

November 19, 2015

Lydia Vannarattanarat
Space Concepts and Design
2922 W. Temple Street
Los Angeles, CA 90026

**RE: 1321 EAST COLORADO STREET
ADMINISTRATIVE USE PERMIT NO. PAUP 1520395
(Pizza Boy)**

Dear Ms. Vannarattanarat:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.49, the Community Development Department processed your application for an administrative use permit (AUP) to allow the on-site sales, service and consumption of beer and wine (ABC Type 410) at an existing restaurant, located at **1321 East Colorado Street**, in the "C3" - (Commercial Services) Zone, described as Lots 5 and 6, Tract No. 1572, in the City of Glendale, County of Los Angeles.

CODE REQUIRES

- (1) The on-site sales, service and consumption of beer and wine at a full service restaurant requires an administrative use permit in the C3 (Commercial Services) Zone.

APPLICANT'S PROPOSAL

- (1) To allow the on-site sales, service and consumption of beer and wine (Type 41 ABC license) at an existing full service restaurant.

ENVIRONMENTAL DETERMINATION

The project is exempt from CEQA review as Class 1 "Existing Facilities" exemption pursuant to State CEQA Guidelines Section 15301.

After considering the evidence presented with respect to this application, the Director of Community Development Department has **APPROVED WITH CONDITIONS** your request based on the following findings:

REQUIRED FINDINGS

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

The addition of the sales, service and consumption of beer and wine at an existing full service restaurant is consistent with the various elements and objectives of the General Plan. The existing 1,802 square foot full service restaurant, is requesting on-site sales, service and consumption of beer and wine, which is an administratively permitted use in the C3 (Commercial Services) Zone with the approval of an administrative use permit. The existing restaurant is located in a one-story commercial building constructed in 1988 and has been operating at this location since 2006 under the current owner. The Circulation Element designates East Colorado Street as a Major Arterial. This street is fully improved serving a multitude of businesses and residential developments.

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.

Similar uses exist in the area and within the community, which have not proven to be detrimental to the general welfare or the environment. It is anticipated that the on-site sales, service and consumption of beer and wine will not be detrimental to the community, ensured by the conditions of approval for the administrative use permit imposed by the Community Development Department and the Glendale Police Department. Pizza Boy Restaurant is located in census tract 3021.03, which allows for five On-Sale establishments. There are currently two On-Sale licenses in this tract. Quick Mart will bring the total to three. Based on arrests and Part 1 crime statistics for census tract 3021.03 in 2014, there were 189 crimes, slightly above the citywide average of 173. Recommended conditions of approval will ensure that crime would not be intensified.

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

The conditions of approval will ensure that the on-site sales, service and consumption of beer and wine at an existing full service restaurant will not adversely affect or conflict with the adjacent uses.

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.

There are no changes or modifications requested at this time that would alter the existing physical conditions at the site. The site currently has several off-street parking

spaces and no changes are proposed to the circulation or number of parking spaces. The existing parking has proven to be sufficient for the existing uses on-site. The property is fully improved with adequate public and private facilities.

REQUIRED ADDITIONAL FINDINGS OF FACT FOR AN AUP FOR ALCOHOL SALES, SERVICE AND CONSUMPTION:

That all the following criteria (set forth in Section 30.49.030) have been met and thoroughly 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. The Glendale Police department has not cited any concerns regarding the on-site sales, service and consumption of beer and wine at the existing full service restaurant.
- 2) That such use does not or will not tend to encourage or intensify crime within the district. The Glendale Police Department has not cited concerns and no evidence has been presented which would indicate that a full service restaurant with the sales, service and consumption of beer and wine at this location would encourage or intensify crime within the district.
- 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). The closest public facility to the proposed project is Glendale High School, located approximately 0.5 miles away and First Lutheran School and Church approximately 0.2 miles away. While residential uses are located nearby, the existing full service restaurant has not proven to impact those uses. There is no indication that the sale of beer and wine will adversely impact abovementioned uses.

Additionally, the project is conditioned to ensure the function of the restaurant and sale of beer and wine in compliance with all municipal codes and state law. The proposed on-site sales, service and consumption of beer and wine with meals at the existing full service restaurant is not anticipated to adversely impact other neighboring uses in this area.

- 4) That adequate parking exists on site to satisfy the transportation or parking needs for the existing use. Adequate access, parking and delivery spaces are available to support the addition of on-site sales, service and consumption of beer and wine at the existing full service restaurant.
- 5) That the existing use will serve a public convenience purpose because the operation of a full service restaurant with on-site sales, service and consumption of beer and wine is consistent with the intent for commercial zones and the General Plan for the City of Glendale. Such uses are intended to serve the neighborhood's needs.

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 as required from Federal, State, County or City authorities including the City Clerk shall be obtained and kept current at all times.
3. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash, and graffiti.
4. That the facilities shall not be rented, leased, or otherwise occupied for the purposes not specified in this application.
5. That any expansion or modification of the facility or use shall require a new administrative use permit. Expansion shall constitute adding of additional floor area, increased hours of operation, or any physical change as determined by the Planning Hearing Officer, with concurrence from the Director of Community Development.
6. That sufficient measures be enforced to effectively eliminate interior and exterior loitering, parking congestion, disturbing noise, disturbing light, loud conversation and criminal activities.
7. That the sales, service and consumption of beer and wine shall be in full accord with the regulations and conditions established by the State Department of Alcoholic Beverage Control.
8. That the parking area shall be kept adequately illuminated for security purposes during all hours of darkness. No lighting shall be installed or maintained that shines or reflects onto adjacent properties.
9. That the premises shall maintain a bona fide restaurant and shall provide a menu containing an assortment of foods normally offered in such restaurant. Food service shall be available at all times and in all areas of the premises during normal operating hours.
10. That the restaurant shall remain open to the public during business hours.
11. That there shall be no bar or lounge area upon the premises maintained solely for the purpose of the sales, service or consumption of beer and wine by patrons.

12. That access to the premises shall be made available upon request to all City of Glendale authorized staff (i.e. Community Development Department, Planning and 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.
13. That the on-site sales, service and consumption of beer and wine shall be in full accord with the regulations and conditions established by the State Department of Alcoholic Beverage Control.
14. That the sale of beer and wine for consumption off the premises is strictly prohibited.
15. That no patrons of the restaurant shall be allowed to bring into the establishment any alcoholic beverages that was purchased from outside of the establishment, unless the facility has an established corkage policy allowing and regulating such.
16. That no exterior signs advertising the sales, service and consumption of beer or wine shall be permitted.
17. 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.
18. That the use shall adhere to the City's Fresh Air (smoking) Ordinance, Title 15, Chapter 8.52 of the Glendale Municipal Code.
19. That a Business Registration Certificate shall be applied for and issued for a full service restaurant with on-site sales, service and consumption of beer and wine subject to the findings and conditions outlined in this decision letter.
20. That authorization granted herein shall be valid for a period of 10 years until **November 19, 2025.**

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 **December 4, 2015** at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday thru Friday 7:00 am to 12:00 pm, or at the Community Development Department (CDD), 633 East Broadway, Room 103, Monday thru Friday 12:00 pm to 5 pm.

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.

REVOCATION, CONTINUING JURISDICTION

Section 30.16.610 of the Glendale Municipal Code, 1995, provides for the Director of Community Development to have continuing jurisdiction over any Administrative Use Permit which is or has been granted and may revoke any Administrative Use Permit in whole or in part at any time for failure to comply with any condition or requirement imposed at the time of approval.

GMC CHAPTER 30.4 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.

Extension

An extension of the administrative 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 administrative use permit.

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, **Bradley Collin**, who can be reached direction at (818) 548-3210 or via email at bcollin@glendaleca.gov. 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,

Phillip Lanzafame
Director of Community Development



Erik Krause
Planning Hearing Officer

Cc: City Clerk (K.Cruz); Police Dept. (Lt.S.Bickle/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(D.Nickles); Dir. Of Public Works (R.Golanian); Traffic & Transportation Section (W. Ko/S. Vartanian); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S. Boghosian); Glendale Water & Power--Electric Section (V. Avedian/B. Ortiz); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (A. Jimenez); Integrated Waste Management Admin. (D. Hartwell); Maintenance Services Section Admin. (D. Hardgrove); Street and Field Services Admin.; Environmental Management (M. Oillataguerra); Ingrid Wilcox; and case planner Bradley Collin.