



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

July 29, 2020

R. D. Olson Development
c/o Anthony Wrzosek, Vice President
520 Newport Center Drive, Suite 600
Newport Beach, CA 92660

**RE: 199 NORTH LOUISE STREET
ADMINISTRATIVE USE PERMIT NO. PAUP2006259**

(GLENDALE MARRIOTT RESIDENCE INN)

Dear Ms. Wrzosek:

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 on-site sales, service, and consumption of alcoholic beverages (Type 70) at a new hotel for guests offered by the hotel manager's reception and sell prepackaged closed alcoholic beverages out of the hotel's sundry/gift shop, located at **199 North Louise Street**, in the "DSP/Downtown A & E" – Downtown Specific Plan Downtown "Art and Entertainment" District Zone, described as Lots 33, 34, 35 and Portions of Lot 36, W.S. Knott Tract, in the City of Glendale, County of Los Angeles.

A Type 70 license authorizes the sale or furnishing of beer, wine and distilled spirits for consumption on the premises to the establishment's overnight transient occupancy guests or their invitees. This license is normally issued to "suite-type" hotels and motels, which exercise the license privileges for guests' "complimentary".

CODE REQUIRES

Sales, service and on-site consumption of alcoholic beverages requires an Administrative Use Permit in the "DSP/Downtown A & E" zone.

APPLICANT'S PROPOSAL

An Administrative Use Permit to allow the on-site sales, service and consumption of alcoholic beverages (Type 70) at a new hotel for hotel guests offered by the hotel Manager's Reception and sell prepackaged closed alcoholic beverages at the new hotel's sundry/gift shop.

199 N. LOUISE STREET
ADMINISTRATIVE USE PERMIT NO. PAUP 2006259
(GLENDALE MARRIOTT RESIDENCE INN)

ENVIRONMENTAL DETERMINATION

An addendum to the certified 2006 Program DSP EIR was prepared to evaluate the hotel project's development within the context of the DSP Final Program EIR. The current proposal involves an Administrative Use Permit request to allow the on-site sales, service and consumption of alcoholic beverages at the new hotel.

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 to allow the on-site sales, service and on-site consumption of alcoholic beverages offered by the hotel's managers reception to guests staying at the hotel and sell prepackaged alcoholic beverages at the hotel's sundry/gift shop. The subject site is zoned DSP/A&E (Downtown Specific Plan – Downtown Art and Entertainment District) and within the Downtown Specific Plan designation of the Land Use Element of the General Plan. The Circulation Element designates Wilson Avenue as a Minor Arterial Street and Louise Street as an Urban Collector Street. The streets are fully improved serving a multitude of businesses and residential developments. The proposed hotel is currently under construction and is located alongside other commercial/service and entertainment type businesses.

A hotel is a permitted use in this zone; however, the on-site sales, service and on-site consumption of alcoholic beverages offered by the hotel's managers reception to guests staying at the hotel and selling prepackaged alcoholic beverages at the hotel's sundry/gift shop requires approval of an Administrative Use Permit. The consumption of alcoholic beverages is incidental to the hotel operation. The project is located on the southwest corner of Wilson Avenue and Louise Street. Presently, the 30,000 square-foot site is under construction with a new six-story hotel with 147 guest rooms. The main entry to the hotel and driveway are accessed from Louise Street. The driveway will lead to a guest drop-off area, on-grade parking and ramp to a two-level subterranean parking garage.

The sales, service and on-site consumption of alcoholic beverages at the new hotel will be consistent with the elements and objectives of the General Plan. The subject site is located in the Downtown Specific Plan (DSP), Downtown "Art and Entertainment" District Zone and the General Plan – Land Use Element designation of "Downtown Specific Plan". The sales, service and consumption of alcoholic beverages at the hotel is ancillary to the primary hotel use and is consistent with the elements and objectives of the general plan. One of the purposes of the "Downtown Specific Plan" land use designation is to encourage the location of a wide range of activities to maintain a dynamic environment. This area contains a wide mix of land uses including: retail, service uses, restaurants, offices, multi-family residential, hotels as well as entertainment uses. As such, the primary goal and objective of the DSP is to create an exciting and vibrant urban center which offers a variety of goods and services within a short walking distance. The new hotel with ancillary consumption and retail sales of alcoholic beverages at the hotel's sundry/gift is a permitted use in the DSP and will be an integral component in Downtown Glendale. The site is surrounded by DSP properties. The request to serve and sell alcoholic beverages offered to hotel guests will not create any traffic-related impacts on area streets over and above existing conditions since these are services provided to the guests staying at the hotel.

The sales, service and consumption of alcoholic beverages at the hotel is ancillary to the primary hotel use. The primary use will provide a much needed business and family hotel to serve Glendale and surrounding communities. The on-site sales, service and consumption of alcoholic beverages for hotel guests is a common ancillary use for a hotel business, and will further assist in making downtown Glendale a dynamic destination with a unique service type use in the Downtown area. Other elements of the General Plan, including the Open Space, Recreation, Housing and Noise Elements will not be impacted as a result of the project. No private or public improvements are required as a result of the Administrative Use Permit request.

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 proposed on-site sales, service and consumption of alcoholic beverages offered to hotel guests during the manager's reception and sales of prepackaged closed alcoholic beverages at the hotel's sundry/gift shop is incidental to the hotel primary use and its associated structures and facilities would not be detrimental to the public health or safety, the general welfare, or the environment. The operation of a hotel use offering guests alcoholic beverages during the manager's reception and the sales of prepackaged alcoholic beverages at the sundry/gift shop will not present negative impacts. The area surrounding the use is home to a variety of commercial establishments including other retail/services, restaurants, and offices. Further, there are similar existing uses in the downtown area that have an alcohol beverage component that have proven not to have a detrimental effect on surrounding uses. The hotel is the primary use – the on-site sales, service and consumption of alcoholic

199 N. LOUISE STREET
ADMINISTRATIVE USE PERMIT NO. PAUP 2006259
(GLENDALE MARRIOTT RESIDENCE INN)

beverages, the reason why the Administrative Use Permit is requested, is an ancillary service to the primary use.

According to the Glendale Police Department, the hotel is located in census tract 3020.02 which allows for 3 on-sale and 2 off-sale licenses. Currently, there are 23 on-sale and six (6) off-sale establishments in this tract. With the proposed hotel, the total number of on-site licenses will increase to 24 on-sale and seven (7) off-sale licenses. This area contains more on-and off-sale establishments than is suggested for the census tract. However, with the new hotel, the over concentration of alcohol service in this census tract is unlikely to cause significant issues of public drunkenness or other alcohol-related crimes.

Based on arrests and Part 1 crime statistics for census tract 3020.02 in 2019, there were 251 crimes, 50% above the city wide average of 167. While this area has significantly more crimes than many other areas of the city, it may be attributed to the high concentration of retail uses and entertainment uses in the area. As noted above, it is unlikely that the proposed request for the on-site sales, service and consumption of alcoholic beverages at the hotel will pose or increase crime in the area above the existing conditions. The Glendale Police Department did not cite concerns related to this administrative use permit, and particularly the number of establishments serving alcohol or the amount of crime.

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

The hotel's request to serve and sell alcoholic beverages will not adversely affect or conflict with adjacent uses or impede the normal development of surrounding property, since no change to the existing land use designation are proposed. The proposed hotel is located within a commercial district and surrounded by complementary uses. The focus of the operation is a hotel use. In this regard, the sales/service of alcoholic beverages for on-site sales, service and consumption is an enhancement to the hotel experience.

It is not anticipated that the ancillary sales, services and on-site consumption of alcoholic beverages will be detrimental to existing on-site and nearby residential uses. The sales and service of alcoholic beverages at the hotel will be an ancillary service offered to hotel guests. The area surrounding the hotel along Wilson Avenue towards the west, is home to a variety of commercial establishments including retail/services, movie theatres, restaurants, and offices. There are similar uses in the existing vicinity that have an alcohol beverage component and have proven not to have a detrimental effect on surrounding uses. The residential uses located nearby have not and will not be impacted by the request to offer alcoholic beverages during the hotel manager's reception and sell prepackaged alcoholic beverages at the hotel's sundry/gift store. Furthermore, the conditions included with this approval will ensure that the sales and consumption of alcoholic beverages offered to hotel guests will not become nuisances nor be detrimental to the public.

199 N. LOUISE STREET
ADMINISTRATIVE USE PERMIT NO. PAUP 2006259
(GLENDALE MARRIOTT RESIDENCE INN)

There are churches, a public school and day care facilities near the proposed hotel. First United Methodist Church and Preschool is located 0.1 miles east of the subject site and the First Baptist Church is located across Wilson on the north, Allan F. Daily High School is located 0.1 miles to the east, the Glendale Public Library is located 0.2 miles to the south and the Glendale YMCA is located across the street to the east. One letter was submitted by the Glendale Unified School District expressing concern regarding the subject administrative use permit and request to serve and sell alcoholic beverages at the new hotel because the subject hotel site is located within close proximity to Daily Continuation High School located at 220 North Kenwood Street, approximately 0.1 miles east of the site. While the subject site is located within close proximity to the high school, it is not anticipated that the Administrative Use Permit request will be detrimental to the nearby church, schools, day care, and other nearby uses in the area given the relative distance the hotel has from these amenities and that similar uses already co-exist adjacent or nearby subject site. The addition of alcohol sales and on-site consumption in conjunction with the hotel should not impact the surrounding uses since the hotel is the primary use and the service of alcoholic beverages is ancillary to that use. No evidence was submitted that would indicate that the request to serve alcoholic beverages to hotel guests during the manager's reception and sell closed prepackaged alcoholic beverages at the hotel's sundry/gift shop would be a problem provided that the conditions of approval are followed.

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 request to serve and sell alcoholic beverages to hotel guests will not result in inadequate public and private facilities such as utilities, landscaping, parking spaces and traffic circulation measures will be provided for the proposed use. This application does not include any new floor area or proposed modifications to the site plan approved by the City Council for the hotel development. The project was designed and approved as a six-story hotel over a two-level subterranean parking garage. Adequate hotel guest parking, landscaping, and open space will be provided in compliance with the Downtown Specific Plan and the Zoning Code. As part of the development, the property is and will be fully improved with all necessary utilities. Glendale Water and Power did not cite any concerns related to providing service to the project.

Once construction of the hotel is complete, the site will be fully developed. Further, the site is located in a developed commercial district with all required utilities such as gas, electricity, water, sewer, and landscaping already in place. The applicant's request is not expected to create a negative parking or traffic related impact, as it is not anticipated that the proposed ancillary on-site sales, service and consumption of alcoholic beverages at the hotel will significantly increase the amount of patrons. The alcoholic beverage service will be offered to guests staying at the hotel. Wilson Avenue is considered a Minor Arterial Street and Louise Street is an Urban Collector Street in the Circulation Element and are fully improved. The hotel development was approved with the Code-required number of parking spaces for a hotel use. The sales, service and on-site consumption of alcoholic beverages for hotel guests will not impact

199 N. LOUISE STREET
 ADMINISTRATIVE USE PERMIT NO. PAUP 2006259
 (GLENDALE MARRIOTT RESIDENCE INN)

or require additional parking above what was approved. Further, the project does not involve a floor area expansion. Therefore, the Administrative Use Permit request to allow the sales, service and on-site consumption of alcoholic beverages will not result in inadequate parking.

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 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 hotel with sales, service, and consumption of alcoholic beverages 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) as described in findings B and C above.
- 4) That the proposed use satisfies its transportation or parking needs as described above because, as noted in Finding D above, adequate access, parking and delivery spaces are available to serve this use.
- 5) That the proposed sales and service of alcoholic beverages at the hotel will serve a public necessity or public convenience for the area this serves as 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 business and residential uses in the area.

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.

199 N. LOUISE STREET
ADMINISTRATIVE USE PERMIT NO. PAUP 2006259
(GLENDALE MARRIOTT RESIDENCE INN)

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 on-site sales of alcoholic beverages at the hotel's sundry/gift shop shall be ancillary to the main hotel use.
4. That the sale of alcoholic beverages shall be in full accord with the regulations and conditions established by the State Department of Alcoholic Beverage Control.
5. No lighting shall be installed or maintained that shines or reflects onto adjacent properties.
6. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash, and graffiti.
7. That all signs displayed shall conform to the requirements of the Glendale Municipal Code.
8. That access to the premises shall be made available to all City of Glendale Planning Division, 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.
9. That no exterior signs advertising the sales of alcoholic beverages shall be permitted.
10. That any expansion or modification of the facility or use which intensifies this 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 Director of Community Development.
11. That a Business Registration Certificate be obtained for the operation of the hotel use with the on-site sales, service and consumption of alcoholic beverages, subject to the findings and conditions outlined in this decision letter.
12. That sale of alcoholic beverages at the hotel shall be incidental to the hotel's sundry shop only to be consumed on the premises.
13. That no alcoholic beverages shall be sold to be taken from the premises by patrons for off-site consumption.
14. That there shall be no video machine(s) maintained on the premises.
15. That music or noise shall be contained within the edifice of the establishment. The business shall comply with the state and local noise ordinances concerning excessive noise and disturbing the peace.
16. That all music, lighting, noise and odors shall be confined to the occupancy so as not to disturb occupants of other businesses or properties and patrons on the public right-of-way.

199 N. LOUISE STREET
 ADMINISTRATIVE USE PERMIT NO. PAUP 2006259
 (GLENDALE MARRIOTT RESIDENCE INN)

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 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.
19. 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.
20. That the hotel shall adhere to the City's Fresh Air Ordinance, Title 15, Chapter 8.52 of the Glendale Municipal Code.
21. That live entertainment is permitted with the exception that no karaoke, no bikini activities or events, no lingerie activities or events, no swimwear activities or events, nor any similar activities or events be allowed where partial clothing of male or female entertainment is provided. A Live Entertainment permit must be obtained in accordance with G.M.C 5.60.
22. The hotel and/or sundry/gift shop shall provide training for its personnel regarding sales to minors or intoxicated persons. Alcohol Beverage Control staff is available and can provide this training.
23. Display racks in the hotel's sundry/gift shop shall be positioned such that they are in a clear line of sight by management and staff with no restricting view.
24. Signs shall be posted clearly specifying no sales to minors or intoxicated persons.

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

199 N. LOUISE STREET
 ADMINISTRATIVE USE PERMIT NO. PAUP 2006259
 (GLENDALE MARRIOTT RESIDENCE INN)

request and must be filed with the prescribed fee prior to expiration of the 15-day period, on or before **August 10, 2020**.

Any appeal must be filed on the prescribed forms within fifteen (15) days following the actual date of the decision. Information regarding appeals, appeal forms and fees will be provided by the Community Development Department (CDD) staff upon request by calling 818-548-2140.

Due to the current COVID-19 social distancing and work from home orders issued by federal, state and local governmental agencies, in order for any appeal to be considered timely, **the appeal must be postmarked by the AUGUST 10, 2020 deadline (mailed to Community Development Department – Planning Division, Attention Milca Toledo 633 East Broadway, Room 103, Glendale, CA 91206) OR emailed to the case planner (Milca Toledo at mitoledo@glendaleca.gov) prior to the close of said business day.** The prescribed fee must be included along with the appeal application and may be submitted either in the form of a check or credit card payment. For credit card payment, please contact the case planner to make arrangements with the cashier. *Note:* The standard 2.5% fee for credit card payment applies.

APPEAL FORMS available on-line

<https://www.glendaleca.gov/home/showdocument?id=11926>.

If you have any questions, please contact the case planner at (818) 937-8181

(email: mitoledo@glendaleca.gov).

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. 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

199 N. LOUISE STREET
 ADMINISTRATIVE USE PERMIT NO. PAUP 2006259
 (GLENDALE MARRIOTT RESIDENCE INN)

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 conditional 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, Milca Toledo at (818) 937-8181 or mitoledo@glendaleca.gov.

Sincerely,
 Philip Lanzafame
 Director of Community Development

Bradley Collin
 Planning Hearing Officer

199 N. LOUISE STREET
ADMINISTRATIVE USE PERMIT NO. PAUP 2006259
(GLENDALE MARRIOTT RESIDENCE INN)

BC:MT: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/M.Bueno); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S. Boghosian/R.Takidin/C.Babakhanlou/D.Scorza); 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); Glendale Unified School District; and case planner – Milca Toledo