

October 20, 2017

Applicant:

Vivi Wong
2 East Valley Boulevard #14
Alhambra, CA 91801

**RE: ADMINISTRATIVE USE PERMIT CASE NO. PAUP 1712399
300 HARVEY DRIVE
"Fuji Buffet & Grill"**

The Director of Community Development will render a final decision on or after **November 1, 2017**, for the following project:

Project proposal: Application for an Administrative Use Permit (AUP) to allow the on-site sales, service, and on-site consumption of beer and wine (Type 41) at an existing full-service restaurant in the C2 (Community Commercial) zone.

STAFF RECOMMENDATION: APPROVE WITH CONDITIONS

DRAFT 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, County or City authorities including the City Clerk shall be obtained and kept current at all times.
3. That sufficient measures shall be enforced to effectively eliminate interior and exterior loitering, parking congestion, disturbing noise, disturbing light, loud conversation, and criminal activities.
4. 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.
5. That there shall be no bar or lounge area upon the premises maintained solely for the purpose of sales, service or consumption of beer and wine by patrons.
6. That the service of beer and wine shall be in full accord with the regulations and conditions established by the State Department of Alcoholic Beverage Control.

7. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash, and graffiti.
8. That all signs displayed shall conform to the requirements of the Glendale Municipal Code.
9. That any expansion or modification of the facility or use which intensifies the existing business shall require a new Administrative Use Permit application. Expansion shall constitute adding floor area, increased hours of operation, changes to the use or operation, or any physical change as determined by the Director of Community Development.
10. That no beer and wine shall be sold to be taken from the premises by patrons for off-site consumption.
11. That no patrons of the restaurant shall be allowed to bring into the establishment any alcoholic beverages that were purchased from outside of the establishment, unless the facility has an established corkage policy allowing and regulating such.
12. That at all times when the premises are open for business, the service of beer and wine shall be made only in the areas as designated with the ABC license.
13. That the restaurant shall remain open to the public during business hours.
14. 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.
15. That the front and back doors to the restaurant shall be kept closed at all times while the location is open for business, except in case of emergency.
16. That there shall be no video machine(s) maintained on the premises.
17. That music or noise shall be contained within the edifice of the establishment. The business shall comply with the state and local laws and ordinances concerning excessive noise and disturbing the peace.
18. That access to the premises shall be made available to all City of Glendale Planning and Neighborhood Services Division, Police Department, and Fire Department staff upon request for the purpose of verifying compliance with all laws and conditions of this approval.
19. That the restaurant adhere to the City's Fresh Air Ordinance, Title 15, Chapter 8.52 of the Glendale Municipal Code.
20. That no exterior signs advertising the service of beer and wine shall be permitted.
21. That live entertainment is permitted 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. A Live Entertainment permit must be obtained in accordance with G.M.C 5.60.

22. That a Business Registration Certificate be applied for and issued for a full-service restaurant with the on-site sales, service and consumption of beer and wine, subject to the findings and conditions outlined in this decision letter.

23. That authorization granted herein shall be valid for a period of ten (10) years until **November 1, 2027.**

PROJECT BACKGROUND

Previous Permits for the Site:

On October 15, 2016, Business Registration Certificate No. 03312021 was issued for "Fuji Buffet & Grill", a full-service restaurant. City records indicate that a full-service restaurant with on-site sales, service, and consumption of alcoholic beverages has operated at this location since 1985.

On February 2, 2005, the Zoning Administrator granted with conditions Conditional Use Permit Case No. 10753-CU to allow continued public dancing and the sales, service and on-site consumption of alcoholic beverages with a proposed expansion at an existing full-service restaurant. This conditional use permit expired on February 28, 2015.

On November 20, 2003, the Zoning Administrator granted with conditions Conditional Use Permit Case No. 10561-CU to allow continued public dancing and the sales, service and consumption of alcoholic beverages at an existing full-service restaurant/bar/lounge.

On October 31, 2001, the Zoning Administrator granted with conditions Administrative Exception Case No. 10311-AE to allow a partial enclosure of the proposed power transformer.

On August 7, 2001, the Zoning Administrator granted with conditions Standards Variance Case No. 10239-S to allow ground signs, directional signs, a marquee sign, a flagpole, unenclosed mechanical equipment and directional signs in the street setback area that do not comply with the Zoning Code standards.

On June 7, 1993, the Zoning Hearing Officer granted with conditions Conditional Use Permit Case No. 9086-CU to serve alcoholic beverages and have public dancing at a restaurant.

On December 23, 1987, the Zoning Administrator granted with conditions Conditional Use Permit Case No. 8228-CU to serve alcoholic beverages and have public dancing at a restaurant which is being expanded.

On October 1, 1985, the City Council adopted Ordinance No. 4709 re-zoning the subject property from the R1 One-family Zone to the C2 Limited Commercial Zone.

On August 14, 1985, the Zoning Administrator granted with conditions Conditional Use Permit Case No. 7816-CU to permit the serving of alcoholic beverages and public dancing at a restaurant.

On August 14, 1985, the Zoning Administrator granted with conditions Use and Standards Variance Case No. 7815-U&S to permit a restaurant and bar in the R1 zone with a water feature six feet from the front lot line, two ground signs, and three wall signs.

Related Concurrent Permit Application(s): None on file.

Environmental Recommendation:

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 beer and wine sales for on-site consumption at an existing restaurant and there is no expansion of the existing use proposed beyond its existing conditions.

General Plan:

Community Services

Zone:

C2 – Community Commercial Zone

Description of existing property and uses:

Originally developed in 1985, the subject property is a 131,115 square-foot lot located on the east side of Harvey Drive with the 134 Freeway directly to the south. The project site is currently developed with two free-standing buildings: a 3,200 square-foot fast-food restaurant with a drive-thru (In N’ Out Burger) and the subject full-service restaurant. The existing buffet-style, full-service restaurant, “Fuji Buffet & Grill”, is located in the building on the southern portion of the lot and has been in operation since 2016. The restaurant is 12,600 square-feet in size and features an existing outdoor patio area that is currently being utilized as a waiting area for patrons. This application does not include any outdoor seating for the restaurant use. If, at a later time, the business owners wish to expand to include an outdoor seating area for the restaurant use, a new Administrative Use Permit application will be required. The project site has a total of 186 parking spaces on-site for the two uses, including 10 handicap stalls. The surface parking lot is accessed via an existing driveway located at the intersection of Harvey Drive and Wilson Terrace. The application does not include any changes to the existing site layout, or expansion of the existing full-service restaurant.

Neighboring zones and uses:

	Zoning	Existing Uses
North	SR	Vacant Land / 134 Freeway
South	SR	Vacant Land / 134 Freeway
East	N/A	Vacant Land / City of Los Angeles
West	MS	Vacant Land
Project Site	C2	Full-Service Restaurant , Fast-food Restaurant with Drive-thru facility

COMMENTS FROM OTHER CITY DEPARTMENTS: No major concerns were received from the various City divisions/departments for the existing full-service restaurant to serve beer and wine. Conditions were received from the Police Department to ensure that any potential negative impacts will be appropriately mitigated.

PROJECT ANALYSIS

The applicant is requesting approval of an Administrative Use Permit (AUP) to allow the on-site sales, service, and consumption of beer and wine at an existing buffet-style, full-service restaurant. According to City records, the existing full-service restaurant, "Fuji Buffet & Grill", has operated at this location since 2016. The subject site is located in the C2 Zone and the General Plan Land Use Element designation is Community Services. Goods and services offered in this zone generally attract clientele from the surrounding community. The on-site sales, service and consumption of beer and wine at the existing full-service restaurant at this location is appropriate in an area of the city zoned for commercial uses and approval of this AUP will provide an option for the dining public to enjoy beer and wine with their meals.

The on-site sales, service and consumption of beer and wine at the existing restaurant will be consistent with the elements and objectives of the General Plan. The land use designation of the site is Community Services where retail and restaurant services along major arterials, such as Harvey Drive, are desired. The project site is already developed and the applicant's request is to allow the on-site sales, service and consumption of beer and wine at the existing buffet-style, full-service restaurant. The project site is developed with the subject restaurant, "Fuji Buffet & Grill", and a fast-food restaurant with a drive-thru. The abutting properties include vacant land, and the 134 and 2 Freeways. The Land Use Element is the most directly related to the approval of this use. All other elements of the General Plan, including Open Space, Recreation, Housing, and Noise Elements, will not be impacted as a result of the applicant's request. This application does not include any new floor area or modifications to the existing building; therefore, there will be no increase in required parking for this use. The proposal to add beer and wine sales as an ancillary use will not impact the existing parking and landscaping conditions. The existing on-site parking has proven to be sufficient for the site and has not resulted in conflicts with nearby businesses or residential development. The existing buffet-style, full-service restaurant, "Fuji Buffet & Grill" has operated at this location since 2016. City records indicate that a full-service restaurant with on-site sales, service, and consumption of alcoholic beverages has been in operation at this location since 1985. The applicant's request to allow the on-site sales, service and consumption of beer and wine with meals is not anticipated to create any negative traffic-related impacts on Harvey Drive and Wilson Terrace over and above the existing conditions.

The on-site sales, service, and consumption of beer and wine at the existing full-service restaurant will not be detrimental to the safety and public welfare of the neighborhood in general. According to the Glendale Police Department, the subject property is located in Census Tract 3010, where the suggested limit for on-sale alcohol establishments is four. Currently, there is one on-sale establishment located in this tract for the previous restaurant, "Osaka Seafood Buffet", which had approval for a Type 47 license to allow the on-site sales, service, and consumption of alcoholic beverages. The approval of this AUP would replace this license with a Type 41 for the on-site sales, service and consumption of beer and wine, and would not increase the number of licenses in this tract. Based on Part 1 crime statistics for this census tract, there were 124 crimes in 2016, which is below the citywide average of 194. Within the last calendar year, there were three calls for police service at this location, with only one resulting in a report being taken for a break-in. The Police Department has suggested conditions of approval that have been included in the staff recommendation, to ensure that there are no negative impacts to the public health, safety, general welfare, or the environment.

The on-site sales, service and consumption of beer and wine at the existing full-service restaurant is not anticipated to be detrimental to the community or adversely conflict with the community's normal development. The consumption of beer and wine with food at the existing restaurant will not conflict with the adjacent land uses because it is ancillary to the primary restaurant use. There is one hospital and one church located within the immediate area of the subject site: Glendale Adventist Medical Center, located at 1509 Wilson Terrace (0.2 miles to the northwest), and Vallejo Drive Seventh-Day Adventist Church, located at 300 Vallejo Drive (0.2 miles to the northwest). While these facilities are located in the immediate area, given the nature of consumption of beer and wine with meal service, it is not anticipated that the applicant's request will impede their existing operations. Suggested conditions of approval made by the Police Department, and incorporated in the staff recommendation, ensure that any potential negative impacts will be appropriately mitigated.

Overall, the applicant's request to allow the on-site sales, service and consumption of beer and wine at the existing full-service restaurant, is supportable based on the facts surrounding this application and the findings.

DRAFT FINDINGS

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

The subject site is located in the C2 Zone and the General Plan Land Use Element designation is Community Services. Goods and services offered in this zone generally attract clientele from the adjoining residential neighborhoods as well as the surrounding community. The sales, service and consumption of beer and wine within an existing full-service restaurant at this location is appropriate in an area of the city zoned for commercial and residential uses and will continue to provide an option for the dining public to enjoy beer and wine with their meals.

The on-site sales, service and consumption of beer and wine at the restaurant will be consistent with the elements and objectives of the General Plan. The land use designation of the site is Community Services where retail services along major arterials, such as Harvey Drive, are desired. The project site is already developed and the applicant's request is to allow the on-site sales, service and consumption of beer and wine at the existing buffet-style full-service restaurant. The project site is developed with the subject restaurant, "Fuji Buffet & Grill", and a fast-food restaurant with a drive-thru. The abutting properties include vacant land, and the 134 and 2 Freeways. The Land Use Element is most directly related to the approval of this use. All other elements of the General Plan, including Open Space, Recreation, Housing, and Noise Elements, will not be impacted as a result of the applicant's request. The project site is fully developed and has not been slated for open space or recreation, or for new housing. The proposal to add beer and wine sales for on-site consumption will be ancillary to the existing operation as a full-service restaurant, and as such, is not anticipated to increase the existing noise levels above and beyond the current conditions. This application does not include any new floor area or modifications to the existing building; therefore, there will be no increase in required parking for the use. Adequate utilities, landscaping, and traffic circulation measures are already provided.

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 beer and wine at the existing full-service restaurant, "Fuji Buffet & Grill", will not be detrimental to the health, safety and public welfare of the neighborhood in general. With the 134 Freeway directly to the south, the 2 Freeway directly to the east, and Holly Drive to the north, the project site is isolated, and therefore the applicant's request won't be detrimental to the surrounding environment. According to the Glendale Police Department, the subject property is located in Census Tract 3010, where the suggested limit for on-sale alcohol establishments is four. Currently, there is one on-sale establishment located in this tract for the previous restaurant, "Osaka Seafood Buffet" which had approval for a Type 47 license to allow the on-site sales, service, and consumption of alcoholic beverages. The approval of this AUP would replace this license with a Type 41 for the on-site sales, service and consumption of beer and wine, and would not increase the number of licenses in this tract. Based on Part 1 crime statistics for this census tract, there were 124 crimes in 2016, which is below the citywide average of 194. Within the last calendar year, there were three calls for police service at this location, with only one resulting in a report being taken for a break-in. The Police Department has suggested conditions of approval, that have been included in the staff recommendation, to ensure that there are no negative impacts to the public health, safety, 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.

It is not anticipated that the on-site sales, service and consumption of beer and wine at the existing full-service restaurant will be detrimental to the community or adversely conflict with the community's normal development. The applicant's request to allow the on-site sales, service and consumption of beer and wine with meals is not anticipated to adversely conflict with surrounding properties as it will be ancillary to the existing primary use, a buffet-style, full-service restaurant. The subject property is developed with the subject restaurant, "Fuji Buffet & Grill", and a fast-food restaurant with a drive-thru, "In N Out Burger". The project site is isolated with the abutting properties including vacant land, the 134 Freeway directly to the south, and the 2 Freeway directly to the east.

There is one hospital and one church located within the immediate area of the subject site: Glendale Adventist Medical Center, located at 1509 Wilson Terrace (0.2 miles to the northwest), and Vallejo Drive Seventh-Day Adventist Church, located at 300 Vallejo Drive (0.2 miles to the northwest). While these facilities are located in the immediate area, given the nature of consumption of beer and wine with meal service, it is not anticipated that the applicant's request will impede their existing operations. Suggested conditions of approval made by the Police Department, and incorporated in the staff recommendation, ensure that any potential negative impacts will be appropriately mitigated.

The Circulation Element identifies Harvey Drive as a major arterial street, and Wilson Terrace as a local street. These streets are fully developed and can adequately handle the existing traffic circulation around the site. The applicant's request to serve beer and wine with meals is not anticipated to create any negative traffic-related impacts along Harvey Drive and Wilson Terrace, and other businesses over and above the existing conditions.

The restaurant, "Fuji Buffet & Grill", has been in operation at this location since 2016 without any major incident.

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's request to allow the service of beer and wine at the existing full-service restaurant will not result in inadequate public or private facilities. The project site is already developed and associated facilities are existing. The full-service restaurant, "Fuji Buffet & Grill", has been operating at this location since 2016. City records indicate that a full-service restaurant with on-site sales, service, and consumption of alcoholic beverages has been in operation at this location since 1985. The existing on-site parking has proven to meet the parking demand of the development, and has not resulted in conflicts with nearby businesses or residential development. As identified in the Circulation Element, both Harvey Drive and Wilson Terrace are fully developed streets and can adequately handle the existing traffic circulation adjacent to the site.

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 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 based on the comments submitted by the City of Glendale Police Department. The sale of beer and wine for on-site consumption that is incidental to food service at the existing restaurant site does not, or will not, tend to encourage or intensify crime within this reporting district as noted 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 1 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 have been included in the approval of this application to ensure that any potential negative impacts will be appropriately mitigated. As noted in Finding B above, the crime rate in Census Tract 3010 is below the city average for Part 1 crimes. No evidence has been presented that would indicate that the on-site sales, service and consumption of beer and wine at the subject site would encourage or intensify crime within the district. Suggested conditions of approval from the Police Department have been incorporated into the staff recommendation and will mitigate any potential negative impacts.
- 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 school or college, day care facility, public park, library, hospital or residential use). As noted in Finding C above, there is one hospital and one church located in the surrounding area. While these facilities and uses are in the immediate vicinity (500' radius), given the nature of the consumption of beer

and wine with meal service as an ancillary service, it is not anticipated that the applicant's request will impede their existing operations.

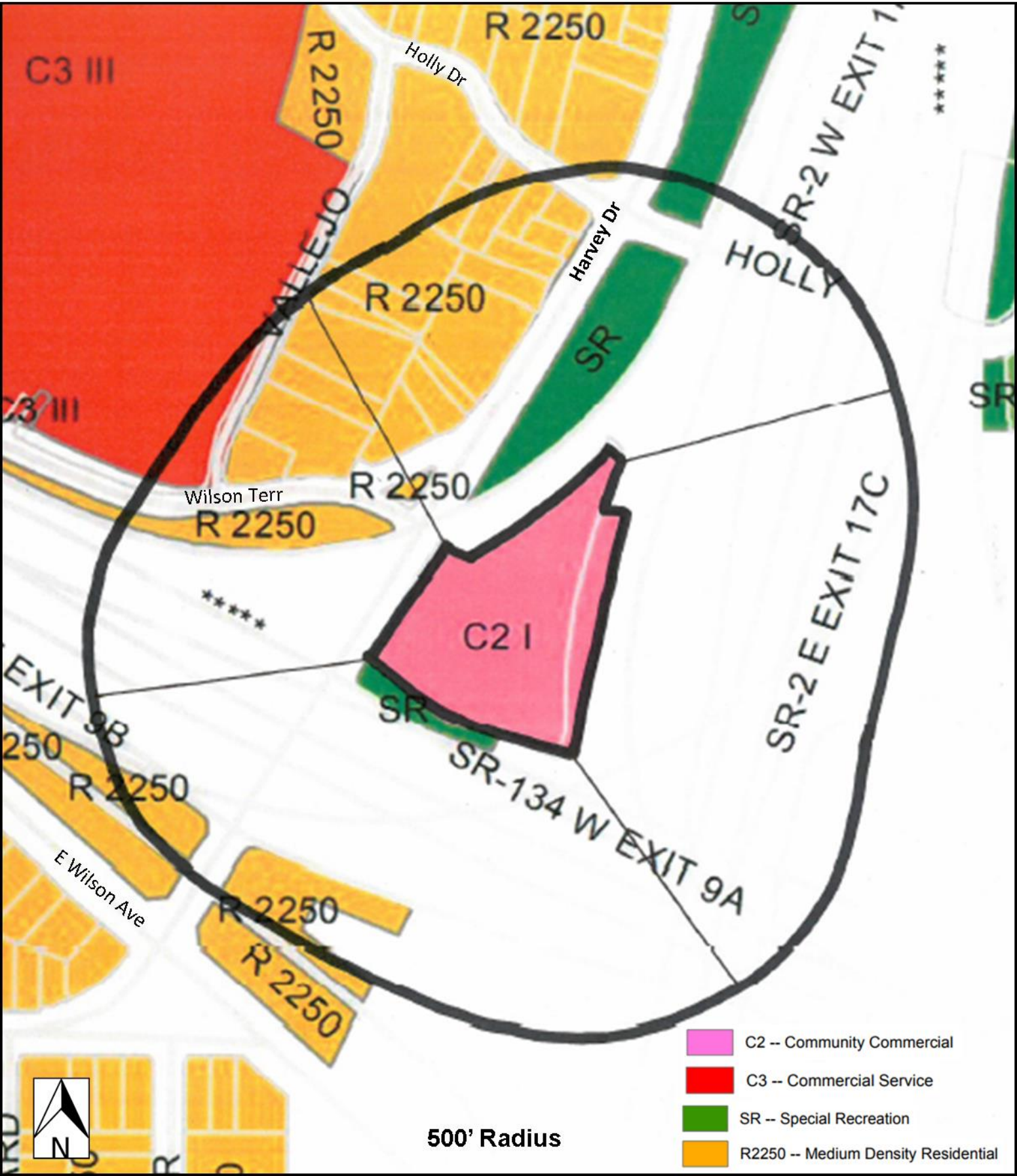
- 4) That adequate parking and loading facilities are or will be provided for the existing or proposed use or other reasonable alternatives satisfy the transportation and parking needs of the existing or proposed use. As noted in Findings C and D above, the applicant's request is not anticipated to increase the need for public or private facilities. The ancillary service of beer and wine at the existing full-service restaurant, "Fuji Buffet & Grill" is not anticipated to intensify traffic circulation or parking demand. The site is fully developed and adequate parking and loading facilities are currently provided.
- 5) That, notwithstanding consideration of the criteria in subsections 1 through 4 above, alcoholic beverage sales, service and on-site consumption does serve a public convenience for the area. The applicant's request to allow the on-site sales, service and consumption of beer and wine at an existing full-service restaurant does serve a public convenience 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.

For more information or to submit comments, please contact the case planner, Vista Ezzati, at 818-937-8180 or vezzati@glendaleca.gov.

ATTACHMENT:

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

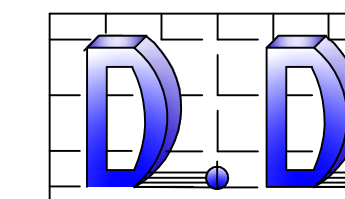
Zoning Map
300 Harvey Drive
Glendale, CA 91206



-  C2 -- Community Commercial
-  C3 -- Commercial Service
-  SR -- Special Recreation
-  R2250 -- Medium Density Residential

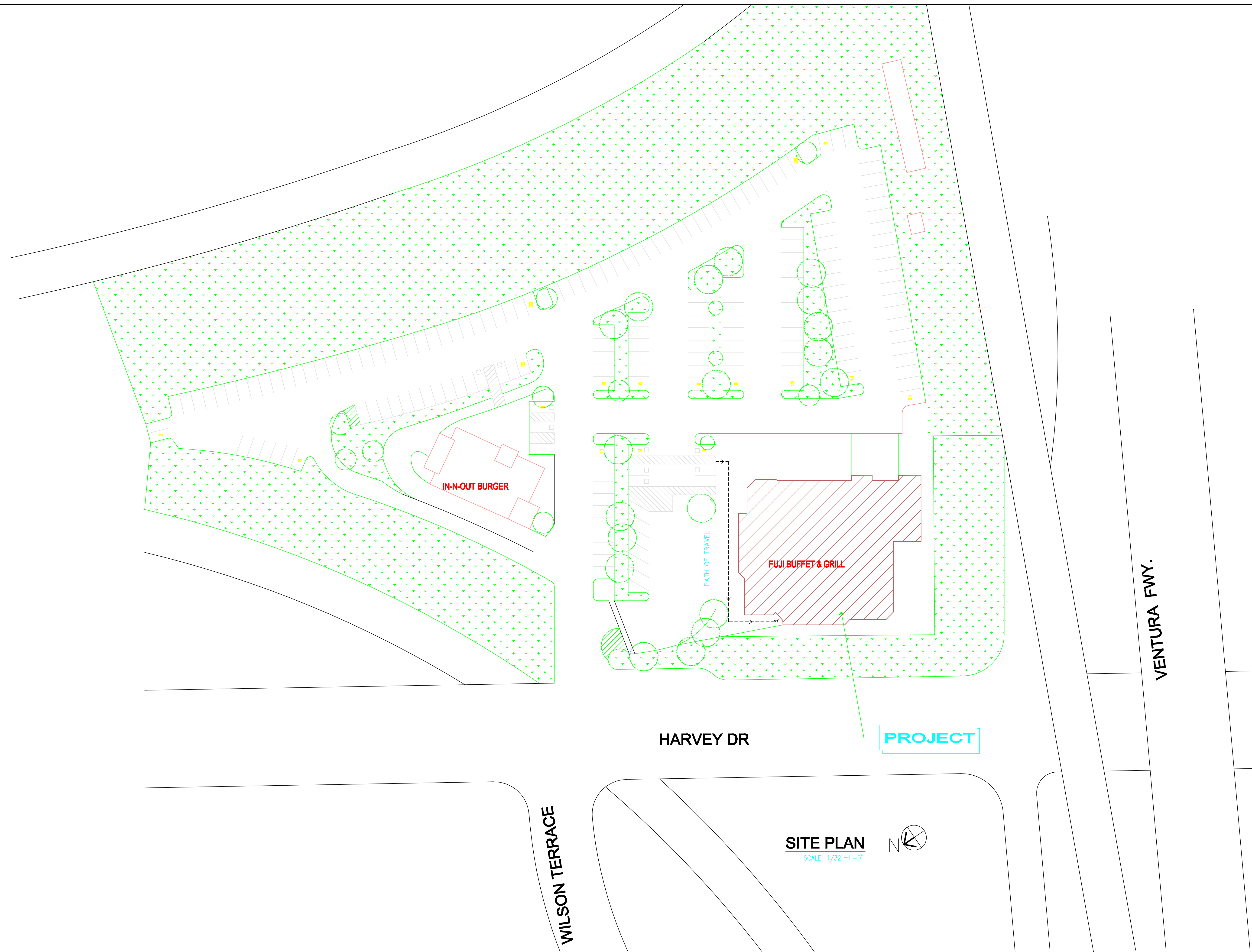
500' Radius





Dependable Design Inc.

615 LAS TUNAS DR., #205
ARCADIA, CA 91007
Tel: (626) 388-4919



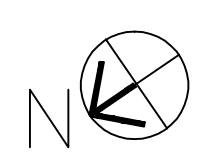
HARVEY DR

WILSON TERRACE

VENTURA FWY.

PROJECT

SITE PLAN
SCALE: 1/32"=1'-0"



PROJECT LOCATION:
(TENANT IMPROVEMENT ONLY)

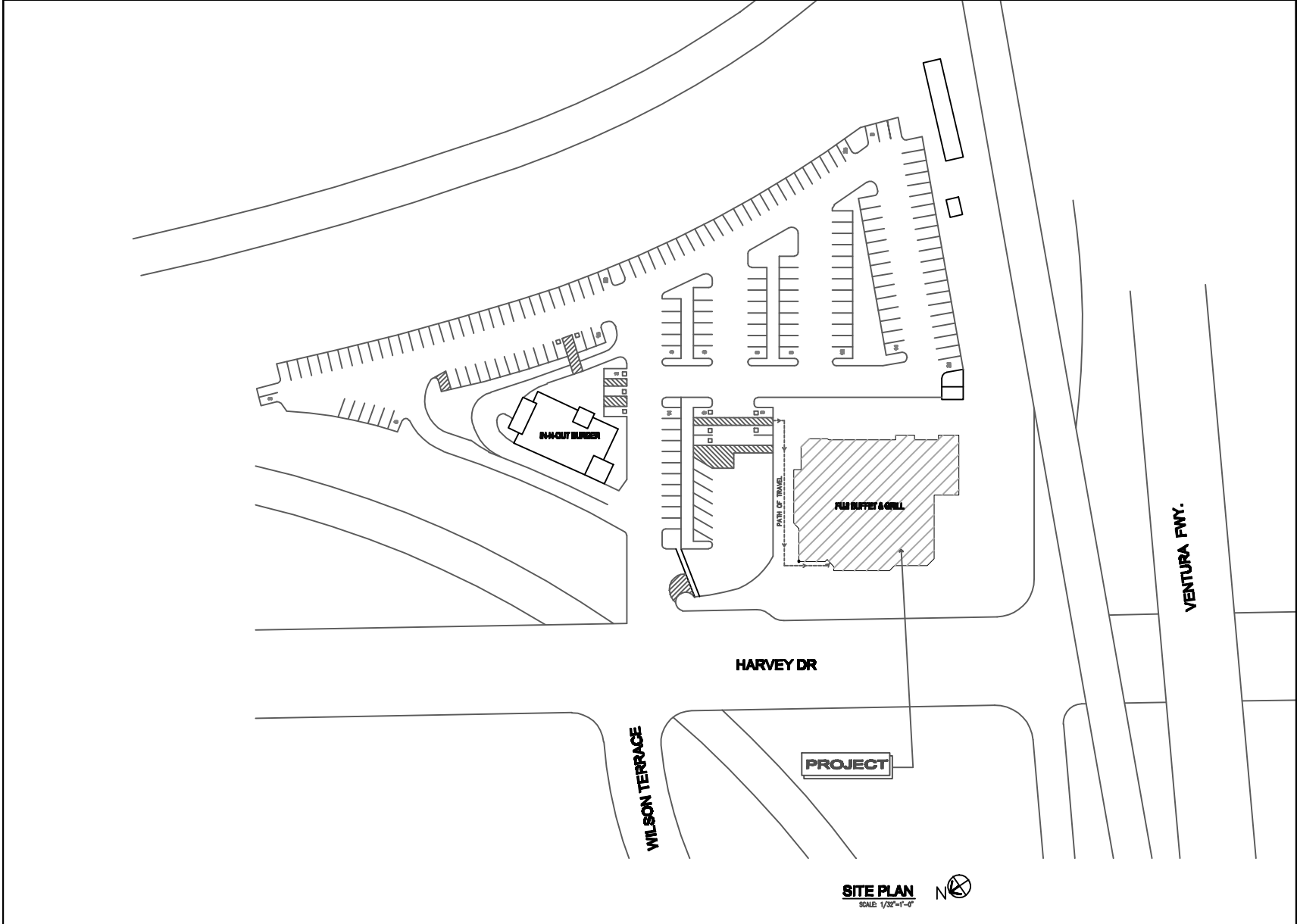
FUJI BUFFET & GRILL
300 HARVEY DR. GLENDALE, CA 91206

DATE	REVISION

Date:	04/10/17
Job No:	C161049
Design By:	JENNY
Drawn By:	JENNY
Scale:	1/32"=1'-0"

Sheet title:
SITE PLAN

Sheet
A-0.1



Dependable Design Inc.
 616 LAS TUNAS DR., #205
 ARCADIA, CA 91007
 Tel: (909) 235-4242

PROJECT LOCATION
 (TENANT IMPROVEMENT ONLY)
FLUJ BUFFET & GRILL
 300 HARVEY DR. GLENDALE, CA 91208

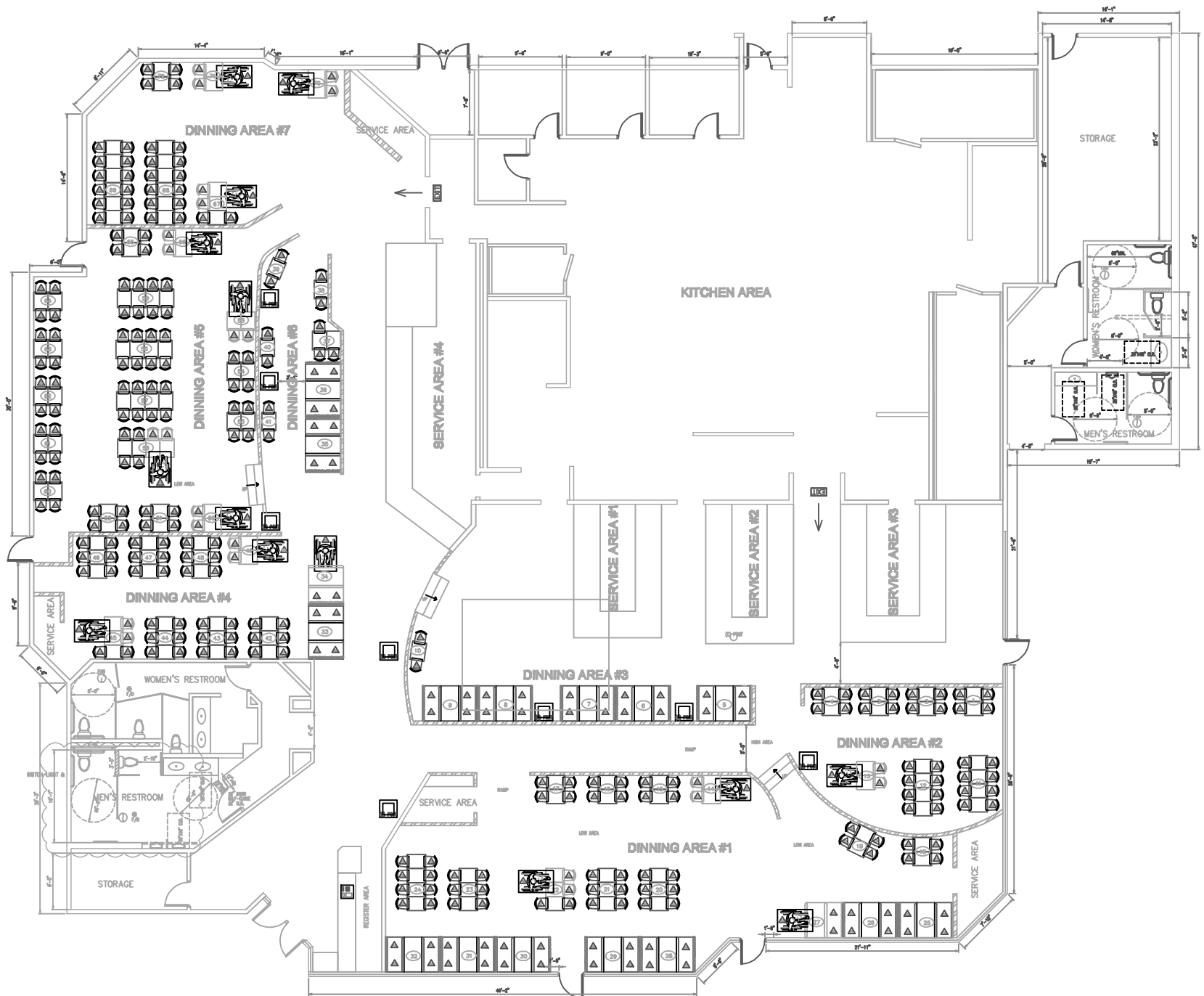


REVISIONS	

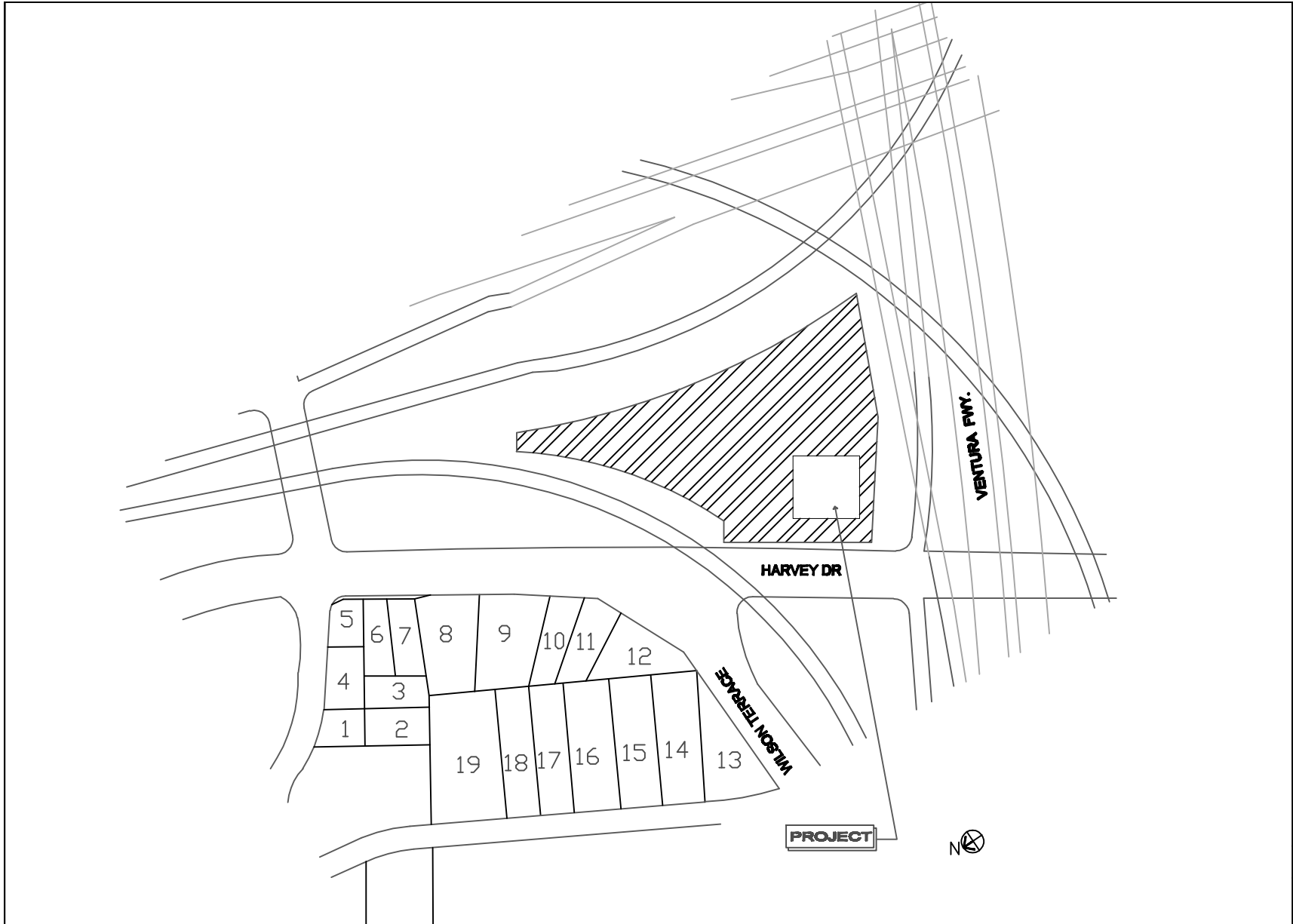
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Job No:	CAG24249
Drawn By:	JMMW
Checked By:	JMMW
Scale:	AS SHOWN

Sheet Title
SITE PLAN

Sheet No.
A-0.1



FLOOR PLAN 
 SCALE: 1/8"=1'-0"
WALL LEGEND
 ——— EXISTING WALL, NO CHANGE.
 - - - NEW LOW PARTITION WALL



Dependable Design Inc.
 616 LAS TUNAS DR., #205
 ARCADIA, CA 91007
 Tel: (916) 225-4545

PROJECT LOCATION
 (TERRAIN IMPROVEMENT ONLY)
FUJI BUFFET & GRILL
 300 HARVEY DR. GLENDALE, CA 91208

PROJECT LOCATION



Date	04/10/22
Job No.	CAG2419
Drawn By	JMM
Check By	JMM
Scale	AS SHOWN

Sheet Title
 LOCATION MAP

Sheet
A-0.2

CITY OF GLENDALE
INTERDEPARTMENTAL COMMUNICATION
Community Development Department
Request for Comments Form (RFC)

DATE: June 20, 2017 **DUE DATE:** July 10, 2017

FROM: Vista Ezzati, Planning Associate **Tel. #** Ext. 8180

PROJECT ADDRESS: 300 Harvey Drive

Applicant: Vivi Wong

Property Owner: Schlesinger Family Limited

PROJECT DESCRIPTION: AUP to allow the continued sales, service, and on-site consumption of alcoholic beverages at an existing full-service (buffet style) restaurant, Fuji Buffet and Grill.

PLEASE CHECK:

A. CITY ATTORNEY

- B. COMMUNITY DEVELOPMENT:**
- (1) Building & Safety
 - (2) Economic Development
 - (3) Housing
 - (4) Neighborhood Services
 - (5) Planning & Urban Design
EIF/Historic District

D. COMMUNITY SERVICES/PARKS:

E. FIRE ENGINEERING (PSC)

- F. GLENDALE WATER & POWER:**
- (1) Water
 - (2) Electric

G. INFORMATION SERVICES
(Wireless Telecom)

- H. PUBLIC WORKS (ADMINISTRATION):**
- (1) Engineering & Environmental Management
 - (2) Traffic & Transportation
 - (3) Facilities (city projects only)
 - (4) Integrated Waste
 - (5) Maintenance Services/Urban Forester

J. GLENDALE POLICE

- K. OTHER:**
- (1) STATE-Alcohol Beverage Control (ABC)
 - (2) CO Health dept.
 - (3) City Clerk's Office

ENTITLEMENT(S) REQUESTED

Variance Case No.: _____
 CUP Case No.: _____
 DRB Case No.: _____

Tentative Tract/Parcel Map No.: _____
 Zone Change/GPA: _____
 Other: _____ PAUP 1712399

**INTER-DEPARTMENTAL COMMUNICATION
PROJECT CONDITIONS AND COMMENTS**

Project

Address: 300 Harvey Drive

Project

Case No.: PAUP 1712399

***NOTE:** Your comments should address, within your area of authority, concerns and potentially significant adverse physical changes to the environment regarding the project. You may also identify code requirements specific to the project, above and beyond your normal requirements. Applicant will be informed early in the development process. You may review complete plans, maps and exhibits in our office, MSB Room 103. We appreciate your consideration and look forward to your timely comments. Please do not recommend APPROVAL or DENIAL. For any questions, please contact the Case Planner ASAP, so as not to delay the case processing.*

COMMENTS:

- This office **DOES NOT** have any comment.
- This office **HAS** the following comments/conditions. (See attached Dept. Master List)

Date: 7-5-17

Print Name: Scott Bickle

Title: Lieutenant Dept. Police Tel.: 818-548-3120

a. ADDITIONAL COMMENTS:

- 1. Applicant Vivi Wong is in the process of obtaining an Administrative Use Permit to allow the continued sales, service and on-site consumption of alcoholic beverages at an existing full-service restaurant (buffet style) located at 300 Harvey Drive DBA Fuji Buffet and Grill.

Fuji Buffet and Grill is located in census tract 3010 which allows for 4 On-Sale establishments. There is currently one On-Sale license in this tract possessed by Osaka Seafood Buffet at the location. Based on arrests and Part 1 crime statistics for census tract 3010 in 2016, there were 124 crimes, below the city wide average of 194.

Within the last calendar year there were 3 calls for police service at the location:

08/24/2016 – Marijuana Infraction (two males behind the Japanese restaurant in a veh smoking marijuana. No DR)

11/09/2016 – 459 Ringer (business was broken in to, DR #16-16898)

12/06/2016 – Rtheft (theft of a purse at location, No DR)

Per the ABC website, this location has an active Type 41 liquor license (On-Sale Beer and Wine – Eating Place) DBA Osaka Seafood Grill, license #521154.

b. CASE SPECIFIC CODE REQUIREMENTS: (these are not standard code requirements)

- 1.

c. SUGGESTED CONDITIONS: (may or may not be adopted by the Hearing Officer)

□ 1.

Suggested Conditions:

1. 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 will only be on those same licensed areas.
2. Sales, service or consumption of alcoholic beverages shall be permitted only between the hours of _____ to _____ each day of the week (*hours to be determined by the Planning / Zoning Administrator – week night and weekend restrictions may be considered*).
3. No patron to any of the business establishments will be allowed to bring into any establishment or maintain in the establishments, any alcoholic beverage unless that alcoholic beverage was purchased within that same establishment unless the facility has an established corkage policy allowing and regulating such.
4. The restaurant shall remain open to the public during business hours. If the establishment has a private party during normal business hours, the restaurant still needs to remain open for business to regular customers.
5. 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.
6. Those premises may be utilized for banquets, private parties, or other events, provided that all events comply with the provisions of the applicant's Alcoholic Beverage Control license, and provided they have appropriate Conditional Use Permits and Use Variances if required.
7. There shall be no video machine maintained upon the premises.
8. Dancing is only allowed on the premises in designated dance floor areas, with a proper "Dance" permit.
9. No live entertainment is permitted without a "Live Entertainment Permit". 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.
10. 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. 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. An establishment that primarily provides for the on-premises sale, serving and consumption of alcoholic beverages and that derives more than fifty (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.
13. Any establishment serving alcoholic beverages which has a dance floor of greater than 200 square feet is considered a nightclub and will require a separate conditional use permit.
14. The sale of beer, wine, and/or distilled spirits for consumption off the premises is strictly prohibited with the exception of the market / liquor store.
15. The Manager and or Staff should be proactive in the enforcement of the City of Glendale Clean Air Act.