



CITY OF GLENDALE, CALIFORNIA

Community Development
Planning

633 E. Broadway, Suite 103
Glendale, CA 91206-4311
Tel. (818) 548-2140 Fax (818) 240-0392
glendaleca.gov

December 21, 2018

Janelle Williams
2418 Honolulu Avenue, Suite 'B'
Montrose, CA 91020

RE: 901 NORTH CENTRAL AVENUE
ADMINISTRATIVE USE PERMIT NO. PAUP 1826860
(7 ELEVEN)

Dear Ms. Williams:

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 continued sale of beer and wine for off-site consumption (Type 20) at an existing convenience store, located at **901 North Central Avenue**, in the "C2" – Community Commercial Zone, described as MB 8-122-123, Portions of Lots 134, 135, and 136 in the City of Glendale, in the County of Los Angeles.

CODE REQUIRES

(1) The sales, service and off-site consumption of beer and wine requires an Administrative Use Permit in the "C2" Zone.

APPLICANT'S PROPOSAL

(1) To allow the continued sale of beer and wine for off-site consumption (Type 20) at an existing convenience store.

ENVIRONMENTAL DETERMINATION

The project is exempt from CEQA review as a Class 1 "Existing Facilities" exemption pursuant to State CEQA Guidelines Section 15301 because this project is proposing to allow continued sales of beer and wine for off-site consumption and involves no expansion of the current use.

After considering the evidence presented with respect to this application, the Director of Community Development has **APPROVED WITH CONDITIONS** your request based on the following findings:

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 is approved based on the following:

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

The applicant is requesting an Administrative Use Permit (AUP) to allow the continued sale of beer and wine for off-site consumption at an existing convenience store (7 ELEVEN) within an existing gas station. The zoning land use designation for the subject property is C2 (Community Commercial), and the General Plan Land Use Element designation is Commercial – Commercial Services.

The purpose of the C2 zone is intended and designed to facilitate a full range of goods and services to the community, such as personal services, retail, and offices, in conformance with the comprehensive general plan of the City. Therefore, the continued sale of beer and wine for off-site consumption is appropriate for the subject location and its existing use as a convenience store, as it will continue to complement commercial activities in the surrounding areas. Since the Administrative Use Permit application only involves continued sales of beer and wine at an existing convenience store, other elements of the General Plan, including the Open Space, Recreation, Housing and Noise Element, will not be impacted as a result of the project.

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 existing convenience store with continued sale of beer and wine for off-site consumption will not be detrimental to the public health or safety, the general welfare, and the environment. A majority of the subject convenience store's sales come from food, snacks, hot and cold beverages, and gas, which are typical for similar uses and services that exist in the area and other areas of the City. According to the Glendale Police Department, the subject property is located in census tract 3010, where three off-sale establishments are recommended. The Glendale Police Department reports there are currently 12 off-sale licenses in this tract. 7 ELEVEN is one of the existing 12. Based upon arrests and Part 1 crime statistics for this census tract in 2017, there were 122 crimes, which was 32% percent below the city wide average of 180. Within the last calendar year, there were 15 calls for police service at this location and only one was directly related to alcohol. The Police Department has not expressed major concerns about the project and recommended conditions are incorporated in the staff recommendation to ensure there are no negative impacts to the public health, safety, general welfare, or the environment.

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

The project site is an 11,710 square-foot lot located at the northwestern corner of Arden Avenue and North Central Avenue. The property is bounded by general office uses to the north and west, a full service restaurant (Crab Avenue) to the east, and a gas station with an accompanying convenience store (Shell) to the south. The subject establishment complements the surrounding uses as it offers a convenient location for groceries, snacks, beverages and toiletries. The proposed continued sale of beer and wine for off-site consumption will remain ancillary to the business' primary commercial activity as a convenience store. The convenience store has operated at this location for the past thirteen

years with ancillary sale of beer and wine for off-site consumption; therefore, the convenience store serves as a public convenience to local residents, businesses, and the surrounding community. The subject site was developed and configured to accommodate a convenience store featuring a wide assortment of products and offering beer and wine for off-site consumption as an amenity and will not adversely affect or conflict with adjacent uses or impede the normal development of surrounding properties.

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 parking spaces are all existing and will continue to be provided without issue. 7 ELEVEN is located in an existing 2,023 square-foot, one-story commercial building, where utilities for water, electricity, sewer and trash are already provided. The lot is currently configured with limited landscaping of approximately 300 square feet in area, as it is improved with the subject convenience store, gas pump islands covered by a large canopy, parking spaces, and drive aisles providing vehicle circulation on the site. As a result, there are space restrictions on the property that prevent additional landscaping to enhance the curb appeal of the building or additional benefit to the neighborhood. A total of nine parking spaces are provided and accessible by two separate driveways along Arden Avenue and North Central Avenue. The existing parking spaces are proposed to remain and will continue to serve the site. The applicant's request is not expected to create a negative parking or traffic related impact, as it is not anticipated that the continuation in sale of beer and wine for off-site consumption will significantly increase the amount of patrons to the subject site.

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 such use does not or will not tend to intensify or otherwise contribute to the adverse impacts on the surrounding area caused by over concentration as described above in finding B.
- 2) That such use does not or will not tend to encourage or intensify crime within the district as described above in finding B.
- 3) That such use does not or will not adversely impact any other uses within the surrounding area as described above in findings B and C.
- 4) That the proposed use satisfies its transportation or parking needs as described above in finding D.

- 5) That, notwithstanding consideration of the criteria in subsections 1 through 4 above, sale of beer and wine for off-site consumption serves a public convenience for the area. The applicant's request to continue sale of beer and wine for off-site consumption at an existing convenience store within an existing gas station serves 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 business and residential uses.

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 permits shall be obtained from the Building and Safety Section and all construction shall be in compliance with the Glendale Building Code and all other applicable regulations.
3. 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.
4. That any expansion or modification of the facility or use which intensifies the existing Administrative Use Permit 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.
5. That the sale of beer and wine is to be consistent with the hours as set forth by the State of California Alcoholic Beverage Control.
6. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash, and graffiti.
7. That appropriate lighting for the display areas where beer and wine would be sold should be required.
8. 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.
9. That the store should provide training for its personnel regarding sales to minors or intoxicated persons.
10. That signs shall be posted clearly specifying no sales to minors or intoxicated persons.
11. That no exterior signs advertising the sales/service of beer and wine shall be permitted.
12. That all signs displayed shall conform to the requirements of the Glendale Municipal Code.

13. That the sales of beer and wine shall be in full accord with the regulations and conditions established by the State Department of Alcoholic Beverage Control.
14. That sufficient measures shall be enforced to effectively eliminate interior and exterior loitering, trespassing, parking congestion, disturbing noise, disturbing light, loud conversation, and criminal activities.
15. That access to the premises shall be made available to all City of Glendale Planning, Building and Safety, 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.
16. That the sale of beer, wine, and/or distilled spirits for consumption on the premises is strictly prohibited. Only off-site sale of beer and wine shall be done from this site.
17. That individual unit sales of beer and wine 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.
18. That adequate means shall be provided for the collection of solid waste generated at the site and that all recyclable items shall be collected and properly disposed of to the satisfaction of the Integrated Waste Management Administrator of the City of Glendale. No trash containers shall be stored outside in any parking, driveway, or landscaping area.
19. 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.
20. The Manager and or Staff should be proactive in the enforcement of the City of Glendale Clean Air Act.
21. That the premises shall be operated in full accord with applicable State, County, and local laws.
22. That authorization granted herein shall be valid for a period of **TEN (10) YEARS UNTIL DECEMBER 21, 2028.**

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 **January 7, 2019** 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.

REVOCAION, CONTINUING JURISDICTION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over administrative 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 an administrative 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, Minjee Hahm at (818) 937-8178 or mhahm@glendaleca.gov.

Sincerely,

Philip Lanzafame
Director of Community Development



Laura Stotler
Planning Hearing Officer

LS:MH:sm

CC: City Clerk (K.Cruz); Police Dept. (A.Jenks/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(J.Halpert); Traffic & Transportation Section (P.Casanova); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S. Boghosian/R.Takidin); Glendale Water & Power--Electric Section (B. B.Ortiz/E.Olsen/ M.Navareete/M.Kouassi); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (R.Sada/J.Jouharian/); Integrated Waste Management Admin. (D. Hartwell); Maintenance Services Section Admin. (D. Hardgrove); Street and Field Services Admin.; Engineering and Environmental Management (C.Chew/R. Villaluna); and case planner – Minjee Hahm).