Applicant:
Janelle Williams
Williams Land Use Services
2418 Honolulu Avenue #B
Montrose, CA 91020

RE: 333 NORTH VERDUGO ROAD
ADMINISTRATIVE USE PERMIT CASE NO. PAUP 1801736
(Z Liquor Store)

The Director of Community Development will render a final decision on or after April 11, 2018 for the following project:

Project proposal: An application for an Administrative Use Permit (AUP) to allow the operation of a liquor store which includes sale of alcoholic beverages for off-site consumption (ABC License Type 21)

STAFF RECOMMENDATION: APPROVE WITH CONDITIONS

DRAFT CONDITIONS OF APPROVAL

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 bitering, parking congestion, disturbing noise, disturbing light, loud conversation, and criminal activities.

4. That signs indicating no loitering or trespassing shall be posted.

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

6. That the sales of alcoholic beverages shall be permitted only between the hours of 10 AM to 10 PM each day of the week.

7. That individual unit sale of alcoholic beverages shall be restricted. No individual unit sales for beer shall be allowed. No individual unit sales for wine less than a full sized bottle shall be allowed.

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

9. That the store display racks shall be positioned such that they are in a clear line of sight by the management and staff with no restricting view.
10. That the sale of beer, wine, and/or distilled spirits for consumption on the premises is strictly prohibited.

11. That the Manager and or Staff shall be proactive in the enforcement of the City of Glendale Clean Air Act.

12. 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.

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

14. That all signs displayed shall conform to the requirements of the Glendale Municipal Code and that the existing window signs are modified to meet the requirements of the sign code.

15. That the liquor store shall remain open to the public during business hours.

16. That the front doors to the liquor store shall be kept closed at all times while the location is open for business, except in case of emergency.

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

18. 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.

19. That a Business Registration Certificate be applied for and issued for a liquor store with sales of alcoholic beverages, subject to the findings and conditions outlined in this decision letter.

20. That authorization granted herein shall be valid for a period of 10 years until April 11, 2028.

PROJECT BACKGROUND

Previous Permits for the Site: There were no previous discretionary permits for the site relating to sales of alcohol on file.

Related Concurrent Permit Application(s): There are no other related concurrent permit applications.

Environmental Recommendation: The project is exempt from CEQA review as a Class 1 “Existing Facilities” exemption pursuant to State CEQA Guidelines Section 15303 because this is an existing liquor store requesting to sell alcohol for off-site consumption. No added floor area is proposed.

General Plan: Neighborhood Commercial
Zone: C1 (Neighborhood Commercial) Zone

Description of Existing Property and Uses: The subject tenant is located within a one-story multi-tenant shopping center at the southwest corner of North Chevy Chase Drive and North Verdugo Road. The property contains two buildings. One main building on the south and west portions of the lot and the subject building on the north east corner of the lot. The parking lot is located between the buildings. This commercial center contains retail, service, restaurant, medical office and a liquor store use. The subject liquor store "Z Liquor" is approximately 2,738 square feet. The subject tenant space has been occupied by a liquor store since 1974, for 44 years. The Administrative Use Permit is required due to the liquor store being closed for over a year and thus losing its existing nonconforming status as a liquor store. The site is surrounded by commercial uses to the north, east, and west. The properties to the north, south, and west are developed with multi-family residential dwellings. Properties to the east and north are zoned commercial and developed as such.

Neighboring Zones and Uses

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zone</th>
<th>Existing Land Use</th>
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<tbody>
<tr>
<td>North (across North Chevy</td>
<td>R1650 &amp; C1</td>
<td>Multi-Family Residential &amp; Commercial</td>
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<td>Chase Drive)</td>
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<tr>
<td>South</td>
<td>R1650 &amp; C1</td>
<td>Multi-Family Residential &amp; Commercial</td>
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<td>East (across North Verdugo Road)</td>
<td>C1</td>
<td>Commercial</td>
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<tr>
<td>West</td>
<td>R1650</td>
<td>Commercial</td>
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COMMENTS FROM OTHER CITY DEPARTMENTS: No major concerns were received from the various city divisions/departments. Conditions have been received from the Police Department to ensure that any potential negative impact will be appropriately mitigated. These conditions will be made part of the application if the AUP is approved.

PROJECT ANALYSIS

The subject site is located within the C1 (Neighborhood Commercial) Zone and the General Plan – Land Use Element designation of “Neighborhood Commercial”. The C1 zone is intended to provide uses and services that are both beneficial and compatible with the surrounding residential properties. This zone has a limited list of permitted land uses, which is more restrictive than the C2 and C3 zones. A retail liquor store is a permitted use in this zone subject to the approval of an Administrative Use Permit. The liquor store has applied for a Type 21 license from ABC, which permits off-site sales of alcohol.

Z Liquor store is located in a one-story building constructed in 1974. A liquor store has been in operation at this location for 44 years. The subject tenant, under new management, is adjacent to one other tenant, a full service restaurant. The subject building is one of two buildings on the property. The other building, located across the parking lot to the south, is located on the southern and western property lines and contains 11 businesses. The 11 businesses include the following uses: restaurants, physical instruction school, retail, medical office, and service uses. These uses are complementary businesses to the liquor store use.

The subject site fronts two streets: North Chevy Chase Drive along the north side and North Verdugo Road to the east. North Chevy Chase is considered a minor arterial thoroughfare and North Verdugo Road is considered a major arterial thoroughfare. The site is surrounded by C1 and R-1650 zoned properties. The request to operate a liquor store in an existing tenant space will not create any traffic-related impacts on area streets over and above existing conditions.
Z Liquor store is surrounded by other commercial developments on the north, south and east. The property’s parking lot is located in between the subject building and the main building on the southern and western property lines. The parking lot is accessed from both North Chevy Chase Drive and North Verdugo Road. The liquor store is situated in the north east corner of the lot and is separated from the residential uses to the south and west by the property’s parking lot and main building, which is more 100 feet away. As such, negative impacts to the residents are not anticipated with the proposed liquor store. In the past, the liquor store has been a responsible operator as no reported conflicts or adverse effects on adjoining businesses and residential neighbors have been reported and no conflicts or adverse effects are anticipated with the new management.

The site is legal non-conforming as to the number of on-site parking spaces; however, the 61 parking spaces have proven to be adequate for the existing liquor store and other businesses in the commercial center. The premises are kept clean and well-maintained. The liquor store complements the eclectic mix of goods and services offered in this commercial district.

Z Liquor store is located in Census Tract No. 3020.04 and contains other businesses selling alcoholic beverages. This census tract allows for two off-sale establishments. There are currently two off-sale licenses in this census tract, including Z Liquor store. According to the City’s Part 1 crime statistics, there were 93 crimes reported in this census tract, which is below the city-wide average of 180 crimes. Within the last calendar year, there were no calls for police service at this location.

The approval of the AUP for off-sale sales of alcoholic beverages at this location does not appear to be a detriment to the safety and public welfare of the neighborhood in general. While there are residential developments in the area, there are no public facilities located within the immediate area. The nearest schools are Wilson Middle School (along North Verdugo Road and Monterey Road), John Marshall Elementary School (along North Chevy Chase Drive and East Broadway) and Glendale High School (South Verdugo Road and East Broadway), all located approximately 0.4 miles away, which are residential streets.

Overall, the applicant’s desire to sell alcohol at Z Liquor store 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 applicant’s request to operate a liquor store ("Z Liquor store"), which includes the sale of alcoholic beverages (Type 21) for off-site consumption will be consistent with the elements and objectives of the General Plan. The subject site is located in the C1 (Neighborhood Commercial) zone, and the General Plan Land Use Element designation is Neighborhood Commercial. Goods and services that are offered in this zone generally attract clientele from the adjoining residential neighborhoods. The sale of alcoholic beverages for off-site consumption at this location is appropriate in an area of the city zone for commercial uses, and will continue to provide an option for the community to purchase alcoholic beverages for off-site consumption. Retail and service uses are permitted in the C1 (Neighborhood Commercial) zone. Liquor stores are subject to the approval of an Administrative Use Permit and are consistent with the Neighborhood Commercial land use designation. The Circulation Element identifies North Verdugo Road as a major arterial thoroughfare and North Chevy Chase as minor arterial street that are fully developed and
can adequately handle the existing traffic circulation around the site. These streets serve the adjacent residential neighborhoods in the area where the subject site is located. The project site is already developed and the applicant's request is to operate a liquor store within an existing tenant space that was previously a liquor store. The other elements of the General Plan, including Open Space, Recreation, Housing, and Noise, will not be impacted as a result of the applicant's request as this is an existing development in the city, and there is no expansion proposed. The applicant's request to operate a liquor store which sells alcoholic beverages for off-site consumption is not anticipated to create any negative traffic-related impacts on North Verdugo Road or North Chevy Chase Drive over and above the existing conditions. 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.

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.

A liquor store, which includes the sale of alcoholic beverages for off-site consumption is not expected to be detrimental to the public health, safety, general welfare, or to the environment. According to the Glendale Police Department (GPD), the subject property is located in Census Tract 3020.04 where the suggested limit for off-sale alcohol establishments is two. Currently, there are two off-sale establishments located in Census Tract 3020.04, including Z Liquor store. A liquor store with the sale of alcoholic beverages for off-site consumption is not typically associated with public drunkenness or other alcohol-related crimes as there is no consumption permitted on-site. Based on Part 1 crime statistics for this Census Tract, there were 93 crimes reported in this tract, which is below the citywide average of 180. Within the last calendar year there were no calls for police service at this location. The Police Department has suggested conditions of approval, that have been incorporated to ensure there are no negative impacts to the public health, safety, general welfare, or the environment. In addition, no evidence has been presented that would indicate that a liquor store with the sale of alcoholic beverages for off-site consumption would encourage or intensify crime within the district.

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 applicant's request to operate a liquor store which includes the sale of alcoholic beverages for off-site consumption will be detrimental to the community or adversely conflict with the community's normal development. A liquor store has operated at this location without any major incident for 44 years. The liquor store will be open seven days a week, from 10 am to 10 pm. Their request to operate a liquor store which includes the sale of alcoholic beverages for off-site consumption is not anticipated to adversely conflict with surrounding properties and no consumption is permitted on-site.

While there are residential developments in the area, there are no public facilities located within the immediate area. The nearest schools are Wilson Middle School (along North Verdugo Road and Monterey Road), John Marshall Elementary School (along North Chevy Chase Drive and East Broadway) and Glendale High School (South Verdugo Road and East Broadway); all located approximately 0.4 miles away, which are residential streets. While these facilities and uses are within the vicinity, it is not anticipated that any negative impacts to these uses would occur based on the applicant's request to operate a liquor store with the retail sales of alcoholic beverages for off-site consumption.

The Circulation Element identifies North Chevy Chase Drive as a minor arterial and North Verdugo Road as major arterial streets that are fully developed and can adequately handle
the existing traffic circulation around the site. These streets serve the adjacent residential neighborhoods in the area and where the subject site is located. The applicant's request to operate a liquor store including the sales of alcoholic beverages off-site is not anticipated to create any negative traffic-related impacts on North Chevy Chase Drive or North Verdugo Road over and above the existing conditions.

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.

Adequate public and private facilities such as utilities, landscaping, parking spaces and traffic circulation measures are provided for the use and are existing. The applicant's request is only to allow the off-site sales of alcoholic beverages at an existing liquor store, and no expansion to the existing building is proposed. Associated utilities exist within the public rights-of-way and are adequate to continue service to the building. The project site was originally developed in 1974 with a multi-tenant commercial building. The project site features two handicapped parking stalls in addition to 59 on-site parking spaces. The addition of a liquor store with alcoholic beverage sales for off-site consumption does not require additional parking. The parking demand is not anticipated to intensify with the applicant's request to allow for a liquor store with retail sales of alcoholic beverages off-site consumption. The applicant's AUP request to operate a liquor store including the sale of alcoholic beverage sales will not require any new city services, nor will it require any changes to landscaping, parking or traffic circulation.

Required Additional Findings Of Fact For An AUP For Off Sales of Alcohol:

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 liquor store with sales of alcoholic beverages 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). As noted in Finding C above, the closest public facilities to the proposed project are Wilson Middle School, John Marshall Elementary School and Glendale High School, all located approximately 0.4 miles away. While residential uses are located nearby, the existing liquor store, under new management, should not impact these uses. Additionally, the project is conditioned to ensure the function of this liquor store and sale of alcoholic beverages in compliance with all municipal codes and state law. The proposed off-site sales of alcoholic beverages at the existing liquor store are not anticipated to adversely impact other neighboring uses in this area.
4) That the proposed use satisfies its transportation or parking needs as described in Finding D above because adequate access, parking and delivery spaces are available to serve this use.

5) That notwithstanding consideration in subsections 1 through 4 above, the operation of a liquor store with the sales of alcoholic beverages for off-site consumption does serve a public convenience for the area. The applicant’s request to allow the operation of a liquor store does serve a public convenience because it serves local residents, businesses, and the surrounding community as evidenced by a liquor store operation at this location for the past 44 years. 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 the case planner, Bradley Collin, at 818-548-3210 or bcollin@glendaleca.gov.

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