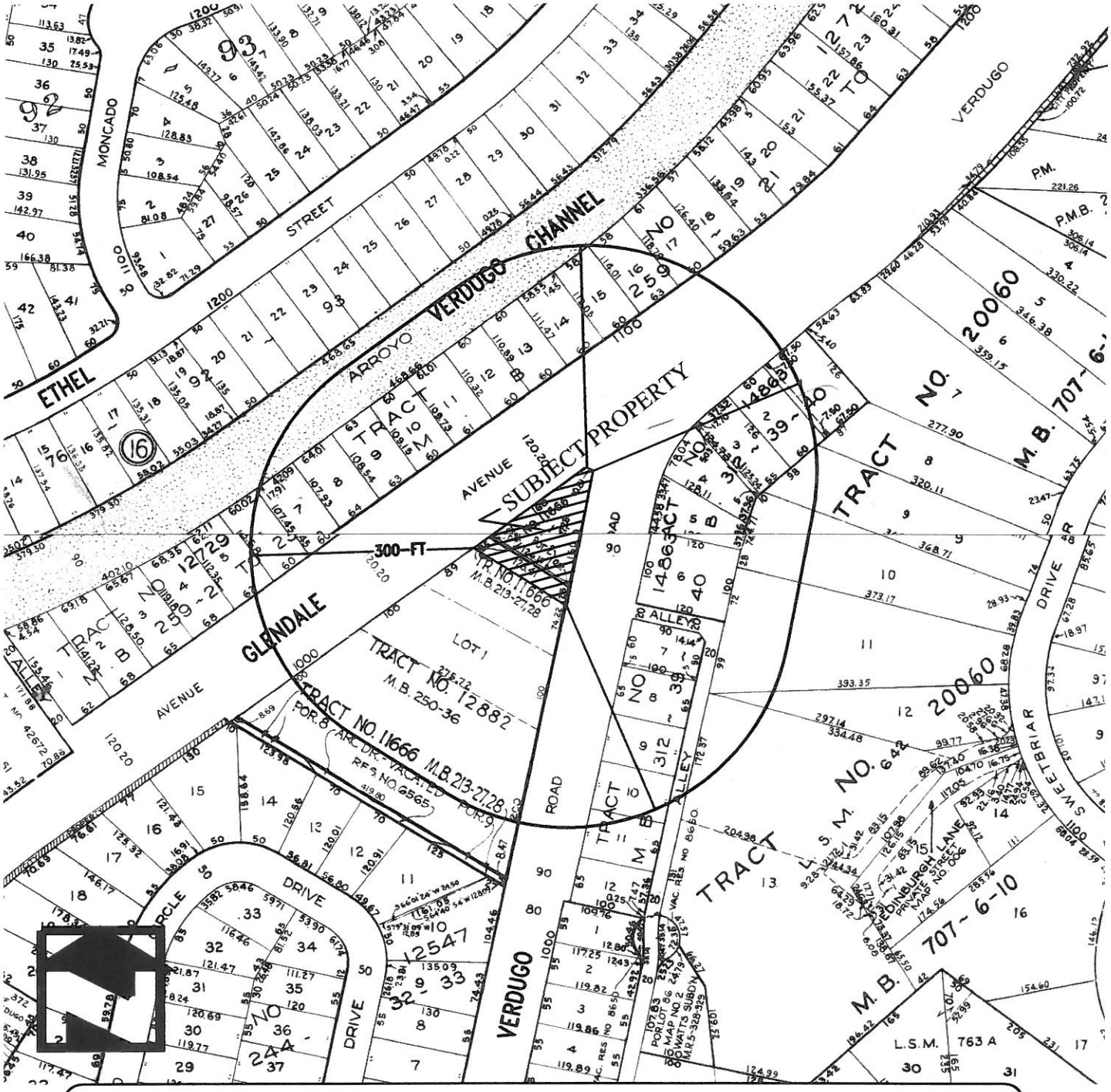
3) That the existing or proposed use does not or will not adversely impact any other uses within the surrounding area (church, public or private school or college, day care facility, public park, library, hospital or residential use). As noted in Finding C above, there are four public facilities within the immediate area of the subject site. While this facility and use is within close proximity, the applicant's request will not impede the operation of such uses since they are not altering or intensifying the current use.

4) That adequate parking and loading facilities are or will be provided for the existing or proposed use or other reasonable alternatives satisfy the transportation and parking needs of the existing or proposed use. As noted in Findings C and D above the applicant's request is not anticipated to increase the need for public or private facilities. The sale of beer and wine for off-site consumption at the existing gas station/food market, "United Oil", is not anticipated to intensify traffic circulation or parking demand. The site is fully developed and adequate parking facilities are currently provided.

5) That, notwithstanding consideration of the criteria in subsections 1 through 4 above, alcoholic beverage sales, service and off-site consumption does serve a public convenience for the area. The applicant's request for the sale of beer and wine for off-site consumption at an existing gas station/food market does serve a public convenience because it serves local residents, businesses, and the surrounding community. Conditions placed on the approval of the project will ensure that it will not adversely impact nearby businesses and residential uses.

For more information or to submit comments, please contact Danny Manasserian, at (818) 937-8159 or dmanasserian@glendaleca.gov.

ATTACHMENT:
1. Location Map
2. Reduced Plans
3. Departmental Comments



LOCATION MAP

ZUPAY MAPPING SERVICE
13645 SHABLOW AVE.
SYLMAR, CA 91342
818-833-9059

REPRESENTATIVE	OWNER	APPLICANT
SHERRIE OLSON 1030 N. MOUNTAIN AVE, SUITE 190 ONTARIO, CA 91762	ARCP UO PORTFOLIO II LP 17311 S. MAIN STREET GARDENA, CA 90248	UNITED OIL CO. 17311 S. MAIN STREET GARDENA, CA 90248

CASE No.

SCALE: 1" = 200'

PHOTOGRAPHIC SURVEY

1. SOUTH VIEW

2. NORTHEAST VIEW

3. NORTHWEST

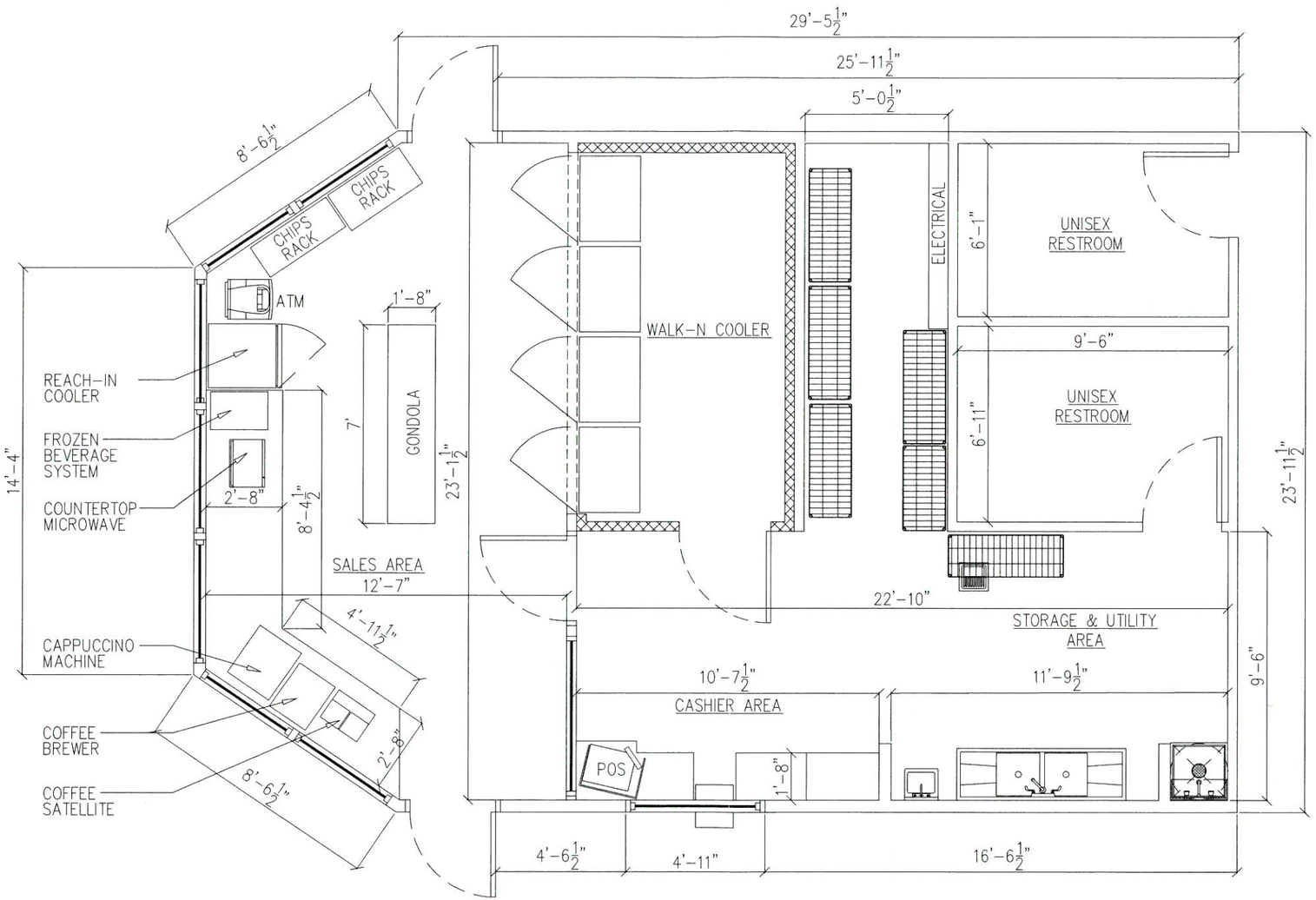
4. MART VIEW

PHOTOGRAPHIC SURVEY (Surrounding properties)

5. EAST VIEW

6. NORTHEAST VIEW

7. SOUTH VIEW



REVISIONS			
NO.	DATE	BY	COMMENTS

United Oil

EXISTING FLOOR PLAN

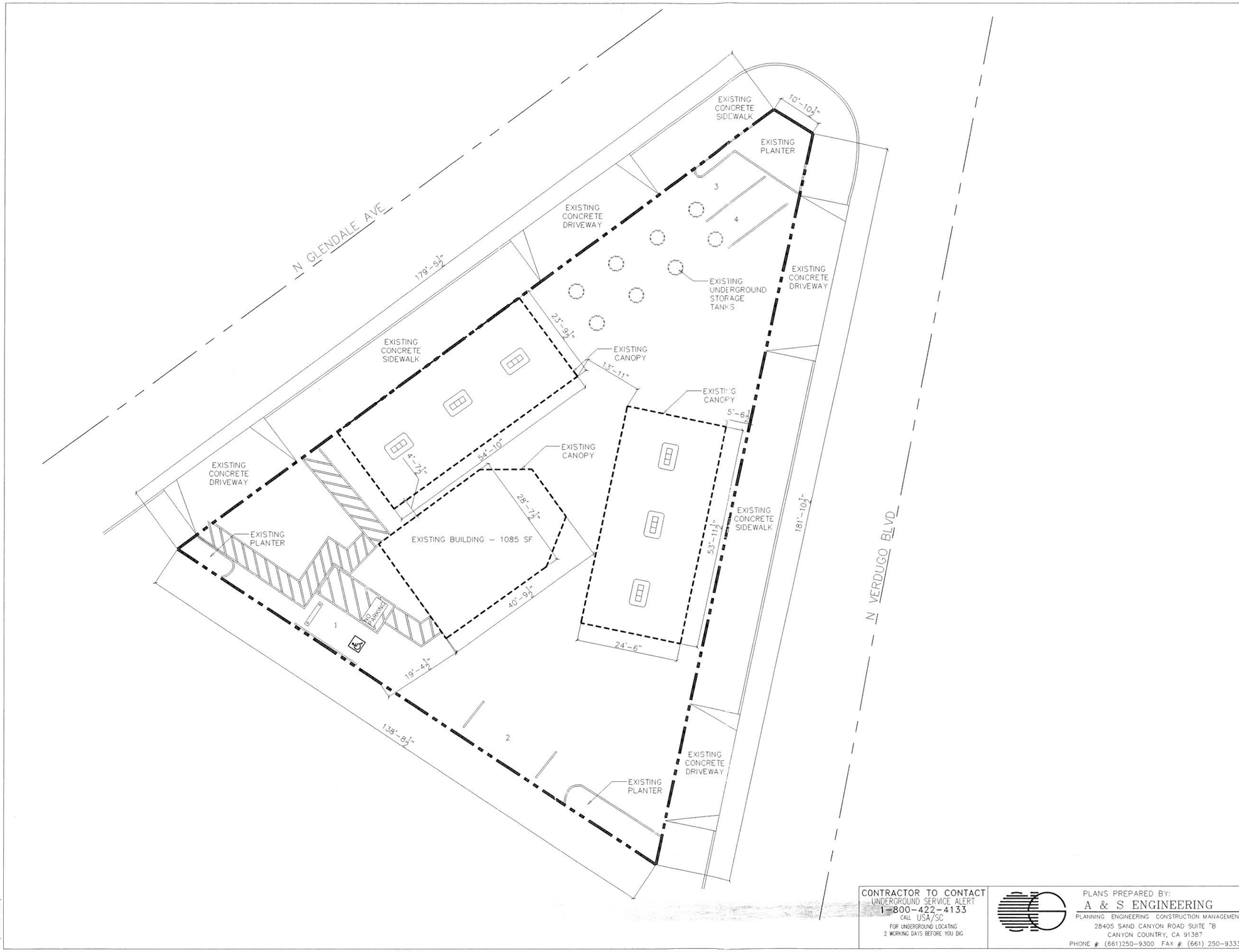
1118 N GLENDALE BLVD
GLENDALE, CA 91206

CONTRACTOR TO CONTACT
UNDERGROUND SERVICE ALERT
1-800-422-4133
CALL USA/SC
FOR UNDERGROUND LOCATING
2 WORKING DAYS BEFORE YOU DIG

PLANS PREPARED BY:
A & S ENGINEERING
PLANNING ENGINEERING CONSTRUCTION MANAGEMENT
28405 SAND CANYON ROAD SUITE "B"
CANYON COUNTRY, CA 91387
PHONE #: (661)250-9300 FAX #: (661) 250-9333

SCALE: 1/2"=1'-0"	DRAWING #: A1
DATE: 05/25/2016	STORE #: 4
DWN. BY: SH	SHEET 2
CHKD. BY:	

H:\UNITED OIL\



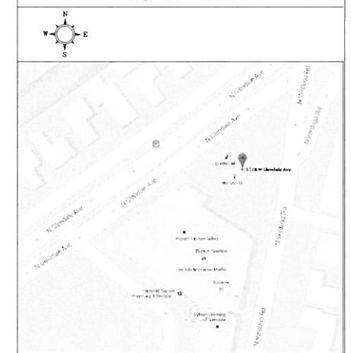
DIRECTIONAL ARROW/ GRAPHIC SCALE

N
W E
S

0 10 20 30

GRAPHIC SCALE
1"=10'-0"

VICINITY MAP



PARKING:

PARKING REQUIREMENTS:

C-STORE: 1: 250 SQ.FT. = 1,085: 250
= 4 SPACES

TOTAL REQUIRED: 4 SPACES

PARKING PROVIDED:

TOTAL OF:

1 (17'x18'-HANDICAP PARKING)
3 (9'X18' STANDARD PARKING)

TOTAL: 4 SPACES

REVISIONS

NO.	DATE	BY	COMMENTS

United Oil

EXISTING SITE PLAN

1118 N GLENDALE AVE
GLENDALE, CA 91206

CONTRACTOR TO CONTACT
UNDERGROUND SERVICE ALERT
1-800-422-4133
CALL USA/SC
FOR UNDERGROUND LOCATING
2 WORKING DAYS BEFORE YOU DIG

PLANS PREPARED BY:
A & S ENGINEERING
PLANNING ENGINEERING CONSTRUCTION MANAGEMENT
28405 SAND CANYON ROAD SUITE "B"
CANYON COUNTRY, CA 91387
PHONE #: (661)250-9300 FAX #: (661) 250-9333

SCALE: 1"=10'-0"	DRAWING #: S1
DATE: 05/12/2016	STORE #: 4
DWN. BY: SH	
CHKD. BY:	SHEET 1

H:\UNITED OIL\

CITY OF GLENDALE
INTERDEPARTMENTAL COMMUNICATION
Community Development Department
Request for Comments Form (RFC)

DATE: 8-31-2016 **DUE DATE: 9-14-2016**
(PLEASE submit your response by above DATE)

FROM: Danny Manasserian, Case Planner **Tel. #** x 8159

PROJECT ADDRESS: **1118 North Glendale Avenue**
Applicant: **Apro, LLC – Sherrie Olson**
Property Owner: **Apro, LLC – Sherrie Olson**

PROJECT DESCRIPTION: Administrative Use Permit to allow the sale of beer and wine (Type 20) for off-site consumption at an existing convenience market located in a gas station.

PLEASE CHECK:

	A. CITY ATTORNEY		**G. INFORMATION SERVICES (Wireless Telecom)**
	B. COMMUNITY DEVELOPMENT:		**H. PUBLIC WORKS (ADMINISTRATION):**
X	• **(1) Building & Safety**		• **(1) Engineering & Environmental Management**
X	• **(2) Economic Development**		• **(2) Traffic & Transportation**
	• **(3) Housing**		• **(3) Facilities (city projects only)**
X	• **(4) Neighborhood Services**	X	• **(4) Integrated Waste**
	• **(5) Planning & Urban Design EIF/Historic District**		• **(5) Maintenance Services/Urban Forester**
	D. COMMUNITY SERVICES/PARKS:	X	**J. GLENDALE POLICE**
X	**E. FIRE ENGINEERING (PSC)**		**K. OTHER:**
	F. GLENDALE WATER & POWER:	X	• **(1) STATE-Alcohol Beverage Control (ABC)**
	• **(1) Water**		• **(2) CO Health dept.**
	• **(2) Electric**		• **(3) City Clerk's Office**

ENTITLEMENT(S) REQUESTED

Variance Case No.:		Tentative Tract/Parcel Map No.:	
CUP Case No.:	PCUP 1612244	Zone Change/GPA:	
DRB Case No.:		Other	PAUP 1618853

INTER-DEPARTMENTAL COMMUNICATION
PROJECT CONDITIONS AND COMMENTS

Project Address: 1118 North Glendale Avenue	**Project Case No.: PAUP 1618853**

NOTE: *Your comments should address, within your area of authority, concerns and potentially significant adverse physical changes to the environment regarding the project. You may also identify code requirements specific to the project, above and beyond your normal requirements. Applicant will be informed early in the development process. You may review complete plans, maps and exhibits in our office, MSB Room 103. We appreciate your consideration and look forward to your timely comments.* Please do not recommend APPROVAL or DENIAL. *For any questions, please contact the Case Planner ASAP, so as not to delay the case processing.*

COMMENTS:

☐ **This office DOES NOT have any comment.**

☐ **This office HAS the following comments/conditions.** ☐ (See attached Dept. Master List)

Date: 9-7-16

Print Name: Scott Bickle
Title: Lieutenant Dept. Police Tel.: 818-548-3120

a. ADDITIONAL COMMENTS:

☐ 1. Applicant Sherrie Olson with Apro LLC is in the process of obtaining an Administrative Use Permit to allow the sale of beer and wine (Type 20) for off-site consumption at an existing convenience market located in a gas station, DBA United Oil.

United Oil is located in census tract 3010 which allows for 3 Off-Sale establishments. There are currently 6 Off-Sale licenses in this tract. Based on arrests and Part 1 crime statistics for census tract 3010 in 2015, there were 102 crimes-below the city wide average of 178.

Within the last calendar year, there were two calls for police service. On 09/12/15 there was a suspicious male call that did not result in a report being taken. On 06/01/16 there was a traffic collision/property damage only, in the parking lot, DR #16-8526.

Per the ABC website, there is no "pending" or "active" license for this establishment.

b. CASE SPECIFIC CODE REQUIREMENTS: (these are not standard code requirements)

☐ 1.

c. SUGGESTED CONDITIONS: (may or may not be adopted by the Hearing Officer)

☐ 1.

1. Sales of alcoholic beverages shall be permitted only between the hours of XXXX AM to XXXX PM each day of the week (hours to be determined by the Planning / Zoning Administrator – week night and weekend restrictions may be considered).

2. Individual unit sales of alcoholic beverages should be restricted. No individual unit sales for beer should be allowed. No individual unit sales for wine less than a full sized bottle should be allowed. This can reduce the potential for individuals to buy one or two units and walk outside to consume them on or near the premise.

3. The store should provide training for its personnel regarding sales to minors or intoxicated persons. Alcohol Beverage Control staff is available and can provide this training.

4. Signs should be posted clearly specifying no sales to minors or intoxicated persons.

5. Appropriately lighting for the display areas where alcoholic beverages would be sold should be required.

6. That the proprietor and his/her employees shall make an active and conscientious effort to keep customers and employees from trespassing, loitering, or consuming an alcoholic beverage on the property, adjacent properties or otherwise making disturbances in the area.

7. The sale of beer, wine, and/or distilled spirits for consumption on the premises is strictly prohibited.

8. Signs indicating no loitering or trespassing should be posted.

9. The Manager and or Staff should be proactive in the enforcement of the City of Glendale Clean Air Act.