glendale california
City of Glendale
Community Development
Planning & Neighborhood Services

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August 20, 2015

Shoghig Yepremian
P.O. Box 583
Sierra Madre, CA 91025

RE: 6430 SAN FERNANDO ROAD
ADMINISTRATIVE USE PERMIT CASE NO. PAUP 1512527

(Maran Restaurant)

Dear Ms. Yepremian:

Pursuant to the provisions of the Glendale Municipal Code, Title 30.49, Chapter 30.49, the Community Development Department 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 at an existing full-service restaurant, located at **6430 San Fernando Road**, in the "SFMU" - (Commercial/Residential Mixed Use) Zone, described as Lot 93, Tract No. 3196, in the City of Glendale, County of Los Angeles.

CODE REQUIRES

(1) On-site sales, service and consumption of alcoholic beverages require an administrative use permit in the SFMU (Commercial/Residential Mixed Use) Zone.

APPLICANT'S PROPOSAL

(1) To allow the on-site sales, service, and consumption of a full line of alcoholic beverages (Type 47) at an existing full-service restaurant.

ENVIRIONMENTAL DETERMINATION

The project is exempt from CEQA review as 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 Department has **APPROVED WITH CONDITIONS** your request based on the following findings:

REQUIRED FINDINGS

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

The existing 3,400 square foot restaurant has been used as a full service restaurant with the service of alcoholic beverage and public dancing for the

last several years. The economic activity generated by this restaurant is consistent with the objectives of the General Plan and the San Fernando Road Corridor Redevelopment Area. The proposed use, which is located in the Commercial/Residential Zone (SFMU) is compatible with commercial and residential uses. The restaurant will be a complementary service to the adjacent businesses and is anticipated that it will continue to be consistent with the various elements and objectives of the General Plan and the SFMU Zone, given that the applicant requests only the continued ability for on-site sales, service and consumption of alcoholic beverages at an existing restaurant.

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 existing restaurant use with on-site sales, service and consumption of alcoholic beverages has met the intent and requirements of the zoning ordinance and has not proven to be detrimental to the public health or safety for the last nine years under the current management. Similar uses exist in the area and within the community, which have not proven to be detrimental to the general welfare or the environment. It is anticipated that the continued sales, service, and consumption of alcoholic beverages will continue in the same manner.

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

The restaurant facility has been in operation for several years without generating any nuisance. The applicant's request to continue the 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 restaurant. The existing restaurant use has been at this location for the last 25 years, with the last 9 years under current management. The premise has operated in full accord with current zoning code requirements and the conditions of approval contained in Conditional Use Permit No. PCUP-2008-010 approved on June 18, 2008.

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.

Public and private infrastructure, off street parking, and utilities are in place. There are no changes or modifications requested at this time that would alter the existing conditions at the site. The site currently has 14 off-street parking spaces to be used exclusively for the existing restaurant, and no

changes are proposed to the circulation or number of parking spaces provided.

REQUIRED ADDITIONAL FINDINGS OF FACT FOR AN AUP FOR ALCOHOL SALES, SERVICE AND CONSUMPTION:

That all the following criteria (set forth in Section 30.49.030) have been met and thoroughly considered in making the findings in subsection A through D above:

1) That such use does not or will not tend to intensify or otherwise contribute to the adverse impacts on the surrounding area caused by over concentration. The Glendale Police department has not cited any concerns regarding the continued sale, service, and consumption at Maran Restaurant.

2) That such use does not or will not tend to encourage or intensify crime within the district. The Glendale Police Department has not cited concerns regarding the intensification of crime due to the continued sale, service, and consumption of alcohol at Maran Restaurant. The restaurant has been crime-free and it is anticipated that it will continue to be so in the future.

3) That such 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). The San Fernando Road Corridor has many similar commercial uses. There is no indication that the continued sale, service, and consumption of alcoholic beverages will adversely impact abovementioned uses.

4) That adequate parking exists on site to satisfy the transportation and parking needs for the existing use. There are 14 parking spaces provided, and there is no intensification or change of use with the proposed administrative use permit. Therefore, it is not anticipated that there will be demand for additional parking for the restaurant.

5) That the existing use does or will serve a public convenience purpose because the operation of a full-service restaurant with on-site sales, service and consumption of alcoholic beverage will be consistent with the intent for Mixed-Use Zones and the General Plan for the City of Glendale. Such uses are intended to serve the neighborhood's needs.

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 permits 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 including the City Clerk 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 the facilities shall not be rented, leased, or otherwise occupied for the purposes not specified in this application.

6. That any expansion or modification of the facility or use shall require a new administrative use permit. Expansion shall constitute adding of an additional floor area, increased hours of operation, or any physical change as determined by the Planning Hearing Officer, with concurrence from the Director of Community Development.

7. That all music, lighting, noise, and odors shall be confined to the occupancy so as not to disturb occupants of other businesses or properties and patrons on the public right-of-way.

8. That sufficient measures be enforced to effectively eliminate interior and exterior loitering, parking congestion, disturbing noise, disturbing light, loud conversation and criminal activities.

9. That all music, lighting, noise and odors shall be confined to the occupancy so as not to disturb occupants of other adjacent residences and businesses or properties and patrons on the public right-of-way. The Planning Hearing Officer's opinion shall prevail to arbitrate any conflicts.

10. That access to the premises shall be made available upon request to all City of Glendale authorized staff (i.e. Community Development Department, 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.

11. That at all times when the premises are open for business, the sales and 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.

12. That the sales and service of alcoholic beverages shall be in full accord with the regulations and conditions established by the State Department of Alcoholic Beverage Control.

13. That there shall be no bar or lounge area on the premises maintained solely for the purpose of sales, service or consumption of alcoholic beverages by patrons.

14. That the sale of alcoholic beverages for consumption off the premises is strictly prohibited.

15. That no patron to the business establishment will be allowed to bring into the establishment or maintain in the establishment, any alcoholic beverage unless that alcoholic beverage was purchased within the establishment, unless the facility has an established corkage policy allowing and regulating such.

16. That Maran Restaurant shall remain open to the public during business hours as a full service restaurant as defined in Chapter 30.70 of the Glendale Municipal Code (G.M.C) and shall provide a menu containing an assortment of foods normally offered in such establishment. Food service shall be available at all times.

17. That the existing restaurant shall adhere to the City's Fresh Air (smoking) Ordinance, Title 15, Chapter 8.52 of the Glendale Municipal Code.

18. 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.

19. That no exterior signs advertising the sales/service of alcoholic beverages be permitted.

20. That a Business Registration Certificate shall be applied for and issued for a full service restaurant with on-site sales, service, and consumption of beer, wine and distilled spirits subject to the findings and conditions outlined in this decision letter.

21. That authorization granted herein shall be valid for a period of **TEN (10) years** until **August 20, 2025.**

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 **September 4, 2015** at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday thru Friday 7:00 am to 12:00 pm, or at the Community Development Department (CDD), 633 East Broadway, Room 103, Monday thru Friday 12:00 pm to 5 pm.

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 30.16.610 of the Glendale Municipal Code, 1995, provides for the Director of Community Development to have continuing jurisdiction over any Administrative Use Permit which is or has been granted and may revoke any Administrative Use Permit in whole or in part at any time for failure to comply with any condition or requirement imposed at the time of approval.

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.

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, **Kathy Duarte**, who can be reached direction at (818) 937-8163 or via email at kduarte@glendaleca.gov. This would include clarification and 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.

Sincerely,

Phillip Lanzafame
Interim Director of Community Development

Erik Krause, Principal Planner

Cc: City Clerk (K.Cruz); Police Dept. (Lt.S.Bickle/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(D.Nickles); Dir. Of Public Works (R.Golanian); Traffic & Transportation Section (W. Ko/S. Vartanian); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S. Boghosian); Glendale Water & Power--Electric Section (V. Avedian/B. Ortiz); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (A. Jimenez); Integrated Waste Management Admin. (D. Hartwell); Maintenance Services Section Admin. (D. Hardgrove); Street and Field Services Admin.; Environmental Management (M. Oillataguerra); Ingrid Wilcox; and case planner Kathy Duarte.