



---

**May 28, 2022**

**Applicant:**

California Fine Wine and Spirits, LLC  
c/o Rawlings Consulting, Attn: Steve Rawlings  
26023 Jefferson Avenue, Suite D  
Murrietta, CA 92562

**RE: ADMINISTRATIVE USE PERMIT CASE NO. PAUP 2201966**  
**221 NORTH GLENDALE AVENUE**  
(Total Wine)

The Director of Community Development will render a final decision on or after June 7, 2022 for the following project:

**Project proposal:** Application for an Administrative Use Permit (AUP) to allow the operation of a new retail liquor store (Total Wine), which includes the sale of alcoholic beverages for off-site consumption (ABC License Type 21) and on-site tastings (ABC License Types 42, and 86), in the C2 (Community Commercial) Zone.

**STAFF RECOMMENDATION: APPROVE WITH CONDITIONS**

**DRAFT CONDITIONS OF APPROVAL**

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, Country 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, distributing noise, distributing light, loud conversation, and criminal activities.

4. That the sale of alcoholic beverages for off-site consumption shall be in full accord with the regulations and conditions established by the State Department of Alcoholic Beverage Control.
5. That the sale of beer, wine, and/or distilled spirits for on-site consumption, with the exception of permitted on-site tastings, shall be strictly prohibited.
6. That store display racks shall be positioned such that they are in a clear line of sight by management and staff with no restricting view.
7. That signs shall be posted clearly specifying no sales to minors or intoxicated persons.
8. That appropriate lighting for the display areas where alcoholic beverages would be sold shall be required.
9. That signs indicating no loitering or trespassing shall be posted.
10. That there shall be no video machine(s) and/or video game(s) maintained upon the premises.
11. That the restaurant shall adhere to the City's Fresh Air Ordinance, Title 8, Chapter 8.52 of the Glendale Municipal Code.
12. That the retail liquor store shall be operated in full accord with applicable State, County, and local laws.
13. That access to the premises shall be made available to all City of Glendale Planning and Neighborhood Service Divisions, Police Department, and Fire Department staff upon request for the purpose of verifying compliance with laws and conditions of this approval.
14. That any expansion or modification of the facility or use which intensifies the 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 from the Director of Community Development.

## **PROJECT BACKGROUND**

### **Previous Permits for the Site:**

On July 10, 2001, Zoning Use Certificate No. UO-00349 was issued for an 18,000 square-foot retail drug store that included beer and wine sales for off-site consumption (Longs Drugs), but the tenant space has been vacant for over a decade.

**Related Concurrent Permit Application(s):**

On January 7, 2022 an application was submitted to the Building and Safety Division for Building Permit No. BB 2200282 to allow for a tenant improvement for a new Total Wine store in an existing commercial retail tenants space. This application is currently in the plan check process and is pending issuance.

**Environmental Determination:**

The project is exempt from CEQA review as a Class 1 “Existing Facilities” exemption, pursuant to State CEQA Guidelines Section 15301(e), because the discretionary permit request is to allow for a new retail liquor store within an existing commercial space and there is no additional floor area proposed.

**General Plan:**

Commercial – Community Services

**Zone:**

C2 II – Community Commercial, Height District II

**Description of Existing Property and Uses:**

The existing project site is developed with a two-story, multi-tenant commercial complex (shopping center) occupying various retail and food service uses. The existing 18,000 square-foot tenant space is located on the lower level of the commercial complex. This tenant space was originally occupied in 2001 with a Longs Drugs retail store, but has been vacant for many years. The site has two levels of parking for the commercial tenants with access taken from East California Avenue (north), North Glendale Avenue (east), and East Wilson Avenue (south).

**Neighboring Zones and uses**

Direction	Zone	Existing Land Use
North	R-1250 – High Density Residential; and C2-I – Community Commercial	Multi-family and Commercial uses
South	DSP/CC – Downtown Specific Plan/ Civic Center Land Use District	Civic Center (office uses)
East	C2 – Community Commercial	Commercial Uses
West	R-1250 – High Density Residential; and C2-I – Community Commercial	Multi-family and Commercial Uses
Project Site	C2 – Community Commercial	Commercial Uses

**COMMENTS FROM OTHER CITY DEPARTMENTS:**

No major concerns were received from the various city divisions/departments. Conditions have been received from the Police Department to ensure that any

potential negative impact will be appropriately mitigated. These conditions will be made part of the decision letter if the Administrative Use Permit (AUP) is approved.

## **PROJECT ANALYSIS**

The applicant is requesting an AUP to allow the operation of a new retail liquor store (Total Wine), which includes on-site tastings. The proposed operation is appropriate in an area of the city zoned for commercial uses and will provide an option for the public to purchase alcoholic beverages for off-site consumption. The subject site is located in the C2-II (Community Commercial) Zone where goods and services offered in this zone generally attract clientele from the adjoining residential neighborhoods as well as the surrounding community. The operation of a new retail liquor store (Total Wine) with the sale of alcoholic beverages for off-site consumption and on-site tastings will be consistent with the various elements and objectives of the General Plan. The General Plan Land Use Element designation is Community Services Commercial where retail services along major arterials, like North Glendale Avenue, are desired. The project site is already developed and the applicant's request is to allow the operation of a new retail liquor store in an existing tenant space that is surrounded by other complementary businesses, including retail and service uses. The Land Use Element is the most directly related to the approval of this uses and the other elements of the General Plan, will not be impacted as a result of the request. This application does not include any added floor area or modifications to the existing tenant space, therefore, there will be no increase in the required parking for the use.

The Circulation Element identifies North Glendale Avenue as a major arterial, East Wilson Avenue as a minor arterial, and East California Avenue as an urban collector. These streets are fully developed and can adequately handle the existing traffic circulation around the site. The project site is surrounded by commercial and residential uses and the applicant's request to allow the operation of a new retail liquor store (Total Wine) with the sale of alcoholic beverages for off-site consumption and on-site tastings is not anticipated to create any negative traffic related impacts on these streets and the surrounding uses over and above the existing conditions.

The operation of a new retail liquor store (Total Wine) with the sale of alcoholic beverages for off-site consumption and on-site tastings 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 3020.02 where the suggested limit for off-sale alcohol establishments is two, and for on-sale establishments the suggested limit is four. There are currently six off-sale, 32 on-sale, and two instructional tasting licenses in this tract. Based on Part 1 crime statistics for census tract 3006.02 in 2020, there were 287 crimes, 72% above the city wide average of 167. Within the last calendar year, there have not been any calls for service to the Glendale Police Department for this tenant space. The Glendale Police Department did not cite any concerns with the applicant's request to allow the operation of a new retail liquor store (Total Wine) with on-site tastings at this location and suggested conditions

of approval have been included to mitigate any potential negative impacts.

It is not anticipated that the operation of a new retail liquor store (Total Wine) with the sale of alcoholic beverages for off-site consumption and on-site tastings will be detrimental to the community or adversely conflict with the community's normal development of surrounding properties, as conditioned. The existing tenant space is located in a multi-tenant commercial shopping center that features other complementary businesses, including retail and service uses. Additionally, there were no concerns or comments submitted by the Police Department or Neighborhood Services Division that would indicate that the new retail liquor store with on-site tastings (Total Wine) would have a negative impact on the surrounding area.

The subject property is surrounded by other businesses, including retail, office, and service type uses as well as residential neighborhoods to the north and west. There are three schools, two churches, a school district office, and a college located within the immediate area of the subject site: Glendale Seventh-Day Adventist Church and pre-school at 610 East California Avenue (abutting the subject property to the west), Glendale University College of Law at 220 North Glendale Avenue (0.2 miles to the east), Zion Lutheran Church at 301 North Isabel Street ( miles to the north), Kara Preschool at 315 North Isabel Street ( miles to the north), Allan F. Daily Continuation High School at 220 North Kenwood Street ( miles to the west), Glendale Unified School District office at 223 North Jackson Street ( miles to the west), Additionally, directly to the south is the Civic Center (City Hall, Municipal Services, Glendale Water and Power), and the Glendale Police Department. While these uses and facilities are within close proximity, given the orientation and location of the subject tenant space in the shopping center lower level garage in relation to the surrounding uses, it is not anticipated that any negative impacts to these uses would occur based on the applicant's request to allow the operation of a new retail liquor store (Total Wine) with the sale of alcoholic beverages for off-site consumption and on-site tastings. The church and pre-school that is directly abutting the parcel is separated by the shopping center's enclosed garage and there is no direct access to the tenant space from the church and pre-school. Suggested conditions of approval made by the Police Department, and incorporated in the staff recommendation, ensure that any potential negative impacts will be appropriately mitigated.

The applicant's request to allow the operation of a new retail liquor store (Total Wine) with the sale of alcoholic beverages for off-site consumption and on-site tastings will not result in inadequate public or private facilities. The project site is already developed and associated facilities are existing. Access to the multi-level parking structure for the commercial tenants is taken from East California Avenue (north), North Glendale Avenue (east), and East Wilson Avenue (south). The existing on-site parking has proven to meet the parking demand for the existing multi-tenant commercial shopping center and has not resulted in conflicts with nearby businesses or residential uses. The applicant's request to allow the operation of a new retail liquor store (Total Wine) with on-site tastings in an existing commercial tenant space will not require any new city services, nor will it require any changes to the parking or traffic circulation.

Overall, the applicant's request to allow the operation of a new retail liquor store, which includes the sale of alcoholic beverages for off-site consumption and on-site tastings, is supportable based on the facts surrounding this application and the findings.

## **DRAFT FINDINGS**

### **A. That the existing use will be consistent with the various elements and objectives of the general plan.**

The operation of a new retail liquor store (Total Wine), which includes on-site tastings, is appropriate in an area of the city zoned for commercial uses and will provide an option for the public to purchase alcoholic beverages for off-site consumption. The subject site is located in the C2-II (Community Commercial) Zone where goods and services offered in this zone generally attract clientele from the adjoining residential neighborhoods as well as the surrounding community. The operation of a new retail liquor store (Total Wine) with the sale of alcoholic beverages for off-site consumption and on-site tastings will be consistent with the various elements and objectives of the General Plan. The General Plan Land Use Element designation is Community Services Commercial where retail services along major arterials, like North Glendale Avenue, are desired. The project site is already developed and the applicant's request is to allow the operation of a new retail liquor store in an existing tenant space that is surrounded by other complementary businesses, including retail and service uses. The Land Use Element is the most directly related to the approval of this uses and the other elements of the General Plan, including the Open Space, Recreation, Housing, and Noise Elements, will not be impacted as a result of the applicant's request. This application does not include any added floor area or modifications to the existing tenant space, therefore, there will be no increase in the required parking for the use.

The Circulation Element identifies North Glendale Avenue as a major arterial, East Wilson Avenue as a minor arterial, and East California Avenue as an urban collector. These streets are fully developed and can adequately handle the existing traffic circulation around the site. The project site is surrounded by commercial and residential uses and the applicant's request to allow the operation of a new retail liquor store (Total Wine) with the sale of alcoholic beverages for off-site consumption and on-site tastings is not anticipated to create any negative traffic related impacts on these streets and the surrounding uses 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 a new retail liquor store (Total Wine) with the sale of alcoholic beverages for off-site consumption and on-site tastings 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 3020.02

where the suggested limit for off-sale alcohol establishments is two, and for on-sale establishments the suggested limit is four. There are currently six off-sale, 32 on-sale, and two instructional tasting licenses in this tract. Based on Part 1 crime statistics for census tract 3006.02 in 2020, there were 287 crimes, 72% above the city wide average of 167. Within the last calendar year, there have not been any calls for service to the Glendale Police Department for this location. The Glendale Police Department did not cite any concerns with the applicant's request to allow the operation of a new retail liquor store (Total Wine) with on-site tastings at this location and suggested conditions of approval have been included to mitigate any potential negative impacts.

**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 operation of a new retail liquor store (Total Wine) with the sale of alcoholic beverages for off-site consumption and on-site tastings will be detrimental to the community or adversely conflict with the community's normal development of surrounding properties, as conditioned. The existing tenant space is located in a multi-tenant commercial shopping center that features other complementary businesses, including retail and service uses. There were no concerns or comments submitted by the Police Department or Neighborhood Services Division that would indicate that the new retail liquor store with on-site tastings (Total Wine) would have a negative impact on the surrounding area, and the proposed conditions of approval will serve to mitigate any potential negative impacts on the surrounding properties.

The subject property is surrounded by other businesses, including retail, office, and service type uses as well as residential neighborhoods to the north and west. There are three schools, two churches, a school district office, and a college located within the immediate area of the subject site: Glendale Seventh-Day Adventist Church and pre-school at 610 East California Avenue (abutting the subject property to the west), Glendale University College of Law at 220 North Glendale Avenue (0.2 miles to the east), Zion Lutheran Church at 301 North Isabel Street ( miles to the north), Kara Preschool at 315 North Isabel Street ( miles to the north), Allan F. Daily Continuation High School at 220 North Kenwood Street ( miles to the west), Glendale Unified School District office at 223 North Jackson Street ( miles to the west), Additionally, directly to the south is the Civic Center (City Hall, Municipal Services, Glendale Water and Power), and the Glendale Police Department. While these uses and facilities are within close proximity, given the orientation and location of the subject tenant space in the shopping center lower level garage in relation to the surrounding uses, it is not anticipated that any negative impacts to these uses would occur based on the applicant's request to allow the operation of a new retail liquor store (Total Wine) with the sale of alcoholic beverages for off-site consumption and on-site tastings. The church and pre-school that is directly abutting the parcel is separated by the shopping center's enclosed garage and there is no direct access to the tenant space from the church and pre-school. Suggested conditions of approval made by the Police Department, and incorporated in the staff recommendation, ensure that any potential negative impacts will be appropriately mitigated.

**D. That adequate public and private facilities such as utilities, landscaping, parking spaces and traffic circulation measures are or will be provided for the proposed use.**

The applicant's request to allow the operation of a new retail liquor store (Total Wine) with the sale of alcoholic beverages for off-site consumption and on-site tastings will not result in inadequate public or private facilities. The project site is already developed and associated facilities are existing. The subject tenant space was previously occupied by a retail drug store with beer and wine sales for off-site consumption (Longs Drugs) and the request is for a new retail liquor store. The existing on-site parking has proven to meet the parking demand for the existing multi-tenant commercial shopping center and has not resulted in conflicts with nearby businesses or residential uses. Access to the multi-level parking structure for the commercial tenants is taken from East California Avenue (north), North Glendale Avenue (east), and East Wilson Avenue (south). The Circulation Element identifies North Glendale Avenue as a major arterial, East Wilson Avenue as a minor arterial, and East California Avenue as an urban collector. These streets are fully developed and can adequately handle the existing traffic circulation around the site. The applicant's request to allow the operation of a new retail liquor store (Total Wine) with on-site tastings 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 (ABC), 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 as described 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 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 described in Finding B above.



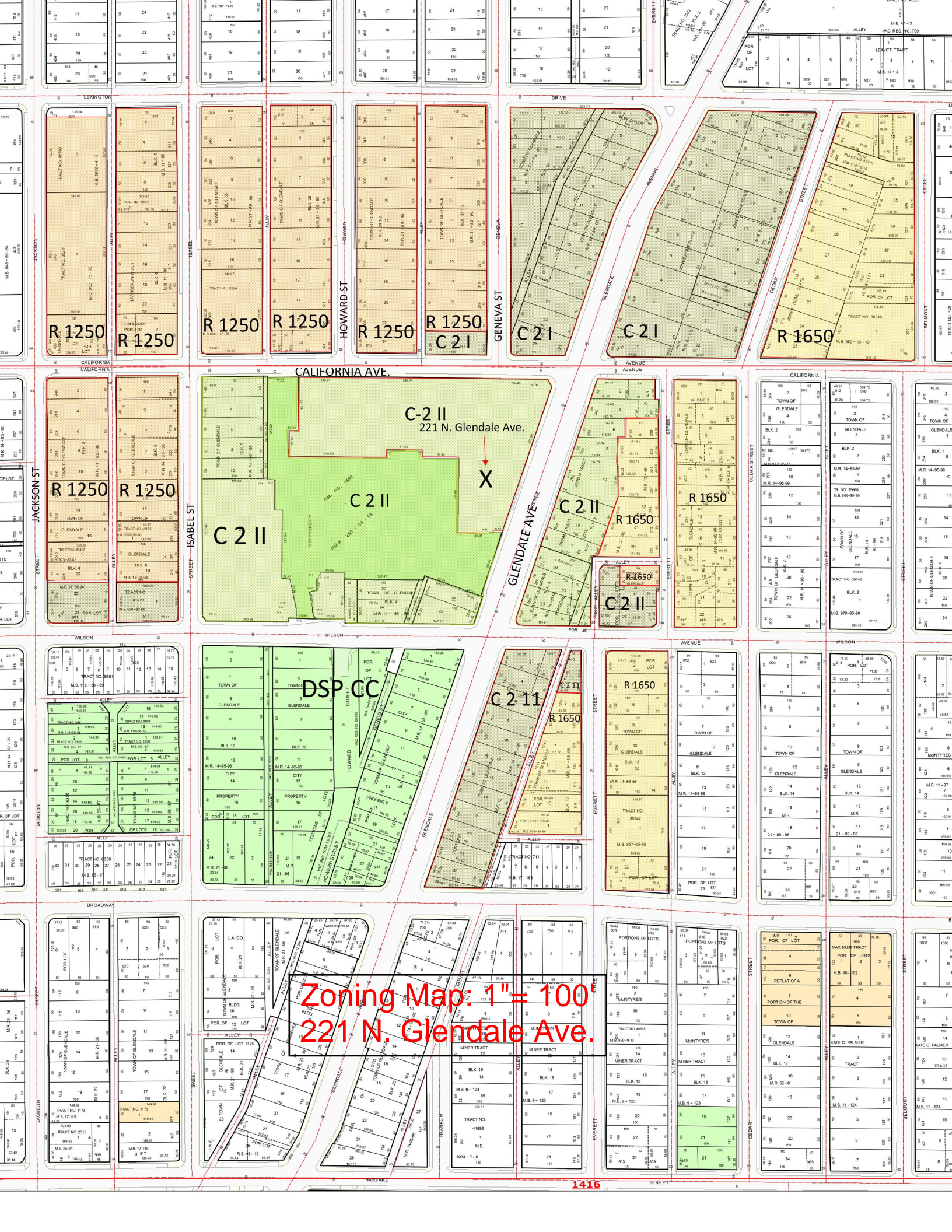
3. That the existing or proposed use does not or will not adversely impact any other uses within the surrounding area (church, public or private schools or college, day care facility, public park, library, hospital or residential use), as described in Finding C above.
4. That adequate parking and loading 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 described in Finding D above.
5. That notwithstanding consideration in subsections 1 through 4 above, the operation of a new retail liquor store with the sale of alcoholic beverages for off-site consumption and on-site tastings 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.

***For more information or to submit comments, please contact the case planner, Vista Ezzati, at 818-937-8180 or [VEzzati@glendaleca.gov](mailto:VEzzati@glendaleca.gov)***

**ATTACHMENT:**

1. Location Map
2. Reduced Plans
3. Departmental Comments





Zoning Map: 1"= 100'  
221 N. Glendale Ave.









**INTER-DEPARTMENTAL COMMUNICATION  
PROJECT CONDITIONS AND COMMENTS**

**Project**  
**Address:** 221 North Glendale Avenue

**Project**  
**Case No.:** PAUP 2201966

***If project comments are not received by the due date, it will be assumed that your department has no comments.***

***NOTE:*** Your comments should address, within your area of authority, concerns and potentially significant adverse physical changes to the environment regarding the project. You may also identify code requirements specific to the project, above and beyond your normal requirements. Applicant will be informed early in the development process. You may review complete plans, maps and exhibits in our office, MSB Room 103. We appreciate your consideration and look forward to your timely comments. Please do not recommend APPROVAL or DENIAL. For any questions, please contact the Case Planner ASAP, so as not to delay the case processing.

**COMMENTS:**

☐ This office **DOES NOT** have any comment.

☐ This office **HAS** the following comments/conditions. ☐ (See attached Dept. Master List)

**Date:** March 9, 2022

**Print Name:** Jeff Newton

**Title:** Lieutenant **Dept.:** Police **Tel.:** 818-937-8575

**a. ADDITIONAL COMMENTS:**

- ☒ 1. Applicant California Fine Wine and Spirits LLC is requesting an Administrative Use Permit (AUP) to allow for the off-site sales, service and consumption of alcoholic beverages (ABC Type 21 License) at a new retail liquor store (Total Wine) and permit 3 areas within the store to conduct tastings (ABC Type 42 and Type 86 License) located at 221 N. Glendale Avenue.

Total Wine will be located in census tract 3020.02 which allows for 2 Off-Sale and 4 On-Sale establishments. There are currently 6 Off-Sale, 32 on-Sale and 2 instructional tastings. Based on Part 1 crime statistics for census tract 3020.02 in 2021, there were 287 crimes, 72% above the city wide average of 167.

**b. CASE SPECIFIC CODE REQUIREMENTS:** (these are not standard code requirements)

- ☐ 1.

**c. SUGGESTED CONDITIONS:** (may or may not be adopted by the Hearing Officer)

1. 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.

2. Sales, service or consumption of alcoholic beverages shall be permitted only between the hours of \_\_\_\_\_ to \_\_\_\_\_ each day of the week (*hours to be determined by the Planning / Zoning Administrator – week night and weekend restrictions may be considered*).
3. 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.
4. The restaurant shall remain open to the public during business hours. If the establishment has a private party during normal business hours, the restaurant still needs to remain open for business to regular customers.
5. 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.
6. Those premises may be utilized for banquets, private parties, or other events, provided that all events comply with the provisions of the applicant's Alcoholic Beverage Control license, and provided they have appropriate Conditional Use Permits and Use Variances if required.
7. There shall be no video machine maintained upon the premises.
8. Dancing is only allowed on the premises in designated dance floor areas, with a proper "Dance" permit.
9. No live entertainment is permitted without a "Live Entertainment Permit". 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.
10. Music or noise shall be contained within the edifice of the establishment. The business shall comply with all state and local laws and ordinances concerning excessive noise and disturbing the peace.
11. The front and back doors of the establishment shall be kept closed at all times while the location is open for business, except in case of emergency.
12. An establishment that primarily provides for the on-premises sale, serving and consumption of alcoholic beverages and that derives more than fifty (50) percent of gross revenues from the sale of alcoholic beverages is by definition of the code a "tavern" and requires approval of a separate conditional use permit. Taverns include bars, pubs, cocktail lounges and similar establishments.
13. 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.
14. The sale of beer, wine, and/or distilled spirits for consumption off the premises is strictly prohibited.
15. The Manager and or Staff should be proactive in the enforcement of the City of Glendale Clean Air Act.