

633 E. Broadway, Suite 103 Glendale, CA 91206-4311 Tel. (818) 548-2140 Fax (818) 240-0392 glendaleca.gov

February 5, 2024

Aisar Korkis The Cigar Empire Inc. 2435 Honolulu Avenue #B Glendale, Ca 91020

RE: ADMINISTRATIVE USE PERMIT CASE NO. PAUP-002654-2023 2435 Honolulu Avenue #B (The Cigar Empire)

The Director of Community Development will render a final decision on or after **February 28**, **2024**, for the following project:

Project proposal: Application for an Administrative Use Permit (AUP) to allow the off sales of alcoholic beverages (Type 21) at an existing cigar retail shop (The Cigar Empire)

STAFF RECOMMENDATION: APPROVE WITH CONDITIONS

DRAFT CONDITIONS

- 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 permits shall be obtained from the Building and Safety Division and all construction shall be in compliance with the Glendale Building Code and all other applicable regulations.
- 3. 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.
- 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 floor area, increased hours of operation, changes to the use or operation, or any physical change as determined by the Director of Community Development.

- 5. That at all times when the premises are open for business, the sales of any alcoholic beverage shall be made only in the areas designated with an Alcoholic Beverage Control (ABC) license.
- 6. That the sale of alcoholic beverages for consumption on the premises is strictly prohibited.
- 7. That the proprietor and his/her employees shall make an active and conscientious effort to keep customers and employees from trespassing, loitering, or consuming an alcoholic beverage on the property, adjacent properties or otherwise making disturbances in the area.
- 8. That the service of alcohol shall be in full accord with the regulations and conditions established by the State Department of Alcoholic Beverage Control.
- 9. That the hours of operation for the sales of alcoholic beverages shall be 9:00 a.m. to 9:00 p.m. Monday through Saturday and 10:00 a.m. to 6:00 p.m. on Sundays.
- 10. That individual unit sales of alcoholic beverages should be restricted. No individual unit sales for beer should be allowed. No individual unit sales for wine less than a full-sized bottle should be allowed. This can reduce the potential for individuals to buy one or two units and walk outside to consume them on or near the premise.
- 11. That the 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.
- 12. That the store display racks should be positioned such that they are in a clear line of sight by management and staff with no restricting view.
- 13. That signs should be posted clearly specifying no sales to minors or intoxicated persons.
- 14. That signs indicating no loitering or trespassing should be posted.
- 15. That appropriate lighting for the display areas where alcoholic beverages would be sold shall be required.
- 16. That the business shall adhere to the City's Fresh Air Ordinance, Title 8, Chapter 8.52 of the Glendale Municipal Code.
- 17. That access to the premises shall be made available to all City of Glendale Planning and 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.

PROJECT BACKGROUND

Previous Permits for the Site:

In 2006, a Zoning Use Certificate (PZUC 20060716) was filed for a tobacco shop (Cigar Empire).

In 2023, the most recent Business Registration Certificate (BRC001574-2023) was issued for the tobacco sales business (Cigar Empire). Previous BRCs are also on record.

Related Concurrent Permit Application(s): None on file.

Environmental Recommendation:

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 for off-sale of alcoholic beverages at an existing tobacco shop and there is no added floor area proposed.

General Plan:

Regional Commercial

Zone:

CR - Commercial Retail Zone

Description of existing property and uses:

The project site is currently developed with a one-story commercial building with four separate tenant spaces within the building. Parking for the building is located behind the building and is accessed through a driveway to the west of the property.

The building was built in 1946. The site has existing surface parking directly behind the building. Since there is no new square footage proposed to be added to the building, the current number of parking spaces provided on-site are sufficient.

Neighboring zones and uses:

	Zoning	Existing Uses		
North	Los Angeles County	Residential-single and multi-family		
South	CR	Commercial- retail and restaurant		
East	CR	Commercial- retail services		
West	C2 I	Commercial- offices		
Project Site	CR	Commercial- Retail (Cigar Shop)		

COMMENTS FROM OTHER CITY DEPARTMENTS: No major concerns were received from the various City divisions/departments for the existing tobacco retail shop to sell

alcoholic beverages. Conditions were received from the Police Department to ensure that any potential negative impacts will be appropriately mitigated.

PROJECT ANALYSIS

The applicant is requesting approval of an Administrative Use Permit (AUP) to allow the off sale of alcoholic beverages (Type 21) at an existing cigar shop (The Cigar Empire). The subject site is located in the CR Commercial Retail Zone and the General Plan Land Use Element designation is Regional Commercial. Goods and services offered in this zone generally attract clientele from the adjoining residential neighborhoods as well as the surrounding community. The off sale of alcoholic beverages within an existing cigar shop is appropriate in an area of the city zoned for commercial uses.

The off sale of alcoholic beverages at an existing cigar shop will be consistent with the elements and objectives of the General Plan. The land use designation of the site is Regional Commercial where retail services along minor arterials, such as Honolulu Avenue, are desired. The project site is already developed, and no new square footage is proposed to be added to the existing building. The project site is surrounded by other complementary businesses, including retail and service type uses. Single and multifamily residential neighborhoods are located to the north of the property within Los Angeles County and commercial uses south of the subject property and across Honolulu Avenue.

The Land Use Element is the most directly related to the approval of this use. All other elements of the General Plan, including 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 building; therefore, there will be no increase in required parking for this use. The proposal to add alcoholic beverages as an ancillary use will not impact the existing parking and landscaping conditions. The existing on-site parking has proven to be sufficient for the existing retail establishments within the building and has not resulted in conflicts with nearby businesses or residential development. The applicant's request to allow the sales of alcoholic beverages for off-site consumption is not anticipated to create any negative traffic-related impacts on Honolulu Avenue over and above the existing conditions.

The off sale of alcoholic beverages at the existing cigar shop 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 3006.02 where the suggested limit for off-sale alcohol establishments is two. Currently, there are 4 Off-Sale establishments located in this tract and Cigar Empire will bring the total licenses to 5.

Based on Part 1 crime statistics for this Census Tract, there were 85 crimes in 2021, 49 percent below the citywide average of 167. Within the last calendar year, there were 2 calls for police service at this location. No report was prepared for the calls. Currently, there is no "active" or "pending" liquor license for this location, per the ABC website as noted by the Glendale Police Department.

The off-sale of alcoholic beverages at the existing cigar shop is not anticipated to be detrimental to the community or adversely conflict with the community's normal development. The off-sale of alcoholic beverages at the cigar shop will not conflict with the adjacent land uses and will be ancillary to the primary cigar sales use. Montrose Library is located at 2465 Honolulu Avenue (0.08 miles) and Third Church of Christ Scientist is located at 2406 Honolulu Avenue (0.06 miles). The subject property boarders Los Angeles County to the north. Armenian Sisters Academy is located at 2361 Florencita Avenue (0.2 miles) and Montrose Church of the Nazarene is located at 2409 Florencita Avenue (0.1 miles) are both located within the Los Angeles County boundaries. While these facilities and uses are within close proximity, given their orientation in relation to the subject property and the nature of sales of alcoholic beverages at an existing cigar shop, it is not anticipated that the applicant's request will impede their existing operations. There were no concerns or comments submitted by the Police Department or Neighborhood Services Division that would indicate that sales of alcoholic beverages at the existing retail establishment such as Cigar Empire would have an impact on the neighboring properties. Conditions of approval and the Director of Community Development's continuing jurisdiction over this case will ensure compliance with City codes, ordinances and regulations.

Overall, the applicant's request to allow the off-sale of alcoholic beverages at the cigar shop is supportable based on the facts surrounding this application and the findings.

DRAFT FINDINGS

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

The applicant is requesting to sell alcoholic beverages (Type 21) at an existing 850 square foot cigar shop (Cigar Empire). The proposed addition of alcoholic beverage sales will be consistent with the elements and objectives of the General Plan. The subject site is located within the "CR" Commercial Retail Zone, and the General Plan Land Use Element designation as a Regional Commercial.

The subject site is located within a commercial area, surrounded by retail stores, counter and full-service restaurants, and personal services. Alcoholic beverages for off sale, at this location is permitted within the "CR" Commercial Retail Zone of the City since it is zoned for commercial uses and will provide an option for the community and clients to purchase alcoholic beverages for on-site consumption. Retail and service uses are permitted in the "CR" Commercial Retail Zone and are consistent with the Regional Commercial land use designation. The Land Use Element is the most directly related to the approval of this use and the other elements of the General Plan, including the Open Space, Recreation, Housing, and Noise Elements, will not be impacted because 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 Honolulu Avenue as a Minor Arterial. Honolulu Avenue 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 off sale of alcoholic beverages 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 sale of alcoholic beverages for consumption off the premises at an existing cigar shop 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 3006.02 where the suggested limit for Off-Sale alcohol establishments is two. Currently, there are 4 Off-Sale establishments located in this tract and Cigar Empire will bring the total licenses to 5 in this Tract. Based on Part 1 crime statistics for this Census Tract, there were 85 crimes in 2021, 49 percent below the citywide average of 167. Within the last calendar year, there were 2 calls for police service at this location. No report was prepared for the calls. Currently, there is no "active" or "pending" liquor license for this location, per the ABC website as noted by the Glendale Police Department. The Glendale Police Department did not cite any concerns with the applicant's request to allow the off sale of alcoholic beverages 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 applicant's request to provide off-sale of full alcoholic beverages will be detrimental to the community or adversely conflict with the community's normal development of surrounding properties, as conditioned. The existing restaurant space is surrounded by various commercial uses that features other complementary businesses, including retail and service uses. Montrose Library is located at 2465 Honolulu Avenue (0.08 miles) and the Third Church of Christ Scientist is located at 2406 Honolulu Avenue (0.06 miles). The subject property boarders Los Angeles County to the north. Armenian Sisters Academy is located at 2361 Florencita Avenue (0.2 miles) and Montrose Church of the Nazarene is located at 2409 Florencita Avenue (0.1 miles). Both institutions are located with Los Angeles County boundaries.

While these facilities and uses are within close proximity, given their orientation in relation to the subject property and the nature of alcoholic beverage sales for off

premises, it is not anticipated that the applicant's request will impede their existing operations.

The proposed incidental sale of alcoholic beverage within an existing cigar shop is not anticipated to cause any conflicts with surrounding development in the future and will not adversely impact existing facilities, property values, or developments within the surrounding area. There were no concerns or comments submitted by the Police Department or Neighborhood Services Division that would indicate that the approval of a type 21 Alcoholic Beverage License for the existing cigar shop 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.

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 Administrative Use Permit request for alcoholic sales will not require any new city services, nor will it require any changes to the landscaping, parking or traffic circulation. The commercial building was built in 1946 and had retail/service establishments. The prior uses and existing uses at the location will be serviced with utilities for water, electricity, sewer, and trash. For the current request, the ability to sell, alcoholic beverages at the cigar shop will remain a complementary use and is not anticipated to increase the need for public or private facilities. No changes are anticipated for the parking demand, as the request does not propose to add additional floor area to the building. The surrounding neighborhood is also developed with adequate public and private facilities and infrastructure. The Circulation Element identifies Honolulu Avenue as a Minor Arterial. These streets are fully developed and can adequately handle the existing traffic circulation around the site.

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:

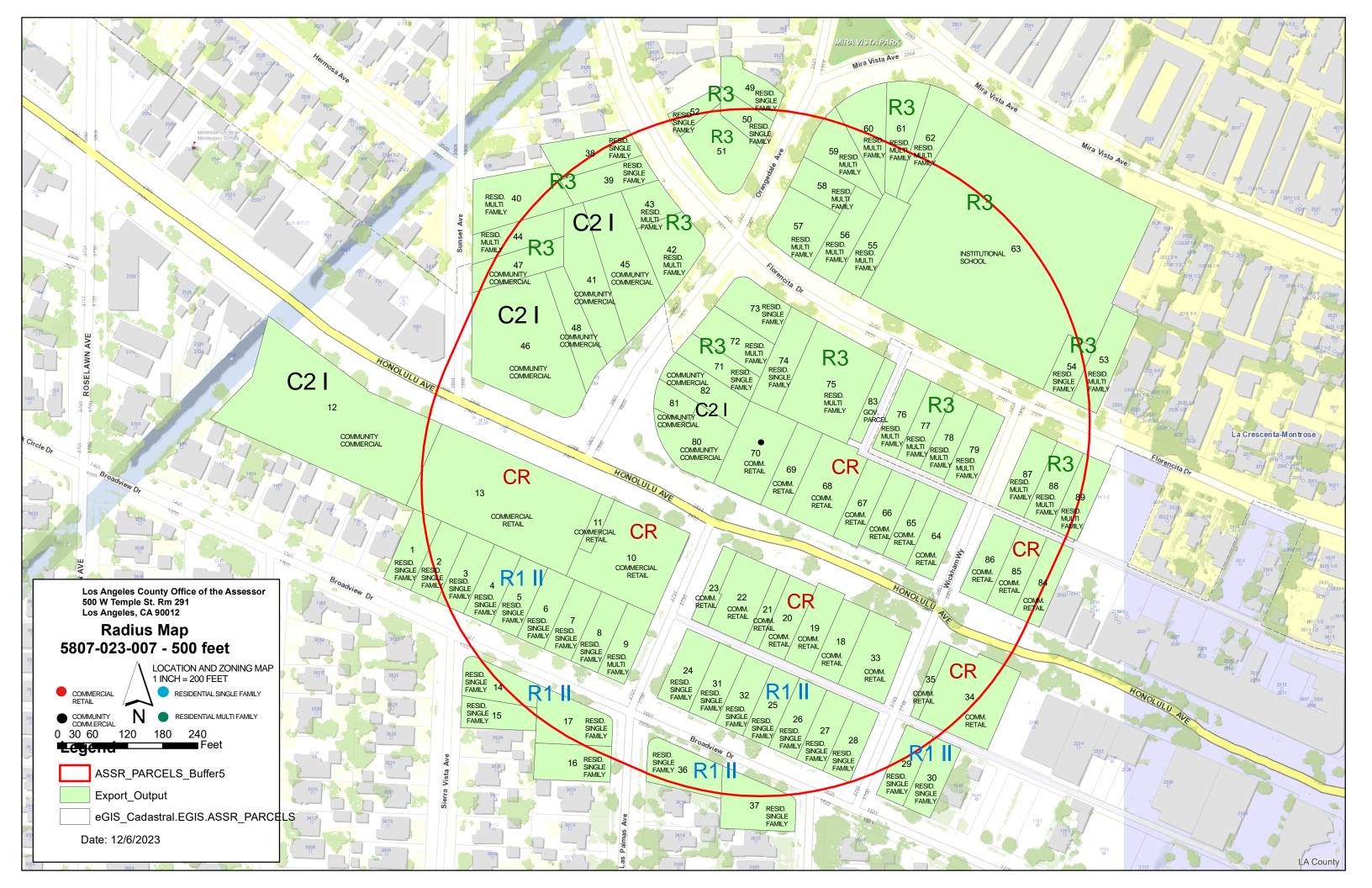
1. That where an existing or proposed on-site use is located in a census tract with more than the recommended maximum concentration of on-site uses or where an existing or proposed off-site use is located in a Census Tract with more than the recommended maximum concentration of off-site uses, both as 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 is 49 percent below the citywide average of 167 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.
- 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 proposed operation of existing full-service restaurant with the sale of alcoholic beverages for on-site sale, service, and consumption 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, Shoghig Yepremian, at 818-937-8135 or syepremian@glendaleca.gov.

ATTACHMENT:

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





1 VICINITY MAP

A1

SCALE 1" : 500'

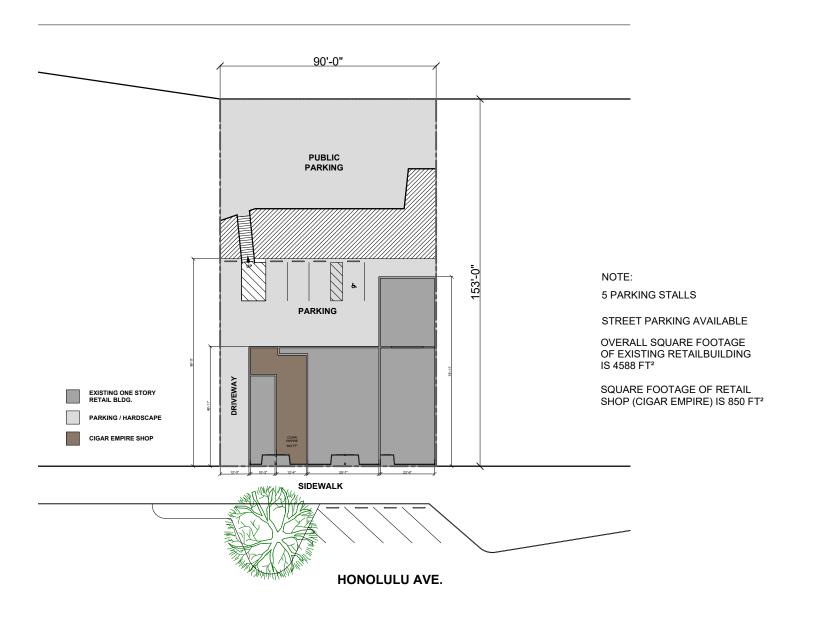


2 SITE MAP

SCALE 1": 100'



REV.	DATE	DESCRIPTION	
_			
Facility			
۱ ۹	IGAR EMI	PIRE	
Addres	s:		
2435 Honolulu Ave, Montrose, CA 91020			
Drawin	g Title:		
	SITE MAP		
Date:	4/20/22		
	1/29/23		
Sheet M			Revision
<u> </u>			



Facility Name:
CIGAR EMPIRE

Address:
2435 Honolulu Ave, Montrose, CA 91020
Drawing Title:

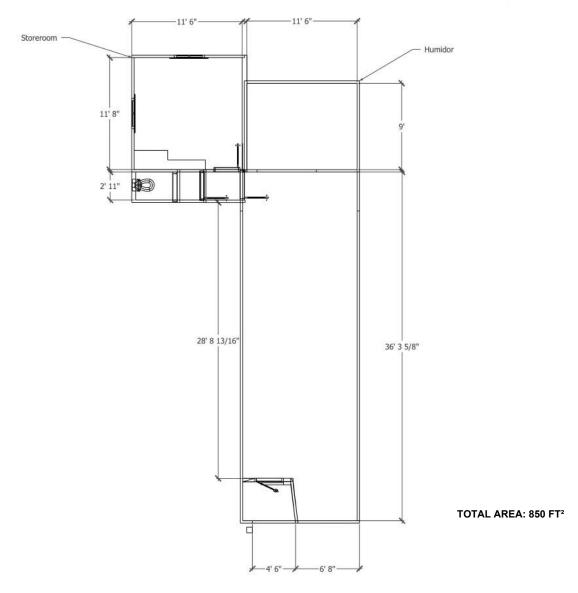
SITE PLAN
Date:

REV. DATE DESCRIPTION

Sheet No.

SCALE 1" : 40'

SITE PLAN



Facility Name:

CIGAR EMPIRE

REV. DATE DESCRIPTION

2435 Honolulu Ave, Montrose, CA 91020

FLOOR PLAN

Sheet No.

FLOOR PLAN

SCALE 1" : 10'



CITY OF GLENDALE

INTERDEPARTMENTAL COMMUNICATION Community Development Department Request for Comments Form (RFC)

		lue date, it will be assumed that your
FROM: Shoghig Yepremi	an, Planner	Tel. # 8135
Applicant: Ais Property Owner:		establishment proposing to add
PLEASE CHECK:		
A. CITY ATTORNEY		G. INFORMATION SERVICES (Wireless Telecom)
B. COMMUNITY DEVEL (1) Building & S X (2) Neighborho (3) Design Revi (4) Economic D (5) Housing (6) Urban Desig	Safety od Services ew & Historic evelopment gn & Mobility	H. PUBLIC WORKS (ADMINISTRATION): (1) Engineering & Land Development (2) Traffic (3) Facilities (city projects only) (4) Integrated Waste (5) Maintenance Services/Urban Forester J. GLENDALE POLICE
F. GLENDALE WATER (1) Water (2) Electric	X	 K. OTHER: (1) STATE-Alcohol Beverage Control (ABC) (2) Tribal Consultations (EIFs) (3) City Clerk's Office
ENTITLEMENT(S) REQUES	STED	
Variance Case No.: AUP/CUP Case No.: ADR/DRB Case No.:		re Tract/Parcel Map No.: nange/GPA:

INTER-DEPARTMENTAL COMMUNICATION PROJECT CONDITIONS AND COMMENTS

Projec		Project		
Addre		Case No.: PAUP-002654-2023		
	ect 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.				
COMM	MENTS:			
 □ This office <u>DOES NOT</u> have any comment. □ This office <u>HAS</u> the following comments/conditions. □ (See attached Dept. Master List) 				
Data	January 12, 2024			
Date:January 12, 2024 Print Name:Alex Krikorian Title:_Police LieutenantDeptPoliceTel.:_818-937-8434				
• 400	DITIONAL COMMENTS:			
	1. Aisar Korkis is in the process of obtainin cigar/tobaccos retail establishment proposin 21) located at 2435 Honolulu Avenue #B in I Cigar Empire is located in census tract 3006 establishments in this tract. There are currer Empire will bring the total to 5. Based on arr tract 3006.02 in 2021, there were 85 crimes. Within the last calendar year there were 2 ca 06/23/23 – Male w\a gun (No DR) 10/30/23 – 459 Ringer (No DR)	Montrose DBA Cigar Empire. Output Ou		
b. CAS	SE SPECIFIC CODE REQUIREMENTS: (these are	e not standard code requirements)		

c. SUGGESTED CONDITIONS: (may or may not be adopted by the Hearing Officer) 1. 1. The sale of alcoholic beverages should be restricted to avoid late night sales. 2. Sales of alcoholic beverages shall be permitted only between the hours of each day of the week (hours to be determined by the Planning / Zoning Administrator – week night and weekend restrictions may be considered). 3. Individual unit sales of alcoholic beverages should be restricted. No individual unit sales for beer should be allowed. No individual unit sales for wine less than a full sized bottle should be allowed. This can reduce the potential for individuals to buy one or two units and walk outside to consume them on or near the premise. 4. 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. 5. Store display racks should be positioned such that they are in a clear line of sight by management and staff with no restricting view. 6. Signs should be posted clearly specifying no sales to minors or intoxicated persons. 7. Appropriately lighting for the display areas where alcoholic beverages would be sold should be required. 8. That the proprietor and his/her employees shall make an active and conscientious effort to keep customers and employees from trespassing, loitering, or consuming an alcoholic beverage on the property, adjacent properties or otherwise making disturbances in the area. 9. The sale of beer, wine, and/or distilled spirits for consumption on the premises is strictly prohibited. 10. Signs indicating no loitering or trespassing should be posted. The Manager and or Staff should be proactive in the enforcement of the City of Glendale 11.

Fresh Air Ordinance (Title 8, Chapter 8.52 of the Glendale Municipal Code).

INTERDEPARTMENTAL COMMUNICATION ENVIRONMENTAL IMPACT COMMENTS

(PLEASE SEND OUT THIS FORM ONLY WHEN ENVIRONMENTAL IMPACT COMMENTS ARE NEEDED.)

Location:					
The project would not Division/Section.	<u>ot</u> have adverse environn	nental effects on areas regulated	d by this		
The project <u>would</u> had Division/Section iden		tal impacts on areas regulated b	by this		
NOTE: If project comments has no comments.	s are not received by the	e due date, it will be assumed	that your department		
POTENTIAL ENVIRONMEN	TAL IMPACT(S):				
PROPOSED MITIGATION MEASURE(S): The following mitigation measures are required to reduce adverse environmental effects to less than significant. (Please do not include code requirements listed in comment below):					
ADDITIONAL COMMENTS:					
Name/Signature					
ı ilie	Dept	Tel. (Ext.):			

POINT PERSON - DEPARTMENTS/DIVISION

CITY ATTORNEY – GILLIAN VAN MUYDEN (Miah Yun and Yvette Neukian, Alternates)

CITY CLERK - KAREN CORTES

COMMUNITY DEVELOPMENT:

Building and Safety – COLIN LEUNG and ARA SARGSYAN Neighborhood Services –JESSICA SADA

Design Review & Historic (Glendale Register & Historic Districts) – JAY PLATT

Economic Development – MARK BERRY

Housing – PETER ZOVAK, MIKE FORTNEY and AARON BROWNELL Urban Design & Mobility – FRED ZOHREVAND (For VMT Analysis)

COMMUNITY SERVICES AND PARKS – TEREZA ALEKSANIAN and AMIRAH LIMAYO

INFORMATION SERVICES DEPT.

Wireless Communications - GORDON ARNOLD

FIRE ENGINEERING – JOVAN DIAZ, SITA PARTAMIAN and DAVE STIMSON GLENDALE WATER AND POWER:

Water – SEDA BOGHOSIAN, EDEN HAKOUPIANI and KEVIN RUNZER Electric – CATHERINE BABAKHANLOU and SEDA BOGHOSIAN and EDEN HAKOUPIANI (Hovsep Barkhordian, and Daniel Scorza Alternates)

POLICE – LT. ALEX KRIKORIAN and ZAZIL AVILA, C.S.O. **PUBLIC WORKS:**

Engineering & Land Development – ARMEN AVAZIAN, SARKIS OGANESYAN, and RUEL VILLALUNA

Traffic – PASTOR CASANOVA and SAED ROUDSARI

Integrated Waste – DAN HARDGROVE

Maintenance Services/Street & Field/Urban Forester – LOREN KLICK, CARLOS LINARES, and ORLANDO URQUIDEZ

Facilities (City projects) – KEVIN TODD

OTHERS:

STATE ABC - PATRICIA HALPIN (Patricia. Halpin@abc.ca.gov),

TRIBAL CONSULTATION (EIF Applications Only) -

THCP Officer (Tribal Historic and Cultural Preservation Department, Fernandeno Tataviam Band of Mission Indians)

JOSEPH ONTIVEROS (Cultural Resource Director, Soboba Band of Luiseno Indians)

LINDA CANDELARIA (Co-Chairwoman, Gabrielino-Tongva Tribe) (Sample Letters on Planning Share: ..\..\..\Environmental\Tribal Consultation Sample Letters)