



February 9, 2022

Café Corner Bistro
Attn: Zorik Yeghikian
21250 Hawthorne Blvd., #700
Torrance, CA 90503

**RE: 6720 SAN FERNANDO ROAD
ADMINISTRATIVE USE PERMIT CASE NO. PAUP 2107868**

(Café Corner Bistro)

Dear Mr. Yeghikian:

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 (Café Corner Bistro) located at **6720 San Fernando Road**, in the Industrial/Commercial-Residential Mixed Use (IMU-R) Zone, described as Portions of Lots 68 thru 73, Tract No. 4646 in the City of Glendale, County of Los Angeles. Currently, the existing full-service restaurant operated with the on-site sales, service and consumption of beer and wine (ABC License Type 41) that was permitted under Administrative Use Permit Case No. PAUP 1726028 that will expire on May 31, 2023.

CODE REQUIRES

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

APPLICANT'S PROPOSAL

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

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 for the on-site sales, service, and consumption of alcoholic beverages at an existing full-service restaurant within an existing commercial space and there is no added floor area proposed.

REQUIRED/MANDATED FINDINGS

After considering the evidence presented with respect to this application, all of the required three 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 an existing full-service restaurant (Café Corner Bistro) 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 subject site is located in the IMU-R (Industrial/Commercial-Residential Mixed Use) Zone and the General Plan Land Use Element designation is Mixed Use. Goods and services that are offered in this zone generally attract clientele from the adjoining residential neighborhoods as well as the surrounding community.

The on-site sales, service and consumption of alcoholic beverages at an existing full-service restaurant (Café Corner Bistro) will be consistent with the various elements and objectives of the General Plan. The land use designation of the site is Mixed Use where retail services along a major arterial, such as San Fernando Road, are desired. The project site is already developed and the applicant's request is to allow the on-site sales, service and consumption of alcoholic beverages at an existing full-service restaurant that is surrounded by other complementary businesses, including retail and service uses. Directly to the north of the subject site, and separated by an alley, are multi-family residential developments. The proposed conditions of approval will serve to mitigate any potential impacts on surrounding properties, including the adjacent residential uses. The 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. 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 the use.

The Circulation Element identifies San Fernando Road as a major arterial, and Irving Avenue as a local street. These streets are fully developed and can adequately handle the existing traffic circulation around the site. The project site is surrounded by commercially zoned properties, and residential uses north of the abutting alley, and the applicant's request for on-site sales, service and consumption of alcoholic beverages at an existing full-service restaurant with meals, is not anticipated to create any negative traffic-related impacts on San Fernando Road, Irving Avenue, and surrounding uses 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.

This location has operated as a full-service restaurant since 1961, and with on-site beer and wine sales since 1996. The existing full-service restaurant, Café Corner Bistro, has operated from this location since 2011. The applicant's request to expand the operation to include a full-line of alcoholic beverages (beer, wine, and distilled spirits) was first made in 2018 under Administrative Use Permit Case No. PAUP 1726028 when the Planning Hearing Officer denied the request to include a full-line of alcoholic beverages and approved the AUP with conditions to allow only the continued sales, service and on-site consumption of beer and wine at this location. At that time, the Planning Hearing Officer cited that given the past history of this operator at this location, which included multiple calls for service by the Glendale Police Department as well as neighborhood complaints related to alcohol usage and disruptive behavior, the request to expand to a full-line of alcoholic beverages would not be compatible with the adjacent residential and motel uses. This current application was routed to both the Neighborhood Services Division and the Glendale Police Department for comments, and neither cited any major concerns with the request to operate with the on-site sales, service, and consumption of alcoholic beverages at this location. To mitigate potential impacts, staff is including recommended conditions of approval restricting the hours of operation in the outdoor areas, requiring a security guard on-site, restricting the smoking areas, and a five-year expiration date.

The on-site sales, service and consumption of alcoholic beverages at an existing full-service restaurant 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 3016.01 where the suggested limit for on-sale alcohol establishments is six. There are currently 16 on-sale license in this tract, with Café Corner Bistro as one of the existing 16 licenses. Based on Part 1 crime statistics for census tract 3016.01 in 2020, there were 276 crimes, 65% above the city wide average of 167. Within the last calendar year, there have been six calls for service to the Glendale Police Department for this location which include four false alarm calls, one call for theft, one call for trespassing (no report was taken), one call for a group of 25 gathered without masks and smoking (no report was taken). Additionally, in 2021, there were four calls for police service at this location which included a person disturbing the peace, a panic alarm button pushed (no report was taken), a mentally ill individual in need of medical assistance, and a person disturbing the peace (no report was taken as the person was gone when police arrived). According to the Glendale Police Department, these instances were unrelated to consumption of alcoholic beverages on-site, and in consideration of the site's history, did not cite any concerns with the applicant's current request to expand to a full-line of alcoholic beverages for on-site sales, service, and consumption. 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 an existing full-service restaurant will not adversely conflict with adjacent uses or impede the normal development of surrounding property, as conditioned. The applicant's request to allow the on-site sales, service and consumption of alcoholic beverages 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 retail and service uses. As noted above, directly to the north of the subject site, and separated by an alley, are multi-family residential developments. The proposed conditions of approval will serve to mitigate any potential negative impacts on the surrounding properties, including the adjacent residential uses.

There are no churches, public or private schools, children's day care facilities, public parks, libraries, or hospital within the immediate area of the subject property. The closest public facility is Griffith Manor Park (0.7 miles south west). While this facility is within close proximity to the subject site, it is located outside the immediate neighborhood, and no off-site sales of alcoholic beverages will be permitted.

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 for on-site sales, service and consumption of alcoholic beverages 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 full-service restaurant, "Café Corner Bistro," has been operating at this location since 2011. 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. The applicant's request for on-site sales, service and consumption of alcoholic beverages at an existing full-service restaurant with meals is not anticipated to create any negative traffic-related impacts on San Fernando Road or Irving Avenue over and above the existing conditions.

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 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 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 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 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:

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 the hours of operation for the full-service restaurant shall be limited to 7:00 a.m. to 2:00 a.m., except for the outdoor patios which shall close and be vacated by 10:00 p.m. daily. The on-site sales, service and consumption of alcoholic beverages with meals shall be permitted only between the hours of 10:00 a.m. to closing. The patio hours shall be posted outside by the patios.
4. That all outstanding Fire Inspection violations shall be corrected, including but not limited to, obtaining an assembly permit, industrial waste permit, installing panic

hardware on the rear door, servicing the kitchen hood and fire extinguisher, and obtaining a flame retardant certificate for the drapes. The applicant shall maintain the premises in accordance with Fire Department standards and regulations at all times.

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 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.
7. 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.
8. That no patron of the business establishment 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.
9. That no alcoholic beverages shall be sold for off-site consumption, unless preemptively permitted by State regulations.
10. That consumption of alcoholic beverages will only be on those same licensed areas.
11. That no separate bar for the sales, service and consumption of alcoholic beverages shall be installed on the premises.
12. That no exterior signs advertising the sales and service of alcoholic beverages shall be permitted.
13. That there shall be no video machine(s) and/or video game(s) maintained upon the premises.
14. That live entertainment shall be restricted to a single guitar player or DJ, upon approval of a live entertainment permit.
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 at least one security guard shall be on the premises at all times after dark while employees are on the premises for the purpose of maintaining compliance with the conditions of approval, including but not limited to smoking, noise, patio hours and parking lot safety. The applicant shall add additional security guards as warranted to maintain a safe and code compliant establishment, including the parking lot.

17. 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.
18. That the facilities shall not be rented, leased or otherwise occupied for purposes not specified.
19. That the premises shall remain open to the public during business hours as a full-service restaurant only as defined in Chapter 30.70 of the Glendale Municipal Code (GMC).
20. That the restaurant shall adhere to the City's Fresh Air Ordinance, Title 8, Chapter 8.52 of the Glendale Municipal Code. The permitted smoking area(s) shall be properly designated and posted. A site plan showing permitted places of employment and permitted smoking area(s) shall be submitted to the satisfaction of the City's Fresh Air Ambassador and such approved plan shall be posted on-site at the cashier area.
21. That no smoking of any kind is permitted on the west patio (adjacent to Irving Avenue) because this entire area is within the non-smoking setback area from the restaurant's employee door to the west patio. The storage shed by the east patio is a "place of employment" under the City's Fresh Air Ordinance and no portion of the east patio is outside the required setback from a "place of employment."

Smoking shall be permitted in limited areas on the east patio when all of the following occur:
 - a. The required minimum setbacks from a "place of employment" shall be met for this patio and site plan showing the permitted smoking area that shall be approved by the City's Fresh Air Ambassador, and
 - b. A clear separation shall be made between smoking and non-smoking areas, with at least ten feet provided between non-smoking and smoking tables, and all smoking tables shall be marked, and
 - c. The use of hookah shall be limited to those tables designated as smoking permitted on the approved site plan.
22. That the restaurant shall be operated in full accord with applicable State, County, and local laws.
23. 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.
24. 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.
25. That the applicant shall obtain approval of a new Business Registration Certificate (BRC) that includes this approval.
- 26.

27. 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.
28. That the authorization granted herein shall be valid for a period of **FIVE (5) YEARS, UNTIL February 9, 2027.**

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, appeal forms and fees will be provided by the Community Development Department (CDD) staff upon request by calling 818-548-2140.

The completed appeal form must be filed with the prescribed fee prior to expiration of the 15-day period, on or before **FEBRUARY 24, 2022.**

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 FEBRUARY 24, 2022 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 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 FORM is also available on-line: <https://www.glendaleca.gov/home/showdocument?id=11926>

To save you time and a trip - please note that some of our FORMS are available on line and may be downloaded. AGENDAS and other NOTICES are also posted on our website. Visit us.

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 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 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 a variance 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 contact with this office regarding this determination must be with the case planner, **Vista Ezzati**, 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 via email at VEzzati@glendaleca.gov, between 8:30 a.m. to 5:30 p.m. weekdays.

Sincerely,



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-(S.Demirjian/F.McLean); Traffic & Transportation Section (P.Casanova/Mark Bueno-Traffic Engineer Assoc.); General Manager for Glendale Water and Power (M.Young); Glendale Water & Power--Water Section (G. Tom/S. Boghosian/R.Takidin/C.Babakhanlou/D.Scorza); 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- Vista Ezzati.