



March 16, 2017

Alcoholic Beverage Consulting
Attn: Steve Rawlings/Laura Rawlings
26023 Jefferson Avenue, Suite D
Murrieta, CA 92562

**RE: 225 WEST WILSON AVENUE
ADMINISTRATIVE USE PERMIT NO. PAUP 1625328
(Hyatt Place Hotel)**

Dear Mr. and Mrs. Rawlings:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.49, the Director of Community Development processed your application for Administrative Use Permit No. PAUP 1625328 to allow the on-site sales, service, and consumption of alcoholic beverages at a new hotel (Hyatt Place Hotel) located at **225 West Wilson Avenue**, in the "DSP/OC"– Downtown Specific Plan/Orange Central District Zone, described as Portion of Lots 13 and 14, Block 7, Glendale Boulevard Tract, in the City of Glendale, in the County of Los Angeles.

CODE REQUIRES

- (1) The on-site sales, service, and consumption of alcoholic beverages requires an Administrative Use Permit in the DSP/OC (Downtown Specific Plan/Orange Central District) Zone.

APPLICANT'S PROPOSAL

- (1) To allow the on-site sales, service, and consumption of alcoholic beverages (Type 47) at a new hotel (Hyatt Place Hotel).

ENVIRONMENTAL DETERMINATION

Mitigated Negative Declaration (Resolution No. 09-196) adopted on December 1, 2009, and amended on May 8, 2012.

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 WITH CONDITIONS**, based on the following:

A. That the proposed use will be consistent with the various elements and objectives of the General Plan.

The subject site is located within the Downtown Specific Plan/Orange Central District (DSP/OD) zone and the General Plan Land Use Element designation of the subject site is Downtown Specific Plan/Orange Central District. The on-site sales, service, and consumption of alcoholic beverages at the new hotel will be consistent with the various elements and objectives of the General Plan. The goal of the Downtown Specific Plan is to create an exciting and vibrant urban center, which offers a variety of services and goods. The on-site sales, service, and consumption of alcoholic beverages at the new hotel is appropriate for the subject location since it complements the Downtown Specific Plan and will assist to make downtown Glendale a dynamic destination. This zone has a long list of permitted land uses and a hotel is a permitted use in this zone and the on-site consumption of alcoholic beverages requires the approval of an Administrative Use Permit. The addition of sales and consumption of alcoholic beverages in conjunction with foods in this hotel is an ancillary use for the hotel, which will provide an option for the guests and business travelers to enjoy alcoholic beverages with their meals during their stay at the hotel.

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 sales, service, and consumption of alcoholic beverages at the new hotel will not be detrimental to the public safety and welfare of the neighborhood. According to the Glendale Police Department, the subject property is located in Census Tract 3020.02 where the suggested limit for on-sale alcohol establishments is three. Currently, there are 26 on-sale establishments located in this tract. Based on arrests and Part 1 crime statistics for this census tract, there were 348 crimes, which is 95 percent above the citywide average of 178 in 2015. While the area contains more on-sale establishments than suggested for the census tract, the Downtown Specific Plan encourages the concentration of dining establishments

with alcoholic beverage service in the area. Hotels and restaurants customarily serve alcoholic beverages as part of their food service. The on-site sale and service of alcoholic beverages for the guests of the hotel with their meals will allow the hotel to be a much more convenient location for the hotel guests who do not need to travel out of the hotel to purchase their drinks. In addition, this ancillary service is not typically associated with public drunkenness or other alcohol-related crimes. Therefore, this request is a reasonable extension of the primary use of the hotel and provides an option for the hotel guests and business travelers to enjoy alcoholic beverages with their meals. The Glendale Police Department did not cite any major concerns related to the on-site sales, service, and consumption of alcoholic beverages at this hotel.

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

The proposed on-site sales, service, and consumption of alcoholic beverages at the hotel will not adversely affect or conflict with adjacent uses or impede the normal development of surrounding properties. The new hotel is surrounded by a variety of commercial development including retail and office uses to the north, south (across Wilson Avenue), west (across Central Avenue), and the east (across an alley). No residential uses are located adjacent to the subject site. Public facilities located in the immediate area of the subject site include First Baptist Church, located at 209 North Louise Street (0.3 miles to the east) and Chess Park located 0.2 miles at the northeast of the project site. In addition, The Green, a public open space at the Americana is located 0.4 miles away from the subject site to the south and Alex Theatre is located 0.2 miles away from the subject property to the northeast (across Brand Boulevard). While these facilities and uses are within close proximity, given their orientation in relation to the subject hotel and the nature of consumption of alcoholic beverages with meal service in this hotel, it is not anticipated that the applicant's request will impede their existing operations. The recommended conditions of approval for this Administrative Use Permit (AUP) will also ensure the ancillary service of alcoholic beverages will not conflict with the nearby and above-mentioned uses. Therefore, it is not anticipated that the approval of this Administrative Use Permit (AUP) will negatively impact these public facilities or impede their existing operations.

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 sales, service, and consumption of alcoholic beverages at this hotel will not result in inadequate public or private facilities. The

hotel is currently under construction and will be a 10-story hotel above one level subterranean parking. The property will be fully improved with all necessary utilities. The hotel was approved for a parking reduction permit to provide 58 valet-only parking in the one level subterranean parking. An additional 74 parking spaces will be provided at the existing public parking structure on the southeast corner of Orange Street and California Avenue. The loading area for the hotel will be located within the northeastern portion of the site and would have an access from an adjacent alley. The demand for parking is not anticipated to be significantly impacted by on site sales, service, and consumption of alcoholic beverages at this hotel. This application does not propose any added floor area or modifications to the approved floor plans for this hotel to increase parking requirement. It is not anticipated the applicant's request will create a negative traffic impact, as the service of alcoholic beverages is not anticipated to significantly increase the amount of guests to the hotel. The City's General Plan Circulation Element identifies Central Avenue as a major arterial and Wilson Avenue as a minor arterial. Both streets are fully developed and provide adequate services to handle the existing traffic circulation around the 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 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 sales, service, and consumption of alcoholic beverages at the new hotel is incidental to food service at the hotel and will not tend to encourage or intensify crime within this reporting district as noted in Finding B above. The Glendale Police Department noted no concerns with this proposal 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. As noted in Finding B above, the crime rate in Census Tract 3020.02 is 95 percent above the citywide average for Part 1 crimes. No evidence has been presented which would indicate that the on-site sales, service, and consumption of alcoholic beverages at the subject site would encourage or intensify crime within the district. Conditions of approval are recommended by the Police Department to ensure that the approval of this Administrative Use Permit (AUP) will not tend to 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). As noted in Finding C above, there are two parks, a church, and a theatre within the immediate area of the subject site. The proposed on-site sales, service, and consumption of alcoholic beverages at this hotel is not anticipated to adversely impact other neighboring uses in this area since it will be ancillary to the primary use. Additionally, the AUP is conditioned to ensure the function of this hotel and the sale of alcoholic beverages will not impede the existing public facilities and their operations.
- 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 facility. As noted in Finding D above adequate access, parking, and loading spaces will be available to serve this use.
- 5) That, notwithstanding consideration of the criteria in subsections 1 through 4 above, alcoholic beverage sales for on-site consumption does serve a public convenience for the area. The sales, service, and consumption of alcoholic beverages at the hotel will serve a public necessity or public convenience for the area due to this being an added amenity for the guests of the hotel. Conditions placed on the approval of the project will ensure that it will not adversely impact nearby businesses and 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 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 measure shall be enforced to effectively eliminate interior and exterior littering, parking congestion, disturbing noise, disturbing light, loud conversation, and criminal activities.
4. That the on-site sales, service, and consumption of alcoholic beverages shall be in full accord with the regulations and conditions established by the State Department of Alcoholic Beverage Control (ABC).
5. That the sale of alcoholic beverages for consumption off the premises is strictly prohibited
6. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash, and graffiti.
7. That access to the premises shall be made available to all City of Glendale Planning Division 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.
8. That the premises may be utilized for banquets, private parties, or other events, provided that all events comply with the provisions of the applicant's Alcoholic Beverage Control (ABC) license, and provided they have appropriate Conditional Use Permits and Use Variances, if required.
9. That no exterior signs advertising the sales and service of alcoholic beverages shall be permitted.
10. That signs for the subject building shall comply with Sign Program approved by the City Council as part of the Stage II Design on December 1, 2009.
11. That any expansion or modification of the facility which intensifies the existing business shall require a new Administrative Use Permit application. Expansion shall constitute adding floor area, changes to the use or operation, or any physical changes as determined by the Planning Hearing Officer, with concurrence from the Director of Community Development.
12. That there shall be no public dancing or live entertainment allowed on the premises without further review of the existing Administrative Use Permit by the Director of Community Development.

13. That at all times when the premises are open for business, the service of any alcoholic beverage shall be made only in the areas designated with an ABC license. Consumption of alcoholic beverages will only be on those same licensed areas.
14. 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.
15. That music or noise shall be contained within the edifice of the establishment. The business shall comply with all state and local laws and ordinances concerning excessive noise and disturbing the peace.
16. That the front and back doors of the establishment shall be kept closed at all times while the location is open for business, except in case of emergency.
17. That no patrons of the business establishment shall be allowed to bring into the establishment any alcoholic beverages that were purchased from outside of the establishment, unless the facility has an established corkage policy allowing and regulating such.
18. That the hotel shall remain open to the public during business hours. If the establishment has a private party during normal business hours, it still needs to remain open for business to regular customers.
19. That the hotel shall adhere to the City's Fresh Air (smoking) Ordinance, Title 8, Chapter 8.52 of the Glendale Municipal Code.
20. That a Business Registration Certificate be applied for and issued for a hotel with sales, service, and consumption of alcoholic beverages, subject to the findings and conditions outlined in this decision letter.
21. That authorization granted herein shall be valid for a period of **TEN (10) years until March 16, 2027.**

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 **March 31, 2017** 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 5:00 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 variances, administrative use permits, 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 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

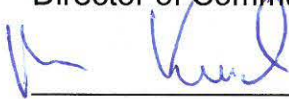
An Administrative Use Permit may be terminated by the review authority upon any interruption or cessation of the use permitted by the Administrative Use Permit for one year or more in the continuous exercise in good faith of such right and privilege.

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, Aileen Babakhani at (818) 937-8331 or ababakhani@glendaleca.gov.

Sincerely,
Phil Lanzafame
Director of Community Development



Roger Kiesel
Planning Hearing Officer

RK:AB:sm

CC: City Clerk (K.Cruz); Police Dept. (S.Bickle/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(J.Halpert); Traffic & Transportation Section (W. Ko/S. Vartanian); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S. Boghosian); Glendale Water & Power--Electric Section (V. Avedian/B. Ortiz); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (S. Mirzaians); 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 – Aileen Babakhani