



**CITY OF GLENDALE, CALIFORNIA**

Community Development  
Planning

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November 16, 2023

Tacos Los Desvelados Glendale  
Attn: Adolfo Valenzuela  
1402 West Kenneth Road  
Glendale, CA 91201

**RE: 1402 WEST KENNETH ROAD**  
**ADMINISTRATIVE USE PERMIT CASE NO. PAUP-001020-2023**  
**(Tacos Los Desvelados)**

Dear Mr. Valenzuela:

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 (AUP) to, allow the on-site sales, service, and consumption of beer and wine (ABC License Type 41) at an existing full-service restaurant with sidewalk dining (Tacos Los Desvelados), in the "C1" – Neighborhood Commercial Zone, described as Lots 37-50, Tract No. 6165 & Vacated Alley West of Grandview Avenue, (APN: 5622-024-014 & 562 024-015), located at **1402 West Kenneth Road**, in the City Glendale, County of Los Angeles.

**CODE REQUIRES**

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

**APPLICANT'S PROPOSAL**

- 1) To allow the on-site sales, service, and consumption of beer and wine at an existing full-service restaurant.

**ENVIRONMENTAL DETERMINATION**

The project is exempt from CEQA review 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 the on-site sales, service, and consumption of beer and wine at an existing restaurant within an existing commercial space and there is no additional floor area proposed.

### **REQUIRED/MANDATED FINDINGS**

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the analysis by Community Development Department staff, this Administrative Use Permit application is **APPROVED WITH CONDITIONS** based on the following:

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

The on-site sales, service, and consumption of beer and wine at an existing full-service restaurant (Tacos Los Desvelados) will be consistent with the various elements and objectives of the general plan. The subject site is located within the C1 (Neighborhood Commercial) Zone, and the Land Use Element of the General Plan designates the subject site as Neighborhood Commercial. Goods and services offered in this zone generally attract clientele from the adjoining residential neighborhoods. The on-site sales, service and consumption of beer and wine is appropriate in an area of the city zoned for commercial uses and approval of the AUP will provide the option for the dining public to enjoy beer and wine 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 slated for open space or recreation. The proposal is to allow the operation of an existing full-service restaurant with beer and wine for on-site consumption is consistent with the Noise Element and is not anticipated to increase the existing noise levels beyond the current conditions. The Circulation Element identifies West Kenneth Road and Grandview Avenue as community collector streets, and they are fully developed and can adequately handle the existing traffic circulation around the site. The project site is surrounded by commercial and residential uses and the applicant's request to operate a full-service restaurant with the sale of beer and wine for on-site consumption is not anticipated to create any negative traffic-related impacts 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 on-site sales, service and consumption of beer and wine at an existing full-service restaurant (Tacos Los Desvelados) 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 3014.00 where the suggested limit for on-sale establishments is four. Currently there are no on-sale establishments in this census tract and Tacos Los Desvelados will bring the total to one.

Based on part 1 crime statistics for census tract 3014.00 in 2021, there were 78 crimes, 53% below the city wide average of 167. Within the last calendar year, there have not been any calls for service for this tenant space. The Glendale Police Department did not cite any concerns with the applicant's request to allow the operation of an existing full service restaurant with on-site sales, service and consumption of beer and wine 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.**

It is not anticipated that the addition of on-site sales, service and consumption of beer and wine at an existing full-service restaurant will be detrimental to the community or adversely conflict with the community's normal development of surrounding properties, as conditioned. The request 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 located in the Kenneth Village shopping district with complementary businesses, including retail, service and residential uses located in the immediate vicinity. There are three public facilities located in the immediate area of the subject site: Saint Kevork Armenian Church at 1434 West Kenneth Road (400 feet to the west on the same block), Grandview House Preschool at 1435 W Kenneth Road (across the street and 400 feet to the west), and Chabad Jewish Center at 1020 West Kenneth Road (300 feet to the east). While these facilities and uses are within proximity, the applicant's request will not impede their operation or conflict with such land uses. In addition, there is one park and three public schools located in the vicinity: Brand Library and Park, located at 1601 West Mountain Street (0.5 miles to the north), Mark Keppel Elementary School located at 730 Glenwood Road (1 mile to the southeast), Eleanor J. Toll Middle School located at 700 Glenwood Road (1 mile to the southeast), and Herbert Hoover High School located at 651 Glenwood Road (1 mile to the southeast). While these facilities and uses are within the vicinity, they are well outside the immediate 500' radius of the project site. There were no concerns or comments submitted by the Police Department or Neighborhood Services Division that would indicate that the on-site sales, service and consumption of beer and wine at the existing full-service restaurant, Tacos Los Desvelados, would have a negative impact on the surrounding area, and the proposed conditions of approval will serve to mitigate any potential negative impacts on 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.**

The applicant's request to allow the on-site sales, service and consumption of beer and wine at an 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 existing restaurant, Tacos Los Desvelados, has been operating at this location for the last three years without any major incident. Parking for the project site is centrally located on the lot and is accessible from Kenneth Road and Grandview Avenue with 39 parking spaces to serve the businesses on-site. These streets are fully developed and can adequately handle the traffic circulation around the site, and it is not anticipated that the on-site sales, service and consumption of beer and wine at the existing restaurant will result in inadequate parking. This application does not include any added floor area or modifications to the existing building; therefore, there will be no increase in required parking for this use. Accordingly, the applicant's request to allow the operation of a new full-service restaurant with on-site sales, service and consumption of beer and wine in an existing commercial tenant space will not require any new city services, nor will it require any changes to the parking or traffic circulation.

**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 (ABC), 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 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 described 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 described in Finding D above.

5. That notwithstanding consideration in subsections 1 through 4 above, the operation of an existing full-service restaurant with the on-site sales, service and consumption of beer and wine 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.

### **RESPONSES TO COMMUNITY INPUT RECEIVED DURING COMMENT PERIOD**

During the public comment period staff received one letter in opposition to the requested Administrative Use Permit. The commenter expressed general concerns regarding the operation of the restaurant, including loud music and excessive noise and indicated that it is a persistent problem that has resulted in numerous noise complaints with the Police Department.

#### **Staff Response:**

This Administrative Use Permit application was originally routed to the Police Department and Neighborhood Services Division for review and comment when it was first submitted and prior to the pending decision being posted online for public comment. Neither the Police Department nor Neighborhood Services Division cited any concerns with the request to allow the on-site sales, service, and consumption of beer and wine at an existing full-service restaurant with sidewalk dining. After receiving the commenter's opposition letter, Planning Division staff followed up with both the Police Department and Neighborhood Services Division to confirm the history and status of the noise complaints referred to in the letter. The Police Department investigated their calls for service at the location, from November 1, 2021 until November 6, 2023, and those records indicate that there were no calls for police service that generated a police report or an incident number at the subject location. The Neighborhood Services Division also investigated their records for any open code enforcement cases, and none were found. There have been code enforcement cases in the past for the restaurant for complaints associated with outside dining and unpermitted signage, however, these cases have been closed by the Neighborhood Services Division and are resolved. Their records also indicate that the restaurant, Tacos Los Desvelados, has both a valid Business Registration Certificate (BRC 3317450) and an Amplified Sound Permit (CAMP 2113724), and there is no evidence in the record that they have received any complaints regarding loud music or excessive noise since their issuance.

## **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, 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 shall only be on those same licensed areas.
5. That no patron of the restaurant shall be allowed to bring into the establishment 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.
6. That the sale of beer and wine for off-site consumption shall be strictly prohibited, unless preemptively permitted by State regulations.
7. That no separate bar for the sales, service and consumption of beer and wine shall be permitted.
8. That no exterior signs advertising the sales and service of beer and wine shall be permitted.
9. That there shall be no video machine(s) and/or video game(s) maintained upon the premises.
10. That no live entertainment is permitted without a "Live Entertainment Permit".
11. 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.

12. That the restaurant shall adhere to the City's Fresh Air Ordinance, Title 8, Chapter 8.52 of the Glendale Municipal Code.
13. That the restaurant shall be operated in full accord with applicable State, County and local laws.
14. That any proposed outdoor dining in the public right-of-way shall obtain the required sidewalk dining permit from the City's Public Works Department.
15. 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.
16. 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. Any appeal must be filed online with the prescribed fee prior to expiration of the 15-day appeal period, on or before **DECEMBER 1, 2023**.

***All appeals must be filed using the City's online permitting and licensing portal: [www.GlendalePermits.org](http://www.GlendalePermits.org), at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday thru Friday 7:00 a.m. to 5:00 p.m. Information regarding appeals, appeal forms and fees may be obtained by calling the Community Development Department staff at 818-548-2140, or the case planner, Vista Ezzati, at 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 sold, 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.

## **REVOCATION**

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

Sincerely,  
Bradley Calvert  
Director of Community Development



Erik Krause  
Planning Hearing Officer

CC: City Clerk (K.Cortes); Building and Safety (M.Lhotsky); Neighborhood Services Division (J.Sada); Design Review & Historic (J.Platt); Economic De. (M.Berry); Housing (P.Zovak/M. Fortney/A.Brownell); Urban Design and Mobility (F.Zohrevand); Parks, Recreation and Community Services and Park (T. Aleksanian/ A.Limayo); Information Services (G.Arnold);\_City Attorney's Dept. (G.Van Muyden/Y.Neukian/M.Yun); Fire Engineering Section- (J.Diaz/S.Partamian/D.Stimson); Traffic & Transportation Section (P.Casanova/S.Roudsari); General Manager for Glendale Water and Power (M.Young); Glendale Water & Power--Water Section (S.Boghosian/E.Hakoupiani/K. runzer); Glendale Water & Power--Electric Section (C.Babakhanlou/ S.Boghosian/E.Hakoupiani/ H.Barkhordian/ D.Scorza ); Police Dept. (Lt.A.Krikorian/Lt.S.Riley/Z.Avila); Dir. Of Public Works (Y.Emrani); Engineering and Land Development (A.Avazian/ S.Oganesyan / M.Oillataguerre/ R. Villaluna); Integrated Waste Management Admin. (D. Hardgrove); Maintenance Services/Street and Field / Urban Forester (L.Klick / C.Linares / O. Urquidez); Facilities (K.Todd); and case planner Vista Ezzati.