

March 29, 2017

Janelle Williams
Williams Land Use
2418 Honolulu Avenue, Unit B
Montrose, CA 91020

**RE: 2331 HONOLULU AVENUE – SUITES A-D
ADMINISTRATIVE USE PERMIT NO. PAUP 1627425**

(CASA CORDOBA RESTAURANT)

(ALSO SEE: PARKING REDUCTION PERMIT NO. PPRP 1628270)

Dear Ms. Williams:

On March 29, 2017, the Planning Hearing Officer conducted and closed a public hearing, 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 sale of alcoholic beverages in conjunction with the expansion of an existing full-service restaurant (Casa Cordoba) into an adjacent 793 square-foot tenant space and expand the hours of operation, located at **2331 Honolulu Avenue - Suites A-D**, in the "CR"- Commercial Retail Zone, described as Portion of Lot 317, Tract No. 1701, in the City of Glendale, in the County of Los Angeles.

CODE REQUIRES

Administrative Use Permit

- (1) Alcoholic beverages sales require approval of an Administrative Use Permit in the CR Zone.

APPLICANT'S PROPOSAL

Administrative Use Permit

- (1) To allow the sale and service of beer and wine with a Type 41 Alcoholic Beverage Control (ABC) license in the existing full-service restaurant and proposed expansion, with a request to extend the hours of operation (from 1:00 a.m. to 2:00 a.m., daily) and to allow the service of beer, wine and distilled spirits with a Type 47 ABC license when such license becomes available.

ENVIRONMENTAL DETERMINATION

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

After considering the evidence presented with respect to this application, the Planning Hearing Officer has **APPROVED WITH CONDITIONS** your request based on the following findings:

REQUIRED FINDINGS

Pursuant to Section 30.49 of the Glendale Municipal Code, an administrative use permit is approved based on the following findings of fact and subject to the attached conditions of approval:

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

The proposed expansion of the existing use is consistent with the various elements and objectives of the General Plan, including the North Glendale Community Plan (NGCP). General Plan elements provide citywide policy direction, with the local Community Plans providing specific neighborhood policies, descriptions and design guidelines. The service of alcoholic beverages at this full-service restaurant and the off-site sale of beer and wine are commercial uses, consistent with the goals and objectives of the General Plan and the North Glendale Community Plan. Casa Cordoba is located in the CR Zone, a zone intended to accommodate retail shopping and convenience services in the Montrose Shopping Park in conformance with the Montrose Shopping Park Commercial District designation in the North Glendale Community Plan. Alcoholic beverage sales are a recognized service associated with restaurants and serve a public convenience. Casa Cordoba follows the vision for Montrose Shopping Park to provide pedestrian-friendly destination shopping and dining that is supported by public parking lots, wide sidewalks and shade trees. It is an amenity to support Honolulu Avenue's designation as a Pedestrian Priority area. The restaurant improvements uphold the NGCP Urban Design goals to respect visual character through architectural design and attractive, well-maintained private structures, as well as support preservation of historic resources. It is in keeping with the economic development policy of the NGCP to create and enhance vibrant commercial areas.

The Circulation Element identifies Honolulu Avenue (between La Crescenta Avenue and Montrose Avenue) as an Urban Collector. The predominant land use character of the frontage property on an Urban Collector is community and regional commercial. In addition, this section of Honolulu Avenue is identified in the North Glendale Community Plan as a Pedestrian Priority Area with roadways in commercial mixed-use districts that give first priority to pedestrian amenities, and traffic calming, including wide-sidewalks pedestrian lighting, curb extensions and signalized crosswalks. Casa Cordoba is located in a pedestrian oriented area with wide sidewalks and features outdoor dining.

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 expansion of an existing full service restaurant with on-site sales, service and consumption of alcoholic beverages and off-site sales of beer and wine is not anticipated to be detrimental to the health, safety, general welfare or to the environment. The restaurant has operated successfully for almost five years and similar full service restaurants with off-site alcohol sales have proven to be compatible with the Montrose Shopping Park businesses. Smoking will continue to be prohibited in the outdoor patio areas in accordance with state laws and the City's Fresh Air Ordinance. According to the Glendale Police Department, there were eight calls for service in the last year, but all have been for false alarms and no reports were taken. It is not anticipated that the expansion of the restaurant (both by one hour of extended operations or by the 793 square feet of additional square footage) will contribute to crime in the area if the establishment abides by the recommended conditions.

Although the Glendale Police Department noted that the crime rate for Census Tract 3006 exceeds the average Part 1 crimes for the City (225 crimes – 112% above the city-wide average of 194), these crimes were not associated with the Casa Cordoba location. Suggested conditions made by the Police Department have been included in the draft conditions of approval to ensure that any potential negative impacts will be appropriately mitigated.

Casa Cordoba is located in census tract 3006 which allows for seven On-Sale and five Off-sale establishments. There are currently 32 On-Sale and eight Off-Sale licenses in this tract. Casa Cordoba is one of the existing 32 On-Sale locations. The Police Department did not submit any objections to this request to continue to provide on-sale services.

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

It is not anticipated that the expansion of Casa Cordoba restaurant will be detrimental to the community or adversely conflict with the community's normal development. Both Casa Cordoba and other full service restaurants in the Montrose Shopping Park serve and sell alcoholic beverages without adverse impacts. While outdoor dining may cause noise impacts to neighboring uses, conditions of approval are included to only allow the playing of music at lower levels in the patio, so as not to disturb occupants of other businesses in the building. Dancing is limited up to four special events per year so this restaurant will not become a nightclub. Adequate public and private facilities such as utilities, parking and landscaping exist. This portion of Honolulu Avenue is developed with a variety of retail, restaurant, and service related businesses and Casa Cordoba will continue to complement them. The Montrose Shopping Park Association supports expansion of this restaurant use. There will be no impact to existing traffic, loading, or noise caused by the use. The on-site parking and shared parking lots provided, together with conditions attached herein, is sufficient to assure that the facility will continue to not have a negative impact on the area.

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.

The applicant is proposing to expand an existing full service restaurant and store in the existing structure; therefore, it is not anticipated to increase the need for public or private facilities. The property is in a Pedestrian Priority Area with existing pedestrian amenities and traffic calming, including wide-sidewalks, pedestrian lighting, curb extensions and signalized crosswalks. Existing on-site parking and City Parking Lots 2, 4 and 6 are expected to provide sufficient parking spaces for the restaurant. Alcoholic beverages sales at the expanded restaurant are not anticipated to increase the demand. Uses within the Montrose Shopping Park are encouraged to use shared parking as described in the North Glendale Community Plan (Area 4.5.a). Honolulu Avenue is identified as an Urban Collector, which adequately handles the existing traffic circulation around the site. Public Works Traffic Engineering submits that while on-street parking is in high demand in this project area, this specific project, the hours of operation and peak times proposed should not negatively impact parking in the area.

FURTHER, SINCE THIS REQUEST INVOLVES THE SALE, SERVING OR CONSUMPTION OR ALCOHOLIC BEVERAGES, ADDITIONAL FINDINGS OF FACT MUST BE MADE, AS FOLLOWS:

- 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;**

Casa Cordoba is located in census tract 3006, which allows for seven On-Sale and five Off-sale establishments. There are currently 32 On-Sale and 8 Off-Sale licenses in this tract. Casa Cordoba is one of the existing 32 On-Sale locations. While there is an overconcentration of on-sale and off-sale establishments as recommended by the Department of Alcoholic Beverage Control, Casa Cordoba has operated for five years without detrimental impact to the community. The Montrose Shopping Park is intended to provide a pedestrian friendly experience filled with retail and dining options, and as such, has a larger number of establishments which offer such uses. The Police Department had no objections to this request.

- 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;**

The continued sale of alcoholic beverages with the extended hours of operation at Casa Cordoba is not anticipated to intensify crime within this crime reporting district. Although the Glendale Police Department noted that the crime rate for Census Tract 3006 exceeds the average Part 1 crimes for the City (225 crimes – 112% above the city-wide average of 194), these crimes were not associated with the Casa Cordoba location. Suggested conditions made by the Police Department have been included in the conditions of approval to ensure that any potential negative impacts will be appropriately mitigated.

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;

Casa Cordoba is located in the Montrose Shopping Park, which is designated as a regional shopping area. The restaurant's expanded use will primarily serve food with complementary alcoholic beverage sales, service and consumption. The majority of the area surrounding the subject site is developed with similar land uses as the subject project. Residential uses are located behind the building and across the rear alley; however, it is expected that Casa Cordoba will continue to operate without incident.

There are several institutions, such as schools, churches, and parks located in the general vicinity of the restaurant. However, it is not anticipated that the proposed expansion of the existing restaurant will adversely impact these public institutions. The closest facilities are:

- Christian Science Church, 2406 Honolulu Ave (500 feet west)
- Armenian Sisters Academy, 2361 Florencita Dr (0.2 miles northwest)
- Church of Scientology Mission of The Foothills, 2254 Honolulu Ave (0.2 miles southeast)
- Montrose Church, Main Campus, 2409 Florencita Dr (0.3 miles northwest)
- Holy Redeemer Catholic Church, 2411 Montrose Ave (0.4 miles northwest)
- Light on the Corner Church, 1911 Waltonia Dr (0.4 miles east)
- Montrose Community Park, 3529 Clifton Pl (0.5 miles southeast)
- John C. Fremont Elementary School, 3320 Las Palmas Ave (0.6 miles south)
- Adventist Health Urgent Care, 1975 Verdugo Blvd (0.6 miles east)
- USC Verdugo Hills Hospital, 1812 Verdugo Blvd (0.8 miles east)

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;

Montrose Shopping Park is a Pedestrian Priority Area with existing pedestrian amenities and traffic calming, including wide-sidewalks, pedestrian lighting, curb extensions and signalized crosswalks. The on-site sale, service, and the

consumption of alcoholic beverages, and off-site sale of beer and wine at the Casa Cordoba is not anticipated to intensify traffic circulation or parking demand. There are nine on-site parking spaces and nearby City Parking Lots 2, 4 and 6 (and other shared City Parking lots) provide sufficient parking spaces for this portion of the Montrose Shopping Park. Uses within the Montrose Shopping Park are encouraged to use shared parking as described in the North Glendale Community Plan (Area 4.5.a). Honolulu Avenue is identified as an Urban Collector, which adequately handle the existing traffic circulation around the site. The Traffic Engineer's Section did not submit concerns related to traffic circulation and parking.

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.

That, notwithstanding consideration of the criteria in subsections 1 through 4 above, on-site sales, service and consumption of alcoholic beverages, and off-site sale of beer and wine does serve a public convenience for the area. Compatibility of land uses is important to fostering a productive and thriving community. The service of alcoholic beverages at the expanded full service restaurant and store will serve a public convenience because it serves local residents and businesses. 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. 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. 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.
4. State Accessibility Standards shall be met for all parking requirements and building entrance accessibility as required by the Building and Safety Division.
5. Additional or other building code requirements or specific code requirements may be required upon submittal of plans for building plans check and permit.

6. The hours of operation shall be limited to 7 a.m. to 2:00 a.m. daily, and the restaurant shall remain open to the public during business hours.
7. There shall be no video machine maintained upon the premises.
8. Dancing is limited to four special events per year.
9. Music is permitted within the building and within the outdoor patio. Music shall be kept to lower levels in the patio such that normal conversation can take place at all times, and at a level that would not disturb occupants of other adjacent businesses in the building. The Planning Hearing Officer's opinion shall prevail to arbitrate any conflicts.
10. Live entertainment is permitted in the patio area, so as not to disturb occupants of other adjacent businesses or properties, and patrons on the public right-of-way, with the exception that 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. The Planning Hearing Officer's opinion shall prevail to arbitrate any conflicts. Live entertainment is subject to a separate permit.
11. This approval is limited to a full-service restaurant with the on-site sale, service and consumption of alcoholic beverages and off-site sale of beer and wine, not a tavern. An establishment that primarily provides for the on-premises sale, serving and consumption of alcoholic beverages and that derives more than 50 percent of gross revenues from the sale of alcoholic beverages is by definition of the code a "tavern" and requires approval of a separate conditional use permit. Taverns include bars, pubs, cocktail lounges and similar establishments.
12. A Business Registration Certificate shall be obtained and reference this Administrative Use Permit and parking reduction permit.
13. 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.
14. Graffiti shall be removed in a timely manner.
15. All 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. Lighting may be provided in the patio provided it does not disturb occupants of other adjacent businesses or properties, and patrons on the public right-of-way.
16. The facilities shall not be rented, leased or otherwise occupied for purposes not specified.

17. Any expansion or modification of the facility or use which intensifies this 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.
18. The restaurant, store, and outdoor patios shall adhere to the City's Fresh Air (smoking) Ordinance.
19. The service of alcoholic beverages shall be in full accord with the regulations and conditions established by the State Department of Alcoholic Beverage Control.
20. 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.
21. The authorization granted herein shall be valid for a period of **TEN (10) years, until March 29, 2027**, 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 **APRIL 13, 2017**, 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 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 30.16.610 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.

Cessation

An Administrative Use Permit may be terminated by the review authority upon any interruption or cessation of the use permitted by the Administrative 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. 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,



Laura Stotler
Planning Hearing Officer

LS:KD:sm

CC: City Clerk (K.Cruz); Police Dept. (S.Bickle/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section- (J.Halpert); 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 (S. Mirzaian); 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); Jeannie Bone-owner; and case planner Kathy Duarte.