



CITY OF GLENDALE, CALIFORNIA

Community Development
Planning

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July 3, 2024

Michael Cho
1900 Man Steet, Suite 700
Irvine, CA 92614

RE: 400 N BRAND BOULEVARD, SUITE 120
ADMINISTRATIVE USE PERMIT CASE NO. PAUP-002159-2023
(Salt & Olive)

Dear Applicant:

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 continued on-site sales, service and consumption of a full line of alcoholic beverages (Alcohol Beverage Control license Type 47) at a 3,633 square-foot (SF) full-service restaurant ("Salt & Olive") located at **400 N. Brand Boulevard, Suite 120** in the "DSP/GAT" – (Downtown Specific Plan/Gateway District), described as Lots 1, 2, 3, 6 and 7 and portions of Lots 4, 5 and 8, Edwin Pierce Tract No. 1 of the Los Angeles County Recorder's Office, in the City of Glendale, County of Los Angeles.

CODE REQUIRES

- (1) The sale of alcoholic beverages requires an Administrative Use Permit in the DSP/GAT Zone (Section 3.3 of the DSP, Table 3-A-3).

APPLICANT'S PROPOSAL

- (1) To allow the continued use of on-site sales, service, and on-site consumption of all types of alcoholic beverages (Type 47) 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 continued on-site sales, service, and consumption of alcoholic beverages at an existing restaurant 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 proposed use will be consistent with the elements and objectives of the General Plan. The General Plan Land Use Element designation for the subject property is Community Services. The site is located at the south-west corner of East Lexington Drive and North Brand Boulevard, in the Downtown Specific Plan – Gateway District. The DSP/GAT is intended to continue the promotion and location of corporate headquarters, new hotels, mixed-use and residential buildings, and complementary/accessory service and retail businesses at the street level, as well as the introduction of appropriate nighttime entertainment uses. A full-service restaurant in this location is a desired use at the street level. Alcoholic beverage sales are an administratively permitted use within the Gateway District zone, and therefore consistent with the land use designations. Currently, the existing restaurant is operating with Administrative Use Permit Case No. PAUP-1410717 for the on-site sales, service and consumption of beer and wine. The applicant's request is for an Administrative Use Permit to expand the ancillary use to include all types of alcoholic beverages (beer, wine, and distilled spirits) for on-site sales, service, and consumption at the existing full-service restaurant, Salt and Olive.

~~The continued on-site sales, service and consumption of all-types of alcoholic beverages at the restaurant will be consistent with the elements and objectives of the~~
General Plan. The Downtown Specific Plan (DSP) identifies Brand Boulevard as a Signature street and as a Pedestrian Priority/Transit Priority Street. It is Glendale's "Main Street." Lexington Avenue is also identified as a Pedestrian Priority Street. Primary Pedestrian streets give first priority to creating excellent conditions for pedestrians and are usually important on primary retail and transit corridors characterized with wide sidewalks and fine streetscapes. The subject site and its use as a full-service restaurant are appropriate for this location. The Circulation Element identifies Brand Boulevard as a Major Arterial. Brand Boulevard 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 allow the continued on-site sale, service, and consumption of alcohol is not anticipated to create any negative traffic related impacts on these streets and the surrounding uses over and above the existing conditions.

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 alcoholic beverage sales for on-site consumption will be ancillary to the existing primary use, 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 all types of alcoholic beverages at the existing full-service restaurant, "Salt and Olive." The proposed use and its associated structures and facilities will not be detrimental to the public health or safety, the general welfare, or the environment, as conditioned. According to the Glendale Police Department, Salt and Olive restaurant is located in census tract 3019.01, where the suggested limit for on-sale alcohol establishments is five. There is currently one on-sale establishment in this tract, including the previous restaurant at the subject address. Based on Part 1 crime statistics in this census tract, in 2023, there were 119 crimes, 62% below the city-wide average of 317. Within the last year, there were no calls for police service at the project site location. The Police Department and the Neighborhood Services Division did not have major concerns related to the Administrative Use Permit. The continued sales, service and on-site consumption of alcoholic beverages is intended to enhance the dining experience at the existing restaurant. The Police Department's suggested conditions are included in this approval to mitigate and 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 continued on-site sales, service and consumption of alcoholic beverages at the existing full-service restaurant will be detrimental to the community or adversely conflict with the community's normal development. The site has been operating as a restaurant since 2014, and the current operator, Salt and Olive has been open since 2021. The applicant's request to allow the continued on-site sales, service and consumption of alcoholic beverages with meals is not anticipated to adversely conflict with surrounding properties as it will be ancillary to the primary use, a full-service restaurant. The subject property is surrounded by other complementary businesses, including commercial uses with residential neighborhoods located in the vicinity.

The subject restaurant is located at the ground floor of an existing nine-story office building within Downtown Glendale. The area is developed with a concentration of high rise, high intensity regional office uses with restaurants, retail, and personal services on the ground floor. The existing and proposed type of use is encouraged in this area.

While there are no public facilities located within the immediate area (500' radius) of the subject site, there are two churches within walking distance (0.5 mile) to the site, including Lifeway Church Glendale located at 610 East California Avenue, and First Baptist Church of Glendale at located 209 North Louise Street. The nearest public school is Columbus Elementary School located at 425 West Milford Street (0.5 mile)

and the nearest public park (Doran Gardens Mini Park) is located approximately 0.4 mile west of the subject site. Given the orientation and distance of these facilities away from the subject site, it is not anticipated that the applicant's request to serve alcohol at an existing restaurant will impede their existing operations. A condition is included, ensuring that alcoholic beverages will only be sold in conjunction with food service and prohibits the sale of alcohol for off-site consumption or any bar service. No other public facilities are located within 0.5 miles of the project site. Residential neighborhoods are located nearby, but do not adjoin the project site.

The proposed continued incidental sale, service, and on-site consumption of all types of alcoholic beverages at an existing restaurant ("Salt and Olive) is not anticipated to cause any conflicts with surrounding development in the future and will not adversely impact existing facilities, property values, or developments within the surrounding area. There were no expressed concerns or comments submitted by the Police Department or Neighborhoods Services Division that would indicate that the approval of the type 47 Alcoholic Beverage License for the existing full-service restaurant would have a negative impact on the surrounding area, and the conditions included with this 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 continued on-site sales, service, and consumption of all types of alcoholic beverages at an existing full-service restaurant will not result in inadequate public or private facilities. Further, the existing restaurant will not require any new city services, nor will it require any changes to the landscaping, parking or traffic circulation. The proposal does not involve the expansion of the existing space, and therefore no additional parking is required. The applicant's request for the on-site sales, service and consumption of alcoholic beverages at an existing full-service restaurant will not increase the need for public or private facilities. The full-service restaurant, "Salt and Olive", has been operating at this location and serving beer and wine with meals since 2014 (as 'Panini Grill'). The surrounding neighborhood is also developed with adequate public and private services and infrastructure. The Circulation Element identifies Brand Boulevard as a Major Arterial. These streets are fully developed and can adequately handle the existing traffic circulation around 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 fewer 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 fewer 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 is 62 percent below 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 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 continued operation of a full-service restaurant with the continued on-site sales, service and consumption of alcoholic beverages does serve a public convenience for the area because it would provide alcoholic beverages in conjunction with food service at the 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 the premises shall be maintained in a clean and orderly condition, free of weeds, trash, and graffiti.

4. That all signs displayed shall conform to the requirements of the Glendale Municipal Code.
 5. That sufficient measures shall be enforced to effectively eliminate interior and exterior loitering, parking congestion, disturbing noise, disturbing light, loud conversation, and criminal activities.
 6. 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.
 7. That the service of alcoholic beverages shall be in full accord with the regulations and conditions established by the State Department of Alcoholic Beverage Control.
 8. 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 Alcohol Beverage Control license. Consumption of alcoholic beverages will only be on those same licensed areas.
 9. That the sales, service or consumption of alcoholic beverages shall be permitted only between the hours of 9:00 AM to 9:00 PM each day of the week.
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10. 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.
 11. 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.
 12. 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.
 13. That there shall be no video machine(s) maintained on the premises.
 14. 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.
 15. 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.

16. 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.
17. The sale of beer, wine, and/or distilled spirits for consumption off the premises is strictly prohibited.
18. That the restaurant adhere to the City's Fresh Air Ordinance (Title 8, Chapter 8.52 of the Glendale Municipal Code).
19. That a Business Registration Certificate be applied for and issued for a full-service restaurant with the on-site sales, service and consumption of alcoholic beverages, subject to the findings and conditions outlined in this decision letter.

PERMIT IMPLEMENTATION, TIME LIMITS AND EXTENSIONS

TERMINATION

Every right or privilege authorized by this 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. (GMC Section 30.41.010.)

CESSATION

This permit may be terminated by its review authority upon any interruption or cessation of the use permitted by said permit for one (1) year or more in the continuous exercise in good faith of such right and privilege. (GMC Section 30.41.010.)

EXTENSION

Permits granted by such right or privilege may be requested one time and extended for up to a maximum of one (1) 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 this permit (GMC Section 30.41.015.)

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.

APPEALS

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. (GMC Chapter 30.62.)

All appeals must be filed using the City's online permit portal: GlendaleCA.gov/Permits. Create an account. Click "Apply" and "Planning/Zoning." 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 July 18, 2024.

Information regarding appeals and fees may be obtained by calling the Community Development Department staff at 818-548-2140, or contacting the case planner, Chloe Cuffel at CCuffel@GlendaleCA.gov or 818-937-8162.

ENFORCEMENT

VIOLATIONS

Violations of conditions required by this determination may constitute a misdemeanor or infraction under section 1.20.010 of the Glendale Municipal Code and/or a violation of other local, State or Federal laws or regulations (GMC Section 30.64.010). 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.

REVOCACTION

~~The Community Development Department shall have continued 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 a variance at least ten (10) days' notice by mail to the applicant or permittee. (GMC Section 30.64.020.)

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 (**Chloe Cuffel**) 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, Chloe Cuffel, at 818-937-8162 or CCuffel@glendaleca.gov.

Sincerely,
Bradley Calvert
Director of Community Development



Dennis Joe
Planning Hearing Officer

CC: City Clerk (K.Cruz); Building and Safety (A. Sargsyan); Neighborhood Services Division (J.Sada); Design Review & Historic (J.Platt); Economic De. (M.Berry); Housing (P.Zovak / M. Fortney); Urban Design and Mobility F.Zohrevand); Community Services and Park (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); General Manager for Glendale Water and Power (M.Young); Glendale Water & Power – Water Section (S.Boghosian / F.Garcia); Glendale Water & Power – Electric Section (C.Babakhanlou/ S.Boghosian / F.Garcia / K.RUNZER); Police Dept. (Lt.S.Riley / Z.Avila); Dir. Of Public Works (Y.Emrani); Engineering and Land Development (A.Avazian/ S.Oganesyanyan / M.Oillataguerre/ R. Villaluna); Integrated Waste Management Admin. (D. Hardgrove); Maintenance Services/Street and Field / Urban Forester (L.Klick / C.Linares / O. Urquidez); and case planner – Chloe Cuffel.

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