



CITY OF GLENDALE, CALIFORNIA

Community Development
Planning

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glendaleca

April 17, 2024

Garo Nazarian
Domus Design
Glendale, CA 91205

RE: 1018 EAST COLORADO STREET
■ USE VARIANCE CASE NO. PVAR-001732-2023

*(Also includes adjacent parking lots: 1010 & 1024 East Colorado Street,
and 305 South Adams Street)*

Also see

- CONDITIONAL USE PERMIT CASE NO. PCUP-001742-2023
- ADMINISTRATIVE USE PERMIT CASE NO. PAUP-001927-2023

Dear Mr. Nazarian:

On April 17, 2024, the Planning Commission conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.42, on your application requesting to continue operating existing banquet hall and nightclub uses (Palladio) with the on-site sales, service, and consumption of alcoholic beverages, located at **1018 East Colorado Street**, in the "C3"-Commercial Service Zone, Height District I described as Portion of Lot 6, Block 13, Byram, Patterson and Miller Subdivision, APNs:5674-023-004, 5673-023-005, 5673-023-006 & 5673-023-007.

The applicant's request to renew these approvals requires three planning applications: a **Use Variance** for the nightclub in a "C3" zone, a **Conditional Use Permit** for a banquet hall in the "C3" zone, and an **Administrative Use Permit** for the on-site sales, service and consumption of alcoholic beverages in the "C3" zone.

CODE REQUIRES

- (1) A nightclub is not listed as a permitted use in the C3 Zone (GMC Section 30.12.020).
- (2) A banquet hall requires a conditional use permit in the C3 Zone (Table 30.12-A, GMC Section 30.12.020).

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- (3) The sales, service and consumption of alcoholic beverages requires an administrative use permit in the C3 Zone (Table 30.12-A, GMC Section 30.12.020).

APPLICANT'S PROPOSAL

- (1) A use variance to allow the continued operation of a nightclub in the C3 Zone.
- (2) A conditional use permit to allow the continued operation of a banquet hall in the C3 Zone (Table 30.12-A, GMC Section 30.12.020).
- (3) An administrative use permit to allow the continued sales, service and consumption of alcoholic beverages in the C3 Zone (Table 30.12-A, GMC Section 30.12.020).

ENVIRONMENTAL DETERMINATION

The project is categorically exempt from California Environmental Quality Act (CEQA) review under Section 15301 "Existing Facilities," because the discretionary permit request is to allow the continued operation of banquet hall and nightclub uses with alcoholic beverage sales at an existing commercial space with no additional floor area proposed.

MOTION

Moved by Planning Commissioner Fuentes, seconded by Planning Commissioner Minassian, that upon review and consideration of all materials and exhibits of current record relative to **Use Variance Case No. PVAR-001732-2023** to allow the continued operation of a nightclub in the C3 (Commercial Service) Zone, and after having conducted a hearing on said matter, the Planning Commission hereby **APPROVES WITH CONDITIONS** said Use Variance Case No. PVAR-001732-2023 for the project site located at 1018 East Colorado Street, described as Portion of Lot 6, Block 13, Byram, Patterson and Miller Subdivision, in the City of Glendale, County of Los Angeles, in accord with the findings set forth below.

REQUIRED/MANDATED FINDINGS

Pursuant to Section 30.43.030 of the Glendale Municipal Code, a Use Variance may be granted only if the following findings of fact can be made.

- A. The strict application of the provisions of any such ordinance would result in practical difficulties or unnecessary hardship inconsistent with the general purposes and intent of the ordinance.**

The property was first developed in 1924 with a theater, a group of commercial buildings, and apartments at the corner of Colorado Street and Adams Street. The nightclub and associated banquet hall with alcoholic beverage sales (Palladio) operate out of the former theater building which was originally located in both a

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commercial and residential zone. In 2017, the current owner and operator of Palladio obtained approval from the council to rezone the residential portion of the lot so that the entire property is in the C3 zone. Since the site was developed in 1924, there have been multiple commercial uses operating at this location with a restaurant use with beer and wine sales first established in 1975. There have been numerous use variance and conditional use permits approved since then for different variations of a restaurant, nightclub, and banquet hall with alcoholic beverage sales. The first use variance approval for a nightclub was in 1981 and has subsequently been renewed several times. In 2010, the operation changed from a nightclub and restaurant to the existing nightclub and banquet hall with alcoholic beverage sales (Palladio). The applicant is requesting approval of a Use Variance to allow the continued operation of the existing nightclub in conjunction with the existing banquet hall with alcoholic beverage sales. A nightclub has existed at this location for 43 years, and the current operator, Palladio, has operated responsibly over the years and there is no record of adverse impacts to the residential and business community. The request does not include an expansion of the use or operation. The Zoning Code intends to promote reasonable development and use of property and the strict application of the C3 zoning standards would result in unnecessary hardship inconsistent with the general purpose and intent of the code.

B. There are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood.

The exceptional circumstances and conditions applicable to the property are related to when it was originally developed, the historical use of the site and the zoning designations. First, the site was originally developed in 1924 as a movie theater with retail and residential uses on-site, and it has a long history of being used for commercial purposes, including the existing nightclub and banquet hall. City records indicate that the tenant space originally operated as a movie theater for close to thirty years. In 1953 it was converted into a bowling alley with a bar, then in 1964 the space was converted from a bowling alley to a nightclub and cocktail lounge. Alcoholic beverages at a restaurant was approved in 1975, and in 1981 a restaurant and nightclub with alcoholic beverages was approved. Historically, this property has always been split-zoned, with portions located in both the commercial and residential zones. In 2017, the residentially zoned portion of the site was rezoned to C3 (Commercial Service), eliminating the need for a use variance for the banquet hall in a residential zone. A use variance is still required for the nightclub use, which has historically existed on-site since the 1960s. The applicant is requesting a use variance to continue the existing nightclub operation, in conjunction with a banquet hall, and there is no expansion of the use or additional floor area proposed. Additionally, the property fronting Colorado Street is configured

differently than its neighbors and is one of three properties originally developed with commercial uses partially in a residential zone. Whereas most properties facing Colorado Street in this block are 125 deep, the subject property is 201 feet deep. The exceptional depth of the property in this block is a condition that does not apply to its immediate commercial neighbors and can explain why it was developed to its highest and best use as a movie theater in 1924 and how it has transitioned into banquet hall and nightclub uses.

C. The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located.

Approval of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in this neighborhood because the request is to continue an existing nightclub operation that has historically existed on-site since the 1960s. There is a long history of the entire property being used for commercial purposes, specifically the existing banquet hall and nightclub uses with alcoholic beverage sales for on-site consumption. Additionally, the applicant's request does not include an expansion of the existing operation or an increase in the square footage. The subject property is located in Census Tract 3022.02 and according to the Glendale Police Department there were 247 crimes in 2023, 22% below the city-wide average of 317. Within the last calendar year, there have not been any calls for service for this location and the Glendale Police Department did not cite any concerns with the applicant's request to allow the continued operation of the nightclub. Additionally, there were no concerns or comments submitted by the Neighborhood Services Division that would indicate that the request to continue operating the nightclub (Palladio) would have a negative impact on the surrounding area. The proposed conditions of approval will serve to mitigate any potential negative impacts on the surrounding properties.

D. The granting of the variance will not be contrary to the objectives of the ordinance.

The granting of the use variance to allow the continued operation of a nightclub, where such use has historically existed since the 1960s will not be contrary to the objectives of the ordinance. The existing banquet hall and nightclub, Palladio, has been operating at this location since 2006. The intent of the Zoning ordinance is to allow for reasonable use of property and the Land Use Element encourages flexibility in the range and type of services and facilities in the C3 zone. While a nightclub use is not allowed in this zone, this type of use has been granted approval by the City of Glendale for several decades. Accordingly, the use is well established at this location and granting the applicant's request with conditions allows for the

reasonable continued use of a long-established business, with conditions of approval that would serve to mitigate any potential negative impacts.

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 Hearing Officer.
2. That all licenses, permits as required or approvals from Federal, State, County or City authorities, including the City Clerk, shall be obtained and kept current at all times.
3. That all necessary licenses, permits as required or approvals from State, (Alcoholic Beverage Control) authorities shall be obtained and kept current at all times.
4. That the premises shall be operated in full accord with applicable State, County, and local laws.
5. That access to the premises shall be made available to all City of Glendale Planning and Neighborhood Services Division, Police Department, and Fire Department staff, upon request for the purpose of verifying compliance with all laws and the conditions of approval.
6. That the premises shall be operated and maintained as a nightclub and a banquet hall as defined in Chapter 30.70 Glendale Municipal Code and conditioned. No additional land uses not recognized in this approval shall be established on the subject property.
7. That the facilities shall not be rented, leased or otherwise occupied for purposes not specified in this application and as conditioned.
8. That all events shall be identified as either a nightclub event or a banquet hall event and clearly posted at each entry to the facility and made immediately available upon request by staff of the City of Glendale Planning and Neighborhood Services Division, Police Department and Fire Department. Nightclub and banquet hall are defined in Chapter 30.70 of the Glendale Municipal Code. The two types of land uses shall not operate simultaneously. Additionally, a banquet hall is a facility for private party events where access by the public is restricted. Private party events are by invitation only and not through ticket sales, cover charges, donations or contributions. A nightclub is a facility open to the general public whereby any person can attend free of charge

or by means of purchasing a ticket, paying a cover charge or making a donation or contribution.

9. That the days and hours of operation of the nightclub use shall be as follows:

- a. Friday-Saturday: 9:00 AM to 2:00 AM (Nightclub Only)**
- b. Sunday-Thursday: 9:00 AM to 12:00 AM (Nightclub Only)**

10. That the days and hours of operation of the banquet hall use shall be as follows:

- a. Friday - Sunday: 9:00 AM to 2:00 AM (Banquet Hall Only)**
- b. Monday-Thursday: 9:00 AM to 12:00 AM (Banquet Hall Only)**

11. That the holiday and special events days and hours of the operation shall be as follows:

- a. Monday-Sunday: 9:00 AM to 2:00 AM (*Holidays & Special Events)**
- b. *Holiday: Christmas, New Years, Thanksgiving, Memorial Day, Labor Day,**
- c. Independence Day, Presidents Day, Martin Luther King Day, Veterans Day.**
- d. *Special Events: Valentines Day, Mother's Day, Father's Day, Yom Kippur, Ramadan, Yom Hashoah, April 24th, Islamic New Year, Halloween, Rosh Hashanah, Cinco De Mayo, Easter, St. Patrick's Day.**

12. That any expansion or modification of the facility as determined by the Director of Community Development to be inconsistent with this grant and allowed use shall require a new use variance application.

13. That for the banquet hall events, a minimum one security guard shall be provided for every 50 patrons, two guards for 51 to 100 patrons, and one additional guard shall be employed for each 100 patrons thereafter. For the nightclub events, a minimum one security guard shall be provided for every 20 patrons. The security guard(s) shall be on the premises from the opening to closing, each day the business is open. A written security services contract with a company licensed with the state of California shall be submitted to the Hearing Officer for verification.

14. That a minimum of one security guard shall be posted at the Adams Street exit during business hours plus one hour after closing. The security guard shall divert traffic away from residential streets and onto Colorado Street. No residential street parking is allowed at anytime, including any valet services that may be provided.
15. That at all times when the premises are open for business, the sale, service and consumption of any alcoholic beverage shall be made only in areas designated with an ABC license.
16. That no patron shall bring or maintain any alcoholic beverage into the establishment unless that alcoholic beverage was purchased within that same establishment or unless the facility has an established corkage policy that it actively regulates.
17. That all smoking activities shall be consistent with the Chapter 8.52 Glendale Municipal Code. An outdoor smoking area shall be completely designated to the west side of the nightclub and banquet hall building. Such location shall be setback 20 feet from the residential zone and clearly demarcated to indicate where smokers are allowed to the satisfaction of the Director of Community Development and the Police Department. No other outdoor smoking area is allowed.
18. That noise and music shall be contained to the building and confined to the occupancy so as not to disturb occupants of residences, businesses, patrons on the public right-of-way and other properties such that persons of normal sensitivity off-site are not disturbed consistent with Chapter 8.36 Glendale Municipal Code. All exterior nightclub and banquet hall doors shall remain closed. Music shall be of a volume not to be audible from nearby residential property. The Director of Community Development's opinion shall prevail to arbitrate any conflicts.
19. That all odors shall be confined to the occupancy so as not to disturb nearby residential properties, occupants of other businesses and properties and patrons on the public right-of-way.
20. That any exterior lighting shall be directed onto the driveways, walkways and parking areas within the development and away from adjacent residential properties and the public right-of-way to the satisfaction of the Director of Community Development.
21. That Police Department emergency personnel shall be provided with a minimum of three phone numbers of responsible parties in case of emergency.

22. That the applicant shall monitor the area under its control, in an effort to prevent the loitering of persons about the premises.
23. That the applicant shall not permit any public nuisance at the premise or adjacent areas outside the premise, including the parking areas. The applicant and management staff and employees are strictly responsible for security on site and for preventing criminal activity.
24. That no speaker systems shall be installed in the parking area.
25. That patrons shall not be permitted to remain in the parking area after closure of the business or to loiter in the parking area while business is open.
26. 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 make disturbances in the area.
27. That the parking area shall be kept adequately illuminated for security purposes during all hours of darkness. Lighting fixtures shall be installed and maintained in the parking area in those areas where street lights do not effectively illuminate the premises. The lighting shall be directed away from the residential properties.
28. That the premises and the adjacent public right-of-way areas be maintained in a clean and orderly condition, free of weeds, trash, and graffiti, particularly after every event.
29. That adequate means be provided for the collection of solid waste generated at the site and that all recyclable items be collected and properly disposed of to the satisfaction of the Integrated Waste Management Administrator of the City of Glendale. No trash containers shall be stored in the R-2250 Zone or any parking, driveway, or landscaping area.
30. That no outside storage shall be allowed on the site.
31. That all signs displayed shall conform to the requirements of the Glendale Municipal Code.
32. That there shall be no live entertainment, contests or similar dances or special events such as those listed below. The owner is prohibited from advertising or allowing such events. No special events are allowed that would otherwise sexually arouse the patrons, the employees or the entertainers.

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- a. Modeling contests or events
 - b. Swimwear contests or events
 - c. Wet T-shirt contests or events
 - d. Bikini contests or events
 - e. Lingerie contests or events or female/male modeling contests
 - f. All entertainers must be completely clothed and not wear just "string" or "thong" apparel.
33. That signs in the form of posters advertising for any of the above activities are not allowed. Signs that depict nude, semi-nude, see-through, or bikini clad people is also prohibited.
34. That no employee, while working, shall solicit or accept any alcoholic or non-alcoholic beverage from any customer while on the premises. No employee, while working, shall be engaged for the specific purpose of sitting with or otherwise spending time with customers while on the premises.
35. That no booth or group seating shall be installed which completely prohibits observation of the occupants.
36. That "Happy hour," "Ladies night," "Men's night," and "All the well drinks you can drink for a certain price" are prohibited.
37. That the applicant shall apply to renew their Business Registration Certificate and it shall be always kept current.
38. That the applicant shall comply with all the conditions of Conditional Use Permit Case No. PCUP-001742-2023.
39. That the applicant shall comply with all the conditions of Administrative Use Permit Case No. PAUP-001927-2023.

Adopted this 17th day of April, 2024.

VOTE as follows

Ayes: Chraghchian, Fuentes, Minassian, Shahbazian
Noes: None
Absent: Lee
Abstain: None

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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 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 (**MAY 2, 2024**) following the actual date of the decision.

All appeals must be filed using the City's online permit portal: www.glendaleca.gov/Permits. Click "Apply", "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 **MAY 2, 2024**. Information regarding appeals and appeals and fees may be obtained by calling the Community Development Department staff at 818.548.2115, or contacting the case planner, Vista Ezzati at vezzati@glendaleca.gov or 818-937-8180.

GMC CHAPTER 30.41 PROVIDES FOR TERMINATION

Every right or privilege authorized by a Use Variance 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

A Use Variance may be terminated by the review authority upon any interruption or cessation of the use permitted by the Use Variance 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 conditional use permit.

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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.

REVOCAATION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over Use Variances. 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 Use 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 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.

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You may contact the case planner, Vista Ezzati during normal business hours at (818) 937-8180 or via e-mail at vezzati@glendaleca.gov.

Sincerely,
Bradley Calvert
Director of Community Development



Vista Ezzati
Senior Planner

VE:sm

CC: City Attorney's Dept. (G. Van Muyden/ M. Yun & Y. Neukian); City Clerk (K. Cortes); Building and Safety (C. Leung and A. Sargsyan); Neighborhood Services (J. Sada); Design Review & Historic (J. Platt); Economic Develop. (M. Berry); Housing (P. Zovak / M. Fortney & A. Brownell); Urban Design and Mobility (F. Zohrevand For VMT Analysis); Community Services and Parks (T. Aleksanian/ A. Limayo); Information Services (G. Arnold); Fire Engineering - (J. Diaz/ D. Stimson & S. Partamian); Glendale Water & Power-Water Section (S. Boghosian/ E. Hakoupiani & K. Runzer) -Electric Section (C. Babakhanlou/ S. Boghosian & E. Hakoupiani (H. Barkhordian and D. Scorza Alternates); Police Dept. (Lt. A. Krikorian & Z. Avila); Engineering and Land Development (A. Avazian/ S. Oganessian & R. Villaluna); Traffic & Transportation Section (P. Casanova/ S. Roudsari); Integrated Waste (D. Hardgrove); Maintenance Services/Street and Field / Urban Forester (L. Klick / C. Linares & O. Urquidez); Facilities (City projects) – K. Todd, Case planner-Vista Ezzati.