Applicant:
Nareg Khodadadi
213 N Orange Street, Suite E
Glendale, CA 91203

RE: 328 NORTH ORANGE STREET, UNIT A
ADMINISTRATIVE USE PERMIT NO. PAUP 1723539
(Farm District Market Place)

The Director of Community Development will render a final decision on or after JUNE 13, 2018, for the
following project:

Project proposal: An application for an Administrative Use Permit (AUP) to allow the off-site sales
of alcoholic beverages (Type 21) at a new grocery market.

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 be enforced to effectively eliminate interior and exterior loitering,
   disturbing noise, disturbing light, loud conversation, and criminal activities.

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

5. That individual unit sales 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.

6. 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.

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

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

9. That the sale of beer, wine, and/or distilled spirits for consumption on the premises is strictly
   prohibited.
10. The Manager and or staff shall be proactive in the enforcement of the City of Glendale Clean Air Act.

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

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

13. That the market shall remain open to the public during business hours.

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

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

16. 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.

17. That a Business Registration Certificate be applied for and issued for a retail market with off-site sales of alcoholic beverages, subject to the findings and conditions outlined in this decision letter.

18. That authorization granted herein shall be valid for a period of 10 years until JUNE, 2028.

PROJECT BACKGROUND

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

Related Concurrent Permit Application(s): A building permit has been issued for the tenant improvement for the subject market. In addition, an application has been filed for design review for modifications to the second floor of the building.

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 tenant space for a new grocery market requesting to sell alcohol for off-site consumption. No added floor area is proposed to the market's tenant space.

General Plan: Downtown Specific Plan/Mid Orange District

Zone: DSP/MO (Downtown Specific Plan/Mid Orange District) Zone

Description of Existing Property and Uses: The subject tenant will be located in a two-story building that occupies the entire lot. The existing building has approximately 5,898 square feet on the first floor and 2,292 square feet on the second floor. The first floor was previously occupied by a retail business, while a general office occupied the second floor. The new market will occupy approximately 4,426 square feet of the 5,898 square feet on the first floor. The subject market is oriented toward the west side of the property, facing Orange Street. There is an alley at the rear of the property, on the east side. The site is surrounded by commercial uses to the north, east, and south. The properties to the west, across Orange Street, are developed with multi-family residential dwellings, all within the Downtown Specific Plan area.
Neighboring Zones and uses

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zone</th>
<th>Existing Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>DSP/MO</td>
<td>Commercial Parking Structure</td>
</tr>
<tr>
<td>South</td>
<td>DSP/MO</td>
<td>Commercial - Theatre</td>
</tr>
<tr>
<td>East (across an alley)</td>
<td>DSP/AT</td>
<td>Commercial</td>
</tr>
<tr>
<td>West (across Orange Street)</td>
<td>DSP/OC</td>
<td>Multi-Family Residential</td>
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</tbody>
</table>

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 DSP/MO (Downtown Specific Plan/Mid Orange District) Zone and the General Plan – Land Use Element designation of Downtown Specific Plan/Mid-Orange District. The DSP/MO zone is intended to offer a full range of goods and services to the community located along commercial thoroughfares. This zone has a broad list of permitted land uses. Goods and services offered in this zone generally attract clientele from the adjoining residential neighborhoods as well as the surrounding community.

A permit has been secured and construction started for the market's tenant space. The property owner is proposing three tenants in this building; whereby, Farm District Market Place is one of the three new tenants. Of the two other tenants, one is proposed to be located behind the market (the use is not determined at this time) and accessed off the alley and the second would be a general office, located on the second floor. The subject tenant is adjacent to other complementary businesses, including retail and theatre type uses and restaurants. The surrounding area is made up of one and two story commercial buildings, as well as multi story office buildings and five story multi-family residential buildings.

The subject site fronts Orange Street with an alley to the rear. Orange Street is considered an Urban Collector thoroughfare. The site is surrounded by DSP/MO, along the east side of Orange Street, DSP/OC, the west side of Orange Street, and DSP/AT zoned properties across the alley to the east of the project site. The request to sell alcoholic beverages in conjunction with an existing market will not create any traffic-related impacts on area streets over and above existing conditions.

The request to sell alcohol is an enhancement to the market’s services. The market has applied for a Type 21 license from ABC, which permits off-site sales of alcohol at a grocery market.

Farm District Market Place is surrounded by other commercial developments on the south and east. A two story parking structure is located to the north and two five story multi-family residential buildings are located across Orange Street, to the west. The property is nonconforming for parking, due to the building occupying the entire lot. The building was previously occupied by a retail business on the first floor and general office on the second floor. The market operation will be consistent with the previous retail use and will not require additional parking spaces. It should be noted that there are several public parking lots in the immediate vicinity and the downtown is considered a destination spot where prospective customers park and walk throughout the down town. In addition, the subject market will provide a service to the nearby multi-family residential dwellings. As such, negative impacts to the
residents are not anticipated with the proposed sales of alcoholic beverages.

Farm District Market Place is located in Census Tract No. 3018.02 and contains other businesses selling alcoholic beverages. This census tract allows for two off-sale establishments. There are currently four off-sale licenses in this census tract; Farm District Market Place will bring the total to five. According to the City’s Part 1 crime statistics, there were 199 crimes reported in this census tract, which is slightly above the city-wide average of 194 crimes. Census Tract 3018.02 covers a large commercial area, where there are many markets or retail uses, where it is common for grocery stores to have an off-site ABC license for alcoholic beverages. Several of these businesses have been in operation for many years. The ancillary sale of alcoholic beverages for off-site consumption in conjunction with a retail grocery store is a common service that is not typically associated with public drunkenness or other alcoholic related crimes as there is no consumption permitted on-site.

The approval of the AUP for off-site 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.

Overall, the applicant’s request to sell alcohol at Farm District Market Place 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 allow the sale of alcoholic beverages (Type 21) for off-site consumption at a new grocery store (“Farm District Market Place”) will be consistent with the elements and objectives of the General Plan. The subject site is located in the DSP/MO (Downtown Specific Plan/Mid Orange District) zone, and the General Plan Land Use Element designation is Downtown Specific Plan/Mid Orange District. 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 zoned for commercial uses, and will provide an option for the community to purchase alcoholic beverages for off-site consumption. Retail and service uses are permitted in the DSP/MO (Neighborhood Commercial) zone and are consistent with the Downtown Specific Plan/Mid Orange District land use designation. The Circulation Element identifies North Orange Street as an urban collector thoroughfare which is fully developed and can adequately handle the existing traffic circulation around the site. This street serves the adjacent commercial neighborhoods in the area where the subject site is located as well as the two multi-family residential developments across Orange Street to the west. The project site is currently undergoing a tenant improvement for the subject market. This request is to allow the off-site sales of alcoholic beverages at the new grocery 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 sell alcoholic beverages for off-site consumption is not anticipated to create any negative traffic-related impacts on North Orange Street over and above the existing conditions as the proposal is an ancillary service to the grocery store. This application does not include any added floor area. While the tenant space is under construction, there are no proposals to increase the size of the tenant space at this time. In addition, the subject market is replacing a previous retail use which occupied the entire ground floor of approximately 5,898 square feet; whereas, the proposed market will be about 4,425 square feet. Since there is no change in use and the tenant space will be smaller than the previous store, 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.

The sale of alcoholic beverages for off-site consumption at the new grocery store 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 3018.02 where the suggested limit for off-sale alcohol establishments is two. Currently, there are four off-sale establishments located in Census Tract 3018.02. Farm District Market Place will bring the total to five. The ancillary sale of alcoholic beverages for off-site consumption in conjunction with a grocery store is a common service that 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 199 crimes reported in this tracts, which is slightly above the citywide average of 194. 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 the incidental sale of alcoholic beverages for off-site consumption at the new grocery store 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 allow the sale of alcoholic beverages for off-site consumption at a new grocery store will be detrimental to the community or adversely conflict with the community’s normal development. Their request to allow the sale of alcoholic beverages for off-site consumption is not anticipated to adversely conflict with surrounding properties as it is ancillary to the primary grocery store use, and no consumption is permitted on-site.

While there are residential developments in the vicinity, there are no public facilities located within the immediate area. It is not anticipated that any negative impacts to the residential uses would occur based on the applicant’s request to allow retail sales of alcoholic beverages for off-site consumption. The market would actually provide a service to the nearby residential uses.

The Circulation Element identifies North Orange Street as an urban collector thoroughfare that is fully developed and can adequately handle the existing traffic circulation around the site. This street serves the downtown area where the subject site is located. The applicant’s request to sell alcoholic beverages for off-site consumption is not anticipated to create any negative traffic-related impacts on North Orange Street over and above the existing conditions as the proposal is an ancillary service to the existing grocery store.

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, and traffic circulation measures are provided for the use and are existing. The applicant’s request is to allow the off-site sales of alcoholic beverages at a new grocery store, and no expansion to the existing building is proposed at this time. The project site was originally developed in 1958 with two commercial tenants. The addition of alcoholic beverage sales for off-site consumption at the new grocery store does not require
additional parking due to the market replacing an existing retail store. The parking
demand is not anticipated to intensify with the applicant's request to allow for retail
sales of alcoholic beverages for off-site sales beyond the existing conditions. The
applicant's AUP request for 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.

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 grocery market with sales of
alcoholic beverages in this location has or would encourage or intensify crime within
the district.

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 within the vicinity. While
residential uses are located nearby, the new grocery market should not impact those
uses. Additionally, the project is conditioned to ensure the function of this market and
sale of alcoholic beverages in compliance with all municipal codes and state law. The
proposed off-site sales of alcoholic beverages at the new grocery market 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
above because adequate access and delivery spaces are available to serve this
use. Additional parking is not required due to the market replacing a retail use with
smaller floor area than the previous store.

5) That the proposed use will serve a public necessity or public convenience purpose
for the area as evidenced by the demand for grocery markets with alcoholic
beverage sales in the downtown Glendale area.

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
PROJECT INFO:

LOT NO.:

UNIT A:

BUILDING-No.:

BUILDING SIZE:

BUILDING TYPE:

CONSTRUCTION TYPE:

CONSTRUCTION METHOD:

NUMBER OF LEVELS:

TOTAL GROSS SQUARE FT:

TOTAL GROSS FLOOR AREA:

ZONING:

APN:

CONSTRUCTION DATE:

FIRE SPARRERS:

NUMBER OF STORES:

HIGH FIVE ZONE:

LEGAL DESCRIPTION:

THE CONTRACTOR SHALL UTILITY ALL DIMENSIONS, ELEVATIONS, CORNERS, CORNERS AND ROADS AS SHOWN ON THESE DRAWINGS. ALL CONSTRUCTION WORK, INCLUDING CONSTRUCTION WORK, SHALL BE IN ACCORDANCE WITH THE DRAWINGS AND SPECIFICATIONS. ANY CONSTRUCTION WORK THAT IS NOT IN ACCORDANCE WITH THE DRAWINGS AND SPECIFICATIONS SHALL BE REJECTED.

THE CONTRACTOR SHALL BEAR ALL COSTS, DUTIES, OR OTHER SUCH INCONVENIENCES AS TO THE OTHER TENANTS.

CONSTRUCTION OPERATION SHALL NOT BLOCK WALKWAYS, OR OTHER MEANS OF EXPRESS.

ARCHITECTURAL SHEETS:

A1.1. COVER SHEET

A1.2. SECTIONS 8

A1.3. ASSEMBLY AND DETAIL SHEETS

A1.4. GREEN SHEETS

A1.5. SITE PLAN

A1.6. CIRCULATION PLAN

A1.7. TIME SCHEDULES

A1.8. ACCESS CONTROL SYSTEM

A1.9. SECURITY SYSTEM

A1.10. EQUIPMENT / FIXTURES / MACHINERY

A1.11. SECTION D 1 & D 2 & 3 & 4

LIGHTING SHEETS:

D1.1. LIGHTING TITLE IN

NOTES:

A.1. DETAILED DRAWINGS AND SPECIFICATIONS SHEETS ARE TO BE SUBMITTED TO THE CITY OF GLENDALE FIRE DEPARTMENT FOR APPROVAL.

A.2. ALL CONSTRUCTION WORK SHALL BE IN ACCORDANCE WITH THE DRAWINGS AND SPECIFICATIONS.

B.1. MANUFACTURER'S SPECIFICATIONS, DETAILS, AND DRAWINGS ARE TO BE SUBMITTED TO THE CITY OF GLENDALE FIRE DEPARTMENT FOR APPROVAL.

B.2. ALL CONSTRUCTION WORK SHALL BE IN ACCORDANCE WITH THE DRAWINGS AND SPECIFICATIONS.

C.1. ALL CONSTRUCTION WORK SHALL BE IN ACCORDANCE WITH THE DRAWINGS AND SPECIFICATIONS.

D.1. ALL CONSTRUCTION WORK SHALL BE IN ACCORDANCE WITH THE DRAWINGS AND SPECIFICATIONS.

E.1. ALL CONSTRUCTION WORK SHALL BE IN ACCORDANCE WITH THE DRAWINGS AND SPECIFICATIONS.

F.1. ALL CONSTRUCTION WORK SHALL BE IN ACCORDANCE WITH THE DRAWINGS AND SPECIFICATIONS.

G.1. ALL CONSTRUCTION WORK SHALL BE IN ACCORDANCE WITH THE DRAWINGS AND SPECIFICATIONS.

H.1. ALL CONSTRUCTION WORK SHALL BE IN ACCORDANCE WITH THE DRAWINGS AND SPECIFICATIONS.

I.1. ALL CONSTRUCTION WORK SHALL BE IN ACCORDANCE WITH THE DRAWINGS AND SPECIFICATIONS.

J.1. ALL CONSTRUCTION WORK SHALL BE IN ACCORDANCE WITH THE DRAWINGS AND SPECIFICATIONS.

K.1. ALL CONSTRUCTION WORK SHALL BE IN ACCORDANCE WITH THE DRAWINGS AND SPECIFICATIONS.
DATE: October 10, 2017
DUE DATE: October 24, 2017
(Please submit your response by above DATE)

TO: 

FROM: Brad Collin, Case Planner
Tel. # 548-3210

PROJECT ADDRESS: 328 North Orange Street
Applicant: Nareg Khodadadi
Property Owner: Artak Dovlatyan

PROJECT DESCRIPTION: The project is an Administrative Use Permit to allow offsite sales of alcoholic beverages at a new market (Farm District Market Place)

PLEASE CHECK:

A. CITY ATTORNEY
B. COMMUNITY DEVELOPMENT:
   - (1) Building & Safety
   - (2) Economic Development
   - (3) Housing
   - (4) Neighborhood Services
   - (5) Planning & Urban Design
     EIF/Historic District
   - X

C. PROJECT MANAGER
   - X

D. COMMUNITY SERVICES/PARKS:

E. FIRE ENGINEERING (PSC)

F. GLENDALE WATER & POWER:
   - (1) Water
   - (2) Electric

G. INFORMATION SERVICES
   (Wireless Telecom)

H. PUBLIC WORKS (ADMINISTRATION):
   - (1) Engineering & Environmental Management
   - (2) Traffic & Transportation
   - (3) Facilities (city projects only)
   - (4) Integrated Waste
   - (5) Maintenance Services/Urban Forester
   - X

J. GLENDALE POLICE

K. OTHER:
   - (1) STATE-Alcohol Beverage Control (ABC)
   - (2) CO Health dept.
   - (3) City Clerk's Office

ENTITLEMENT(S) REQUESTED

Variance Case No.: 
CUP Case No.: 
DRB Case No.: 
Tentative Tract/Parcel Map No.: 
Zone Change/GPA: 
Other – PAUP 1723539

Revised 26 May 2015–VE
INTER-D P TA TMENTAL COMMUNICATION
PROJECT CONDITIONS AND COMMENTS

Project: 368 N Orange
Address: 368 N Orange
Case No.: PALP-1723539

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: 10/25/17
Print Name: Andrew Jenks
Title: Lieutenant Dept. Police Tel.: 818-937-8703

a. ADDITIONAL COMMENTS:

☐ 1. Applicant Nareg Khodadadi is in the process of obtaining an Administrative Use Permit for the off-site sales of alcoholic beverages at a new market located at 328 N. Orange Street DBA Farm District Market Place.

Farm District Market Place is located in census tract 3018.02 which allows for 2 Off-Sale establishments. There are currently 4 Off-Sale licenses in this tract. Farm District Market Place will bring the total to 5. Based on arrests and Part 1 crime statistics for census tract 3018.02 in 2016, there were 196 crimes, slightly above the average of 194.

Within the last calendar year, there were no calls for police service at the location.

Per the ABC website, there is no “active” or “pending” license for this location.

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. The sale of alcoholic beverages should be restricted to avoid late night sales. It is recommended that there be no sales after 8:00 pm.

2. Sales of alcoholic beverages shall be permitted only between the hours of 1000 AM to 8:00 PM each day of the week (hours to be determined by the Planning / Zoning Administrator – week night and weekend restrictions may be considered).

3. 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.

4. 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.

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

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

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

8. 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.

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

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

11. The Manager and or Staff should be proactive in the enforcement of the City of Glendale Clean Air Act.
INTERDEPARTMENTAL COMMUNICATION
ENVIRONMENTAL IMPACT COMMENTS
(PLEASE SEND OUT THIS FORM ONLY WHEN ENVIRONMENTAL IMPACT COMMENTS ARE NEEDED.)

Location: ___________________________________________________________

☐ The project would not have adverse environmental effects on areas regulated by this Division/Section.

☐ The project would have potential environmental impacts on areas regulated by this Division/Section identified below:

POTENTIAL ENVIRONMENTAL IMPACT(S):

PROPOSED MITIGATION MEASURE(S):
The following mitigation measures are required to reduce adverse environmental effects to less than significant. (Please do not include code requirements listed in comment below):

ADDITIONAL COMMENTS:

CAGC No.: ______________ Property Address: ____________________________

Name/Signature ___________________________ Date: _____________________

Title: _______________ Dept. ___________ Tel. (Ext.): _______________