



CITY OF GLENDALE, CALIFORNIA  
Community Development  
Planning

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March 17, 2020

Alexander Golst  
305 North Central Avenue  
Glendale, CA 91205

**RE: 305 NORTH CENTRAL AVENUE  
ADMINISTRATIVE USE PERMIT CASE NO. PAUP 1919192  
(Butcher and Booze)**

Dear Mr. Golst:

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 sale of alcoholic beverages for off-site consumption and occasional on-site tasting events (ABC License Type 21) at a new 1,860 square-foot counter service restaurant with limited seating and retail store, located at **305 North Central Avenue**, in the "DSP/TD"- Downtown Specific Plan Zone, Transitional District, and described as portions of Lots 1-5, and east 10 feet of Lot 73, all of Lots 75-78A and a Vacated Alley, Glendale Home Tract, M.B. 9-131, in the City of Glendale, County of Los Angeles.

#### CODE REQUIRES

- (1) The sale of alcoholic beverages requires and Administrative Use Permit in the DSP/TD Zone (Section 3.3 of the DSP, Table 3-A-3).

#### APPLICANT'S PROPOSAL

- (1) To allow the sale of alcoholic beverages for off-site consumption with occasional on-site tasting events at a new counter service restaurant and retail store located in the DSP/TD Zone.

#### ENVIRONMENTAL DETERMINATION

The project is exempt from CEQA review as a Class 1 "Existing Facilities" exemption, pursuant to Section 15301(e) of the State CEQA Guidelines, because the discretionary permit request is to allow for off-site sales of alcoholic beverages with occasional tasting

events at a new counter service restaurant and retail store and there is no added floor area proposed.

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**

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After thorough consideration of the statements contained in the application, the plans submitted therewith, the 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 sale of alcoholic beverages for off-site consumption and occasional on-site tasting events within the proposed counter service restaurant with limited seating and retail establishment will be consistent with the various elements and objectives of the general plan. The project site is located within the Downtown Specific Plan Zone, Transitional District (DSP/TD). The Land Use Element of the Glendale General Plan designates the subject site as Downtown Specific Plan, Transitional District. The Downtown Specific Plan seeks to preserve and enhance aspects which provide each district its unique character, while improving the attractiveness and livability of the Downtown area. The Transitional District currently features a variety of lower-scale commercial buildings and several of the more recent high-density residential and mixed-use projects, including the subject site, with the intent of encouraging ground floor commercial uses along Central Avenue. The applicant's request to sell alcoholic beverages for off-site consumption with occasional on-site tasting events at a proposed counter service restaurant and retail establishment will be in keeping with the goals of the area to promote business and pedestrian-friendly commercial uses. The applicant's request to allow occasional on-site tasting events, would be for no more than three times a month. The sale of alcoholic beverages for off-site consumption and occasional on-site tasting events within the proposed counter service restaurant and retail establishment at this location is appropriate in an area of the city zoned for commercial uses and will continue to provide an option for the dining public to enjoy beer and wine with their meals.

The Land Use Element is most directly related to the approval of this use. All other elements of the General Plan, including Open Space, Recreation, and Housing Elements, will not be impacted as a result of the applicant's request. The project site

is fully developed and has not been slated for open space or recreation. The proposal to sell alcoholic beverages for off-site consumption and occasional on-site tasting events within the proposed counter service restaurant and retail establishment is consistent with the Noise Element and is not anticipated to increase the existing noise levels beyond the current conditions. This application does not include any new floor area or modifications to the existing building, and adequate utilities, landscaping, and traffic circulation measures are already provided.

The Circulation Element identifies North Central Avenue as a major arterial, West California Avenue as an urban collector, and Myrtle Street as a local street. These streets are fully developed and can adequately handle the existing traffic circulation around the site. The applicant's request to operate counter service restaurant and retail store with the sale of alcoholic beverages for off-site consumption and occasional on-site tasting events is not anticipated to create any negative traffic-related impacts along North Central Avenue, West California Avenue, and Myrtle Street and other businesses over and above the existing conditions.

**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 operation of counter service restaurant with limited seating and retail store with the sale of alcoholic beverages for off-site consumption and occasional on-site tasting events will not be detrimental to the health, safety and public welfare of the neighborhood in general. According to the Glendale Police Department, the subject property is located in Census Tract 3018.02, where the suggested limit for off-sale alcohol establishments is two. Currently, there are five off-sale establishments located in this tract and "Butcher and Booze" will be the sixth license in this Tract. Based on Part 1 crime statistics for this Census Tract, there were 204 crimes in 2018, 22% above the citywide average of 167. Within the last calendar year, there were no calls for police service at this property. The Glendale Police Department has suggested conditions of approval to ensure that 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 sale of alcoholic beverages for off-site consumption and occasional on-site tasting events within the proposed counter service restaurant with limited seating and retail establishment, "Butcher and Booze" will not adversely conflict with adjacent uses or impede the normal development of surrounding property, as conditioned. The applicant's request to operate a counter service restaurant (with eight seats or less) and retail store with the sale of alcoholic beverages for off-site

consumption and occasional on-site tasting events would not conflict with adjacent and surrounding land uses and in fact, this type of use is encouraged in this pedestrian-oriented, Downtown area. The proposed counter service restaurant and retail store 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 is for the sale of alcoholic beverages for off-site consumption with occasional on-site tasting events at a proposed counter service restaurant and retail store within an existing, vacant tenant space.

It is not anticipated that the sale of alcoholic beverages for off-site consumption and occasional on-site tasting events within the proposed counter service restaurant and retail establishment, "Butcher and Booze" 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 and occasional on-site tasting events within the proposed counter service restaurant and retail establishment is not anticipated to adversely conflict with surrounding properties or adjacent uses as it will be ancillary to the primary use. The subject property is surrounded by other complementary businesses, including retail and service uses with residential uses on-site and in the vicinity.

Multi-family residential uses are located above the proposed counter service restaurant and retail store 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 off-site sales of alcoholic beverages with occasional tasting events and subject to conditions, the applicant's request should not adversely impact the neighborhood.

**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, parking spaces and traffic circulation measures are provided for the proposed use. The project site is already developed as are the associated facilities. There are a total of 20 parking spaces available on-site for the ground floor commercial tenants. There are also an additional 10 parking spaces provided on-site for the commercial tenants that includes one compact stall and six tandem spaces that are not considered code compliant parking under the zoning code. Access to the enclosed parking area is taken from existing driveways located off West California Avenue and Myrtle Street.

The parking demand is not anticipated to intensify based on the applicant's request to allow the sales of alcoholic beverages for off-site consumption and occasional on-site tasting events at the proposed restaurant and retail store. The Circulation Element identifies North Central Avenue as a major arterial, West California Avenue as an urban collector, and Myrtle Street as a local street. These streets are fully developed and can adequately handle the existing traffic circulation around the site. The applicant's AUP request 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 (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 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, and noted in Finding D above. The sale of alcoholic beverages for off-site consumption and occasional on-site tasting events within the proposed counter service restaurant and retail establishment does not, or will not, tend to encourage, intensify, or otherwise contribute to the adverse impacts on the surrounding area caused by over concentration.
- 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 I crimes, as reported by the Glendale Police Department, such use does not or will not tend to encourage or intensify crime within the district because conditions of approval have been included in the approval of this application to ensure that any potential negative impacts will be appropriately mitigated. As noted in Finding D above, the crime rate in Census Tract 3018.02 is at 22 percent above the city average for Part 1 crimes. No evidence has been presented which would indicate that the proposed counter service restaurant and retail store with the sale of alcoholic beverages for off-site consumption and occasional on-site tasting events has or would encourage or intensify crime within the district as noted in Finding B above.

- 3) That the existing or proposed 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). 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 known churches, private or public school or colleges, day care facilities or hospitals within the immediate area of the proposed counter service restaurant and retail store. While residential uses are located on-site and nearby, the project is conditioned to ensure the operation will be in compliance with all applicable federal, state, and local laws. The applicant's request to allow the sale of alcoholic beverages for off-site consumption and occasional on-site tasting events within the proposed counter service restaurant with limited seating and retail establishment is not anticipated to adversely impact other neighboring uses in this area.
- 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 Finding D above, the applicant's request is not anticipated to increase the need for public or private facilities. The sale of alcoholic beverages for off-site consumption and occasional on-site tasting events within the proposed counter service restaurant with limited seating and retail establishment, "Butcher and Booze" is not anticipated to intensify traffic circulation or parking demand. The proposed use satisfies its transportation or parking needs as described in Finding D above because adequate access and parking are available to serve this use.
- 5) That notwithstanding consideration in subsections 1 through 4 above, the operation of a counter service restaurant with limited seating and retail store with the sale of alcoholic beverages for off-site consumption and occasional on-site tasting events does serve a public convenience for the area 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 nearby businesses and residential uses.

## **CONDITIONS OF APPROVAL**

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**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, 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.
3. That sufficient measures shall be enforced to effectively eliminate interior and exterior loitering, parking congestion, disturbing noise, disturbing light, loud conversation, and criminal activities.
4. That the sale of alcoholic beverages for off-site consumption, with occasional tasting events, shall be in full accord with the regulations and conditions established by the State Department of Alcoholic Beverage Control.
5. That no exterior signs advertising the sales of alcoholic beverages be permitted.
6. That there shall be no video machine(s) maintained upon the premises.
7. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash and graffiti.
8. 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, 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.
9. That the off-site sale of alcoholic beverages shall be incidental to the main use as a counter service restaurant and retail establishment and that the sale of alcoholic beverages for consumption on the premises is strictly prohibited, except for occasional tasting events.
10. 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. This can reduce the potential for individuals to buy one or two units and walk outside to consume them on or near the premise.
11. That the business shall provide training for its personnel regarding sales to minors or intoxicated persons. Alcoholic Beverage Control staff is available and can provide this training.
12. That signs shall be posted clearly specifying no sales to minors or intoxicated persons.
13. That signs indicating no loitering or trespassing should be posted.

14. That the proprietor and his/her employees shall make an active and conscientious effort to keep customers and employees from trespassing, loitering, or consuming any alcoholic beverages on the property, adjacent properties or otherwise making disturbances in the area.
15. That store display racks be positioned such that they are in a clear line of sight by management and staff with no restricting view and that they be appropriately lit.
16. That the business shall adhere to the City's Fresh Air Ordinance, Title 15, Chapter 8.52 of the Glendale Municipal Code.
17. That the business shall be operated in full accord with applicable State, County, and local laws.
18. 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.
19. That all signs shall require a separate sign permit and shall comply with the approved sign program.

#### **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 **APRIL 1, 2020**, 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 [www.glendaleca.gov/appeals](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 30.41 PROVIDES FOR**

### TERMINATION

Every right or privilege authorized by an Administrative Use Permit shall terminate two 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.

### 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.

### EXTENSION

Permits granted by such right or privilege may be requested one time and extended for up to a maximum of one 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 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 exception.

**NOTICE – subsequent contacts with this office**

The Applicant is further advised that all subsequent contacts with this office regarding this determination must be with the Case Planner first and then, the Hearing Officer who acted on this case. 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, Vista Ezzati during normal business hours at her direct line (818) 937-8180 or [VEzzati@glendaleca.gov](mailto:VEzzati@glendaleca.gov), between 8:30 a.m. to 5:30 p.m. weekdays.

Sincerely,  
Philip Lanzafame  
Director of Community Development



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Bradley Collin  
Planning Hearing Officer

BC:VE:sm

cc: City Clerk (K.Cruz); Police Dept. (J.Newton/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 – Vista Ezzati.