

ATTACHMENT A
SPECIFIC FINDINGS FOR CONDITIONAL USE PERMIT #6816

Conditional Use Permit – Sale of full alcohol for off-site consumption

1. *The proposed location of the site for the Conditional Use Permit will adversely affect the general welfare of the surrounding property owners.*

The City of Pasadena's Police Department has reported that from January 2020 to January 2021, there have been 192 calls for service within 500 feet of the subject site/store, with the highest number of calls to the 1800 block of Villa Street, to the intersection of Villa Street and Allen Avenue and to the 400 block of Allen Avenue, which are in the immediate proximity to the store, for theft, public disturbances, loitering, vandalism, burglary and public drunkenness, without the sale of a full line of alcohol at this site. In addition, the Police Department provided additional data showing that there were 109 calls for service within 500 feet of the subject site/store from January 27, 2021 to August 29, 2021. The Conditional Use Permit, for the sale of full-alcohol for off-site consumption, will exacerbate the existing issues and will adversely affect the general welfare of the surrounding property owners.

2. *The proposed location of the site for the Conditional Use Permit will result in an undesirable concentration of premises for the sale of alcoholic beverages, including beer and wine, in the area.*

Based on the data from the Department of Alcohol Beverage Control, only three off-site sales licenses are permitted in this census tract, and currently there are four existing off-site alcohol licenses, including the subject site's Type 20 license for off-site sale of beer and wine. While the request for a Type 21 license (off-site sale of a full line of alcohol), if approved, would not result in a discrete increase in the number of licenses, it would intensify the availability of distilled spirits. As such, approval of this Conditional Use Permit will further exacerbate this existing over-concentration. The Alcoholic Beverage Control has determined that the subject site is located in an area of undue concentration, and a finding of public convenience and necessity is required to be made by the governing body. Two other establishments with off-site alcohol sales are located within 1,000 feet of the subject site, with one liquor store, with off-site full alcohol sales, located on the adjacent parcel to the west at 490 N. Allen Avenue. As such, the finding of public convenience and necessity cannot be made.

3. *The proposed location of the site for the Conditional Use Permit will detrimentally affect the nearby surrounding area after giving special consideration to the proximity and nature of the proposed use with respect to the following: a. Residential uses and residential districts; b. Hospitals, park and recreation facilities, places of public assembly, public or private schools, and religious assembly uses that attract minors and other similar uses; and c. Other establishments offering alcoholic beverages (including wine) for sale for consumption both on- and off-site.*

Except for the limited commercial uses at the intersection of Allen Avenue and Villa Street, the uses within 1,000 feet are either single- or multi-family developments, north of the 210 Freeway, which is approximately 620 feet to the south. Single-family residences are located immediately to the north of the site and share access to their properties from Baldwin Alley. Directly to the east, and south, are multi-family developments. The closest school is Tiny World Pre School, which is approximately 950 feet to the east. Other schools nearby include: Jefferson Elementary, which is 0.25 miles to the southwest; Marshall Fundamental Secondary School, which is approximately 0.33 miles to the north; and, Our School, which is approximately 0.5 miles to the north. Jefferson Recreation Center, the closest park, is approximately 0.25 miles to the southwest. The closest religious facilities are: the Calling Church, which is 0.25 miles to the southwest; Epicentre Church, which is approximately 0.33 miles to the north; and, between 0.25 and 0.35 miles to the east are several churches, including Qodesh Family Church, the Love of Christ Church, Oak Villa Gospel Hall, Crossroads Christian Fellowship, Pasadena Orthodox Presbyterian Church and Central Japanese American Community SDA Church. The City of Pasadena's Police Department has reported that from January 2020 to January 2021, there have been 192 calls for service within 500 feet of the subject site/store, with the highest number of calls to the 1800 block of Villa Street, to the intersection of Villa Street and Allen Avenue and to the 400 block of Allen Avenue, which are in the immediate proximity to the store, for theft, public disturbances, loitering, vandalism, burglary and public drunkenness. In addition, the Police Department provided additional data showing that there were 109 calls for service within 500 feet of the subject site/store from January 27, 2021 to August 29, 2021. Adding the sale of full alcohol for off-site consumption will further exacerbate these issues and will detrimentally affect the nearby surrounding area that consists of residential uses, parks, schools and religious facilities..

- 4. The proposed location of the site for the Conditional Use Permit will aggravate proposed problems created by the sale of alcohol (e.g., littering, loitering, noise, public drunkenness, and sales to minors).*

The City of Pasadena's Police Department has reported that from January 2020 to January 2021, there have been 192 calls for service within 500 feet of the subject site/store, with the highest number of calls to the 1800 block of Villa Street and to the intersection of Villa Street and Allen Avenue, which are in the immediate proximity to the store, for theft, public disturbances, loitering, vandalism, burglary and public drunkenness, without the sale of a full line of alcohol at this site. In addition, the Police Department provided additional data showing that there were 109 calls for service within 500 feet of the subject site/store from January 27, 2021 to August 29, 2021. The Conditional Use Permit, for the sale of full-alcohol for off-site consumption, will exacerbate the existing issues and will adversely affect the general welfare of the surrounding property owners.

- 5. The proposed use is not in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.*

The existing food sales land use (Linda Rosa Market) is consistent with the General Plan land use designation of Low Commercial but the request to include the sale of full alcohol for off-site consumption is not consistent with the goals and objectives of the General Plan Land Use Element (General Plan). General Plan Policy 3.7 (Alcohol and Drug Abuse) intends to manage the distribution and operation of alcohol uses through regulating and monitoring of establishments that sell alcohol in an effort to reduce the impact of alcohol problems. General Plan Policy 3.1 (High Impact Uses) seeks to avoid the concentration of uses and facilities in any neighborhood or district where their intensities, operations, and/or traffic could adversely impact the character, safety, health, and quality of life. The purpose of ABCs determination of undue concentration is to prevent the over concentration of such uses and the impact of alcohol problems. As the proposed site is located within 1,000 feet of two other established businesses that sell alcohol for off-site consumption, the project is not in compliance with the main provision of Policy 3.7 of the General Plan. Furthermore, based on the information provided by the Pasadena Police Department, from January 2020 to January 2021, there have been 192 calls for service to within 500 feet of the subject site/store for theft, public disturbances, loitering, vandalism, burglary and public drunkenness, without the sale of a full line of alcohol at this site. In addition, the Police Department provided additional data showing that there were 109 calls for service within 500 feet of the subject site/store from January 27, 2021 to August 29, 2021. Approval of the request to include the sale of full alcohol for off-site consumption would exacerbate the existing safety and quality of life problems in the neighborhood and would not be in compliance with Policy 3.1 of the General Plan.

6. *Public convenience or necessity is not served in that:*

- a. *The project will not result in a substantial net employment gain on the site.* No evidence was provided to support this finding.
- b. *The project will not result in a substantial increase in business taxes.* No evidence was provided to support this finding.
- c. *The project is not a unique business addition to the community.* The off-site sale of alcohol will not be a unique business addition to the community in that there is already an undue concentration of other retail sale land uses with alcohol sales for off-site consumption within the census tract, including one liquor store, with off-site full alcohol sales, located on the adjacent parcel to the west at 490 N. Allen Avenue (Type 21).
- d. *The project will not contribute to long-term overall economic development goals of the area.* The off-site sale of a full line of alcohol would negatively impact the general welfare of the surrounding property owners. In addition General Plan Land Use Element Policies 3.7 (Alcohol and Drug Abuse) and 3.1 (High Impact Uses) do not support this finding.

- e. *The project will not result in a positive upgrading of the area.* The City of Pasadena's Police Department has reported that from January 2020 to January 2021, there have been 192 calls for service within 500 feet of the subject site/store, with the highest number of calls to the 1800 block of Villa Street, to the intersection of Villa Street and Allen Avenue and to the 400 block of Allen Avenue, which are in the immediate proximity to the subject store, for theft, public disturbances, loitering, vandalism, burglary and public drunkenness, without the sale of a full line of alcohol at this site. In addition, the Police Department provided additional data showing that there were 109 calls for service within 500 feet of the subject site/store from January 27, 2021 to August 29, 2021. The introduction of a full line of alcohol at this site would not help curtail these issues and would not result in a positive upgrade of the area.