



**CITY OF GLENDALE, CALIFORNIA**  
Community Development

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glendaleca.gov

August 21, 2023

Robert Montano  
Adept Development  
388 Cordova Street, Suite 280  
Pasadena, CA 91101

**RE: ADMINISTRATIVE USE PERMIT CASE NO. PAUP-000916-2023**  
**515 WEST BROADWAY, SUITE 111**  
**(Katsin USA)**

Dear Mr. Montano:

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 a new full-service restaurant (Katsin USA) located in the "SFMU" – Commercial/Residential Mixed Use Zone described as Portions of Lots 1 thru 5, Tract No. 4672 and Portions of Lots 25 thru 28, Tract No. 3632 in the City of Glendale, County of Los Angeles.

**CODE REQUIRES**

- (1) The sale of alcoholic beverages requires an Administrative Use permit in the "SFMU" (Commercial/Residential Mixed Use) Zone (GMC 30.14.020, Table 30.14-A).

**APPLICANT'S PROPOSAL**

- (1) To allow the renewal of the sale of alcoholic beverages for on-site consumption at a new full-service restaurant in the "SFMU" Zone.

**ENVIRONMENTAL DETERMINATION**

The project is exempt from CEQA review as a Class 1 "Existing Facilities" exemption pursuant to Section 15301 of the State CEQA Guidelines, because the discretionary permit request is to allow for the on-site sales, service, and consumption of alcoholic beverages at a new full-service restaurant within an existing commercial space.

## REQUIRED/MANDATED FINDINGS

After considering the evidence presented with respect to this application, all of the required findings can be made in support of the application. The Director of Community development has **GRANTED WITH CONDITIONS**, your application based on the following findings:

**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 a new full-service restaurant will be consistent with the various elements and objectives of the general plan. The project site is located within the Commercial/Residential Mixed Use (SFMU) Zone. The Land Use Element of the Glendale General Plan designates the subject site as Mixed Use and is intended for a compatible mix of or stand-alone commercial, industrial, and/or residential land uses. On-site sales, service, and consumption of alcoholic beverages at a new full-service restaurant complements various commercial and multifamily residential uses and is consistent with this General Plan designation. The on-site sales, service, and consumption of alcoholic beverages at a new full-service restaurant at this location is appropriate in an area of the city zoned for commercial/residential mixed use and multifamily residential use and will provide an option for the dining public and residents of the surrounding neighborhood 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 Elements, will not be impacted as a result of the applicant's request. The project site is fully developed and has not been selected for open space or recreation. The proposal for on-site sales, service, and consumption of alcoholic beverages at a new full-service restaurant is consistent with the Noise Element and is not anticipated to increase the existing noise levels beyond the current conditions. 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 West Broadway and South Pacific Avenue as minor arterials and North Kenilworth Avenue as a community collector. These streets are fully developed and can adequately handle the existing traffic circulation around the site. The applicant's request for on-site sales, service, and consumption of alcoholic beverages at a new full-service restaurant is not anticipated to create any negative traffic-related impacts along West Broadway, South Pacific Avenue, and North Kenilworth Avenue 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 new full-service restaurant with the sale and service 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 in Census Tract 3017.02. There are currently four off-sale licenses in this tract. Based on arrests and Part 1 crime statistics for census tract 3017.02 in 2021, there were 139 crimes, 17% below the city wide average of 167. Within the last calendar year, there were no calls for service to the Glendale Police Department for this location. The Glendale Police Department did not cite any concerns with the applicant's request to allow the on-site sales, service, and consumption of alcoholic beverages at a new full-service restaurant at this location and suggested conditions of approval have been included to mitigate any potential negative impacts.

**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 a new full-service restaurant, Katsin USA, will not adversely conflict with adjacent uses or impede the normal development of surrounding property, as conditioned. The applicant's request to operate a new restaurant with on-site sales, service, and consumption of alcoholic beverages would not conflict with adjacent and surrounding land uses. In fact, this type of use is encouraged in this commercial/residential mixed-use area. The proposed restaurant will not impede normal development within the surrounding area, since the project site is already fully developed; the use should not impede any redevelopment along West Broadway, South Pacific Avenue, or North Kenilworth Avenue, given the proposed administrative use permit is for the on-site sales, service, and consumption of alcoholic beverages at a new full-service restaurant within an existing tenant space.

It is not anticipated that the on-site sales, service, and consumption of alcoholic beverages at a new full-service restaurant, Katsin USA, 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 alcoholic beverages at a new full-service restaurant is not anticipated to adversely conflict with surrounding properties or adjacent uses as it will be ancillary to the primary use.

The subject property is surrounded by other complementary businesses, including retail, restaurant, and service uses, as well as residential uses and a place of worship in the vicinity. Multi-family residential uses are located on top of the subject restaurant within the subject mixed-use building, as well as within adjacent buildings to the north and west. However, given the that the administrative use permit request is limited to on-site sales, service, and consumption of alcoholic beverages with meals, the applicant's request, as conditioned, will not adversely impact the neighborhood. There are two schools, three churches, and 17 daycare centers located within the immediate area of the subject site: Columbus Elementary School at 425 W Milford Street (0.5 mile to the north) and Thomas Edison Elementary School at 435 South Pacific Avenue (0.5 mile to the south); First Evangelical Church Glendale across the street at 522 W Broadway, Armenian Apostolic Saint Sarkis Church at 334 N Pacific Avenue (0.3 mile to the north), and Glendale Community Church-God at 545 W California Avenue (0.3 mile to the south); Kids Dream House at 450 West Broadway (0.1 mile to the east), Simonyan Family Child Care WeeCare at 446 West Broadway (0.1 mile to the east), Artek Child Daycare at 546 West Broadway

(0.1 mile to the west), My Happy Corner Family Child Care at 452 Salem Street (0.2 mile to the north), Duckling Child Care at 467 West Harvard Street (0.2 mile to the north), Sunshine Family Child Care at 153 South Pacific Avenue (0.2 mile to the south), Happy Place Child Care at 450 West Harvard Street (0.3 mile to the north), Honey Bear Child Care and Preschool at 532 West Harvard Street (0.3 mile to the south), Potter's Child Care Center at 211 South Pacific Avenue (0.3 mile to the south), Growing Years Children's Academy at 211 South Pacific Avenue (0.3 mile to the south), Karine's Family Child Care at 637 Hawthorne Street (0.4 mile to the west), Little Maestros Child Care at 362 Salem Street (0.4 mile to the northwest), GARUN Family Child Care at 355 Salem Street (0.4 mile to the northwest), Pacific Avenue Education Center at 440 West Lomita Avenue (0.5 mile to the south), Effective Learning Daycare at 501 W Doran Street Apt. #4 (0.5 mile to the north), Vardanyan Family Child Care at 320 West Lexington Drive (0.7 mile to the northwest), and Haykazunyadz Armenian School at 125 South Louise Street (0.8 mile to the east). There are no known hospitals within the immediate area of the new restaurant. While residential uses are located nearby, the project is conditioned to ensure the operation will be in compliance with all applicable federal, state, and local laws. The low-intensity nature of the on-site sales, service, and consumption of alcoholic beverages with meals ancillary to a full-service restaurant would not adversely impact these facilities in the way other establishments like 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 use. The project site is already developed as are the associated facilities. There are a total of 69 parking spaces available on-site for commercial tenants, and the proposed full-service restaurant use will require 59 parking spaces. Access to the ground-level parking area is taken from existing driveways located off West Broadway and South Pacific Avenue. The parking demand is not anticipated to intensify based on the applicant's request to allow the on-site sales, service, and consumption of alcoholic beverages at a new full-service restaurant. The Circulation Element identifies West Broadway and South Pacific Avenue as minor arterials and North Kenilworth Avenue as a community collector. These streets are fully developed and can adequately handle the existing traffic circulation around the site. The applicant's AUP request will not require any new city services, nor will it require any changes to the parking or traffic circulation.

**REQUIRED FINDINGS OF FACT FOR AN AUP 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 based on the comments submitted by the City of Glendale Police Department, and 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 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 noted in Finding D above, the crime rate in Census Tract 3017.02 is at 17 percent below the city average for Part 1 crimes. No evidence has been presented which would indicate that the proposed full-service restaurant with the sales, service, and consumption of alcoholic beverages at this location has or would encourage or intensify crime within the district as noted in Finding B above.
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 schools or college, day care facility, public park, library, hospital or residential use), as described 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 noted in Finding D above, the applicant's request is not anticipated to increase the need for public or private facilities. The ancillary service of alcoholic beverages at the proposed full-service restaurant, Katsin USA, is not anticipated to intensify traffic circulation or parking demand. The proposed use satisfies its transportation or parking needs as described in Finding D above because adequate access and parking are available to serve this use.
5. That notwithstanding consideration in subsections 1 through 4 above, the on-site sales, service, and consumption of alcoholic beverages with meals at a new restaurant does serve a public convenience for the area 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.

## **CONDITIONS OF APPROVAL**

**APPROVAL** of this **Administrative Use Permit** shall be subject to the following:

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,

Country 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, distributing noise, distributing 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 the sale and service of alcoholic beverages for on-site consumption shall be in full accord with the regulations and conditions established by the State Department of Alcoholic Beverage Control.
6. That 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.
7. That 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.
8. 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.
9. That there shall be no video machine maintained upon the premises.
10. That dancing is only allowed on the premises in designated dance floor areas, with a proper "Dance" permit.
11. 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, female or any individual for entertainment is provided.
12. 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.
13. That 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.

14. That the sale of beer, wine, and/or distilled spirits for consumption off the premises is strictly prohibited.
15. That the restaurant shall adhere to the City's Fresh Air Ordinance, Title 8, Chapter 8.52 of the Glendale Municipal Code.
16. That signs shall be posted clearly specifying no sales to minors or intoxicated persons.
17. That no exterior signs advertising the sales of alcoholic beverages be permitted.
18. That the business shall be operated in full accord with applicable State, County, and local laws.
19. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash and graffiti.
20. That access to the premises shall be made available to all City of Glendale Planning and Neighborhood Service Divisions, Police Department, and Fire Department staff upon request for the purpose of verifying compliance with laws and conditions of this approval.
21. That any expansion or modification of the facility or use which intensifies the 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.

#### **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 so that imperfections/incompleteness may be corrected before the appeal period expires. The completed appeal form must be filed with the prescribed fee prior to expiration of the 15-day appeal period, on or before **SEPTEMBER 5, 2023**.

***All appeals must be filed using the City's online permit portal: [www.glendaleca.gov/Permits](http://www.glendaleca.gov/Permits). Create an account, click "Apply", "Skip...", then type "appeal" in the search bar, and apply for "Appeal of Planning Decision." Any appeal must be filed within fifteen (15) days following the actual date of the decision with the prescribed fee prior to the expiration of the 15-day appeal period, on or before **SEPTEMBER 5, 2023**. Information regarding appeals and fees may be obtained by***

*calling the Community Development Department staff at 818-548-2140, or contacting the case planner, Vista Ezzati at [VEzzati@glendaleca.gov](mailto:VEzzati@glendaleca.gov) or (818) 937-8180.*

#### **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.

##### **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 (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.

#### **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**

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over Administrative Use Permits. To consider the revocation, the Director of Community Development 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.



**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, at 818-937-8180 pr [VEzzati@glendaleca.gov](mailto:VEzzati@glendaleca.gov).

Sincerely,



Erik Krause  
Planning Hearing Officer

EK:ve

cc: City Clerk (K.Cruz); Building and Safety (M. Lhotsky); Neighborhood Services Division (J. Sada); Design Review & Historic (J. Platt/K. Conley); Economic Development (M. Berry); Housing (P. Zovak/M. Fortney); Urban Design & Mobility (F. Zohrevand); Parks, Recreation and Community Services (T. Aleksanian/A. Limayo); Information Services (G. Arnold); City Attorney's Dept. (G. van Muyden/Y. Neukian); Fire Engineering Section (J. Diaz/D. Stimson); Traffic & Transportation Section (P. Casanova/ S. Roudsari); Police Dept. (Lt. S. Riley/Z. Avila); Fire Prevention Engineering Section-(J. Diaz/D. Stimson); General Manager for Glendale Water and Power (M. Young); Glendale Water & Power--Water Section (S. Boghosian/R. Takidin/F. Garcia); Glendale Water & Power--Electric Section (C. Babakhanlou/ S. Boghosian/ F. Garcia/ H. Barkhordian/ D. Scorza); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (R.Sada/J.Jouharian/); Integrated Waste Management Admin. (D. Hartwell); Maintenance Services/ Street and Field/ Urban Forester (L. Klick/C. Linares/ O. Urquidez); Dir. Of Public Works (Y. Emrani); Engineering and Land Development (A. Avazian/S. Oganesyanyan/R. Villaluna); and case planner – Vista Ezzati.