



CITY OF GLENDALE, CALIFORNIA

Community Development
Planning

633 E. Broadway, Suite 103
Glendale, CA 91206-4311
Tel. (818) 548-2140 Fax (818) 240-0392
glendaleca.gov

January 10, 2023

Rodney Khan, Khan Consulting, Inc.
P.O. Box 816
Montrose, CA 91201

RE: 417 NORTH BRAND BOULEVARD
ADMINISTRATIVE USE PERMIT CASE NO. PAUP2210622
(STARS ON BRAND – BANQUET HALL & NIGHT CLUB)

(SEE ALSO: CONDITIONAL USE PERMIT CASE NOS.
PCUP2210620 AND PCUP2210621)

Dear Applicant:

On November 30, 2022, the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Section 30.49.020, Administrative Use Permits, requesting to allow the continued service and sale of alcoholic beverages at an existing banquet hall and night club. The subject property is 8,250 square-foot and is located on Brand Boulevard between South Milford Street and West Lexington Street. The project site is developed with an approximately 10,500 square-foot, 2-story, building that extends from lot line to lot line on a property zoned "DSP-GAT" - (Downtown Specific Plan Gateway District), located at **417 North Brand Boulevard**, described as Lot 18, Campbell Tract / APN: 5643-003-003, in the City of Glendale, County of Los Angeles.

The applicant is also requesting a Conditional Use Permit (Case No. PCUP 2210620) to allow for the continued operation of an existing banquet hall, and Conditional Use Permit (Case No. PCUP 2210621) to allow for the continued operation of an existing night club.

CODE REQUIRES

- 1) An Administrative Use Permit is required for the service and sale of alcoholic beverages in the DSP/GAT zone. (Downtown Specific Plan, TABLE 3-A-3).

APPLICANT'S PROPOSAL

- (1) To allow the continued service and sale of alcoholic beverages at an existing banquet hall and night club.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt from California Environmental Quality Act (CEQA) review under Section 15301 "Existing Facilities," because the project involves minor alterations to an existing banquet hall and night club.

REQUIRED/MANDATED FINDINGS

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report by the Community Development Department staff thereon, and the statements made at the public hearing with respect to this application, the Planning Hearing Officer has **APPROVED WITH CONDITIONS** your application based on the following:

A. The proposed use will be consistent with the various elements and objectives of the general plan.

The subject site is located in Downtown Glendale, in the Downtown Specific Plan Land Use area, within the Gateway District, as listed in the Downtown Specific Plan. The focus of the Gateway District is the "continued promotion and location of corporate headquarters, new hotels, mixed-use and residential buildings, complementary/accessory service and retail businesses at the street level, as well as the introduction of appropriate night-time entertainment uses" (DSP, page 24). Alcoholic beverage sales are permitted with approval of an Administrative Use permit within the Gateway District and are therefore consistent with this land use designations. As such, the on-site sale, service, and consumption of alcoholic beverages is consistent with the intent of these plans.

B. 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 application is for the continuance of previously approved on-site alcoholic beverage sales, service, and consumption, which was established in 2004 (CUP Case No. 10798-CU). This application is in conjunction with an application for the continuance of a previously approved conditional use permit for banquet hall use in addition to the continuance of a previously approved conditional use permit for a nightclub use. The nightclub use was first established in 1996 (CUP Case No. 9587-CU) following the conversion of the movie theater to an entertainment venue, and the banquet hall use was established in 2016 (CUP Case No. PCUP1526730). Building Code and Fire and Police requirements will continue to be enforced. The building fronts Brand Boulevard, and its entrance can only be accessed from this street; there are no openings directed towards any adjacent commercial buildings. Therefore, the continued service and sale

of alcohol in conjunction with a nightclub and banquet hall use is not expected to be detrimental to the public health or safety, the general welfare, or the environment.

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

The adjacent uses include restaurant, retail, and office establishments, while the Downtown Specific Plan calls for high-rise office and residential, hotels, and other supportive uses. Alcoholic beverage sales, service, and consumption would generally be regarded as compatible with such uses, especially as the Downtown Specific Plan calls for the introduction of appropriate night-time entertainments uses such as the subject establishment in the Gateway District. Continuance of this use is not expected to result in any negative impacts on adjacent properties regarding noise or traffic beyond the norms expected in a downtown area.

D. Adequate public and private facilities such as utilities, landscaping, parking spaces and traffic circulation measures are provided for the proposed use.

The original building was constructed in 1936 and a nightclub use has been in operation at the subject location for over 25 years with public and private facilities still in place. Alcoholic beverage sales, service, and consumption has been permitted since 2004, and the banquet hall use has been in operation since 2016. No parking was required at the time of construction, and the use has been served by parking structures in the downtown area, street parking on Brand Boulevard, and the Orange Street Parking Garage. Valet service is typically provided for event patrons. The continuance of these uses is not expected to impact the provision of adequate public and private facilities.

E. That all the additional criteria set forth in Section 30.42.030 (E) to be considered in making the findings in subsection A. through D. above have all been met and thoroughly considered.

1. The subject site is located in Census Tract No. 3018.01. A total of six on-site licenses are recommended for this tract. Presently, there are 16 alcohol licenses in this tract and Stars on Brand would bring the total to 17. This use surrendered their Type 47 liquor license for On-Sale General Eating Place (#565404) in October of 2020. Given that the existing establishment had been operating unproblematically with a license since 2004, it is not expected that the proposed use would not intensify or otherwise contribute to adverse impacts in the surrounding area caused by an over concentration.
2. This census tract, as a whole, exceeds the City's average for Part 1 crimes by 7%; based on statistics for 2021, there were 180 crimes in this tract, while the city-wide average was 167. The Police Department reviewed the applicant's request and based on the nature of the business and its past history, they did not express concerns about the project. Furthermore, because this request to sell, serve, and consume alcohol is also to continue operation in the same manner, approval of the

conditional use permits and administrative use permit is not anticipated to encourage or intensity crime within the district.

3. The existing use does not and will not adversely impact any church, public or private college, day care facility, public park, library, hospital, or residential use within the surrounding area. The nightclub/banquet hall in association with selling, serving, and consuming alcohol is within a highly developed urban area of Downtown Glendale. There are no church, public or private college, day care facility, public park, library, hospital, or residential uses within the immediate vicinity. The closest library (Central) is 0.7 miles away, while the closest public park (Doran Gardens Mini Park) is 0.3 miles away. The First Baptist Church of Glendale is located about half-a-mile away. The property is also buffered from residential uses to the east of Brand Boulevard and to the west of Central Avenue.
4. Adequate parking and loading facilities are provided for the use. The nightclub/banquet hall use in conjunction with the service, sale, and consumption of alcohol has been and will continue to be served by parking structures throughout the downtown area, and valet service will be provided for event or banquet patrons. There is street parking available on Brand Boulevard and in the Orange Street public parking structure. Hence, parking is adequately available for the continued operation of the nightclub use, banquet hall use, and associated sale, service, and consumption of alcohol.

CONDITIONS OF APPROVAL

1. That the development shall be in substantial accord with the plans submitted with the application and presented at the hearing except for any modifications as may be required to meet specific Code standards or other conditions stipulated herein to the satisfaction of the Planning Hearing Officer.
2. That all necessary permits (i.e., building, fire, engineering, etc.) shall be obtained from the Building and Safety Division and all construction shall be in compliance with the Glendale Building Code and all other applicable regulations.
3. That all necessary licenses as required from Federal, State, County or City authorities shall be obtained and kept current at all times.
4. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash, and graffiti.
5. That any expansion or modification of the facility or use which 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.

6. The facilities shall not be rented, leased or otherwise occupied for purposes not specified.
7. That no exterior signs advertising the sales/service of alcoholic beverages be permitted, banners shall be prohibited, and all signs displayed shall conform to the requirements of the Glendale Municipal Code.
8. That the premises shall be made available to any authorized City personnel (Building, Fire, Police, Neighborhood Services, Planning, etc.), for inspection to ascertain that all conditions of approval of this Administrative Use Permit comply.
9. That a Business Registration Certificate shall be obtained to reference this Administrative Use Permit.
10. 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.
11. That the sales, service, or consumption of alcoholic beverages shall be permitted only between the hours of 5 p.m. to 2 a.m. each day of the week.
12. 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.
13. That the proprietor and their 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.
14. That those premises may be utilized for banquets, private parties, or other events, provided that all events comply with the provisions of the applicant's Alcoholic Beverage Control license, and provided they have appropriate Conditional Use Permits and Administrative Use Permits.
15. That there shall be no video machine maintained upon the premises.
16. That dancing is only allowed on the premises in designated dance floor areas, with a proper "Dance" permit.
17. 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 or female entertainment is provided.

18. 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.
19. 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.
20. That an establishment that primarily provides for the on-premises sale, serving and consumption of alcoholic beverages and that derives more than fifty (50) percent of gross revenues from the sale of alcoholic beverages is by definition of the Glendale Municipal Code a "tavern" and requires approval of a separate Conditional Use Permit. Taverns include bars, pubs, cocktail lounges, and similar establishments.
21. That the sale of beer, wine, and/or distilled spirits for consumption off the premises is strictly prohibited.
22. That the Manager and or Staff should be proactive in the enforcement of the City of Glendale Clean Air Act.
23. That the applicant shall comply with all the conditions of approval for Conditional Use Permit Case No. PCUP2210620 and Conditional Use Permit Case No. PCUP2210621.
24. That the authorization granted herein shall be valid for a period of 10 years, until **NOVEMBER 30, 2033**, 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. Appeals must be filed prior to expiration of the 15-day period, on or before **JANUARY 25, 2023**. Information regarding appeals, appeal forms and fees may be obtained by calling the Community Development Department (CDD) staff at 818-548-2140, or the case planner at 818-937-8158.

APPEAL FORM is also available on-line:

<https://www.glendaleca.gov/home/showdocument?id=11926>

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.

You may contact the case planner, Nikki Laureola, during normal business hours at (818) 937-8158 or via e-mail at nlaureola@glendaleca.gov.

Sincerely,
Bradley Calvert
Director of Community Development



Dennis Joe
Senior Planner

DJ:NL: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 (J.Sada/R.Mardian/); 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– Nikki Laureola.