



**CITY OF GLENDALE, CALIFORNIA**

Community Development  
Planning

633 E. Broadway, Suite 103  
Glendale, CA 91206-4311  
Tel. (818) 548-2140 Fax (818) 240-0392  
glendaleca.gov

---

July 6, 2020

Yepremian Consulting  
Shoghig Yepremian  
P.O. Box 583  
Sierra Madre, CA 91025

**RE: 1143 EAST BROADWAY  
ADMINISTRATIVE USE PERMIT CASE NO. PAUP 2003156  
(HAVLABAR RESTAURANT)**

Dear Ms. Yepremian:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.49, the Community Development Department has processed your application for an Administrative Use Permit to allow the on-site sales, service, and consumption of alcoholic beverages (ABC License Type 47) at an existing full-service restaurant (Havlabar), located at **1143 East Broadway**, in the "C1" – Neighborhood Commercial Zone, described as Lot A, Parcel Map 28-9/5674-002-028, in the City of Glendale, County of Los Angeles.

CODE REQUIRES

(1) The sale of alcoholic beverages requires an Administrative Use Permit in the "C1" (Neighborhood Commercial) Zone. (GMC 30.12.020, Table 30.12-A).

APPLICANT'S PROPOSAL

(1) To allow the sale of alcoholic beverages for on-site consumption at an existing full-service restaurant located in the "C1" Zone.

ENVIRONMENTAL DETERMINATION

The project is exempt from CEQA as a Class 1 "Existing Facilities" exemption, pursuant to Section 15301 (e) of the State CEQA Guidelines because the discretionary permit request is to allow for on-site sales, service and consumption of alcoholic beverages at an existing full-service restaurant and there is no added floor area proposed.

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

## REQUIRED/MANDATED FINDINGS

After thorough consideration of the statements contained in the application, the plans submitted therewith, the analysis by Community Development Department staff, and any comments received from the public with respect to this application, this Administrative Use Permit application is approved based on the following:

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

The on-site sales, service, and consumption of alcoholic beverages at an existing full-service restaurant will be consistent with the various elements and objectives of the general plan. The project site is located within the Neighborhood Commercial Zone (C1). Goods and services that are offered in this zone generally attract clientele from the adjoining residential neighborhoods as well as the surrounding community. The Land Use Element of the Glendale General Plan designates the subject site as Neighborhood Commercial where restaurant uses along a minor arterial, like East Broadway, are desired. The project site is already developed and the applicant's request to allow the sales, service and consumption of alcoholic beverages at this location is appropriate in an area of the city zoned for commercial uses and will continue to provide an option for the dining public to enjoy alcoholic beverages with their meals.

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, and Housing, 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. The proposal to allow the sales, service and on-site consumption of alcoholic beverages at an existing full-service restaurant is consistent with the Noise Element and is not anticipated to increase the existing noise levels beyond the current conditions; however, based on comments received by the public, conditions have been added to ensure that potential noise impacts are adequately addressed. This application does not include any new floor area or modifications to the existing building, and adequate utilities, landscaping, and traffic circulation measures are already provided.

The Circulation Element identifies North Chevy Chase Drive and East Broadway as minor arterials. These streets are fully developed and can adequately handle the existing traffic circulation around the site. The applicant's request to operate the existing full-service restaurant with the sale of alcoholic beverages for on-site consumption is not anticipated to create any negative traffic-related impacts along North Chevy Chase Drive and East Broadway and other businesses over and above the existing conditions.

**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 operation of a full-service restaurant with the sale of alcoholic beverages for on-site consumption will not be detrimental to the health, safety and public welfare of the neighborhood in general. According to the Glendale Police Department, the subject property is located in Census Tract 3020.04, where the suggested limit for on-sale alcohol establishments is four. Currently, there is one on-sale establishment located in this tract and "Havlabar" will be the second license in this Tract. Based on Part 1 crime statistics for this Census Tract, there were 73 crimes in 2019, 56% below the citywide average of 167. Within the last calendar year, there were two calls for police service at this location related to the business selling alcohol to customers without a liquor license. The first call was on August 5, 2019, and no units were available to check the location due to a high priority call during the same time, and when units were available, the location was already closed. The second call came in from the same individual on August 13 2019, to report the business selling alcohol without a liquor license, and when officers arrived at the location, there was no evidence of a crime. Approval of the Administrative Use Permit will require the applicant to obtain the necessary license from the State Department of Alcoholic Beverage Control. Additionally, the Glendale Police Department has suggested conditions that have been added to this approval 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.**

The on-site sales, service, and consumption of alcoholic beverages at the existing full-service restaurant, "Havlabar" will not adversely conflict with adjacent uses or impede the normal development of surrounding property, as conditioned. The restaurant operation will not impede normal development within the surrounding area, since the project site is already fully developed and given the proposed administrative use permit is for alcoholic beverage sales for on-site consumption at an existing restaurant.

It is not anticipated that the on-site sales, service and consumption of alcoholic beverages at an existing full-service restaurant, "Havlabar" will be detrimental to the community or adversely conflict with the community's normal development. Their 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 or adjacent uses as it will be ancillary to the primary use, a full-service restaurant. The subject property is surrounded by other complementary businesses, including retail and service uses with residential uses in the vicinity.

There are four public facilities within the immediate area of the subject site: John Marshall Elementary School at 1201 East Broadway (directly across the street to the east), Tufenkian Pre-school located at 1200 Carlton Drive (0.1 miles to the south east), The Church of Jesus Christ of Latter Day Saints located at 1130 East Wilson Avenue (0.2

miles to the north), and Wilson Mini Park located at 1101 East Wilson Avenue (0.3 miles to the northwest). While these facilities and uses are within close proximity, the applicant's request will not the impede the operation of or conflict with such land uses. The low-intensity nature of the on-site consumption of alcoholic beverages would not negatively impact this facility in the way that other establishments live a tavern, bar, or nightclub could.

**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.**

Adequate public and private facilities such as utilities, landscaping, parking spaces, and traffic circulation measures are provided for the existing restaurant use. The project site is already developed as are the associated facilities. There are a total of 14 parking spaces available on-site for the commercial tenants of the shopping center where the restaurant is located. Access to the parking area is taken from existing driveways located off north Chevy Chase Drive and East Broadway. The parking demand is not anticipated to intensify based on the applicant's request to allow for the on-site sales, service and consumption of alcoholic beverages at the existing restaurant. The Circulation Element identified North Chevy Chase Drive and East Broadway as minor arterials. These streets are fully developed and can adequately handle the existing traffic circulation around the site. The applicant's request to allow the on-site sales, service, and consumption of alcoholic beverages will not require any new city services, nor will it require any changes to the parking or traffic circulation, as it is ancillary to the existing, primary restaurant use.

**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 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. As described above in Finding B the existing restaurant, "Havlabar" will be the second license in this tract, where four is the recommended maximum. As such, there will not be an over concentration of on-site sales of alcoholic beverages.
- 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 because conditions of approval have been included in the approval of this application to ensure that any potential negative impacts will be appropriately mitigated, as described in Finding B above.

- 3) That such use 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), as noted in Finding C above.
- 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 described in Finding D above.
- 5) That notwithstanding consideration in subsections 1 through 4 above, the operation of a full-service restaurant with the sales, service and consumption of alcoholic beverages for on-site consumption does serve a public convenience for the area because it would provide alcoholic beverages in conjunction with food service at a full-service restaurant for 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.

## **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, 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 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.
5. That no patrons of the restaurant shall be allowed to bring into the establishment any alcoholic beverage that was purchased from outside of the restaurant, unless the restaurant has an established corkage policy allowing and regulating such.

6. That there shall be no video machine(s) maintained upon the premises.
7. 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.
8. That 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.
9. That 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.
10. That the front and back doors of the restaurant shall be kept closed at all times while the location is open for business, except in case of emergency.
11. That the establishment (restaurant) 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. That the sale of alcohol for consumption off the premises is strictly prohibited.
13. That the restaurant shall adhere to the City's Fresh Air Ordinance, Title 15, Chapter 8.52 of the Glendale Municipal Code.
14. That the restaurant shall be operated in full accord with applicable State, County, and local laws.
15. That access to the premises shall be made available to all City of Glendale Planning and Neighborhood Services Divisions, Police Department, and Fire Department staff upon request for the purpose of verifying compliance with all laws and conditions of this approval.
16. That a Business Registration Certificate be applied for and issued for a full service restaurant with sales, service and consumption of alcoholic beverages, subject to the findings and conditions outlined in this decision letter.
17. That no exterior signs advertising alcoholic beverages shall be permitted.
18. That there shall be no bar or lounge area on the premises maintain solely for the purpose of sale, service, or consumption of alcoholic beverages by patrons of the restaurant.

## 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.

Due to the current COVID-19 social distancing and work from home orders issued by federal, state and local governmental agencies, in order for any appeal to be considered timely, **the appeal must be postmarked by the JULY 21, 2020 deadline (mailed to Community Development Department – Planning Division, Attention: Vista Ezzati, 633 East Broadway, Room 103, Glendale, CA 91206) OR emailed to the case planner (Vista Ezzati at [vezzati@glendaleca.gov](mailto:vezzati@glendaleca.gov)) prior to the close of said business day.** The prescribed fee must be included along with the appeal application and may be submitted either in the form of a check or credit card payment. For credit card payment, please contact the case planner to make arrangements with the cashier. Note: The standard 2.5% fee for credit card payment applies.

## APPEAL FORMS available on-line:

<https://www.glendaleca.gov/home/showdocument?id=11926>

If you have any questions, please do not hesitate to call me at (818) 937-8180.

(email: [vezzati@glendaleca.gov](mailto:vezzati@glendaleca.gov))

***Anyone wishing to appeal must contact the case planner to obtain forms and information regarding the appeal process and submittal.***

## 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 administrative use permits. To consider the revocation, the Planning Hearing Officer shall hold a public hearing after giving notice by the same procedure as for consideration of a conditional 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 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.

#### 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.

#### EXTENSION

Permits granted by such right or privilege may be requested one time and extended for up to a maximum of one 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 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 exception.

### **NOTICE – subsequent contacts with this office**

The Applicant is further advised that all subsequent contacts with this office regarding this determination must be with the Case Planner first and then, the Hearing Officer who acted on this case. 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, Vista Ezzati during normal business hours at her direct line (818) 937-8180 or



[VEzzati@glendaleca.gov](mailto:VEzzati@glendaleca.gov), between 8:30 a.m. to 5:30 p.m. weekdays.

Sincerely,  
Philip Lanzafame  
Director of Community Development



---

Erik Krause  
Planning Hearing Officer

EK:VE:sm

cc: City Clerk (K.Cruz); Police Dept. (J.Newton/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. B.Ortiz/E.Olsen/ M.Navareete/M.Kouassi); 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); Street and Field Services Admin.; Engineering and Environmental Management (C.Chew/R. Villaluna); Gegook; Jenna Dunaetz; and case planner – Vista Ezzati.