

April 25, 2018

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

**RE: 2201 HONOLULU AVENUE
ADMINISTRATIVE USE PERMIT NO. PAUP 1723291
(Gus & Andy's Montrose Grill)
(for Fast Food)**

SEE: (1) PARKING REDUCTION PERMIT PPRP NO.1723295
(2) ADMINISTRATIVE USE PERMIT NO. PAUP 1723293 – (for Alcohol)

Dear Applicant:

On April 25, 2018, 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 Administrative Use Permit No. PAUP 1723291, to allow the change of use from a full-service restaurant to a fast food restaurant within an existing 2,986 square-foot building, located at **2201 Honolulu Avenue** – PAUP 1723291, in the "CR" – Commercial Retail Zone, described as Portions of Lots 71 and 72, Tract No. 1701, in the City of Glendale, in the County of Los Angeles.

CODE REQUIRES

(1) Approval of an Administrative Use Permit is required for fast food restaurant in the "CR" zone.

APPLICANT'S PROPOSAL

(1) An Administrative Use Permit to allow the operation of a fast food restaurant in the "CR" zone.

ENVIRONMENTAL DETERMINATION:

The project is exempt from CEQA review as a Class 1 "Existing Facilities" exemption pursuant to State CEQA Guidelines Section 15301 because the project involves interior and exterior alterations, such as interior partitions, plumbing, and electrical work.

REQUIRED/MANDATED FINDINGS

After thorough consideration of the statements contained in the application, the plans submitted therewith, the above analysis by Community Development Department staff, and any comments received from the public with respect to this application, the Planning Hearing Officer was able to make the required findings and therefore, the Administrative Use Permit (for fast food) is **APPROVED WITH CONDITIONS**, subject to the following findings and conditions of approval:

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

A fast food restaurant will be consistent with the various elements and objectives of the General Plan for the area. The Land Use Element of the Glendale General Plan designates the subject site as Commercial Regional, which typically features goods and services with a wide appeal and drawing power to the area. The North Glendale Community Plan identifies Montrose Shopping Park as a Town Center, a community-oriented shopping street which encourages a variety of shops, restaurants and cafes and where façade improvements that enhance the area are encouraged. The subject property is located within the Montrose Shopping Park, which is similar to a large outdoor mall; whereby, patrons park in one spot and walk to the various shops, services, and dining destinations. A fast food restaurant land use offers a complementary element to commercial activity within the Montrose Shopping Park and the proposed façade improvements are consistent with desired enhancements.

The project site is located at the corner of Honolulu Avenue and Montrose Avenue/Verdugo Road. The Circulation Element identifies Honolulu Avenue as an Urban Collector, and Montrose Avenue and Verdugo Road, both as, Major Arterials. The functional purpose of urban collectors is to distribute traffic from connecting local streets onto major/minor arterial streets. Urban collectors also serve light truck traffic (to a lesser extent than minor arterials), service as transit routes, and are candidates for bicycle lanes or routes. The functional purpose of major arterial streets is to handle the heavier traffic volumes and distribute traffic to freeways, collector streets and business centers within and outside of the City's boundaries. Provided Honolulu Avenue and Montrose Avenue/Verdugo Road are designed to accommodate various types of commercial use, and the project site had been utilized as a full-service restaurant for the past 20 years, the project is consistent with the Circulation Element. Given that the project site is already developed and the administrative use permit application requests a fast food restaurant within a "CR" zone, other elements of the General Plan, including the Open Space, Recreation, Housing and Noise Elements, will not be impacted as a result of the project.

Therefore, the proposed use is in keeping 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.

A fast food restaurant at the proposed location will not be detrimental to the safety and public welfare of the neighborhood in general. Restaurants, in general, are a common use within the "CR" zone and the Montrose Shopping Park. For the past 20 years, the subject location has operated as a full-service restaurant (previously, Rocky Cola Café). The proposed fast food restaurant, Gus & Andy's Montrose Grill, is defined by the zoning code as a fast food restaurant because patrons will order their meal from a counter. The proposed business is very similar to a full service restaurant, which patrons will be served by an employee to serve food, beverages (including alcohol) and bus tables. The only exception is that ordering of meals will be at a counter. Within the last calendar year there were no calls for service at this location. Neither the Glendale Police Department nor Neighborhood Services Division cited concerns related to this administrative use permit.

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

The proposed fast food restaurant will not adversely affect or conflict with the adjacent uses due to it being one of several restaurant uses within the Montrose Shopping Park. The fast food restaurant will be located within an existing building that was previously occupied by a full service restaurant (Rocky Cola Café) for the past 20 years. While there are no proposed increases in the floor area of the building; the applicant will be modifying the façade of the building to return to its original façade. The applicant is proposing to improve the building with folding-windows along the street frontage along Honolulu Ave and Montrose Avenue/Verdugo Road. Because the project site is located at an active intersection within an active shopping park, the fast food restaurant and its improvements are consistent with adjacent uses and will not negatively impact them or impede the normal development of the surrounding properties.

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.

Gus & Andy's Montrose Grill will be located within an existing one story, 2,986 square foot commercial building constructed in 1923. Utilities for water, electricity, sewer and trash are currently provided at the subject site. The commercial building occupies most of the lot and was constructed without any on-site parking spaces or landscaping. There are space restrictions on the property that prevent additional on-site parking or landscaping to enhance the curb appeal of the building or additional benefit to the neighborhood.

A Parking Reduction Permit (Case No. PPRP 1723295) to reduce the number of required off-street parking spaces for the proposed fast food restaurant has been approved, concurrent with this approval. A parking study was prepared by the applicant to evaluate the demand of parking spaces within a specific study area of the Montrose Shopping Park, which concluded that there are adequate amount of parking spaces available at the three nearby city parking facilities, as well on-street within the immediate area, to accommodate the change of use.

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 permits shall be obtained from the Building and Safety Division and all construction shall be in compliance with the Glendale Building Code and all other applicable regulations.
3. That the applicant shall apply for a Business Registration Certificate (BRC) for a fast food restaurant, subject to the findings and conditions outlined in this decision. Approval for a BRC shall be obtained prior to opening the fast food restaurant.

4. That this administrative use permit is issued in tandem with Parking Reduction Permit - PPRP 1723295.
5. 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.
6. That sufficient measures shall be enforced to effectively eliminate interior and exterior loitering, parking congestion, disturbing noise, disturbing light, loud conversation, and criminal activities.
7. That all music, lighting, noise and odors shall be confined to the occupancy so as not to disturb occupants of other adjacent business or properties and patrons on the public right-of-way. The business shall comply with all state and local laws and ordinances concerning excessive noise and disturbing the peace.
8. That no lighting shall be installed or maintained that shines or reflects onto adjacent properties.
9. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash, and graffiti.
10. That a sidewalk dining permit shall be required for tables and seating on the public right-of-way.
11. That there shall be no video machines maintained upon the premises.
12. That no speaker systems shall be installed on the south or east side of the building.
13. That there shall be no dancing at any time on the premises.
14. That no live entertainment shall be permitted without obtaining 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.

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 **May 10, 2018**, at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday thru Friday 7:00 a.m. to 12:00 p.m., or at the Community Development Department (CDD), 633 East Broadway, Room 103, Monday thru Friday 12:00 p.m. to 5:00 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 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over variances, administrative use permits, and conditional use permits (individual cases heard and decided upon by the Planning Hearing Officer).

To consider the revocation, the Planning Hearing Officer shall hold a public hearing after giving notice by the same procedure as for consideration of an administrative use permit at least ten (10) days notice by mail to the applicant or permittee. Continuing jurisdiction over any case is the purview of the Planning Hearing Officer, with concurrence by the Director of Community Development.

GMC CHAPTER 30.41 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.

2201 HONOLULU AVENUE
ADMINISTRATIVE USE PERMIT NO. PAUP 1723291 (fast food)
(Gus & Andy's Montrose Grill)

Cessation

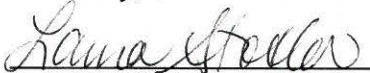
An Administrative Use Permit may be terminated by the review authority upon any interruption or cessation of the use permitted by the Administrative Use Permit for one year or more in the continuous exercise in good faith of such right and privilege.

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, 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.

Should you have any questions regarding this issue, please do not hesitate to contact the case planner, Dennis Joe at (818) 937-8163 or djoe@glendaleca.gov.

Sincerely,



Laura Stotler
Planning Hearing Officer

LS:DJ:sm

CC: City Clerk (K.Cruz); Police Dept. (A.Jenks/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(J.Halpert); Traffic & Transportation Section (P.Casanova); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S. Boghosian/R.Takidin); Glendale Water & Power--Electric Section (B. Alshanti/B.Ortiz/E.Olsen); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (R.Sada/J.Jouharian/); Integrated Waste Management Admin. (D. Hartwell); Maintenance Services Section Admin. (D. Hardgrove/J.Cawn); Street and Field Services Admin.; Engineering and Environmental Management (C.Chew/R. Villaluna); and case planner – Dennis Joe.