



January 22, 2014

Adam Gilbert
Director
Corporate Real Estate – Asset Management
Walt Disney Company
500 South Buena Vista Street
Shorts Building 101
Burbank, CA 92521-2570

**RE: 1100 GRAND CENTRAL AVENUE - GRAND CENTRAL CREATIVE CAMPUS
CONDITIONAL USE PERMIT NO. PCUP 1326237**

(DISNEY-OCCUPIED PROPERTIES IN THE GRAND CENTRAL CREATIVE
CAMPUS AND THE ABC 7 STUDIOS)

Dear Mr. Gilbert:

On January 15, 2014, the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.42, on your application for a Conditional Use Permit to allow the on-site service and consumption of alcohol by employees and guests but not the public within Walt Disney Company’s Grand Central Creative Campus (GC3), located in the “IND” - Industrial Zone, in the City of Glendale, County of Los Angeles.

CODE REQUIRES

Conditional Use Permit

(1) On-site service and consumption of alcohol requires a Conditional Use Permit in the “IND” Zone.

ENVIRONMENTAL RECOMMENDATION: California Environmental Quality Act Exemption per Section 15301, Class 1 – Existing Facility.

REQUIRED/MANDATED FINDINGS

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report by the Community Development Department staff thereon, and the statements made at the public hearing with respect to this application, the Planning Hearing Officer has **GRANTED WITH CONDITIONS** your application based on the following:

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

The Land Use Element classifies the subject site as Industrial. The Grand Central Creative Campus (GC3) has previously been found to be consistent with the General Plan. The project site for this application includes 49 parcels in GC3. The application is to serve alcohol only for special events for employees and guests. Alcoholic Beverage Control (ABC) rules for a Type 47 license require that service be available to the public, such service shall be limited to special events sponsored by organizations with permission of and under the supervision of Disney employees. Since the Walt Disney Company states that their special events where alcohol is served are catered and have security provided by the Walt Disney Company, there will be no fundamental change in the nature of the special events should a CUP be granted. Off street parking will be provided during special events to provide guests with alternatives to on street parking. Since the land use, including the intensity of the use, will not change, there will be no change in impacts to any Elements of the General Plan.

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 GC3 Campus is located in Census Tract No. 3016.01. The Police Department noted there are 33 on-sale establishments selling alcohol where seven are recommended by State guidelines. The GC3 Campus would be the 34th establishment serving alcoholic beverages. Based on Part 1 crime statistics for this census tract, there were 85 crimes, which is 42 percent above the city-wide average. While the GC3 Campus is located in a census tract where the number of on-sale establishments exceeds the number recommended by the California Department of Alcoholic Beverage Control and has more crime than some areas of the city, no Part 1 crimes are associated with the GC3 Campus. The current conditional use permit application to allow the service and consumption of alcohol is not anticipated to have a detrimental effect on the community because alcohol will only be served during occasional special events. The Walt Disney Company will be able to closely manage the events to ensure that no impacts to the public occur.

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

The GC3 Campus is designated Industrial in the General Plan. Serving alcohol is allowed in the Industrial (IND) zone with approval of a conditional use permit. Serving alcohol on the designated properties would not be detrimental nor

adversely affect or conflict with its neighbors or impede normal development activity in the area because the alcohol will only be served during special events under the control of the Walt Disney Company. Currently, alcohol is served at special events on the project site subject to ABC special daily licenses. The granting of a CUP would allow the Walt Disney Company to obtain a Type 47 license subject to conditions and eliminate the need for an ABC special daily licenses.

A day care facility open only to Disney employees and Griffith Manor Park on Flower Street near Sonora Avenue are located nearby. There are no libraries or hospitals nearby. A small residential neighborhood of a few dozen homes is located in the area generally southwest of the GC3 Campus. None of these uses is anticipated to be negatively impacted by the proposed service of alcohol at special events on the GC3 Campus. Alcohol will only be served during occasional special events, and Disney will closely manage the events. Additionally, no concerns or comments were submitted by the Police Department or Neighborhood Services Division that would indicate that alcohol service on the GC3 Campus would impede the normal development of the area. Residents did raise concerns about traffic, lack of on-street parking and noise as on-going concerns with the Disney campus. Conditions 7, 8 and 12 have been added to address potential impacts related to service of alcohol during special events.

D. Adequate public and private facilities such as utilities, landscaping, parking spaces and traffic circulation measures are provided for the proposed use.

Serving alcohol during occasional special events on the GC3 Campus is not anticipated to increase the need for public or private facilities such as roads, utilities, or parks. Disney will be able to closely manage the occasional special events where alcohol is served to ensure that the public is not negatively impacted. Furthermore, this request requires that additional findings of fact be made, as follows:

For applications involving the sales, serving or consumption of alcoholic beverages, the following criteria shall be considered in making the findings in subsection A. through D. above:

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 findings B and C.
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 (church, public or private schools or college, day care facility, public park, library, hospital or residential use) as described above in finding C.

4. That the proposed use satisfies its transportation or parking needs as described above in finding D.
5. That the proposed use does or will serve a public convenience purpose for the GC3 Campus because serving alcohol will be consistent the General Plan as described above in finding A .

SUMMARY OF PLANNING HEARING OFFICER'S DECISION

Based on the evidence presented in the applicant's application, departmental comments, the staff report, written comments received and testimony at the public hearing, the Planning Hearing Officer was able to make the required findings and approve the conditional use permit. Neighbors raised concerns about traffic, on street parking, neighborhood safety, and noise due to the presence of the Disney campus and the holding of special events serving alcohol. No evidence was provided that the serving of alcohol at previous special events has resulted in adverse impacts, nor that the number of special events would increase should a Conditional Use Permit (CUP) be granted. Conditions of approval are added to address potential neighborhood impacts from serving of alcohol at special events, particularly conditions number 7, 8 and 12.

CONDITIONS OF APPROVAL

APPROVAL of this Conditional Use Permit shall be subject to the following conditions:

1. Serving alcohol during special events at the 49 properties in the GC3 Campus, as shown on the attached location map, shall be substantially as described in the application, staff report and as presented at the hearing except for any modifications as may be required to meet specific Code standards or other conditions stipulated herein to the satisfaction of the Planning Hearing Officer.
2. 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. A new Zoning Use Certificate shall be obtained for one property in the GC3 Campus to reflect the conditional use permit for all the 49 properties ("project site") as depicted in the attached location map. The location map showing the allowed alcohol service locations shall be a part of the Zoning Use Certificate.
4. Alcoholic beverages shall only be available at occasional special events to the following people: A) Walt Disney Company employees; B) Guests of Walt Disney Company employees; and C) the public at special events sponsored by organizations with permission of and under supervision of Disney employees.

5. Alcoholic beverages shall only be served for consumption on the 49 properties ("project site") as depicted in the attached location map. The sale of alcohol for consumption off the project site is strictly prohibited.
6. No exterior signs advertising the sales/service of alcoholic beverages shall be permitted.
7. All music, lighting, noise and odors which may be generated by alcohol service at occasional special events on the 49 properties shown on the attached map shall be confined to those properties so as not to disturb occupants of other adjacent businesses or properties and patrons on the public right-of-way. The Planning Hearing Officer's opinion shall prevail to arbitrate any conflicts.
8. The Walt Disney Company and employees shall make an active and conscientious effort to keep its employees and guests from trespassing on nearby properties or making disturbances in the area.
9. Should the Walt Disney Company wish to expand the scope of the Conditional Use Permit from occasional special events to service of alcoholic beverages unconnected to any special event, the company shall apply for a new Conditional Use Permit. The Planning Hearing Officer's opinion, with concurrence from the Director of Community Development, shall prevail to arbitrate any conflicts in determining whether an expansion of the scope of the Permit has or is proposed to occur
10. The service and consumption of alcoholic beverages shall be in full accord with and only within areas designated by the regulations and conditions established by the State Department of Alcoholic Beverage Control for a Type 47 license.
11. Access to the premises shall be made available upon request to all City of Glendale authorized staff (i.e. Community Development Department, Neighborhood Services Division, Building and Safety Division, Fire Department, Police Department, etc.) for the purpose of verifying compliance with all laws and the conditions of this approval.
12. Guests shall be encouraged to use surface parking lots and parking structures under the control of the Walt Disney Company in the GC3 Campus area when special events serving alcohol take place.
13. The authorization granted herein shall be valid for a period of **10 years, until January 22, 2023**, at which time a reapplication shall be made.

APPEAL PERIOD (effective date), TIME LIMIT, LAPSE OF PRIVILEGES, TIME EXTENSION

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 **FEBRUARY 06, 2014** at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday thru Friday 7:00 am to 12:00 pm, 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.ci.glendale.ca.us/planning/SubmittingAProject.asp>

To save you time and a trip - please note that some of our FORMS are available on line and may be downloaded. AGENDAS and other NOTICES are also posted on our website.

TRANSFERABILITY

This authorization runs with the land or the use for which it was intended for and approved. In the event the property is to be leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions and/or limitations of this grant.

VIOLATIONS OF THESE CONDITIONS

Violations of conditions required by this determination may constitute a misdemeanor or infraction under section 1.20.010 of the Glendale Municipal Code (GMC) and/or a violation of other local, State or Federal laws or regulations. Unless a specific penalty is provided, any person convicted of a misdemeanor shall be punished by a fine not to

exceed one thousand dollars (\$1,000.00), or imprisonment for a term not to exceed six (6) months, or by both fine and imprisonment. Infractions are punishable by a fine not exceeding the sum of five hundred dollars (\$500.00) for each violation.

Violations of conditions required by this determination may be grounds for a revocation.

REVOCATION, CONTINUING JURISDICTION

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

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

GMC CHAPTER 30.41 PROVIDES FOR

TERMINATION

Every right or privilege authorized by a conditional 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 conditional 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 conditional use permit.

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 who acted on this case. This would include clarification and 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.

Sincerely,



Laura Stotler
Planning Hearing Officer

LS:sm

CC: City Clerk (K.Cruz); Police Dept. (Lt.S.Bickle/F.Jenks); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(D.Nickles); City Engineer and Traffic & Transportation Section (R.Golianian/G.Tom); Director of Public Works and General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (R.Takidin); Glendale Water & Power--Electric Section (M.Kelley/M.Jackson); Parks, Recreation and Community Services Dept. (E.Tatevosian); Neighborhood Services Division (A.Jimenez); Integrated Waste Management Admin. (D.Hartwell); Maintenance Services Section Admin. (D.Hardgrove); Street and Field Services Admin.; Environmental Management (M.Oillataguerra); M.Brewer-Consultant and Project Manager; Loren&Fortina Brown; Jennifer Pinkerton; and case planner – Jeff Hamilton.