



June 19, 2019

William Reider
550 West Garfield Avenue
Glendale, CA 91204

**RE: 550 WEST GARFIELD AVENUE
CONDITIONAL USE PERMIT NO. PCUP 1901129
(Reel Brewery)**

(SEE: PPPEX 1901130)

Dear Mr. Reider:

On June 19, 2019, the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.42, on your application for a Conditional Use Permit to allow a change of use of an existing 4,140 square-foot building, from light manufacturing to a tavern use. The tavern use will operate as a small beer manufacturer with the sale of beer for consumption on or off the premises. The subject site is located in the Industrial ("IND") Zone, **550 West Garfield Avenue**, and is described as Lot 12, Tract No. 5717, in the City of Glendale, County of Los Angeles, as per map recorded in Book 64, Page 45 of Maps in the Office of County Recorder of the County of Los Angeles.

APPLICANT'S PROPOSAL

Conditional Use Permit

- (1) To operate a tavern (Alcoholic Beverage Control License Type 23- Small Beer Manufacturer) in the IND - Industrial Zone.

CODE REQUIRES

Conditional Use Permit

- (1) A conditional use permit application is required for a tavern use in the IND zone (G.M.C. 30.12.020 B, Table 30.12-A).

ENVIRONMENTAL DETERMINATION

The project is categorically exempt from environmental review per Section 15303 of the State California Environmental Quality Act Guidelines, as a Class 3(c) Conversion of Small Structure, because it involves the conversion of an existing small structure from one use to another where only minor modifications are made in the exterior of the structure.

REQUIRED/MANDATED FINDINGS

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report by the Community Development Department staff thereon, and the statements made at the public hearing with respect to this application, the Planning Hearing Officer has **GRANTED WITH CONDITIONS** your application based on the following:

- A. The proposed use will be consistent with the various elements and objectives of the general plan.**
- 1) Land Use Element - The project site is designated as "Industrial", with corresponding goals for rehabilitating and activating the area with compatible uses. A micro-brewery (permitted by right in the IND zone) and tavern use (conditionally permitted) is compatible with these goals. Reel Brewery's business model and floor plan layout are designed to participate in a growing market for craft breweries and retail stores that manufacture and sell products on site, a type of use that is more interactive for patrons, and more cost-efficient for small business owners. The subject site is located within one to two miles of several movie studios and related creative/technical companies, a key target market for this business. Reel Brewery will also complete façade improvements to the building and will add approximately five to seven jobs to Glendale. Allowing this use in this industrial area may assist in developing this area into a more economically active and pedestrian friendly environment, which could further support the attraction of additional industrial and commercial activity in the area.
 - 2) Circulation Element - This element designates Garfield Avenue as a Local Street, with access being provided by San Fernando Road, a Major Arterial. Local Streets are designed to carry low volumes of traffic from arterials, typically 500-2,500 vehicles per day, and not to carry through-traffic. Because the proposed use is not anticipated to significantly increase traffic volumes relative to the 500-2,500 per day range, it is compatible with the street type.
 - 3) Historic Preservation, Open Space & Conservation, and Noise Elements - The subject site does not contain any historic/open space/recreational resources, and proposed use is compatible with the recommended maximum noise level according to the Noise Element.
 - 4) Safety Element - The site is not within a hazard zone, and the conditions placed on the proposed use will ensure the project does not contribute to local crime. Establishing this use in this neighborhood will also help activate the streets, particularly during times when most businesses are closed, and thus will help provide additional "eyes on the street" and increased safety for the neighborhood. Lastly, the proposed use is not a source of or contributor to air pollution. Air pollution and smells are anticipated to be negligible because on-site brewing will be minimal (mostly a pilot system) with the main brewing operations taking place off site at another location, which will minimize evaporation of particles/smell into the air.
- B. 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 use and its associated structures and facilities will not be detrimental to the public health or safety, the general welfare, or the environment, as conditioned. The sales,

service and consumption of alcohol, in compliance with the conditions in this report, is not anticipated to be detrimental to the public health, safety, general welfare, or environment. The sale of alcoholic beverages in a craft beer microbrewery and tavern focuses on rare and unusual beers that are specialized compared to typical bars. Further, the on-site microbrewery business model typically incorporates interactive, cultural events to attract patrons. For example, events where patrons can learn about the process of craft beer manufacturing, participate in culinary instruction, group art activities, etc.; therefore, the characteristic of the proposed tavern is different than a typical bar and is anticipated to cause less negative impacts. Additionally, the area within walking distance to the subject site lacks accessibility to other neighborhoods, particularly residential ones. The train tracks extend along the western boundary of this neighborhood for many miles, with pedestrian crossing points located beyond walking distance. The northern and eastern boundaries are enclosed by San Fernando Road, a seven-lane road with high traffic volume and with only one pedestrian crossing within walking distance to the subject site, which is located at Pacific Avenue and San Fernando Road. Chevy Chase Drive, located to the south, is beyond walking distance. These conditions are expected to confine patrons of the tavern within the immediate neighborhood of the tavern and not in other areas. The Noise Ordinance will be enforced to address any inappropriate noise levels, and no negative parking impact is anticipated, as described in Parking Exception Case Number PPPEX1901130.

The proposed Conditional Use Permit (CUP) has been reviewed by the Police Department and the Neighborhood Services, Building and Safety, and Planning Divisions of the Community Development Department to identify potential negative impacts of the project on the public health, safety, general welfare or environment. The Neighborhood Services Division did not identify any issues with the proposal. The Building and Safety Division suggested standard conditions of approval that are imposed on all projects. The Police Department reviewed the project and reported it is located in census tract 3024.01, where the suggested limit by ABC for on- and off-sale (sale of alcohol for on-site or off-site consumption) establishments is six. Currently, there are ten on- and off-sale establishment licenses located in this tract, not including the applicant's license. Based on arrests and Part 1 (violent and property) crime statistics in year 2018 for this census tract, there were 570 crimes, which is 241% above the citywide average of 167. The Police Department explained that the crime rate is generally higher in the South Glendale area and not necessarily related to alcohol sales or the specific area of the subject site. The Police Department has recommended standard conditions of approval that have been included in the staff recommendation to ensure there are no negative impacts to the public health, safety, general welfare or the environment that would be created by the new use, and that such use does not or will not tend to contribute to, encourage or intensify crime or adverse impacts within the district.

There are no known churches, public or private schools or colleges, day care facilities, public parks, libraries, hospitals or residential uses within walking distance to the site (1/4 mile); thus the proposed use is not anticipated to adversely impact any of these uses.

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

Approval of the Conditional Use Permit will not adversely affect or conflict with adjacent uses or impede the normal development of surrounding property. No physical changes (other than minor façade improvements) are proposed as part of the project, so no physical impact will be created that would impede the development of

surrounding properties. The tavern's hours of operation are predominantly staggered with those of neighboring uses, so most of the tavern activity will not occur during the same time as neighboring businesses. The tavern will, however, be open in the late afternoon (starting at 4 p.m.) and on Saturdays, times at which most businesses in the neighborhood are also open. With the proposed conditions in this report, no negative impacts are anticipated from the tavern operating at the same time as neighboring businesses, and a parking study has shown that there is sufficient on-street parking available to accommodate the neighborhood including the tavern (for more information see Parking Exception Case Number PPPEX1901130). For these reasons, the proposed use will not adversely impact nearby uses.

D. Adequate public and private facilities, such as utilities, parking spaces and traffic circulation measures are provided for the use.

Adequate public and private facilities such as utilities, landscaping, parking spaces and traffic circulation measures are provided for the proposed use. The site and building have existed since 1952, with appropriate utilities and infrastructure necessary for industrial uses to continue operating at the site. The change of approximately half of the building to a tavern use would not render existing utilities and infrastructure inadequate or require them to be upgraded. Sufficient on-street parking to accommodate the required parking due to the change of use from general industrial to tavern parking and loading facilities are provided for the proposed use, as more fully described in Parking Exception Case Number PPPEX1901130.

FOR APPLICATIONS INVOLVING THE SALE, SERVING OR CONSUMPTION OF ALCOHOLIC BEVERAGES, THE FOLLOWING CRITERIA SHALL BE CONSIDERED IN MAKING THE FINDINGS IN SUBSECTION A THROUGH D ABOVE

Additional findings of fact for applications involving the sale, serving or consumption of alcoholic beverages: Additional Findings 1 through 3 have been addressed within Finding B above. Finding 4 has been addressed within Finding D above. Finding 5 is addressed below.

5. The applicant's request to allow the sales, service and consumption of beer does serve a public convenience because it provides a service to 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.

APPROVAL of the Conditional Use Permit shall be subject to the following:

1. That the development shall be in substantial accord with the plans submitted with the application and presented at the hearing 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 any expansion or modification of the facility or use which intensifies the existing Conditional Use Permit shall require a new Conditional Use Permit application. The approval is for a 4,140 square-foot building with 2,119 square feet used for light manufacturing and 2,021 square feet used for a tavern operating as a small beer manufacturer with sale of beer for on- or off-site consumption. 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.

3. That beer is the only alcoholic beverage to be sold.
4. That the applicant shall comply with all the conditions of Parking Exception Case No. PPPEX 1901130.
5. That a Business Registration Certificate be obtained for the tavern use with on-site manufacturing of beer, subject to the conditions outlined in this decision letter.
6. That the development shall comply with all codes in effect at the time of plan check submittal to Building & Safety.
7. That prior to any tenant improvement/construction, all necessary approvals (e.g. Construction Traffic Control Plan, Street Use Permit) for use of the public right-of-way shall be obtained from Public Works Engineering.
8. That all necessary licenses as required from Federal, State, County or City authorities including the City Clerk shall be obtained and kept current at all times.
9. That access to the premises shall be made available upon request to all City of Glendale authorized staff (i.e. Community Development Department, Fire Department, Police Department, etc.) for the purpose of verifying compliance with all laws and the conditions of this approval.
10. That no exterior signs advertising the sales/service of alcoholic beverages be permitted, banners shall be prohibited, and all signs displayed shall conform to the requirements of the Glendale Municipal Code.
11. That any graffiti on exterior walls shall be removed in a timely manner.
12. That all music, lighting, noise and odors shall be confined within the building so as not to disturb occupants of other adjacent businesses or properties, and patrons on the public right-of-way. The Planning Hearing Officer's opinion shall prevail to arbitrate any conflicts.
13. That the facilities shall not be rented, leased or otherwise occupied for purposes not specified.
14. That the tavern shall adhere to the City's Fresh Air (smoking) Ordinance.
15. 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.
16. 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.
17. Sales, service or consumption of alcoholic beverages shall be permitted only between the hours of 4:00 p.m. to 2:00 a.m. from Monday through Friday, and 12:00 p.m. to 2:00 a.m. on Saturday and Sunday.

18. 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.
19. 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.
20. Signs should be posted clearly specifying no sales to minors or intoxicated persons.
21. Appropriate lighting for the display areas where alcoholic beverages would be sold should be required.
22. 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.
23. The premises may not be utilized for banquets, private parties, or other events, unless the appropriate zoning approvals have been obtained.
24. There shall be no video machine maintained upon the premises.
25. Dancing is only allowed on the premises in designated dance floor areas, with a proper "Dance" permit.
26. 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.
27. 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.
28. 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.
29. 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.
30. That the contractor and business owner shall not store trash bins within the City's Right-of-Way without first obtaining a street use permit from the Public Works Engineering Division.
31. That either Design Review Board exemption or approval is required prior to any building permit submittal for façade changes.
32. That the authorization granted herein shall be valid for a period of **TEN (10) YEARS, UNTIL JUNE 19, 2029**, at which time, a reapplication must be made.

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 **July 5, 2019** at the PSC, 633 East Broadway, Room 101, Monday thru Friday 7:00 a.m. to 12:00 p.m., or at the CDD, 633 East Broadway, Room 103, Monday thru Friday 12:00 p.m. to 5 p.m.

APPEAL FORMS available on-line: <http://www.glendaleca.gov/appeals>

TRANSFERABILITY

This authorization runs with the land or the use for which it was intended for and approved. In the event the property is to be leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions and/or limitations of this grant.

VIOLATIONS OF THESE CONDITIONS

Violations of conditions required by this determination may constitute a misdemeanor or infraction under section 1.20.010 of the Glendale Municipal Code (GMC) and/or a violation of other local, State or Federal laws or regulations. Unless a specific penalty is provided, any person convicted of a misdemeanor shall be punished by a fine not to exceed one thousand dollars (\$1,000.00), or imprisonment for a term not to exceed six (6) months, or by both fine and imprisonment. Infractions are punishable by a fine not exceeding the sum of five hundred dollars (\$500.00) for each violation. Violations of conditions required by this determination may be grounds for a revocation.

REVOCAION, CONTINUING JURISDICTION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over variances, administrative use permits, and conditional use permits (individual cases heard and decided upon by the Planning Hearing Officer). To consider the revocation, the Planning Hearing Officer shall hold a public hearing after giving notice by the same procedure as for consideration of a conditional use permit at least ten (10) days' notice by mail to the applicant or permittee. Continuing jurisdiction over any case is the purview of the Planning Hearing Officer, with concurrence by the Director of Community Development.

GMC CHAPTER 30.41 PROVIDES FOR

TERMINATION

Every right or privilege authorized by a conditional use permit shall terminate two (2) years after the granting of such, unless the exercise of such right or privilege has commenced in good faith prior to such time, except as otherwise provided for.

EXTENSION

An extension of the conditional use permit may be requested one time and extended for up to a maximum of one (1) additional year upon receipt of a written request from the applicant and demonstration that a reasonable effort to act on such right and privilege has commenced within the two (2) years of the approval date. In granting such extension the applicable review authority shall make a written finding that neighborhood conditions have not substantially changed since the granting of the conditional use permit.

CESSATION

A Conditional Use Permit may be terminated by the review authority upon any interruption or cessation of the use permitted by the Conditional Use Permit for one year or more in the continuous exercise in good faith of such right and privilege.

NOTICE – subsequent contacts with this office

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the case planner who acted on this case. This would include clarification and 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.

Sincerely,



Bradley M. Collin
Planning Hearing Officer

BC:CP:sm

CC: City Clerk (K.Cruz); Police Dept. (A.Jenks/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(J.Halpert); Traffic & Transportation Section (P.Casanova); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S. Boghosian/R.Takidin); 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 – Cassandra Pruet