glendale california

City of Glendale
Community Development
Planning & Neighborhood Services

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June 27, 2016

Rodney V. Khan
1111 North Brand Boulevard, Suite 403
Glendale, CA. 91202

RE: 1320 WEST GLENOAKS BOULEVARD
ADMINISTRATIVE USE PERMIT NO. PAUP 1526720)
(Anoush Banquet Hall)

(SEE: CONDITIONAL USE PERMIT NO. PCUP 1526726)

Dear Mr. Khan:

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 continue the sales, service and consumption of alcoholic beverages at the banquet hall, located at **1320 West Glenoaks Boulevard**, in the "C2" - Community Commercial zone, described as Lots 1 through 8, Tract No.10026, in the City of Glendale, County of Los Angeles.

ADMINISTRATIVE USE PERMIT
CODE REQUIRES

1) Approval of an administrative use permit is required for the on-site sale, service and consumption of alcoholic beverages in the C2 zone.

APPLICANT'S PROPOSAL

1) Continue the on-site sales, service and on-site consumption of alcoholic beverages at an expanded banquet hall.

ENVIRONMENTAL DETERMINATION

The project is exempt from environmental review per State CEQA Guidelines Section 15301, Class 1 "Existing Facility".

After considering the evidence presented with respect to this application, the Director of Community Development has **APPROVED WITH CONDITIONS** your request based on the following findings:

REQUIRED/MANDATED FINDINGS

After thorough consideration of the statements contained in the application, the plans submitted therewith, the above analysis by Community Development Department staff, and any comments received from the public with respect to this application, this Administrative Use Permit application is approved based on the following:

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

The proposed sales, service and consumption of alcoholic beverages will be consistent with the various elements and objectives of the City's General Plan. It should be noted that a Conditional Use Permit (PCUP 1526726) for a banquet hall is being separately and concurrently considered with this AUP for the on-site sales, service and consumption of alcoholic beverages.

The land use designation of the subject site is Community/Services Commercial. This designation is restrictive in terms of uses allowed, similar to that of Neighborhood Commercial areas, but for a larger market scale. The existing banquet hall and the proposed expansion with the sales, service and consumption of alcoholic beverages is consistent with the City's Land Use Element. Banquet halls, by their very nature are uses which draw customers from a wide geographic area. Alcoholic beverages sales, service and consumption are permitted with approval of an administrative use permit within the C2 zoning district. Serving alcoholic beverages in conjunction with a banquet hall is a common ancillary use. As such, the sales, service and consumption of alcoholic beverages is consistent with the intent of the Land Use Element. Given that the administrative use permit application only requests the sales, service and consumption of alcoholic beverages, other elements of the General Plan, including the Open Space, Recreation and Housing Elements will not be impacted as a result of the project. Conditions added to the approval of the project which will ensure that the project complies with the Noise Ordinance and, as such, will be consistent with the Noise Element.

The Circulation Element classifies West Glenoaks Boulevard as a major arterial street and Davis Street as a local street. The sales, service and consumption of alcoholic beverages, which necessitates the requested administrative use permit is not anticipated to add traffic to the surrounding area since the banquet hall floor area is not increasing to accommodate additional patrons to this facility and alcohol service is already present. As such, traffic should not be impacted as a result of the project and the project will be in compliance with the Circulation Element.

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 sales, service and consumption of alcoholic beverages at Anoush Banquet Hall will not be detrimental to the public health or safety, the general welfare, or the environment of the neighborhood. As previously mentioned, Anoush Banquet Hall has operated on the subject site as a banquet hall serving alcoholic beverages for a number of years with a caterer's permit. No expansion of the actual banquet area to accommodate additional patrons is proposed. The banquet hall is located in census tract 3016.01, where five on-sale establishments is the recommended limit. There are currently nine on-sale establishments in this tract. While the area contains more on-sale establishments than is suggested for the census tract, the project site is located on commercially-oriented West Glenoaks Boulevard, where regional-serving entertainment uses are encouraged. Serving alcoholic beverages as part of a banquet hall use is common. Conditions added to the approval of the project ensure that the expanded banquet facility with alcohol service will continue to operate in a

responsible manner. Based on Part 1 crime statistics for this census tract, there were 237 crimes, which is greater than the citywide average of 178. It is anticipated that this elevated crime rate is a result of the largely commercial nature of this commercial street. In the last year, two calls for Police service were generated from this location, both of which were false alarms, therefore neither resulted in a report. Neither the Glendale Police Department nor Neighborhood Services Division cited major concerns related to the administrative use permit to sell, serve and consume alcoholic beverages at Anoush. Therefore, the continued sales, service and consumption of alcoholic beverages as part of the existing banquet hall activity is not anticipated to be detrimental to the safety and public welfare of the neighborhood.

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

The banquet hall is located within an existing building on the south side of West Glenoaks Boulevard between Davis and Rosedale Avenues. West Glenoaks Boulevard within the immediate vicinity of the subject site is developed with a variety of commercial uses, including retail, office, restaurant and hotel uses and the Department of Motor Vehicles in the C2 zone. Single-family homes are located across the alley to the south of the subject site. The applicant is requesting an administrative use permit to allow the sales, service and on-site consumption of alcoholic beverages at the expanded banquet hall. The proposed expansion of the banquet hall is to accommodate additional storage and an office, not to increase capacity at the facility. Additionally, alcoholic beverages have been available at this facility for a number of years. This request will not adversely impact nearby uses on this commercial street nor impede the development of surrounding properties since these properties are already developed. Residential properties to the south should not be further impacted as the banquet hall is expanding to the north, will not increase the capacity of this business and alcohol service is already available at the facility. Any redevelopment of nearby properties should not be impacted given the serving of alcoholic beverages is ancillary to a banquet hall and is a common practice. Anoush Banquet Hall has served alcoholic beverages since beginning their operation. As stated above in finding B., two calls for police services were received this past year, both of which were false alarms. No reports were generated and no complaints to Neighborhood Service have been reported, which would indicate that the use would adversely impact nearby residential uses. No public facilities are located near the subject site. Furthermore, conditions of approval added will ensure that the continued sales, service and consumption of alcoholic beverages at the expanded banquet hall will not affect or conflict with adjacent uses or impede the normal development of surrounding properties.

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

Adequate public and private facilities are provided for the use. The banquet hall is proposed to be expanded by approximately 400 square feet to accommodate additional storage for the facility and a new office. No increase in banquet hall capacity is created as a result of the proposed addition. The site has 50 parking spaces and no additional parking is required as a result of the expansion. The nominal increase in square footage and the continued alcohol service will not require

any new public facilities or the expansion of any existing facilities. Since the banquet hall capacity is not expanding, traffic in the surrounding area will not be adversely impacted.

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. 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 that 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 documented 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 twenty (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 as documented in Finding B above;

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 as documented in Finding C above.

4. Adequate parking and loading facilities will be provided for the use as documented in Finding D above.

5. Ancillary alcohol service at a banquet hall is common and expected and the proposed administrative use permit to serve alcohol will service a public convenience for the area and as described in Finding B above. Conditions of 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 conditions:

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, 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 purposes not specified in this application.

6. That any expansion or modification of the facility or use which intensifies the existing Conditional Use Permit or Administrative Use Permit shall require a new Conditional Use Permit or 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.

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

8. That adequate means shall be provided for the collection of solid waste generated at the site and that all recyclable items shall be collected and properly disposed of to the satisfaction of the Integrated Waste Administrator of the City of Glendale. No trash containers shall be stored in a parking, driveway or landscaping area.

9. 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.

10. That all signs displayed shall conform to the requirement of the Glendale Municipal Code.

11. That noise shall be contained to the site, such that persons of normal sensitivity off-site are not disturbed. The Planning Hearing Officer's opinion shall prevail to arbitrate any conflicts.

12. 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.

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

14. That the 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.

15. That Banquet Hall Managers not in possession of an ABC License shall ensure no patron under the age of 21 consumes an alcoholic beverage and that the service of alcoholic beverages shall be in full accord with regulations and conditions established by the State Department of Alcoholic Beverage Control.

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

17. That dancing shall only be allowed on the premises in designated dance floor areas with proper permits.

18. That live entertainment shall be permitted, with proper permits, with the exception that 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.

19. 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.

20. That no booth or group seating shall be installed which completely prohibits observation of the occupants.

21. That when alcoholic drinks are being provided by the sponsor of the event, serving staff must be aware of obvious intoxication and take appropriate action to prevent an incident.

22. That parking areas shall be kept adequately illuminated for security purposes during all hours of darkness.

23. That access to the premises shall be made available upon request to all City of Glendale authorized staff (i.e. Community Development Department, Fire Department, Police Department, etc.) for the purpose of verifying compliance with all laws and the conditions of this approval.

24. That a Business Registration Certificate shall be obtained to reference this conditional use permit and administrative use permit.

25. The facilities shall not be rented, leased or otherwise occupied for purposes not specified.

26. That the facility shall adhere to the City's Fresh Air (smoking) Ordinance.

27. That the sales, service or consumption of alcoholic beverages shall be permitted only between the hours of 10:00 a.m. to 2:00 a.m. each day of the week.

28. That 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. Panic bar hardware with automatic alarm shall be provided.

29. That dedicated security staff is required on-site in addition to any audio-visual surveillance technology the applicant may wish to utilize. An audio-visual system will not take the place of security staff and in and of itself, is not sufficient. It is recommended that the security staff be identified either by uniform or professional blazers.

30. That a minimum of 1 Banquet Manager shall be resent for all events. In addition, for evening events that include the service of alcoholic beverage, 1 security guard shall be present for events exceeding 100 patrons, and 2 security guards shall be present for events exceeding 300 patrons, so that they may intervene in disturbances and be a direct contact for a police response.

31. The authorization granted herein shall be valid for a period of **TEN (10) years, until JUNE 27, 2026,** at which time, a reapplication must be made.

32. That the applicant shall comply with all conditions of approval of Administrative Use Permit PAUP 1526720.

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 **July 12, 2016** 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 30.64.020 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 30.41 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.

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.

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.

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. 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.

Should you have any questions regarding this issue, please do not hesitate to contact the case planner, Roger Kiesel at (818.937.8161) or rkiesel@glendaleca.gov

Sincerely,

Philip Lanzafame
Director of Community Development

Kristen Asp
Planning Hearing Officer

PL:KA:RK:sm

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-(J.Halpert); 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); and case planner – Roger Kiesel.