



CITY OF GLENDALE, CALIFORNIA

Community Development
Planning

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glendaleca.gov

May 14, 2019

Rodney Khan
Khan Consulting, Inc
1111 N. Brand Boulevard, Suite 403
Glendale, CA 91202

**RE: 6410 SAN FERNANDO ROAD
ADMINISTRATIVE USE PERMIT NO PAUP 1901402 - (Alcoholic beverages)
(Ambrosia Banquet Hall)**

(Also see: Conditional Use Permit Case NO. PCUP 1901400 - Banquet Hall)

Dear Mr. Khan:

On May 8, 2019, the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.49, on your application for an administrative use permit to allow the (continued) on-site sales, service, and consumption of alcoholic beverages at the existing banquet hall (Ambrosia Banquet Hall; in conjunction with CUP Case No. 1901402) in the "C3" - (Commercial Service) Height District I, located at **6410 San Fernando Road**, described as a Portion of Lot 5, Block 108, Rancho Providencia and Scott Tract in the City of Glendale, County of Los Angeles.

CODE REQUIRES

- 1) The sales, service and on-site consumption of alcoholic beverages requires approval of an Administrative Use Permit in conjunction with a banquet hall.

APPLICANT'S PROPOSAL

- 1) Allow the (continued) on-site sales, service, and consumption of alcoholic beverages at an existing banquet hall (Ambrosia Banquet Hall).

ENVIRONMENTAL DETERMINATION

The project is exempt from CEQA review as a Class 1 "Existing Facilities" exemption, pursuant to State CEQA Guidelines Section 15301.

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 report by the Community Development staff thereon, and statements made at the public hearing 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.

Ancillary continued alcohol service at the existing banquet hall will be consistent with the elements and objectives of the General Plan. The land use designation of the site is Community/Services Commercial. This designation is restrictive in terms of uses allowed, similar to that of Neighborhood Commercial areas, but for a larger market scale. Banquet halls draw customers from a wider geographic area and alcohol service is a common ancillary use for banquet halls. Continued service of alcohol with continued operation of the banquet hall will be required to comply with the City's Noise Ordinance, and, as such, the request to continue alcohol service at the use will comply with the Noise Element. No other General Plan Elements, including the Open Space and Recreation and Housing Elements will be impacted as a result of the ancillary alcohol service at the banquet hall.

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.

Continued alcohol service at the banquet hall will not be detrimental to the safety and public welfare of the neighborhood in general. The banquet hall use is located along the commercially-oriented San Fernando Road corridor. There are no known parks, churches, private or public schools or colleges, day care facilities, libraries or hospitals near the existing banquet hall. While the neighborhood where the existing banquet hall is located has more crime than in many other areas of the city, it is highly commercial, which could explain the area's higher crime rate. The Police Department and Neighborhood Services Division did not cite concerns related to this administrative use permit.

According to the Police Department, the property is located in census tract 3016.01 where five on-sale establishments is the recommended limit. There are currently nine on-sale establishments in this tract, one of which is the banquet hall currently operating on the site. Based on Part 1 crimes statistics for this census tract, there were 254 crimes, 52% above the city average. While this area has more crime than in other areas of the city, it has a high concentration of commercial uses, which may partially explain the higher crime rate. The service of alcoholic beverages as an ancillary use at a banquet hall typically does not significantly increase the crime rate in the surrounding area. Seven calls for Police services were recorded in the past year. Six calls for service were false alarms (alarm system) and the seventh was for a fight. However, this call did not result in a report being taken. The Police Department did not cite particular concerns related to either the conditional use permit or administrative use permit applications. In addition, suggested conditions made by the Glendale Police Department have been included in the conditions of approval to ensure that any potential negative impacts will be appropriately mitigated.

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

The continued operation of the banquet hall will not impede the normal development in the surrounding area, since the site is already fully developed and no changes to the site or operation of the use are proposed. The project would not impede any redevelopment of San Fernando Road, given the proposed banquet hall is a commercial use along the heavily-commercially street. While residential uses are located north of the site, no calls for police services or complaints to Neighborhood Services have been reported with regard to the existing banquet hall, which would indicate that the use would continue not to adversely impact the nearby residences.

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 continue the banquet hall operation will not result in inadequate public or private facilities. The project site is already developed and associated facilities are existing. Continued operation of the banquet hall should not result in an increase in utility use since no operational changes are proposed. San Fernando Road is identified as a major arterial in the city's Circulation Element and this street can adequately handle the traffic circulation adjacent to the site. The site features 38 parking spaces, which fulfilled the code requirement for parking when the previous restaurant was converted to a banquet hall in 2013; no changes to the parking are proposed.

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 to be considered in making the findings in subsection a. through d. above have all been met and thoroughly considered:

1. The census tract where the banquet hall with ancillary alcohol service is located exceeds the recommended maximum concentration of on-site uses. ABC recommends five on-site uses in the subject census tract and the tract currently contains nine uses, including the subject banquet hall. However, the use is existing and is not intensifying or otherwise contributing to the adverse impacts on the surrounding area caused by over concentration. The Glendale Police Department noted no concerns with this proposal as noted in Finding B above.
2. That such use will not tend to encourage or intensify crime within the district. The banquet hall use with ancillary alcohol service is located in a crime reporting district with a crime rate exceeding the city average for Part 1 crimes. The Police Department did not cite particular concerns regarding either the conditional use permit or administrative use permit applications for the continued banquet hall use or the continued ancillary alcohol service. The existing banquet hall currently serves alcohol and has not had complaints related to alcohol service.
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). The closest parks, schools and churches are more than half a mile from the site on which the banquet hall use with ancillary alcohol service is

proposed. There are no libraries or hospitals in the vicinity. Residential uses are located north of the subject site. The existing banquet hall serves alcohol and has not generated complaints according to the Police Department or the Planning and Neighborhood Services Division.

4. That the proposed use satisfies its transportation or parking needs as described above because adequate access is available to serve this use. As noted in Finding D above, the size and operation of the existing banquet hall will remain the same. The project contains (and will continue to contain) 38 on-site parking spaces.
5. Notwithstanding consideration of the aforementioned information, the proposed on- and off-site sales, service and consumption of alcoholic beverages in a banquet hall does serve a public convenience for the area. Ancillary alcohol service at a banquet hall is common and expected and the proposed administrative use permit to serve alcohol will service the public convenience for the area. Conditions of 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 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 service of alcoholic beverages shall be in full accord with the regulations and conditions established by the State Department of Alcoholic Beverage Control.
4. That the applicant shall comply with all conditions of approval for Conditional Use Permit Case No. PCUP 1901400 for the banquet hall.
5. That alcoholic beverages shall be served only in conjunction with the consumption of food.
6. That the sale and serving of alcoholic beverages shall be for consumption on the premises only.
7. That no exterior signs advertising the sales/service of alcoholic beverages be permitted.
8. That all music, lighting, noise and odors shall be confined to the occupancy so as not to disturb occupants of other adjacent businesses or properties and patrons on the public right-of-way. The Planning Hearing Officer's opinion shall prevail to arbitrate any conflicts.

9. 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 to effectively eliminate interior and exterior loitering, parking congestion, disturbing noise, disturbing light, loud conversation and criminal activities.
10. That dedicated security staff is required on-site when the banquet hall is in operation.
11. That no live entertainment is permitted without a "Live Entertainment Permit". No bikini activities or events, no lingerie activities or events, no swimwear activities or events, nor similar activities or events are allowed where partial clothing of male or female entertainment is provided.
12. That the banquet hall adheres to the City's Fresh Air Ordinance.
13. That the front and back doors of the establishment shall be self-closing doors such that noise from the business will not impact the surrounding neighborhood.
14. That a new Business Registration Certificate (BRC) shall be obtained and shall reference this administrative use permit and associated conditional use permit.
15. That the premises be maintained in a clean orderly condition free of weeds, trash and graffiti.
16. That any expansion or modification of the facility or use that intensifies the existing 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.
17. That access to the premises shall be made available upon request to all City of Glendale authorized staff (i.e. Planning and Neighborhood Services division, Building and Safety division, Fire Department, Police Department, etc.) for the purpose of verifying compliance with all laws and the conditions of this approval.
18. That the authorization granted herein shall be valid for a period of **TEN (10) YEARS, UNTIL MAY 29, 2029**, at which time, a reapplication must be made.

APPEAL PERIOD

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper City and public agency.

Under the provisions of the Glendale Municipal Code, Title 30, Chapter 30.62, any person affected by the above decision has the right to appeal said decision to the Planning Commission if it is believed that the decision is in error or that procedural errors have occurred, or if there is substantial new evidence which could not have been reasonably presented.

It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal

must be filed on the prescribed forms within fifteen (15) days following the actual date of the decision. Information regarding appeals and appeal forms will be provided by the Permit Services Center (PSC) or the Community Development Department (CDD) upon request and must be filed with the prescribed fee prior to expiration of the 15-day period, on or before **May 29, 2019**, at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday thru Friday 7:00 a.m. to 12:00 p.m., or at the Community Development Department (CDD), 633 East Broadway, Room 103, Monday thru Friday 12:00 p.m. to 5 p.m.

APPEAL FORMS available on-line: <http://www.glendaleca.gov/appeals>

TRANSFERABILITY

This authorization runs with the land or the use for which it was intended for and approved. In the event the property is to be leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions and/or limitations of this grant.

VIOLATIONS OF THESE CONDITIONS

Violations of conditions required by this determination may constitute a misdemeanor or infraction under section 1.20.010 of the Glendale Municipal Code (GMC) and/or a violation of other local, State or Federal laws or regulations. Unless a specific penalty is provided, any person convicted of a misdemeanor shall be punished by a fine not to exceed one thousand dollars (\$1,000.00), or imprisonment for a term not to exceed six (6) months, or by both fine and imprisonment. Infractions are punishable by a fine not exceeding the sum of five hundred dollars (\$500.00) for each violation. Violations of conditions required by this determination may be grounds for a revocation.

REVOCATION, CONTINUING JURISDICTION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over variances, administrative use permits, and conditional use permits (individual cases heard and decided upon by the Planning Hearing Officer).

To consider the revocation, the Planning Hearing Officer shall hold a public hearing after giving notice by the same procedure as for consideration of 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 30.4 PROVIDES FOR

Termination

Every right or privilege authorized by an administrative use permit shall terminate two (2) years after the granting of such, unless the exercise of such right or privilege has commenced in good faith prior to such time, except as otherwise provided for.

Extension

An extension of the administrative use permit may be requested one time and extended for up to a maximum of one (1) additional year upon receipt of a written request from the applicant and demonstration that a reasonable effort to act on such right and privilege has commenced within the two (2) years of the approval date. In granting such extension the applicable review authority shall make a written finding that neighborhood conditions have not substantially changed since the granting of the administrative use permit.

Cessation

Any administrative use permit may be terminated by the review authority upon any interruption or cessation of the use permitted by the Variance for one year or more in the continuous exercise in good faith of such right and privilege.

NOTICE – subsequent contacts with this office

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the case planner. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **By Appointment Only**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

Should you have any questions regarding this issue, please do not hesitate to contact the case planner, Roger Kiesel at (818) 937-8152 or rkiesel@glendaleca.gov.

Sincerely,

Philip Lanzafame
Director of Community Development



Vilia Zemaitaitis, AICP
Planning Hearing Officer

VZ:RK:sm

CC: City Clerk (K.Cruz); Police Dept. (A.Jenks/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(J.Halpert); Traffic & Transportation Section (P.Casanova); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S. Boghosian/R.Takidin); Glendale Water & Power--Electric Section (B. 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);and case planner – Roger Kiesel.