



**CITY OF GLENDALE, CALIFORNIA**

Community Development  
Planning

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Glendale, CA 91206-4311  
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glendaleca.gov

January 29, 2019

Surjit Soni  
Legendary Towers Glendale, LLC  
116 South Euclid Avenue  
Pasadena, CA 91101

**RE: 300 NORTH CENTRAL AVENUE  
ADMINISTRATIVE USE PERMIT NO. PAUP 1821281  
(Mumford Brewing)**

Dear Mr. Soni:

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 operation of a tavern with on-site sales, service and consumption of beer and wine and off-site sales of beer in the "DSP" – Orange Central District, located at **300 North Central Avenue**, described as a Portion of Lot 12, Glendale Park Tract in the City of Glendale, County of Los Angeles.

**CODE REQUIRES**

(1) The on-site sales, service and consumption and off-site sales of beer and wine requires approval of an Administrative Use Permit in the DSP/OC – Downtown Specific Plan/Orange Central District.

**APPLICANT'S PROPOSAL**

(1) To allow a tavern with the on-site sales, service and consumption of beer and wine and off-site sales of beer.

**ENVIRONMENTAL DETERMINATION**

The project is exempt from CEQA review as a Class 1 "Existing Facilities" exemption, pursuant to State CEQA Guidelines Section 15301, because the proposed tavern will be located within an existing mixed use building.

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 proposed tavern, "Mumford Brewing," located at 300 North Central Avenue, is consistent with the elements and objectives of the General Plan. Taverns are a permitted use with approval of an administrative use permit within the DSP/OC District, and are therefore consistent with the land use designation. In addition, the Orange-Central District includes a wide mix of commercial, retail, restaurant, and multi-family dwellings with the intent of encouraging wide-ranging activities to create a dynamic environment. The applicant's request to operate a tavern offering the on-site sales, service, and consumption, and off-site sales of alcoholic beverages (beer and wine only) will be in keeping with the goals of the area to promote business and pedestrian-friendly commercial uses.

The Land Use Element of the Glendale General Plan designates the subject site as Downtown Specific Plan. The subject site is in a mixed-use and commercial area along North Central Avenue (identified as a Major Arterial in the Circulation Element) that is suitable for this type of use. The operation will be required to comply with the City's Noise Ordinance (Chapter 8.36 Noise Control) and as such, will be consistent with the Noise Element. Given that the project site is already developed and the administrative use permit application only requests the on-site sales, service and consumption and off-site sales of beer and wine at a proposed tavern, no other elements of the General Plan, including the Open Space, Recreation and Housing Elements will be impacted as a result of the proposed tavern. Therefore, the proposed use is in keeping with the various elements and objectives 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 applicant's request for an administrative use permit is not anticipated to be detrimental to the public health or safety, the general welfare, or the environment, as conditioned. The tavern will offer only beer and wine for on-site sales, service, and consumption and off-site sales. The proposed, approximately 1,150 square-foot tavern is located in an area that already has numerous shopping, dining and entertainment destinations that are in close proximity to the site. The impact of beer and wine sales on the residential uses within the adjacent mixed-use and multi-family developments should be minimal given the limited size, enclosed location and the tavern's narrow scope of operation (beer and wine only), and the fact that many restaurants and other commercial uses are already located in the area. In addition, there are no known churches, private or public schools or colleges, day care facilities or hospitals near the proposed tavern.

While the area contains more on-sale establishments than is suggested for the census tract, these types of uses are encouraged within downtown. The DSP policies are designed to encourage a wide range of activities to maintain a dynamic environment, including a concentration of restaurant, tavern and entertainment uses that serve alcohol.

According to the Glendale Police Department the proposed tavern is located in Census Tract 3018.02. The suggested limit for this census tract is two off-sale establishments. There are currently four off-sale licenses in this tract. Based on latest Part 1 crime statistics for Census Tract. 3018.02, there were 200 crimes, which is 11% higher than the citywide average of 178. While this area has more crime than in many other areas of the city, it has a high concentration of commercial development, which typically has a higher crime rate, compared to lower density residential areas which typify much of the city. The Glendale Police Department and Neighborhood Services Division did not cite concerns regarding this proposal. In addition, suggested conditions made by the Glendale Police Department have been included in the draft conditions of approval to ensure that any potential negative impacts will be appropriately mitigated.

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

The on-site sales, service, and consumption and off-site sales of beer and wine at the proposed tavern will not adversely affect or conflict with adjacent uses or impede the normal development of surrounding property, as conditioned. The consumption of beer and wine at the tavern would not conflict with the adjacent and surrounding land uses and in fact, this type of use is encouraged in this pedestrian-oriented, Downtown area. The proposed tavern will not impede normal development within the surrounding area, since the project site is already fully developed; the use should not impede any redevelopment of Central Avenue, given the proposed administrative use permit only requests alcohol service at a tavern within an existing, vacant tenant space.

As part of the original project approvals in 2010, the mixed use development was granted a height and density bonus in exchange for providing additional publicly accessible open space allocated between the setback areas and the covered patio area on the corner of Central and California Avenues. The tavern is proposing to utilize a portion of the mixed-use project's existing publicly accessible open space in the patio area for outdoor dining. Conditions have been added to ensure that this space remains open to the general public and will not be fully privatized for use by the new tavern.

Multi-family residential uses are located above the proposed tavern and within adjacent buildings. However, given the commercial and mixed-use nature of the Downtown area, the enclosed nature of the tenant space on the ground floor, the number of existing establishments in the area that serve and sell alcohol, and the fact that the administrative use permit request is limited to beer and wine sales only and subject to conditions, the request for on-site and off-site alcohol service should not adversely impact the neighborhood.

The recommended conditions will ensure that the tavern will not conflict with any nearby uses. Section 30.64.020 of the Glendale Municipal Code provides for continuing jurisdiction over the use so that any adverse effects will not be allowed. As a result, the proposed sale of beer and wine for on-site and off-site consumption is not anticipated to cause any conflicts with surrounding development in the future.

**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 are provided for the site and the use. The project site is already developed as are the associated facilities. The mixed-use project provides 167 parking spaces for use by residents and commercial business employees and patrons; a parking exception was approved by City Council in 2010 for minor reduction from the 172 parking spaces required by Code for the development. The parking demand is not anticipated to intensify with the applicant's request to allow for retail sales of beer and wine for off-site sales in the subject tenant space beyond the café use anticipated in the original 2010 approval. Central Avenue is identified as a major arterial street in the city's Circulation Element and this street can adequately handle the existing traffic circulation adjacent to the site. The applicant's AUP request for beer and wine sales will not require any new city services, nor will it require any changes to the parking or traffic circulation.

**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 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 tavern with sales, service and consumption of beer and wine 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). The nearest schools are Columbus Elementary School and Daily Continuation High School, both of which are located approximately one-half mile from the subject property. There are no other known churches, private or public schools or colleges, day care facilities or hospitals near the proposed tavern. While residential uses are located nearby, the project is conditioned to ensure the function of this tavern will be in compliance with all municipal codes and State law. The proposed on-site and off-site sales of beer and wine at the proposed tavern is 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 is available to serve this use. As noted in Finding D above, additional parking is not required due to the building providing 167 parking spaces, as approved by City Council.



5. Notwithstanding consideration of the aforementioned information, the proposed on- and off-site sales, service and consumption of beer and wine does serve a public convenience for the area. The proposed tavern, which will make its own craft beer, will be the first of its kind in downtown Glendale. Compatibility of land uses is important to fostering a productive and thriving community. The service of beer and wine at the proposed tavern serves a public convenience because it serves local residents and businesses. The proposed tavern will draw patrons from within the larger neighborhood as well as from the entire city and region. Conditions placed on the approval of the project will ensure that it will not adversely impact nearby industrial uses. Encouraging craft beer makers also serves as a current initiative of the City's Economic Development Division.

## 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 the premises shall be operated in full accord with applicable State, County, and local laws.
4. That the service of beer and wine for on-site sales, service, and consumption and off-site sales shall be in full accord with the regulations and conditions established by the State Department of Alcoholic Beverage Control.
5. That the sales, service and consumption of beer and wine shall be permitted only between the hours of 12:00 p.m. (noon) to 12:00 a.m. (midnight) Monday through Saturday, and 12:00 p.m. to 10:00 p.m. Sunday.
6. That the applicant shall post the required open space plaque(s) as required by Section 7.2.4 of the Downtown Specific Plan.
7. That the tavern shall be allowed three outdoor tables within the publicly accessible open space (enclosed patio) at the corner of Central and California Avenues. These tables shall be located immediately adjacent to the Mumford Brewery tenant space and marked with a rope or other easily removable divider so as to distinguish these tables from the public tables.
8. That the operator shall not prohibit the use of or access to the remainder of the publicly accessible open space by the public.
9. That no patron to any of the business establishments will be allowed to bring into any establishment or maintain in the establishments, any alcoholic beverage unless that alcoholic beverage was purchased within that same establishment unless the facility has an established corkage policy allowing and regulating such.

10. 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 to effectively eliminate interior and exterior loitering, parking congestion, disturbing noise, disturbing light, loud conversation and criminal activities.
11. Dancing is only allowed on the premises in designated dance floor areas, with a proper "Dance" permit. Any establishment serving alcoholic beverages which has a dance floor of greater than 200 square feet is considered a nightclub and will require a separate conditional use permit. No dancing is permitted on the outdoor patio.
12. No live entertainment is permitted without a "Live Entertainment Permit". No karaoke, bikini activities or events, lingerie activities or events, swimwear activities or events, nor any similar activities or events shall be allowed where partial clothing of male or female entertainment is provided. No live entertainment is permitted on the outdoor patio.
13. That all music, lighting, noise and odors shall be confined to the occupancy so as not to disturb occupants of other adjacent business or properties and patrons on the public right-of-way. The business shall comply with all state and local laws and ordinances concerning excessive noise and disturbing the peace, including the City's Noise Ordinance (Chapter 8.36 Noise Control). Noise shall be contained to the site, such that persons of normal sensitivity off-site are not disturbed.
14. That no speaker systems shall be installed by the tavern outside the building.
15. That the proposed tavern adheres to the City's Fresh Air (smoking) Ordinance, Title 15, Chapter 8.52 of the Glendale Municipal Code. The Manager and or staff shall be proactive in the enforcement of the City of Glendale Clean Air Act.
16. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash, and graffiti.
17. 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 Administrator of the City of Glendale. No trash containers shall be stored in any parking, driveway, or landscaping area.
18. That no exterior signs advertising the service of alcoholic beverages shall be permitted.
19. That all signs displayed shall conform to the approved Sign Program and Sign Variance for the mixed-use development, and all requirements of the Glendale Municipal Code, Chapter 30.33.
20. That a Business Registration Certificate (BRC) be applied for and issued for a tavern with on-and off-site sales of beer and wine only, subject to the findings and conditions outlined in this decision letter, prior to the opening of the business.

21. 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 Planning Hearing Officer with concurrence by the Director of Community Development.
22. 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.
23. That authorization granted herein shall be valid for a period of **TEN (10) YEARS UNTIL JANUARY 29, 2029.**

**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 13, 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.

### **REVOCATION, 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 30.4 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

Any 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, Roger Kiesel at (818) 937-8152 or rkiesel@glendaleca.gov.

Sincerely,

Philip Lanzafame  
Director of Community Development



Vilia Zemaitaitis, AICP  
Planning Hearing Officer

VZ:RK: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. Alshanti/B.Ortiz/E.Olsen); 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/T.Dodson); Street and Field Services Admin.; Engineering and Environmental Management (C.Chew/R. Villaluna); and case planner – Roger Kiesel.