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**March 17, 2016**

**Applicant:**

John Sullivan  
5412 Pineglen Road  
La Crescenta, CA 91214

**RE: 524 EAST GLENOAKS BOULEVARD  
ADMINISTRATIVE USE PERMIT CASE NO. PAUP 1528361  
(We're Pouring)**

The Director of Community Development will render a final decision on or after **April 6, 2016**, for the following project:

**Project proposal:** An application for an Administrative Use Permit (AUP) to allow the on-site sales, service, and consumption of beer and wine (Type 41) at a proposed full service restaurant (We're Pouring).

**STAFF RECOMMENDATION: APPROVE WITH CONDITIONS**

**DRAFT CONDITIONS OF APPROVAL**

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 sufficient measures shall be enforced to effectively eliminate interior and exterior loitering, parking congestion, disturbing noise, disturbing light, bad conversation, and criminal activities.
4. That the sales/service of beer and wine shall be in full accord with the regulations and conditions established by the State Department of Alcoholic Beverage Control.
5. That the parking area shall be kept adequately illuminated for security purposes during all hours of darkness. No lighting shall be installed or maintained that shines or reflects onto adjacent properties.
6. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash, and graffiti.
7. That there shall be no dancing at any time on the premises.

8. That no live entertainment shall be permitted without obtaining 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 where partial clothing of male or female entertainment is provided.
9. That no alcoholic beverages shall be sold to be taken from the premises by patrons for off-site consumption.
10. That no patrons of the restaurant shall be allowed to bring into the establishment any alcoholic beverages that was purchased from outside of the establishment, unless the facility has an established corkage policy allowing and regulating such.
11. That the restaurant shall remain open to the public during business hours.
12. That the premises shall be operated in full accord with applicable State, County, and local laws.
13. That access to the premises shall be made available to all City of Glendale Planning and Neighborhood Services Divisions, Police Department, and Fire Department staff upon request for the purpose of verifying compliance with all laws and conditions of this approval.
14. That no exterior signs advertising the sales/service of alcoholic beverages shall be permitted.
15. That the premises shall maintain a bona fide restaurant and shall provide a menu containing an assortment of foods normally offered in such restaurant. Food service shall be available at all times and in all areas of the premises during normal operating hours.
16. There shall be no video machine(s) maintained upon the premises.
17. That there shall be no bar or lounge area upon the premises maintained solely for the purpose of sales, service, or consumption of beer and wine by patrons.
18. That any expansion or modification of the facility which intensifies the existing business shall require a new Administrative Use Permit application. Expansion shall constitute adding floor area, changes to the use or operation, or any physical changes as determined by the Planning Hearing Officer, with concurrence from the Director of Community Development.
19. That the restaurant shall adhere to the City's Fresh Air (smoking) Ordinance, Title 8, Chapter 8.52 of the Glendale Municipal Code.
20. That a Business Registration Certificate be applied for and issued for a full service restaurant with sales, service, and consumption of alcoholic beverages, subject to the findings and conditions outlined in this decision letter.

20. That a Business Registration Certificate be applied for and issued for a full service restaurant with sales, service, and consumption of alcoholic beverages, subject to the findings and conditions outlined in this decision letter.
21. 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.
22. That the premises shall be maintained as a bonafide restaurant and shall provide a menu containing an assortment of foods normally offered in such restaurant. Food service shall be available at all times and in all areas of the premises during normal operating hours.
23. That authorization granted herein shall be valid for a period of 10 years until **APRIL \_\_, 2026**.

## PROJECT BACKGROUND

**Previous Permits for the Site:** There were no previous permits for the site relating to sales, service and consumption of alcoholic beverages on file.

**Related Concurrent Permit Application(s):** The applicant is currently in the process of obtaining a building permit for the tenant improvement to create the proposed full service restaurant.

**Environmental Recommendation:** The project is exempt from CEQA review per State CEQA Guidelines Section 15301, Class 1 "Existing Facilities".

**General Plan:** Neighborhood Commercial

**Zone:** C1 (Neighborhood Commercial) Zone

**Description of Existing Property and Uses:** The subject tenant is located in a one-story multi-tenant building along the western portion of the lot. The building contains a general office and a dental lab. The subject restaurant is approximately 1,700 square feet and is adjacent to East Glenoaks Boulevard. The site is surrounded by commercial uses to the east and west and across Glenoaks Boulevard to the north. The Verdugo Wash is located to the south, at the rear of the subject property.

### Neighboring Zones and uses

Direction:	Zone	Existing Land Use
North (across Glenoaks Blvd)	C1	Commercial
South	N/A	Verdugo Wash
East	C1	Commercial
West	C1	Commercial
Project Site	C1	Commercial

**COMMENTS FROM OTHER CITY DEPARTMENTS:** No major concerns were received from the various city divisions/departments. Conditions have been received from the Police Department to ensure that any potential negative impact will be appropriately mitigated. These conditions will be made part of the application if the AUP is approved.

## **PROJECT ANALYSIS**

The subject site is located within the C1 (Neighborhood Commercial) Zone and the General Plan – Land Use Element designation of "Neighborhood Commercial". In comparison to other commercial zones in the city, the C1 zone is intended to offer limited services and goods for the surrounding residential neighborhoods. This zone has a small list of permitted land uses, which is more restrictive than the C2 and C3 zones. A full service restaurant is a permitted use in this zone.

The proposed full-service restaurant is located in a one-story building constructed in 1965. The subject tenant space was previously three different office spaces that are being combined together into the 1,700 square foot restaurant use. The applicant is currently in the building plan check process to complete the tenant improvement. This tenant space is adjacent to other complementary businesses, including office and retail uses.

The subject site fronts on East Glenoaks Boulevard along the south side of the street. This street is considered a Major Arterial thoroughfare. The site is surrounded by C1 properties. The request to serve alcoholic beverages in conjunction with a proposed full service restaurant will not create any traffic-related impacts on area streets over and above existing conditions.

The request to serve beer and wine with meals is an enhancement to the dining experience. The experience one gets from consuming a beer or glass of wine with a meal at a full service restaurant is different from an experience gained from consuming alcoholic beverages at a bar, tavern, or night club. The restaurant would be applying for a Type 41 alcohol licenses from ABC, which permits on-site consumption of beer and wine at a bona fide eating establishment.

The proposed restaurant is surrounded by other commercial developments on the east, west and to the north, across Glenoaks Boulevard. The property's parking lot is located to the east and is accessed from Glenoaks Boulevard. There are no residential uses located adjacent to the subject property. As such, no negative impacts to the residents are anticipated as a result of the proposed sales, service and consumption of beer and wine.

The site was constructed with the commercial building located on the western portion of the property. This is common for many older buildings throughout the city, including other commercial buildings surrounding the subject site.

The site currently contains 20 parking spaces. With the proposed mix of uses, including a 1,700 square foot full service restaurant, the site will comply with the zoning requirements. However, it should be noted that one parking space will be lost due to the requirement to provide one Americans with Disabilities Act (ADA) parking space. The Zoning Code allows one parking space to be lost due to the requirement for ADA compliance without requiring any special discretionary processes. The premises are kept clean and well-maintained. The proposed restaurant complements the eclectic mix of goods and services that are offered in this commercial district.

The proposed restaurant is located in Census Tract No. 3011 and contains other

businesses selling alcoholic beverages. This census tract allows for six on-sale establishments. There is currently one on-sale license in this census tract. According to the City's Part 1 crime statistics, there were 77 crimes reported in this census tract, which is below than the city-wide average of 178 crimes. Within the last calendar year, there were no calls for police service at this location.

The approval of the AUP for on-site consumption of alcoholic beverages at this location does not appear to be a detriment to the safety and public welfare of the neighborhood in general. The closest school and church would be the Incarnation Parish School and Church of the Incarnation located approximately 0.5 miles away along Brand Boulevard. The addition of alcohol sales in conjunction with the restaurant should not impact the school or church uses since the service of food is the primary use and alcohol sales is ancillary and the fact that the proposed restaurant is located on East Glenoaks and not Brand Boulevard. There are no other public facilities within the vicinity.

Overall, the applicant's desire to serve beer and wine at the proposed restaurant is supportable based on the facts surrounding this application and the findings.

## **DRAFT FINDINGS**

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

The subject site is zoned C1 (Neighborhood Commercial) and within the Neighborhood Commercial designation of the Land Use Element of the General Plan. The Circulation Element designates East Glenoaks Boulevard as a Major Arterial. This street is a fully improved serving a multitude of businesses and residential developments. The proposed restaurant is located in a commercial building alongside other commercial/service type businesses.

A full-service restaurant is a permitted use in this zone; however, on-site consumption of alcoholic beverages requires an approved Administrative Use Permit. The consumption of alcoholic beverages with meals is incidental to the restaurant operation. The applicant is currently in the building plan check process for the tenant improvement to change the use from offices to full service restaurant. The various elements of the general plan identify this property as a neighborhood commercial. The proposed full service restaurant is consistent with this designation.

### **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.**

We're Pouring Restaurant is a proposed full service restaurant. Glendale Police Department has reviewed the request to serve alcoholic beverages and has recommended appropriate conditions to further safeguard the health, safety, and general welfare of the public. Within the last calendar year, there were no calls for service to this location.

The proposed restaurant is located in Census Tract No. 3011 and contains other

businesses selling alcoholic beverages. This census tract allows for six on-sale establishments. There is currently one on-sale license in this census tract. According to the City's Part 1 crime statistics, there were 77 crimes reported in this census tract, which is below than the city-wide average of 178 crimes. Within the last calendar year, there were no calls for police service at this location.

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

The proposed restaurant is located within a commercial district and surrounded by complementary uses. The restaurant's request to serve beer and wine will not adversely affect or conflict with adjacent uses or impede the normal development of surrounding property, since no change to the existing land use designation are proposed. The focus of the operation is a full service restaurant. In this regard, the sales/service of beer and wine for on-site consumption is an enhancement to the dining experience.

**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.**

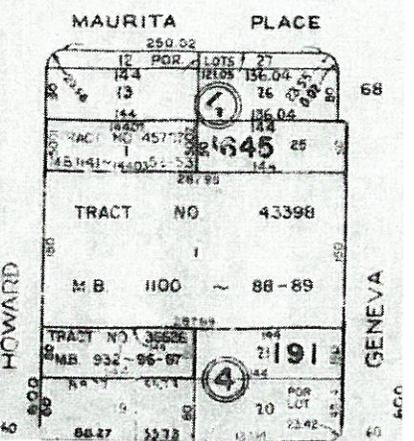
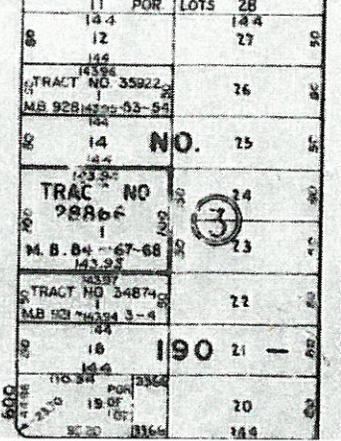
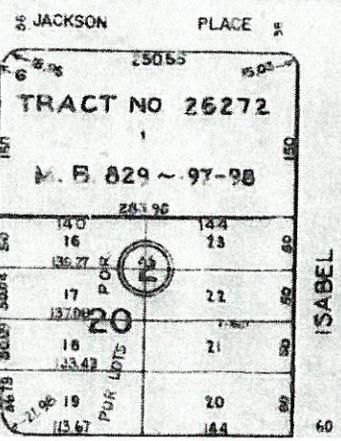
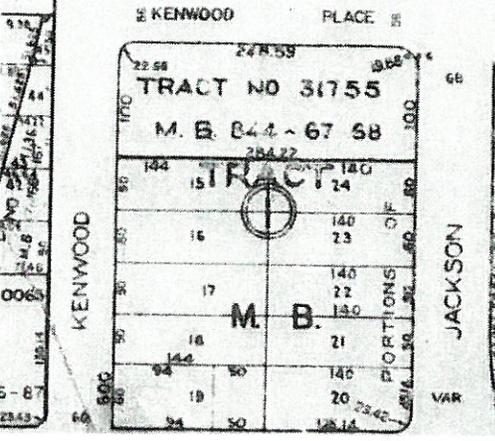
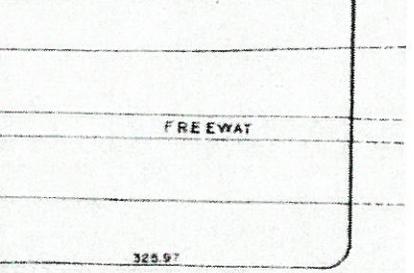
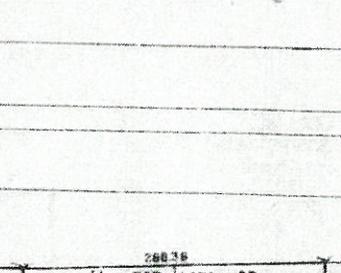
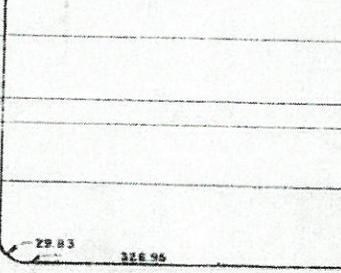
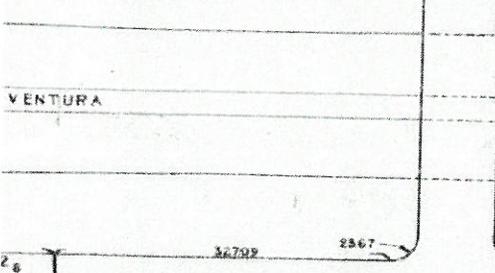
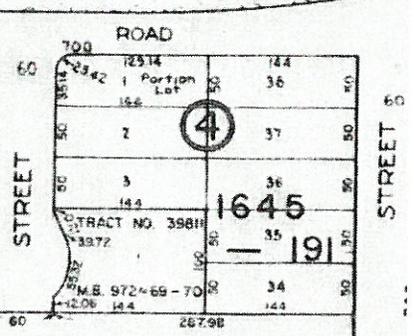
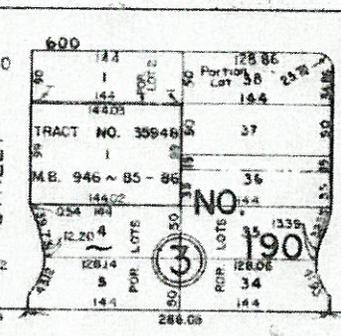
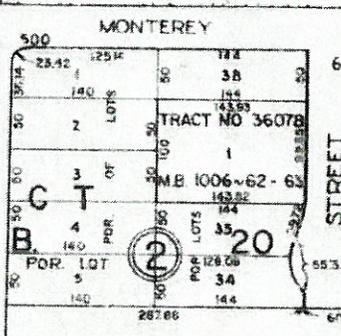
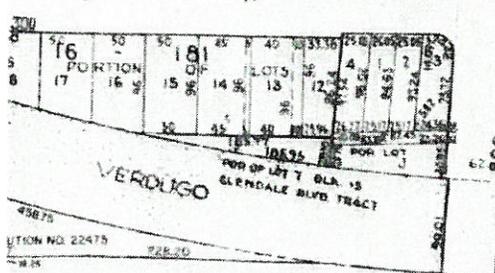
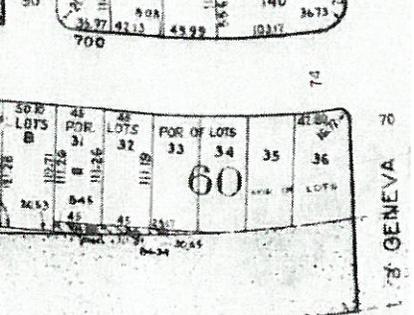
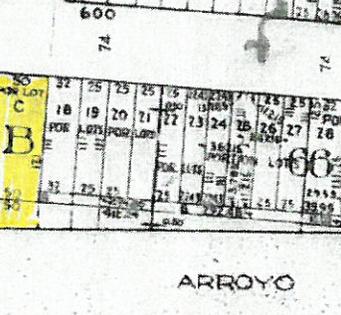
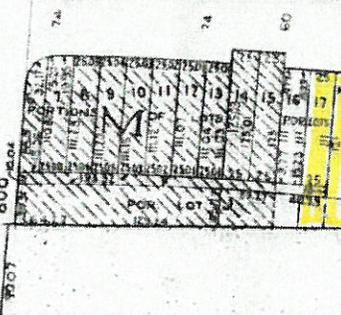
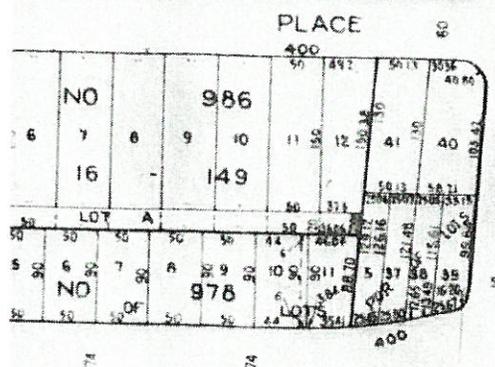
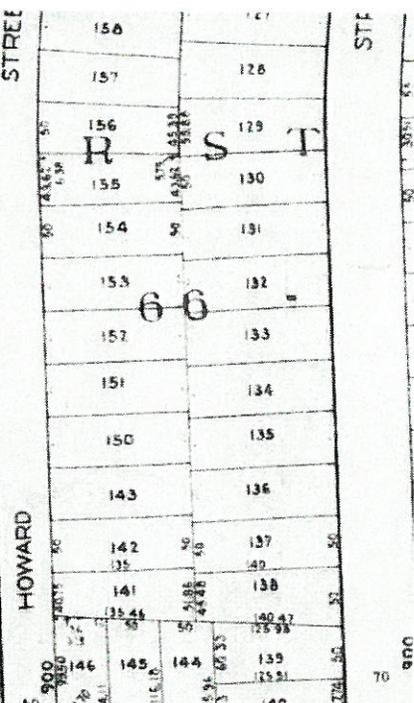
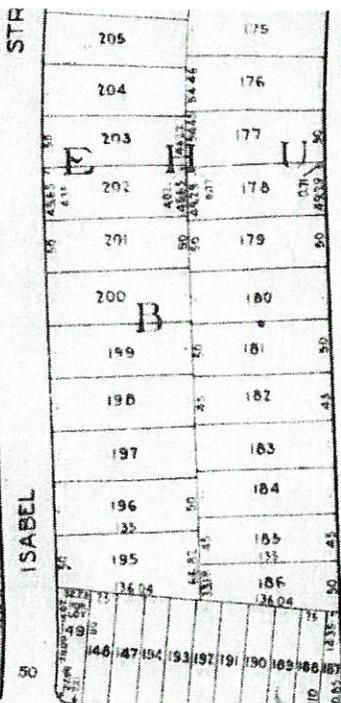
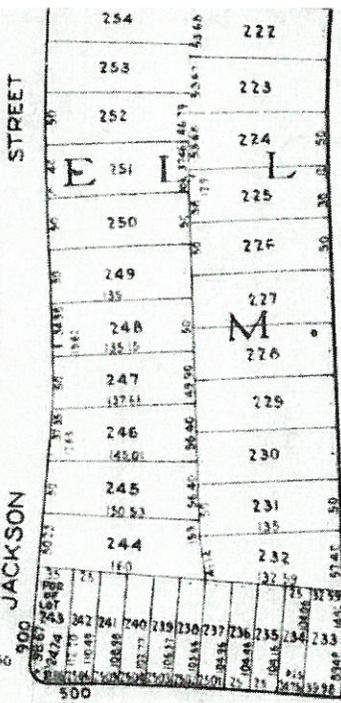
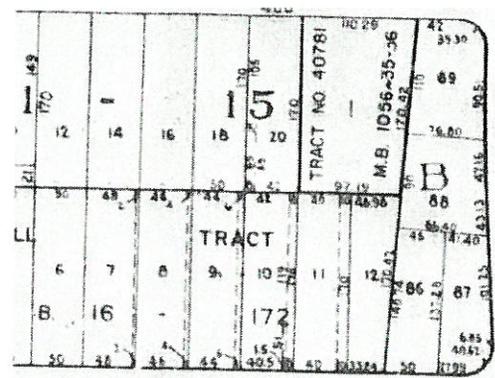
The proposed restaurant is located in a one-story building within a commercial center. The building was completed in 1965 in compliance with the zoning code that was in place during that time. The restaurant is proposed at this location adjacent to Glenoaks Boulevard. The property is fully improved with all necessary utilities. East Glenoaks Boulevard is considered a Major Arterial and is a fully improved serving a multitude of businesses and residential developments. The service of alcoholic beverages at a proposed restaurant is not anticipated to generate additional traffic. The amount of parking will comply with zoning code requirements.

The property is legal nonconforming in terms of landscaping. The existing on-site parking has proven to be sufficient for the uses onsite. There is no record of complaints from the general public and no concern has been expressed by the Traffic and Transportation Section or Code Enforcement.

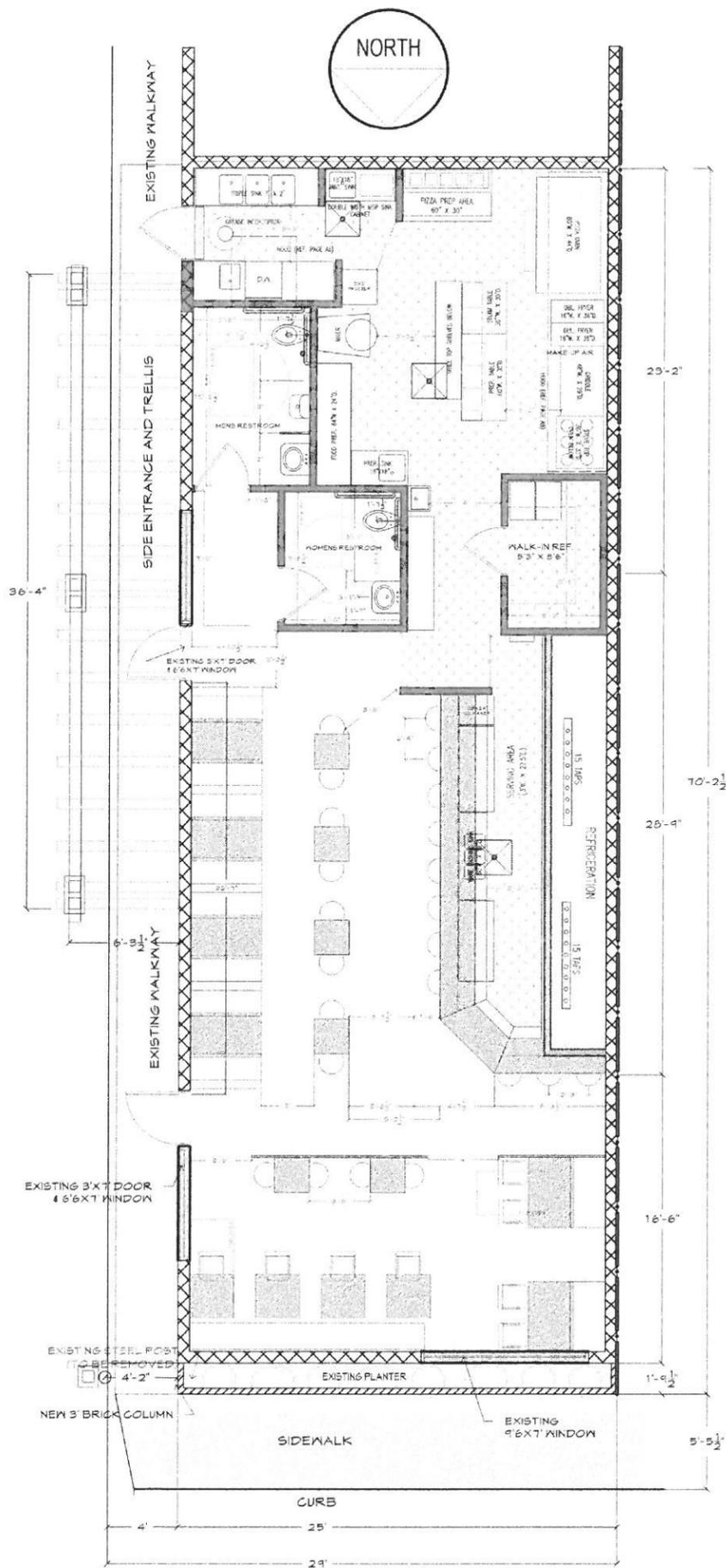
**Required Additional Findings Of Fact For An AUP For Alcohol Sales, Service And Consumption:**

That all the criteria set forth in Section 30.42.030 to be considered in making the findings in subsection a. through d. above have all been met and thoroughly considered:

- 1) That such use will not tend to intensify or otherwise contribute 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.



200' = 1" SCALE



### PROJECT INFORMATION

524 E GLENOAKS BLVD GLENDALE CA 91207  
ASSESSORS PARCEL NUMBER 5644-014-030  
GENERAL PLAN DESIGNATION - NEIGHBORHOOD COMMERCIAL

PROPERTY BOUNDARY DESCRIPTION:  
BELLEHURST PARK LOT COM'S ON N LINE OF LOT C 14 FT FROM NW COR OF SD LOT TH'S 28C 1345' E 50 FT TH'S 3C 46' 15" N TO N LINE OF VERDUGO WASH (PER - SEE MAPBOOK FOR MISSING PORTION - LOT J

LOT SIZE = 11,928 SQFT.  
BUILDING AREA = 2835 SQFT.  
RENOVATION AREA = 1600 SQFT.  
CONSTRUCTION TYPE - 1  
STORIES = 1  
OCCUPANCY = A-2  
OCCUPANCY LOAD =

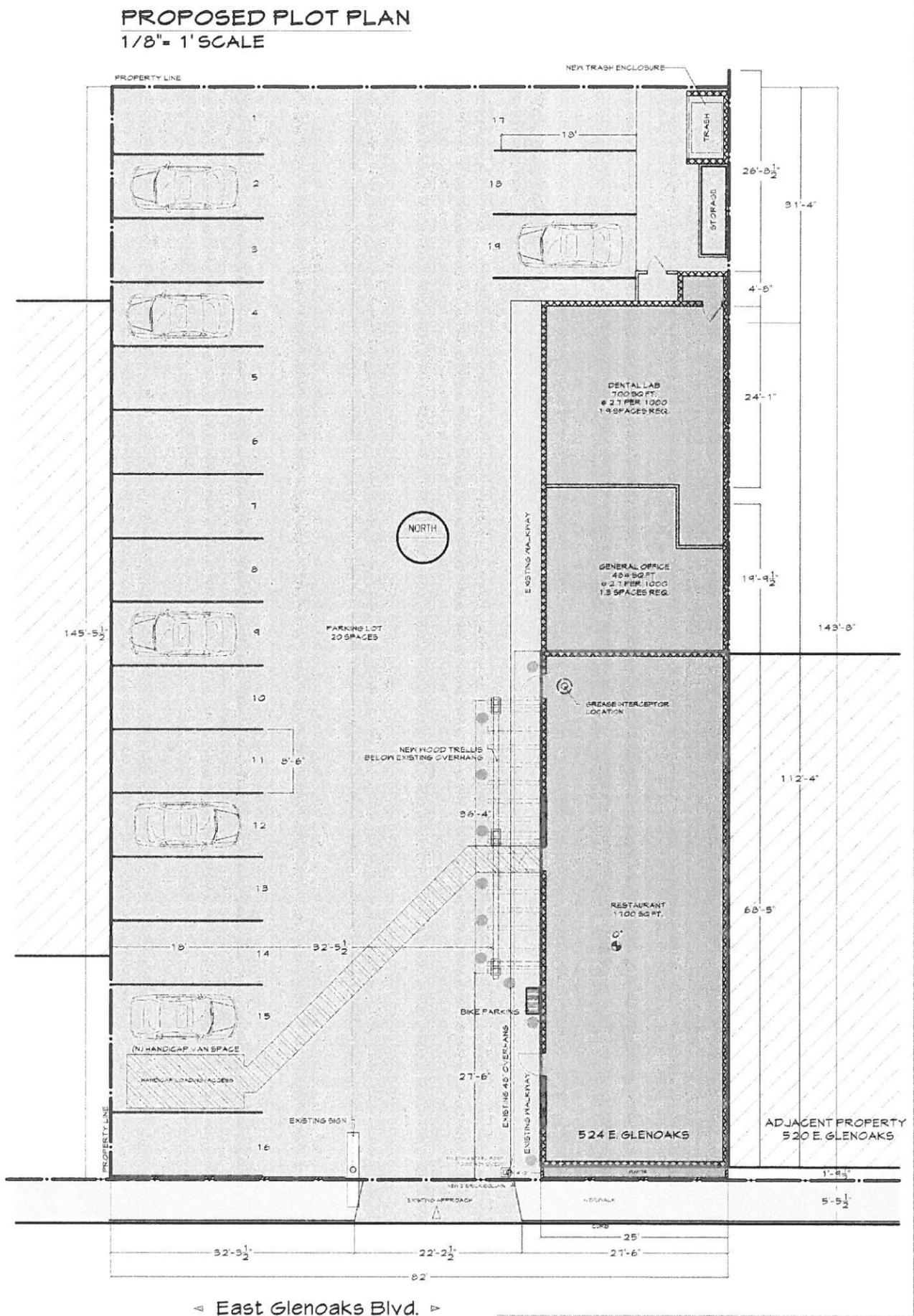
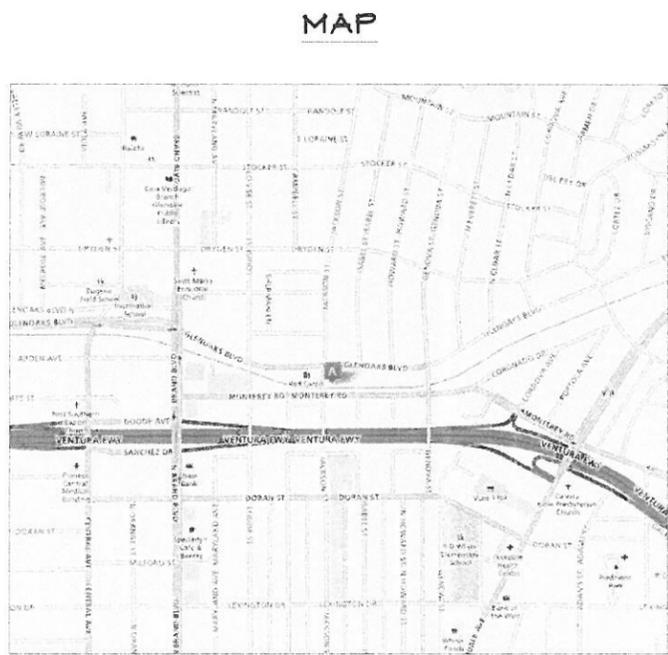
EXISTING USES:	PARKING SPACES REQ.	
DENTAL LAB - 685 SQFT.	62.7 PER 1000 SF.	1.8
GENERAL OFFICE - 450 SQFT.	62.7 PER 1000 SF.	1.2
MEDICAL OFFICE - 400 SQFT.	65 PER 1000 SF.	2
GENERAL OFFICE - 465 SQFT.	62.7 PER 1000 SF.	1.3
DENTAL LAB - 414 SQFT.	62.7 PER 1000 SF.	1.1
GENERAL OFFICE - 414 SQFT.	62.7 PER 1000 SF.	1.1
TOTAL		8.5

PROPOSED USES:	PARKING SPACES REQ.
DENTAL LAB - 685 SQFT.	19
GENERAL - 450 SQFT.	13
RESTAURANT, F.S. - 1700 SQFT.	17

REQUIRED PARKING FOR PROPOSED USES = 20 SPACES  
PARKING PROVIDED = 19 SPACES (18 SPACES + 1 HANDICAP VAN SPACE)  
EXISTING LANDSCAPING = 40 SQFT.

**1 SPACE IS LOST TO FULFILL ADA REQ.**



PLAN FOR: JOHN SULLIVAN  
524 E. GLENOAKS BLVD, GLENDALE CA 91207

DATE - 12-1-2015