



**CITY OF GLENDALE, CALIFORNIA**

Community Development  
Planning

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glendaleca.gov

November 8, 2022

Grayr Agadzhanian  
318 North Central Avenue  
Glendale, CA 91203

**RE: 318 NORTH CENTRAL AVENUE  
ADMINISTRATIVE USE PERMIT CASE NO. PAUP 2201209  
(Seven Seas Gourmet Foods)**

Dear Mr. Agadzhanian:

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 (ABC License Type 21) at an existing, 840 square-foot, specialty retail food store (Seven Seas Gourmet Foods), located at **318 North Central Avenue**, in the “DSP/OC” – Downtown Specific Plan/Orange Central District, described as Portions of Lots 10, 11 and 12, Glendale Park Tract / APN: 5643-020-068 and 069 in the City of Glendale, County of Los Angeles.

**CODE REQUIRES**

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

**APPLICANT’S PROPOSAL**

- (1) To allow the off-site sales of alcoholic beverages at an existing retail food store.

**ENVIRONMENTAL DETERMINATION**

The project is exempt from CEQA review as a Class 1 “Existing Facilities” exemption, pursuant to State CEQA Guidelines Section 15301, because the discretionary permit request is to allow the off-site sales of alcoholic beverages at an existing retail food store and there is no additional floor area proposed.

**REQUIRED/MANDATED FINDINGS**

After considering the evidence presented with respect to this application, all of the required three findings can be made in support of the application. The Director of Community Development has **APPROVED WITH CONDITIONS** your application based on the following findings:

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

The proposed addition of the sale of alcoholic beverages for off-site consumption to the existing retail gourmet food store (Seven Seas Gourmet Foods), located at 318 North Central Avenue, is consistent with the elements and objectives of the General Plan. Retail food stores are a permitted use and the sale of alcoholic beverages for off-site consumption with approval of an administrative use permit are permitted within the DSP/OC District, and are therefore consistent with the land use designation. In addition, the Orange-Central District includes a wide mix of commercial, retail, restaurant, and multi-family dwellings with the intent of encouraging wide-ranging activities to create a dynamic 18-Hour day environment. The applicant's request to add the sale of alcoholic beverages for off-site consumption to the existing retail food store will be in keeping with the goals of the area to promote business and pedestrian-friendly commercial uses.

The Land Use Element of the Glendale General Plan designates the subject site as Downtown Specific Plan. The subject site is in a mixed-use and commercial area along Central Avenue (identified as a Major Arterial in the Circulation Element) that is suitable for this type of use. Given that the project site is already developed and the administrative use permit application only requests the off-site sales alcoholic beverages at the existing retail food store, no other elements of the General Plan, including the Open Space, Recreation and Housing Elements will be impacted as a result of the proposed application. Therefore, the proposed use is in keeping with the various elements and objectives of the General Plan.

**B. That the use and its associated structures and facilities will not be detrimental to the public health or safety, the general welfare, or the environment.**

The applicant's request for an administrative use permit is would not be detrimental to the public health or safety, the general welfare, or the environment, as conditioned. The existing retail food store would only offer the sale of alcoholic beverages for off-site consumption. The 840 square-foot retail food store is located in an area that already has numerous shopping, dining and entertainment destinations that are in close proximity to the site. The impact of the sale of alcoholic beverages for off-site consumption, as a complementary addition to the retail sale of food products, on the residential uses within the adjacent mixed-use and multi-family developments would be minimal given the limited size of the retail store and the complementary addition to the existing retail food sales, and supported by the fact that many restaurants and other commercial uses are already located in the area. In addition, there are no known churches, private or public schools or colleges, day care facilities or hospitals near the subject location.

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

According to the Glendale Police Department, the project site is located in Census Tract No. 3018.02 and contains other businesses selling alcoholic beverages. This census tract suggests a limit of three off-sale licenses. There are currently six off-sale licenses in this census tract. The proposed application will bring the total to seven. According to the City's Part 1 crime statistics for this census tract, there were 239 crimes reported in 2021, which is 43% above the citywide average of 167 crimes. While this census tract contains more off-

sale establishments than is suggested, the project is does not include on-site consumption of alcoholic beverages and the site is located downtown Glendale, where a concentration of retail food establishments is encouraged. Also, while this census tract has more crime than in other areas of the city, it has a higher concentration of entertainment and retail uses, which may partially explain the higher crime rate, as compared to the lower density residential areas which typify most of the city. Neither the Glendale Police Department nor the Neighborhood Services Division cited concern related to this application, the number of establishments selling alcoholic beverages for off-site consumption, or the amount of crime. In addition, suggested conditions recommended by the Glendale Police Department have been included in the conditions of approval to ensure that any potential negative impacts will be appropriately mitigated.

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

The addition of the sale of alcoholic beverages for off-site consumption at the existing food store will not adversely affect or conflict with adjacent uses or impede the normal development of surrounding property, as conditioned. The proposal would not conflict with the adjacent and surrounding land uses and in fact, this type of use, which is complementary to the food store, is encouraged in this pedestrian-oriented, Downtown area. The proposed addition of the sale of alcoholic beverages for off-site consumption will not impede normal development within the surrounding area, since the project site is already fully developed, including the existing food store; the use would not impede any redevelopment of Central Avenue, given the proposed AUP only requests the sale of alcoholic beverages in conjunction to the existing food store.

Multi-family residential uses are located above the existing food store and within adjacent buildings. However, given the commercial and mixed-use nature of the Downtown area, the complementary addition of the sale of alcoholic beverages to the existing food store, the number of existing establishments in the area that serve and sell alcoholic beverages, and the fact that the AUP is subject to conditions, the request for off-site sale of alcoholic beverages would not adversely impact the neighborhood.

The recommended conditions will ensure that the addition of the sale of alcoholic beverages for off-site consumption to the existing food store will not conflict with any nearby uses. Section 30.64.020 of the Glendale Municipal Code provides for continuing jurisdiction over the use so that any adverse effects will not be allowed. As a result, the proposal is not anticipated to cause any conflicts with surrounding development in the future.

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

Adequate public and private facilities such as utilities, landscaping and traffic circulation are provided for the site and the use. The project site is already developed as are the associated facilities. The mixed-use project provides 167 parking spaces for use by residents and commercial business employees and patrons; a parking exception was approved by City Council in 2010 for minor reduction from the 172 parking spaces required by Code for the development. The parking demand would not intensify with the applicant's request to allow for the addition of the sale of alcoholic beverages at the existing food store beyond that anticipated in the original 2010 approval. Central Avenue is identified as a major arterial street in the city's Circulation Element and this street can adequately handle the

existing traffic circulation adjacent to the site. The applicant's AUP request will not require any new city services, nor will it require any changes to the parking or traffic circulation.

**REQUIRED ADDITIONAL FINDINGS OF FACT FOR AN AUP FOR ALCOHOL SALES, SERVICE AND CONSUMPTION**

That all the criteria set forth in Section 30.49.030 to be considered in making the findings in subsection a. through d. above have all been met and thoroughly considered:

1. That such use will not tend to intensify or otherwise contribute to the adverse impacts on the surrounding area caused by over concentration. The Glendale Police Department noted no concerns with this proposal as noted in Finding B above.
2. That such use will not tend to encourage or intensify crime within the district. No evidence has been presented which would indicate that the addition of the sale of alcoholic beverages for off-site consumption at the existing food store would encourage or intensify crime within the district as noted in Finding B above.
3. That such use will not adversely impact any other uses within the surrounding area (church, public or private schools or college, day care facility, public park, library, hospital or residential use). The nearest schools are Columbus Elementary School and Daily Continuation High School, both of which are located approximately one-half mile from the subject property. There are no other known churches, private or public schools or colleges, day care facilities or hospitals near the proposed tavern. While residential uses are located nearby, the project is conditioned to ensure the proposed addition of the sale of alcoholic beverages for off-site consumption at the existing food store will be in compliance with all municipal codes and State law. The proposed off-site sales of alcoholic beverages at the existing food store is not anticipated to adversely impact other neighboring uses in this area.
4. That the proposed use satisfies its transportation or parking needs as described above because adequate access is available to serve this use. As noted in Finding D above, additional parking is not required due to the building providing 167 parking spaces, as approved by City Council.
5. Notwithstanding consideration of the aforementioned information, the proposed off-site sales of alcoholic beverages is complementary to the existing food store and does serve a public convenience for the area and will be compatible with the surrounding uses, which is important to fostering a productive and thriving community. The off-site sales of alcoholic beverages serve a public convenience because it serves local residents and businesses. Conditions placed on the approval of the proposed AUP will ensure that it will not adversely impact nearby uses.

**CONDITIONS OF APPROVAL**

**APPROVAL** of this **Administrative Use Permit** shall be subject to the following:

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 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 the premises shall be maintained in a clean and orderly condition, free of weeds, trash and graffiti.
7. 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.
8. That the off-site sale of alcoholic beverages shall be incidental to the main use as a retail food establishment and that the sale of alcoholic beverages for consumption on the premises is strictly prohibited.
9. 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.
10. 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.
11. 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 and that they be appropriately lit.
12. That signs shall be posted clearly specifying no sales to minors or intoxicated persons.
13. 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.
14. That the business shall adhere to the City's Fresh Air Ordinance, Title 15, Chapter 8.52 of the Glendale Municipal Code.
15. That the business shall be operated in full accord with applicable State, County, and local laws.

16. 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.
17. That all signs displayed shall conform to the approved Sign Program for the mixed-use development, and all requirements of the Glendale Municipal Code, Chapter 30.33.

### **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 **NOVEMBER 23, 2022** 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 FORM is also available on-line:

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

### **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.

### **GMC CHAPTER 30.41 PROVIDES FOR**

#### TERMINATION

Every right or privilege authorized by an Administrative Exception 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 Exception may be terminated by the review authority upon any interruption or cessation of the use permitted by the Administrative Exception 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 administrative exception.

### **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 variances, conditional use permits and administrative exceptions. 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 a variance at least 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, **Chris Baghdikian, at 818-937-8182 ([cbaghdikian@glendaleca.gov](mailto:cbaghdikian@glendaleca.gov))** between 8:30 a.m. to 5:30 p.m. weekdays.

Sincerely,  
Bradley Calvert  
Director of Community Development



Erik Krause  
Planning Hearing Officer

EK:CB: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-(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.Mardians); 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 Chris Baghdikian.