



## CITY OF GLENDALE, CALIFORNIA

Community Development  
Planning

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Glendale, CA 91206-4311  
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glendaleca.gov

January 20, 2023

Farm District Marketplace  
Attn: Nareg Khodadadi  
213 N Orange St Unit E  
Glendale CA, 91203

**RE: 328 North Orange Street, Unit A**  
ADMINISTRATIVE USE PERMIT CASE NO. PAUP 2212556  
(Farm District Marketplace)

Dear Mr. Khodadadi:

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 (AUP) to allow the on-site sales, service, and consumption of alcoholic beverages (ABC License Type 47) at a new restaurant counter service with limited seating (Farm District Marketplace) located at 328 North Orange Street, Unit A, in the DSP/MO (Downtown Specific Plan Mid-Orange) District, described as Lot 29, Glendalia Park Tract, in the City of Glendale, County of Los Angeles.

### CODE REQUIRES

(1) The on-site sales, service, and consumption of alcoholic beverages requires an Administrative Use Permit in the DSP/MO District.

### APPLICANT'S PROPOSAL

(1) To allow the on-site sales, service, and consumption of alcoholic beverages (Type 47) at a new restaurant counter service with limited seating.

### 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 the on-site sales, service, and consumption of alcoholic beverages at a new restaurant counter service with limited seating within an existing commercial space and there is no added floor area proposed.

### **REQUIRED/MANDATED FINDINGS**

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the analysis by Community Development Department staff, this Administrative Use Permit application is **APPROVED WITH CONDITIONS** based on the following:

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

The applicant's request to allow on-site sales, service, and consumption of alcoholic beverages, at a new 3,509 square-foot counter service restaurant (Farm District Market Place) with a 919 square-foot outdoor covered patio will be consistent with the various elements and objectives of the general plan. The subject site is located within the DSP/MO District and the General Plan Land Use Element designation is Downtown Specific Plan. Goods and services offered in this area generally attract clientele from the surrounding downtown businesses and residential uses as well as the surrounding community. Full alcoholic beverages for consumption at this location is appropriate in the downtown area of the city that are zoned for various commercial and high-density residential uses and will provide an option for the community to purchase alcoholic beverages for consumption while dining at the restaurant. Retail and service uses are permitted in the DSP/MO and are consistent with the Downtown Specific Plan land use designation. Adjacent uses include a two-story building to the south, a bank parking structure to the north, two high-density, multi-family residential developments across Orange Street to the west, and an alley to the east. 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 by 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 Orange Street as an urban collector, and Brand Boulevard to the east and Central Avenue to the west, serves as an additional north-south thoroughfare and provides access to the rear of many developments along Brand Boulevard a Central Avenue. 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 sale, service, on on-site consumption 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 on-site sales, service, and consumption of alcoholic beverages at the new counter service restaurant 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 in Census Tract 3018.02 where the suggested limit for on-sale alcohol establishments is five. There are currently 29 on-sale licenses in this tract, with Farm District Marketplace there would be a total of 30 on-sale licenses. Based on Part 1 crime statistics for census tract 3018.02 in 2021, there were 239 crimes, 43% 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.

This application was routed to both the Neighborhood Services Division and the Glendale Police Department for comments, and neither cited any major concerns with the request to operate with the on-site sales, service, and consumption of alcoholic beverages at this location.

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

The on-site sales, service, and consumption of alcoholic beverages at the new counter service restaurant will not adversely conflict with adjacent uses or impede the normal development of surrounding property, as conditioned. The project site is surrounded by various commercial uses that features other complementary businesses, including retail and service uses. While there are high-density residential developments in the immediate vicinity, there are no public facilities (schools, churches, parks, etc.) located within the immediate area. The request to allow the on-site sales, service and consumption of alcoholic beverages is not anticipated to adversely conflict with surrounding properties as it will be ancillary to the primary use, a counter service restaurant.

**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 measures are provided for the use and are existing. The subject building has been in use as a commercial building for the past 60 years. The subject property is approximately 7,750 square-feet in size and developed with a 12,025 square-foot, two-story, commercial building. Per City records, the subject building was reconstructed in 1958, and recently modified through tenant improvements to create units B and C in 2017 and unit D in 2018. Utilities for water, electricity, sewer, and trash are currently provided for the previous and will be sufficient for the proposed counter service restaurant. Additional parking is not required, as the Zoning Code allows for the interchange of uses, identified in section 30.32.030(C)(2) of the municipal code, within tenant spaces of less than 5,000 square-feet in the Downtown Specific Plan without the need to provide additional parking. Because food stores and markets, and counter service restaurants are listed within this provision, the Zoning Code does not require additional parking spaces for the proposed change of use. The applicant's request is not expected to create a negative parking or traffic related impact, as it is not anticipated the on-site sales, service, and consumption of alcoholic beverages in conjunction with a meal will not significantly increase the number of patrons to the subject site. The applicant's Administrative Use Permit request for alcoholic beverage sales will not require any new city services, nor will it require any changes to the landscaping, parking, or traffic circulation. The Circulation Element identifies North Orange Street as an urban collector and Central

Avenue and Brand Boulevard are major arterial. These streets are fully developed and can adequately handle the existing traffic circulation around the site. The applicant's request to allow the on-site sale, service, and consumption of alcoholic beverages 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 counter 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.

## CONDITIONS OF APPROVAL

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

1. That the development shall be in substantial accord with the plans submitted with the application except for any modifications as may be required to meet specific code standards or other conditions stipulated herein to the satisfaction of the Director of Community Development.
2. That all necessary licenses, approvals, and permits as required from Federal, State, Country or City authorities shall be obtained and kept current at all times.
3. That the establishment must obtain the necessary permits and licensing to allow the facility to operate as a restaurant, counter service with limited seating.
4. That sufficient measures shall be enforced to effectively eliminate interior and exterior loitering, parking congestion, distributing noise, distributing light, loud conversation, and criminal activities.
5. That 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 shall only be on those same licensed areas.
6. That signs shall be posted clearly specifying no sales to minors or intoxicated persons.
7. That no exterior signs advertising alcoholic beverages shall be permitted.
8. That there shall be no video machine(s) and/or video game(s) maintained upon the premises.
9. That no live entertainment is permitted without a "Live Entertainment Permit".
10. That 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. That 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. That the sale of alcohol for consumption off the premises is strictly prohibited.
13. That the restaurant shall adhere to the City's Fresh Air Ordinance, Title 8, Chapter 8.52 of the Glendale Municipal Code.
14. That the restaurant shall be operated in full accord with applicable State, County, and local laws.

15. That full access to the premises shall be made available to all City of Glendale representatives (including, but not limited to, personnel from the Community Development Department, Neighborhood Services Division, Police Department, and Fire Department) upon request for the purpose of verifying compliance with all laws or verifying the conditions of this approval.
16. 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.

### **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. Any appeal must be filed online with the prescribed fee prior to expiration of the 15-day appeal period, on or before **FEBRUARAY 5, 2023**. All appeals must be filed using the City's online permitting and licensing portal: [www.GlendalePermits.org](http://www.GlendalePermits.org), 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. Information regarding appeals, appeal forms and fees may be obtained by calling the Community Development Department staff at 818-548-2140, or the case planner, Sadie Gropen, at 818-937-8178.

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

#### Termination

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

#### Cessation

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

#### Extension

Permits granted by such right or privilege may be requested one time and extended for up to a maximum of one (1) additional year upon receipt of a written request from the applicant and demonstration that a reasonable effort to act on such right and privilege has commenced within the two (2) years of the approval date. In granting such extension the

applicable review authority shall make a written finding that neighborhood conditions have not substantially changed since the granting of the Parking Reduction Permit.

### **TRANSFERABILITY**

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

### **VIOLATIONS OF THESE CONDITIONS**

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

### **REVOCAION**

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over Administrative Use Permits. To consider the revocation, the Director of Community Development shall hold a public hearing after giving notice by the same procedure as for consideration of an Administrative Use Permit at least ten (10) days' notice by mail to the applicant or permittee.

### **NOTICE – subsequent contacts with this office**

The Applicant is further advised that all subsequent contacts with this office regarding this determination must be with the Case Planner first and then, the Hearing Officer who acted on this case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **By Appointment Only**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

Should you have any questions regarding this issue, please do not hesitate to contact the case planner, Dennis Joe, at 818-548-8157 or [djoe@glendaleca.gov](mailto:djoe@glendaleca.gov).

Sincerely,

Bradley Calvert  
Director of Community Development



Erik Krause  
Planning Hearing Officer

CC: City Clerk (K.Cruz); Police Dept. (J.Newton/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section (F.McLean); Traffic & Transportation Section (P.Casanova/Mark Bueno); 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; Integrated Waste Management Admin; Maintenance Services Section Admin.; Street and Field Services Admin.; Engineering and Environmental Management; and case planner – Dennis Joe.