



**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

September 22, 2021

Walgreens Co.  
Attention: Mr. Cole Hardy  
104 Wilmot Road, MS #144K  
Deerfield, IL 60015

**RE: 105 EAST GLENOAKS BOULEVARD  
ADMINISTRATIVE USE PERMIT CASE NO. PAUP 2109910  
"Walgreens"**

Dear Mr. Hardy,

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 continued off-site sale of alcoholic beverages at an existing drugstore ("Walgreens") in the C3 Zone - Commercial Services Zone, located at 105 East Glenoaks Boulevard, City of Glendale, County of Los Angeles.

**CODE REQUIRES**

- 1) The off-site sale of alcoholic beverages requires an Administrative Use Permit in the C3 Zone - Commercial Services Zone, per GMC 30.12.020.

**APPLICANT'S PROPOSAL**

- 1) To allow the continued sale of alcoholic beverages at an existing drugstore.

**ENVIRONMENTAL RECOMMENDATION**

The project is exempt from CEQA review as a Class 1 "Existing Facilities" exemption, pursuant to State CEQA Guidelines Section 15301.

**REQUIRED/MANDATED FINDINGS**

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the analysis by Community Development Department staff, 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 applicant is requesting an Administrative Use Permit (AUP) to allow the continued sale of alcoholic beverages for off-site consumption at an existing drugstore ("Walgreens"). The subject site is located in the C3 (Commercial Services) Zone and the General Plan Land Use Element designation is Community Services.

The continued sale of alcoholic beverages at the existing drugstore ("Walgreens") is consistent with the General Plan. Retail uses, including drugstores, are permitted in the C3 (Commercial Service) zone, consistent with the Community Services land use designation where retail services at the corner intersection of major arterials (North Brand Boulevard and East Glenoaks Boulevard) are desired. The off-site sale of alcoholic beverages is a conditionally permitted use in the C3 zone. The sale of alcoholic beverages is an accessory use to the drugstore and serves a public necessity or public convenience purpose for the area, given that the alcohol augments the variety of household items, sundry goods and pharmacy items sold at the drugstore. The proposal is consistent with the Noise Element, given that the use will be fully conducted within the existing building and is not anticipated to result in any noise impacts. The project site is not identified as parkland by the Recreation Element. The development features no housing component that would be addressed by the Housing Element, and the existing commercial building, having been remodeled in 2013, complies with all applicable Building & Fire Code standards that address any seismic, geological, and fire hazards identified in the Safety Element. The site is located at the north-east intersection of North Brand Boulevard and East Glenoaks Boulevard; the Circulation Element identifies North Brand Avenue north of Glenoaks Boulevard as a minor arterial, and Glenoaks Boulevard as a Major Arterial at this location. Both are fully developed and can adequately handle the existing traffic circulation around the site. Therefore, the application complies with all of the elements of the General Plan.

This application does not include any added floor area or modifications to the existing building; therefore, there will be no increase in demand for parking. Adequate utilities, landscaping, and traffic circulation measures are already provided.

**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 continued off-site sale of alcoholic beverages at the existing drugstore will not be detrimental to the safety and public welfare of the neighborhood in general. According to the Glendale Police Department the subject property is located in Census Tract 3011 where the suggested limit is four for off-sale licenses. Currently, "Walgreens" is one of two existing, off-sale licenses in this tract.

Based on Part 1 crime statistics for this Census Tract, there were 101 crimes, 40% below the citywide average of 167. Within the last calendar year there were nine calls for police service at this location, with only five police reports officially filed.

Only one of the calls for service (on October 9, 2020) possibly involved consumption of alcoholic beverages behind Walgreens, but no report was filed for this incident.

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

It is not anticipated that the continued off-site sale of alcoholic beverages at the existing drugstore will be detrimental to the community or adversely conflict with the community's normal development. Since 2014, "Walgreens" has been in operation and their request is to continue the off-site sale of alcoholic beverages. In accordance with Administrative Exception Case No. 9330-AE and the Covenant and Agreement recorded on January 17, 1995 there are a total of 51 spaces provided off-site and the adjacent lots for this use. The off-site sale of alcoholic beverages at the existing drugstore will not conflict with the adjacent land uses.

No public facilities are located in the immediate area. The closest public facilities are: Fire Station 26 at 1145 N. Brand Blvd (0.3 miles away), Casa Verdugo Library at 1151 N. Brand Blvd. (0.3 miles), and R.D. White Elementary School at 744 E. Doran (0.7 miles away). Incarnation Catholic Church is located across Brand Boulevard to the west and St. Mark's Episcopal Church is located to the north on the corner of Brand Boulevard and Dryden Street. While these facilities and uses are within close proximity, the applicant's request has not and will not impede the operation of such uses since they are not directly adjacent to the drugstore.

The current AUP also includes the previous CUP condition requiring delivery trucks to follow the established route, entering off Brand Boulevard or Glenoaks Avenue and exiting westbound on Fairview towards Brand Boulevard; prohibiting delivery trucks from exiting westbound on Fairview and traveling through the residential neighborhood. As conditioned, the continued sale of alcoholic beverages for off-site consumption is not anticipated to cause any vehicular conflicts with surrounding development.

**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 continue to serve alcoholic beverages at the drugstore will not result in inadequate public or private facilities. The project site is already developed and associated facilities are existing. The existing drugstore, "Walgreens", has been operating at this location since 2014. As noted above, North Brand Boulevard and East Glenoaks Boulevard are identified in the City's Circulation Element as fully developed Minor and Major Arterials, respectively, and can adequately handle the existing traffic circulation adjacent to the site. There are 124 existing parking spaces on-site for the three, existing uses ("Walgreens" – 12,400 SF retail, "Trader Joe's" – 11,500 SF retail, and "Coffee Bean & Tea Leaf" – 1,232 SF drugstore, counter service only), when a total of 101 are required by Code. The applicant's AUP request to continue selling alcoholic beverages will not require any

new city services, landscaping, or additional number of parking spaces. Therefore, adequate public and private facilities area provided on-site.

**REQUIRED ADDITIONAL FINDINGS OF FACT FOR AN AUP FOR ALCOHOL SALE:**

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 off-site use is located in a census tract with more than the recommended maximum concentration of off-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. "Walgreens" is not located in a census tract with more than the recommended concentration of ABC licenses; the establishment has one of two existing ABC licenses where four off-site sale licenses are allowed. The continued sale of alcoholic beverages at the existing drugstore site is not expected, nor will it tend to encourage or intensify crime within this reporting district 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. Conditions have been included in the approval of this application to ensure that any potential negative impacts will be appropriately mitigated. As noted in Finding B above, no evidence has been presented that would indicate that the off-site sale of alcoholic beverages at the subject site would encourage or intensify crime within the district.
- 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 school or college, day care facility, public park, library, hospital or residential use). As noted in Finding C above, there are four public facilities within the immediate area of the subject site. While these facilities and uses are within close proximity, the applicant's request will not impede the operation of such uses since they are not directly adjacent to the drugstore and are instead located on neighboring blocks.
- 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 facilities. The ancillary sale of alcoholic beverages at the "Walgreens" drugstore is not anticipated to intensify traffic circulation or parking demand. The site is fully developed and adequate parking and loading facilities are currently provided on-site; there are 124 parking spaces in the parking lot for the three, existing uses.

- 5) That, notwithstanding consideration of the criteria in subsections 1 through 4 above, alcoholic beverage sales does serve a public convenience for the area. The applicant's request for the continued off-site sale of alcoholic beverages at a drugstore does serve a public convenience 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**

**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 Planning Hearing Officer.
2. That all necessary licenses, approvals and permits as required from Federal, State, County or City authorities shall be obtained and kept current at all times.
3. That the service of alcoholic beverages shall be in full accord with the regulations and conditions established by the State Department of Alcoholic Beverage Control.
4. 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 retail 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.
5. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash, and graffiti.
6. That no exterior signs advertising the sales of alcoholic beverages be permitted.
7. That all signs displayed shall conform to the requirements of the Glendale Municipal Code.

8. That noise shall be contained to the site, such that persons of normal sensitivity off-site are not disturbed.
9. That sale of alcoholic beverages shall be restricted to no later than 10:00 pm.
10. That the store should provide training for its personnel regarding sales to minors or intoxicated persons. Alcohol Beverage Control staff is available and can provide this training.
11. That signs be posted clearly specifying no sales to minors or intoxicated persons.
12. 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.
13. That the service of alcoholic beverages shall be in full accord with the regulations and conditions established by the State Department of Alcoholic Beverage Control.
14. That the delivery trucks shall follow the established delivery truck route and shall be prohibited from exiting the site westbound on Fairview and traveling through the residential neighborhood. No deliveries shall be permitted after 10pm.

#### APPEAL PERIOD

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. Appeals must be filed prior to expiration of the 15-day period, on or before **October 7, 2021**. Information regarding appeals, appeal forms and fees may be obtained by calling the Community Development Department (CDD) staff at 818-548-2140, or the case planner at 818-937-8154.

APPEAL FORM is also available on-line:

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

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 **October 7, 2021** deadline (mailed to Community Development Department – Planning Division, Attention Vilia Zemaitaitis, 633 East Broadway, Room 103, Glendale, CA 91206) OR emailed to the case planner (Vilia Zemaitaitis at [vzemaitaitis@glendaleca.gov](mailto:vzemaitaitis@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 Vilia Zemaitaitis at 818-548-2140 to make arrangements with the cashier. Note: The standard 2.5% fee for **credit card payment** applies.

## **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.

### CESSATION

An Administrative Use Permit may be terminated by the review authority upon any interruption or cessation of the use permitted by the Parking Reduction 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 (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 Parking Reduction Permit.

## **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 sold, 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**

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over Administrative Use Permits. To consider the revocation, the Director of Community Development 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 the applicant or permittee.

**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, Vilia Zemaitaitis at (818) 937-8154 or [vzemaitaitis@glendaleca.gov](mailto:vzemaitaitis@glendaleca.gov).

Sincerely,

Philip Lanzafame  
Director of Community Development



Erik Krause  
Planning Hearing Officer

CC: City Clerk (K.Cruz); Police Dept. (J.Newton/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(S.Demirjian/F.McLean); Traffic & Transportation Section (P.Casanova/Mark Bueno-Traffic Engineer Assoc.); General Manager for Glendale Water and Power (M.Young); 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); and case planner – Vilia Zemaitaitis.

Also: Solomon, Saltsman and Jamieson  
Attention: Ms. Jenna Spivey  
426 Culver Boulevard  
Playa Del Rey, CA 90293