

**CITY OF GLENDALE COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING HEARING OFFICER STAFF REPORT
CONDITIONAL USE PERMIT CASE NO. PCUP 1326237**

MEETING DATE: January 15, 2014

TO: Planning Hearing Officer

PREPARED BY: Jeff Hamilton, Senior Planner

ADDRESS: Disney-occupied properties in the Grand Central Creative Campus and the ABC 7 Studios (map attached)

APPLICANT: Adam Gilbert, Walt Disney World Co.

OWNER: Walt Disney World Co.

PROJECT PROPOSAL:

- A. Applicant Proposes:** A Conditional Use Permit to allow the on-site service and consumption of alcohol by Disney employees and guests but not the public on 49 properties located within the Grand Central Creative Campus (GC3) and the ABC 7 Studios, all of which are in the IND (Industrial) Zone.
- B. CEQA Status:** Exempt per CEQA Guidelines, Section 15301, Class 1 Existing Facility.
- C. Previous Permits for the Site:** None
- D. Related Concurrent Permit Applications:** There are no other cases or active building permits being processed with this case.
- E. Recommendation:** Staff recommends approval of the application with conditions.

SITE CONTEXT

GENERAL PLAN: Industrial

ZONE: (IND) Industrial Zone

DESCRIPTION OF EXISTING PROPERTY AND USES:

The Walt Disney World Company owns the properties within the Grand Central Creative Campus (GC3) as well as the ABC 7 Studios property on Circle Seven Drive. The project area totals approximately 159 acres and is used for a variety of manufacturing, research and development, offices, and the ABC broadcast studio.

Development of the property is regulated by the following documents:

- Development Agreement (DA)
- Owner Participation Agreement (OPA)
- Scope of Development (SD)
- Master Parking Plan (MPP)
- Zoning Ordinance
- General Plan

To summarize, if Disney proposes development that is described in the DA, OPA, or SD, those documents regulate the development. Any other development proposals are regulated by the Zoning Ordinance and General Plan. The MPP is used to allow Disney flexibility in providing parking for new projects within the Campus but not necessarily on the proposed development site as long as adequate parking capacity exists within the Campus.

Serving and consuming alcoholic beverages in the IND zone is not mentioned in the DA, the OPA or the SD, so the proposal is evaluated with respect to the Zoning Ordinance and General Plan. Serving and consuming alcoholic beverages is allowed in the zone with a Conditional Use Permit.

Currently Disney obtains a temporary permit from the California Department of Alcohol Beverage Control for occasional special events on the GC3 Campus, but the process is cumbersome since they do this a few times each year. Disney is applying for a Conditional Use Permit so they can obtain a permanent permit from the State. Disney would like the option of serving and consuming alcoholic beverages on 49 of the 102 properties in the campus, covering a total of approximately 103 acres, as well as on the 7.5-acre ABC7 studios property (which is not within the GC3 area boundary).

NEIGHBORING ZONES AND USES:

	Zoning	Existing Uses
North	IND, T (Transportation), IMU (Industrial/Commercial Mixed Use), IMU-R (Industrial/Commercial-Residential Mixed Use), SFMU (Commercial/Residential Mixed Use), C3 I (Commercial Service, Height District I), R 1 II (Low Density Residential FAR District II)	Retail, office and commercial uses with residential further away and the railroad tracks crossing the site
South	LA city zoning, R2250 (Medium Density Residential), R1 II, IMU, SR (Special Recreation)	Los Angeles River, residential north and south of the freeway, and industrial businesses along Sonora Ave. City park on Flower Street west of Sonora.
East	IND, T, IMU-R, R1 II	Industrial, retail and office uses along San Fernando Road. Power plant. Residential further away. Railroad tracks crossing the site.
West	IND, IMU, R3050 (Moderate Density Residential), R 1 II,	Industrial, with residential further away.
Project Site	IND	Industrial, offices, research and development functions.

COMMENTS FROM OTHER CITY DEPARTMENTS: Comments and suggested conditions were received by the Police Department. Other City Departments and Sections did not submit comments or recommend conditions for the project.

REQUIRED FINDINGS

Pursuant to Section 30.42.030 of the Glendale Municipal Code, a conditional use permit may be granted only if the following findings of fact can be made:

- A. That the proposed use will be consistent 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.
- C. That the use and facilities will not adversely affect or conflict with adjacent uses or impede the normal development of surrounding property.
- 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.

Further, this request requires that additional findings of fact be made, as follows:

For applications involving the sale, serving or consumption of alcoholic beverages, the following criteria shall be considered in making the above findings A through D:

- 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 that 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, 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;
- 2. That where the existing or proposed use is located in a crime reporting district with a crime rate which exceeds twenty (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;
- 3. That the existing or proposed use does not or will not adversely impact any church, public or private school or college, day care facility, public park, library, hospital or residential use within the surrounding area;
- 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; and
- 5. That, notwithstanding consideration of the criteria in subsections 1 through 4 above, the existing or proposed use does or will serve a public necessity or public convenience purpose for the area.

BACKGROUND

The applicant applied for a Conditional Use Permit to allow the on-site service and consumption of alcohol by Disney employees and guests but not the public on 49 properties located within the Grand Central Creative Campus (GC3), which is in the IND (Industrial) Zone. Alcohol service would generally be provided by catering firms serving the event.

The reason for the request is to allow Disney to serve alcohol at special events a few times per year. The public will not be served—service will only occur indoors or at outdoor venues where Disney controls access to the site.

ANALYSIS

The Grand Central Creative (GC3) Campus consists of Disney-owned properties located in the westerly part of the City. The application is to allow alcohol to be served to employees and guests at occasional special events. Disney states in the application that “catered events and celebrations occur on a regular basis within the (GC3) Campus,” that they occur “after the conclusion of the work day” and that “invitation-only events may occur on weekends.” Disney owns all 49 properties sites where alcohol might be served.

The GC3 Campus is designated Industrial in the General Plan. Serving alcohol is allowed in the Industrial (IND) zone with approval of a conditional use permit. Serving alcohol on the designated properties would not be detrimental nor adversely affect or conflict with its neighbors or impede normal development activity in the area because the alcohol will not be offered to the public and it will only be served during special events under the control of the Walt Disney Company.

The Police Department states that there are 33 establishments that provide alcoholic beverages in census tract 3016.01 where the guidelines of the State of California Alcohol Beverage Control Board recommend a maximum of 7 on-sale establishments. Although the amount of alcoholic beverage sales licenses exceeds the recommended limit and intensifies the concentration of licenses in the census tract, the proposed alcohol service in the GC3 Campus will not be available to the public. Disney will be able to closely manage the events to ensure that no impacts to the public will occur. The number of Part 1 crimes (felony-related crimes) in the census tract is 42 percent above the city average; however, no Part 1 crimes are associated with the GC3 Campus. Sensitive land-uses in the immediate neighborhood include a day care facility open only to Disney employees, and Griffith Manor Park on Flower Street near Sonora Avenue. There are no libraries or hospitals nearby. A small residential neighborhood of a few dozen homes is located in the area generally southwest of the GC3 Campus. None of these uses is expected to be negatively impacted by the proposed service of alcohol on the GC3 Campus because Disney will not serve the public, alcohol will only be served during occasional special events, and Disney will closely manage the events to ensure the public is not negatively impacted.

One neighbor has expressed concern about the parking impacts related to the proposed conditional use permit. The applicant has stated that these events have been occurring for some time with little apparent impact. Given the occasional nature of the events, staff is not concerned that parking impacts will exceed what is created by the normal business activities on the Campus. A condition of approval has been added to ask that Disney encourage guests to use the parking lots and structures in the Campus during special events.

RECOMMENDATIONS:

Staff believes that the findings for the conditional use permit can be made and recommends that the request be granted.

ATTACHMENTS:

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

CONDITIONAL USE PERMIT CASE NO. PCUP 1326237
DRAFT FINDINGS

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

The Land Use Element classifies the subject site as Industrial. The Grand Central Creative (GC3) Campus has previously been found to be consistent with the General Plan. Since the application is to serve alcohol only for special events for employees and guests, not to the public, there will be no fundamental change in the nature of the Disney operations. Since the land use, including the intensity of the use, will not change, there will be no change in impacts to any Elements 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 GC3 Campus is located in Census Tract 3016.01. The Police Department noted there are 33 on-sale establishments selling alcohol where seven are recommended by State guidelines. The GC3 Campus would be the 34th establishment serving alcoholic beverages. Based on Part 1 crime statistics for this census tract, there were 85 crimes, which is 42 percent above the city-wide average. While the GC3 Campus is located in a census tract where the number of on-sale establishments exceeds the number recommended by the California Department of Alcoholic Beverage Control and has more crime than some areas of the city, no Part 1 crimes are associated with the GC3 Campus. The current conditional use permit application to allow the service and consumption of alcohol is not anticipated to have a detrimental effect on the community because alcohol will only be served during occasional special events to Walt Disney Company employees and guests. Disney will be able to closely manage the events to ensure that no impacts to the public occur.

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

The GC3 Campus is designated Industrial in the General Plan. Serving alcohol is allowed in the Industrial (IND) zone with approval of a conditional use permit. Serving alcohol on the designated properties would not be detrimental nor adversely affect or conflict with its neighbors or impede normal development activity in the area because the alcohol will not be offered to the public and it will only be served during special events under the control of the Walt Disney Company.

A day care facility open only to Disney employees and Griffith Manor Park on Flower Street near Sonora Avenue are located nearby. There are no libraries or hospitals nearby. A small residential neighborhood of a few dozen homes is located in the area generally southwest of the GC3 Campus. None of these uses is expected to be negatively impacted by the proposed service of alcohol on the GC3 Campus because Disney will not serve the public, alcohol will only be served during occasional special events, and Disney will closely manage the events. Additionally, no concerns or comments were submitted by the Police Department or Neighborhood Services Division that would indicate that alcohol service on the GC3 Campus would impede the normal development of the area.

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

Serving alcohol during occasional special events on the GC3 Campus is not anticipated to increase the need for public or private facilities such as roads, utilities, or parks. Alcohol will only be available to Disney employees and guest, not the public, and Disney will be able to closely manage the events to ensure that the public is not negatively impacted.

Furthermore, this request requires that additional findings of fact be made, as follows:

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:

1. That such use does not or will not tend to intensify or otherwise contribute to the adverse impacts on the surrounding area caused by over concentration as described above in findings B and C.
2. That such use does not or will not tend to encourage or intensify crime within the district as described above in finding B.
3. That such 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 above in finding C.
4. That the proposed use satisfies its transportation or parking needs as described above in finding D.
5. That the proposed use does or will serve a public convenience purpose for the GC3 Campus because serving alcohol will be consistent the General Plan as described above in finding A .

CONDITIONS OF APPROVAL:

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

1. 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. 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.
3. A new Zoning Use Certificate shall be obtained for one property in the GC3 Campus to reflect the conditional use permit and that the location map showing the allowed alcohol service locations shall be a part of the Certificate.
4. Alcoholic beverages shall only be available to Walt Disney Company employees and guests during occasional special events.
5. Alcoholic beverages shall only be served for consumption on the GC3 Campus or at the ABC studios as depicted in the attached location map. The sale of alcohol for consumption off the project site is strictly prohibited.

6. No exterior signs advertising the sales/service of alcoholic beverages shall be permitted.
7. All music, lighting, noise and odors shall be confined to the GC3 Campus 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.
8. The Walt Disney Company and employees shall make an active and conscientious effort to keep its employees and guests from trespassing on nearby properties or making disturbances in the area.
9. Should the Walt Disney Company wish to expand the scope of the Conditional Use Permit from occasional special events to service of alcoholic beverages unconnected to any special event, the company shall apply for a new Conditional Use Permit. The Planning Hearing Officer's opinion, with concurrence from the Director of Community Development, shall prevail to arbitrate any conflicts in determining whether an expansion of the scope of the Permit has or is proposed to occur
10. The service and consumption of alcoholic beverages shall be in full accord with and only within areas designated by the regulations and conditions established by the State Department of Alcoholic Beverage Control.
11. Access to the premises shall be made available upon request to all City of Glendale authorized staff (i.e. Community Development Department, Neighborhood Services Division, Building and Safety Division, Fire Department, Police Department, etc.) for the purpose of verifying compliance with all laws and the conditions of this approval.
12. Guests shall be encouraged to use surface parking lots and parking structures under the control of the Walt Disney Company in the GC3 Campus area when special events take place.
13. The authorization granted herein shall be valid for a period of 10 years, until January _____, 2023, at which time a reapplication shall be made.

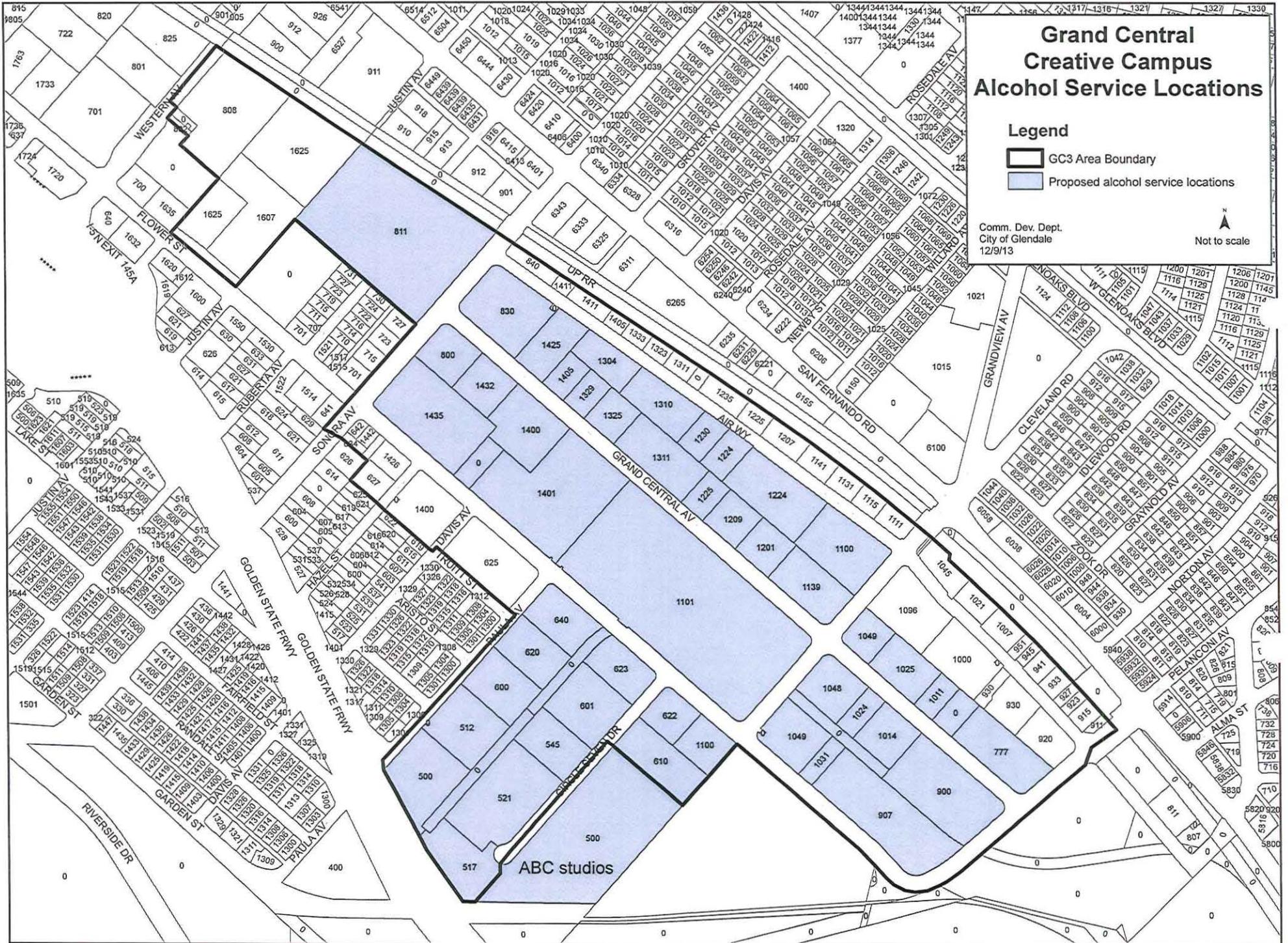
Grand Central Creative Campus Alcohol Service Locations

Legend

-  GC3 Area Boundary
-  Proposed alcohol service locations

Comm. Dev. Dept.
City of Glendale
12/9/13


Not to scale



Police

Hamilton, Jeffrey

From: Bickle, Scott
Sent: Tuesday, December 24, 2013 11:36 AM
To: Hamilton, Jeffrey
Subject: RE: Disney Alcohol CUP

Thank you, yes these conditions should cover it!

Thanks and Merry Christmas,
Scott

Lieutenant Scott A. Bickle
Special Investigations Bureau
Glendale Police Department
Office: 818-548-3120
Cell: 818-482-9395

From: Hamilton, Jeffrey
Sent: Tuesday, December 24, 2013 11:34 AM
To: Bickle, Scott
Subject: RE: Disney Alcohol CUP

Here are my draft conditions. Let me know if you want to add to the list or alter anything. If not, just send me an email stating that PD has no concerns about the proposal.

Jeff

1. 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. 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.
3. A new Zoning Use Certificate shall be obtained for each of the 49 properties in the Grand Central Creative (GC3) Campus where alcohol may be served to reflect the conditional use permit approval (no new fee is required).
4. Alcoholic beverages shall only be available to Walt Disney Company employees and guests during occasional special events. No alcohol shall be served to the general public.
5. Alcoholic beverages shall only be served for consumption on the GC3 Campus. The sale of alcohol for consumption off the Campus is strictly prohibited.
6. No exterior signs advertising the sales/service of alcoholic beverages shall be permitted.
7. All music, lighting, noise and odors shall be confined to the GC3 Campus 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.
8. The Walt Disney Company and employees shall make an active and conscientious effort to keep its employees and guests from trespassing on nearby properties or making disturbances in the area.

9. Should the Walt Disney Company wish to expand the scope of the Conditional Use Permit from occasional special events to regular service of alcoholic beverages, the company shall apply for a new Conditional Use Permit. The Planning Hearing Officer's opinion, with concurrence from the Director of Community Development, shall prevail to arbitrate any conflicts in determining whether an expansion of the scope of the Permit has or is proposed to occur
10. The service and consumption of alcoholic beverages shall be in full accord with and only within areas designated by the regulations and conditions established by the State Department of Alcoholic Beverage Control.
11. Access to the premises shall be made available upon request to all City of Glendale authorized staff (i.e. Community Development Department, Neighborhood Services Division, Building and Safety Division, Fire Department, Police Department, etc.) for the purpose of verifying compliance with all laws and the conditions of this approval.
12. The authorization granted herein shall be valid for a period of 10 years, until January _____, 2023, at which time a reapplication shall be made.

From: Bickle, Scott
Sent: Tuesday, December 24, 2013 9:59 AM
To: Hamilton, Jeffrey
Subject: RE:

Sir,

I have no issues with them serving. I have never done one like this before. Do you need a list of conditions, or just my signature?

Lieutenant Scott A. Bickle
Special Investigations Bureau
Glendale Police Department
Office: 818-548-3120
Cell: 818-482-9395

From: Hamilton, Jeffrey
Sent: Monday, December 16, 2013 11:10 AM
To: Bickle, Scott
Subject: RE:

There are no plans, just an application and a location map showing the potential locations. Attached is the location map and the rest of the initial application package.

Jeff Hamilton, Senior Planner
Planning Division
Community Development Department
City of Glendale
(818) 937-8157



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