



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: May 20, 2020

TO: Hearing Officer

SUBJECT: Conditional Use Permit #6820

LOCATION: 1615 East Washington Boulevard

APPLICANT: Richard Brent, Urban Cantina Group, dba The George

ZONING DESIGNATION: CL (Commercial Limited)

GENERAL PLAN DESIGNATION: Low Commercial

CASE PLANNER: Alison Walker

STAFF RECOMMENDATION: Adopt the Environmental Determination and Specific Findings in Attachment A to **approve** Conditional Use Permit #6820 with the conditions in Attachment B.

PROJECT PROPOSAL: Conditional Use Permit: To allow the on-site sale and consumption of full alcohol (beer, wine, and distilled spirits) in conjunction with the operation of a proposed restaurant with limited live entertainment (The George); and

Conditional Use Permit: To allow extended hours of operation for a proposed restaurant, located within 150 feet of a residential zoning district.

ENVIRONMENTAL DETERMINATION: This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15301, Class 1, Existing Facilities) and that there are no features that distinguish this project from others in the exempt class and, therefore, there are no unusual circumstances. This section specifically applies to small additions, expansions or alterations to existing structures where there is negligible or no expansion of the use. The sale of alcohol and extended hours of operation in conjunction with the operation of a restaurant in an existing tenant space is considered a negligible expansion of use.

BACKGROUND:

Site characteristics: The subject site is located on the north side of East Washington Boulevard, between North Sierra Bonita Avenue and North Oxford Avenue. The subject site is approximately 5,000 square feet in size and is developed with a 3,000 square-foot commercial building with a surface parking lot at the rear of the property, which abuts Wells Alley. The proposed restaurant (The George) would occupy the building.

Adjacent Uses: North: Residential Single Family
South: Commercial
East: Commercial
West: Commercial

Adjacent Zoning: North: RS-6 (Single-Family Residential, 0-6 units per acre)
South: CL (Commercial Limited)
East: CL (Commercial Limited)
West: CL (Commercial Limited)

Previous Cases: N/A

PROJECT DESCRIPTION:

The applicant, Urban Cantina Group dba The George, has submitted a Conditional Use Permit application to allow the sale of full alcohol (beer, wine, and distilled spirits) for on-site consumption and to allow extended hours of operation, in conjunction with the proposed restaurant within the CL (Commercial Limited) zoning district. The proposed restaurant would occupy a 3,000 square-foot tenant space, with a 1,002 square-foot dining area, a 300 square-foot dedicated bar area, and a waiting area. The proposed restaurant would offer limited live entertainment within an area of 75 square feet, within the proposed dining area. Additionally, the restaurant proposes to operate between the hours of 7:00 a.m. and 12:00 a.m., daily. No off-site sales of alcohol is proposed. A Conditional Use Permit is required for the on-site sale and consumption of full alcohol (beer, wine, and distilled spirits), as well as for extended hours of operation, within the CL zoning district.

ANALYSIS:

The subject site is located within the CL (Commercial Limited) zoning district, which allows the establishment of a restaurant land use by right. However, the service of full alcohol (beer, wine, and distilled spirits) in conjunction with the operation of a restaurant (The George), and extended hours of operation, within this zoning district requires approval of a Conditional Use Permit.

Conditional Use Permit – On-Site Sale and Consumption of Full Alcohol (Beer, Wine, and Distilled Spirits) in Conjunction with a Restaurant

The Conditional Use Permit process allows the City to review a project to determine if the proposed project would be compatible with the surrounding area and requires compliance with specific conditions related to the operation of the use, specifically the on-site sale and consumption of full alcohol (beer, wine, and distilled spirits) for the restaurant. In order to approve a CUP, six specific findings must be made in the affirmative. These findings relate to a project

meeting the intent and purpose of the subject site's Zoning District and the Zoning Code, conformance with the General Plan, not having a negative impact on the surrounding properties, and being compatible with surrounding uses. In this case, the analysis focuses on whether the request to allow on-site sales and consumption of full alcohol (beer, wine, and distilled spirits) and extended hours of operation would create a negative impact to the general welfare of the surrounding property owners or result in an aggravation of existing alcohol-related problems such as loitering, public drunkenness, sales to minors, and noise. The Hearing Officer may consider existing calls for police response to make a determination of whether there is an undesirable concentration of alcohol uses near the project site. Pasadena Police Department reviewed the application and did not have any concerns with sales of full alcohol and the extended hours of operation for the restaurant.

The intent of the CL zoning district is to provide sites for businesses serving the daily needs of nearby residential areas while establishing development standards that prevent significant adverse effects on residential uses. The on-site sale and consumption of full alcohol in conjunction with the operation of a restaurant use is a commercial use that is consistent with the surrounding uses in the vicinity. The request to serve full alcohol would enhance the services provided by the proposed restaurant use and would complement the commercial atmosphere of the neighborhood.

According to the applicant, the on-site sale and consumption of full alcohol (beer, wine, and distilled spirits) would be ancillary to the service of food for the principal restaurant use. The sale of full alcohol is intended to be paired with food, and the consumption of full alcohol would only occur inside the restaurant. The Zoning Code classifies a restaurant as a bar when it includes a bar area exceeding 500 square feet or 30 percent of the dining area, whichever is less. A bar is defined as an establishment serving alcoholic beverages for on-site consumption as the primary use, including bars, cocktail lounges, pubs, saloons, and taverns. The plans provided by the applicant demonstrate a proposed 300 square-foot dedicated bar area that would be separated from the dining area by a pony wall, and a 1,002 square-foot indoor dining area. As proposed, the bar area would be 29.9% percent of the total dining area. Therefore, the use is classified as a restaurant.

As allowed by the Zoning Code, a restaurant use may provide limited live entertainment where the performance area does not exceed 75 square feet, and customer dancing does not occur without first obtaining the approval of a conditional use permit or expressive use permit. If the performance area were to exceed 75 square feet or customer dancing is provided, the use shall be classified as a nightclub (Commercial Entertainment). The applicant proposes limited live entertainment in conjunction with the restaurant use, including occasional performances by acoustic musicians located within the dining area. To ensure the proposed limited live entertainment would adhere to the maximum allowable performance area of 75 square feet and would not allow dancing, conditions of approval have been added, provided in Attachment B of this report, which include but are not limited to, the prohibition of cover charges, age restrictions, and amplified music conducive of a nightclub atmosphere.

Concentration of Alcohol Sales

According to the Alcohol Beverage Control Board (ABC), a maximum of three alcohol licenses for on-site consumption are allowed within Census Tract #4614, based on a ratio of one alcohol license for every 987 residents in the tract. Currently, there are a total of three on-site licenses within the census tract.

The proposed on-site sale and consumption of full alcohol (beer, wine, and distilled spirits) would add an additional license to Census Tract #4614 and would result in an “undue concentration” of alcohol licenses, as defined by ABC. ABC may approve the applicant’s request if the applicant can demonstrate the issuance of a license would serve Public Convenience or Necessity. However, ABC only requires this finding to be made by the local governing agency if the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license. Since the applicant does not intend to file for an off-sale license, the City is not required to make findings for public convenience and necessity when evaluating this application.

A Conditional Use Permit application for alcohol sales requires the applicant to identify uses with either on-site or off-site alcohol consumption within 1,000 feet of the subject property. According to the applicant, there are currently two establishments within 1,000 feet of the subject property possessing active on-sale or off-sale ABC licenses. These establishments are summarized in Table 1 below.

Table 1: Existing Alcohol License Types for Businesses within 1,000 Feet

No.	Business Name	Address	License Type
1	Rite Aid	1421 E Washington Blvd	Type 21 Off-Sale General
2	Alta Dena Dairy	1750 E Washington Blvd	Type 20 Off-Sale Beer & Wine

The approval of this request would add to the number of allowed on-site consumption alcohol licenses, which would result in an undue concentration of alcohol establishments, as defined by ABC. Most of the existing alcohol establishments are restaurants, which are not typically problematic. Furthermore, the service of full alcohol (beer, wine, and distilled spirits) for on-site consumption at a restaurant, in a commercial district, is considered an amenity. The request proposes full alcohol (beer, wine, and distilled spirits) for on-site sale and consumption only; there would be no off-site sales. Therefore, the project is not expected to contribute to an undue concentration of alcoholic establishments in the Census Tract.

Proximity to Sensitive Uses

The on-site sale and consumption of full alcohol shall be designed and operated to avoid any significant adverse impact on adjacent or nearby parks (e.g., public parks or recreation centers), playgrounds (e.g., public or parochial), religious facilities, or schools (e.g., public, parochial, or private elementary, junior high, or high schools). The subject site is located on East Washington Boulevard and is surrounded by various commercial, residential, service, and restaurant land uses.

The nearest public park, McDonald Park, is approximately 3,500 feet southwest of the site. The nearest private school is William Carey International University, located approximately 800 feet north of the site. The nearest public school is Marshall Fundamental Secondary School, located approximately 2,300 feet southeast of the site. A single-family residential zoning district is located across the alley, approximately 20 feet to the north of the subject site. Although the restaurant use and proposed on-site sale and consumption of full alcohol (beer, wine, and distilled spirits) is located within close proximity to sensitive uses (single-family residential), it is not anticipated that the on-site sale and consumption of full alcohol would result in an adverse impact to the residential use. The restaurant does not propose any outdoor seating or outdoor consumption of alcohol; therefore, all activities would occur indoors, limiting the any potential impact to the adjacent residential properties. Additionally, conditions of approval provided in Attachment B of this report,

would ensure that the ancillary sale of full alcohol (beer, wine, and distilled spirits) in conjunction with a restaurant would not be detrimental to the surrounding uses.

As proposed, the on-site sale and consumption of full alcohol (beer, wine, and distilled spirits) would be ancillary to the primary restaurant use, and typically does not encourage activities that negatively affect the surrounding area. The off-site sale of alcohol is not proposed, and would be prohibited at all times. The restaurant would occasionally provide limited live entertainment (75 square feet or less) within the interior dining area as part of the restaurant's operation. After consideration of the location and nature of the proposed use with respect to sensitive uses in the general area, it is staff's assessment that the on-site sale and consumption of full alcohol (beer, wine, and distilled spirits) in conjunction with the restaurant with limited live entertainment would not detrimentally affect the surrounding area.

Conditional Use Permit – Extended Hours of Operation

As previously discussed, the subject site is located within the CL zoning district. The applicant is requesting a Conditional Use Permit to allow extended hours of operation for the restaurant. In this district, the Zoning Code allows for a restaurant use to operate by right, between the hours of 7:00 a.m. and 10:00 p.m., seven days a week. However, a restaurant use located within 150 feet of a residential zoning district may not operate between the hours of 10:00 p.m. and 7:00 a.m., without first receiving approval of a Conditional Use Permit.

The restaurant proposes hours of operation between 7:00 a.m. and 12:00 a.m., daily. The nearest residential zoning district is located 20 feet to the north of the subject site; therefore, the applicant's request to operate with extended hours of operation, requires the approval of a Conditional Use Permit.

The Conditional Use Permit process allows the City to review a project to determine if the proposed project would be compatible with the surrounding area and require compliance with specific conditions related to the operation of the use. The applicant's proposal would extend the allowed hours of operation by two hours, daily. In order to approve a Conditional Use Permit, six specific findings must be made in the affirmative. These findings relate to a project meeting the intent and purpose of the subject property's Zoning District and the Zoning Code, conformance with the General Plan, not having a negative impact on the surrounding properties, and being compatible with surrounding uses. In this case, the analysis focuses on whether the request to extend the operating hours by two hours would create negative impacts to the nearest residential zoning district as it relates to noise and traffic.

Although a residential zoning district is located within 150 feet of the subject site, the proposed restaurant operations would have minimal impacts to the adjacent residential uses. All restaurant activities, including the service of food, limited live entertainment, and on-site service of full alcohol (beer, wine, and distilled spirits) would occur entirely within the restaurant. No outdoor dining is proposed for the restaurant. Therefore, noise that is typically associated with outdoor dining (i.e. conversations, cleaning activities, ambient music) would not occur at this site. Additionally, the restaurant is separated by a surface parking lot at the rear of the building and Wells Alley. Thus, reducing potential negative noise impacts generated from restaurant patrons to the adjacent residential uses, during the operating hours between 10:00 p.m. and 12:00 a.m.

GENERAL PLAN CONSISTENCY:

As conditioned, the proposed use is consistent with General Plan Land Use Element Policy 12.1, (Vital Commercial Districts). The on-site sale and consumption of full alcohol (beer, wine, and distilled spirits) and extended hours of operation would occur within the restaurant tenant space. Along with the implementation of the conditions of approval, the proposed restaurant with limited live entertainment, and ancillary on-site sale and consumption of full alcohol would enhance the commercial district by creating a quality dining experience and promotes pedestrian activity compatible with nearby residential uses. In addition, the project is consistent with the Land Use Element Policy 11.1 (Business Expansion and Growth), which supports the growth and success of businesses that create new job opportunities and productive and satisfying employment for Pasadena residents. The restaurant would bolster a diverse economy base and would be a long-term economic contribution to the City, which encourages a full range of retail, and service businesses.

ENVIRONMENTAL REVIEW:

This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15301, Class 1, Existing Facilities) and there are no features that distinguish this project from others in the exempt class and, therefore, there are no unusual circumstances. This section specifically applies to the operation, permitting, licensing or minor alteration of existing structures where there is negligible or no expansion of the use. The sale of alcohol and extended hours of operation of a restaurant is a negligible expansion of an allowable use.

REVIEW BY OTHER CITY DEPARTMENTS:

The Building Department, Fire Department, Design and Historic Preservation Section, Health Department, Police Department, and Department of Transportation reviewed the proposal. No comments were received regarding the on-site sale and consumption of alcohol and extended hours of operation.

CONCLUSION:

It is staff's assessment that the findings necessary for approval of the Conditional Use Permit, can be made. The proposed sale of full alcohol (beer, wine, and distilled spirits) for on-site consumption and extended hours of operation would complement other existing uses in the vicinity. The restaurant establishment would provide a full food menu during the hours of operation along with the sale of full alcohol (beer, wine, and distilled spirits) so that the sale and consumption of full alcohol remains incidental to the restaurant use. Conditions of approval and periodic condition monitoring would ensure that the use would not deviate from the planned operation reviewed under this application. Therefore, staff recommends that the Hearing Officer approve the application with the findings in Attachment A and the Conditions of Approval in Attachment B.

Attachments:

- Attachment A: Recommended Specific Findings
- Attachment B: Recommended Conditions of Approval

ATTACHMENT A
SPECIFIC FINDINGS FOR CONDITIONAL USE PERMIT #6820

Conditional Use Permit: On-Site Sale and Consumption of Full Alcohol (Beer, Wine, and Distilled Spirits) in Conjunction with a Restaurant

1. *The proposed location of the site for the Conditional Use Permit would not adversely affect the general welfare of the surrounding property owners.* The on-site sale and consumption of alcohol will occur in conjunction with the proposed restaurant use. Nearby uses include restaurant, retail, vehicle services, and residential uses. The proposed use complements and provides an amenity for the adjacent uses, maintaining a mix of uses in the area. On-site alcohol sales and consumption associated with the use would occur as an accessory to the restaurant establishment. Food service along with a full food menu will be made available during all hours of business operation. The proposed use will operate in accordance with City laws, ordinances, and conditions of approval that ensure the compatible coexistence of this use with uses in the surrounding area.

1. *The proposed location of the site for the Conditional Use Permit would not result in an undesirable concentration of premises for the sale of alcoholic beverages, including beer and wine, in the area.* An overconcentration of alcohol establishments, as defined by Alcoholic Beverage Control, will occur by the issuance of the license, in the Census Tract, however all of the existing establishments providing on-site sales and consumption are restaurants. Unlike nightclubs or bars, restaurants are not typically a problematic use. The approval of this request will add to the number of alcohol licenses; however, serving alcohol at a restaurant will be an added amenity to the area. Therefore, the project will not contribute negatively to an undesirable concentration of alcoholic establishments in the Census Tract. The sale of alcoholic beverages for off-site consumption is not proposed as part of this application. In accordance with the permitted uses in the zoning code, limited live entertainment is proposed in conjunction with this application to occasionally take place with maximum of 75 square feet within the dining area. The sale of alcohol in disposable containers is prohibited. As conditioned, cover charges, age restrictions, and amplified music conducive of a nightclub atmosphere are also prohibited in order to ensure this establishment remains a bona-fide restaurant, and does not deviate from the operation proposed. Additionally, conditions of approval have been included that will limit the potential for negative impacts.

2. *The proposed location of the site for the Conditional Use Permit would not detrimentally affect the nearby surrounding area after giving special consideration to the proximity and nature of the proposed use with respect to the following: a. Residential uses and residential districts; b. Hospitals, park and recreation facilities, places of public assembly, public or private schools, and religious assembly uses that attract minors and other similar uses; and c. Other establishments offering alcoholic beverages (including beer and wine) for sale for consumption both on- and off-site.* The nearest public park, McDonald Park, is approximately 3,500 feet southwest of the site. The nearest private school is William Carey International University, located approximately 800 feet north of the site. The nearest public school is Marshall Fundamental Secondary School, located approximately 2,300 feet southeast of the site. A single-family residential zoning district is located across the alley, approximately 20 feet to the north of the subject site. Although the restaurant use and proposed alcohol sales is located in close proximity to sensitive uses, it is not anticipated that the alcohol sales will result in an adverse impact on these uses. The proposed operation of the restaurant, including the sale of alcohol, will be consistent with existing restaurants within the area, and all the activities related to the serving of alcohol will occur indoors. All alcohol sales will be

strictly for on-site consumption; off-site sales of alcohol will be prohibited at all times. Adherence with the recommended conditions of approval and periodic condition monitoring will ensure that the use will not deviate from the planned operation reviewed under this application. As proposed, the on-site sale and consumption of alcohol will be ancillary to the primary restaurant use. Furthermore, it has been found that alcohol sales in conjunction with a bona-fide eating establishment typically do not encourage activities that cause negative effects on the surrounding area.

3. *The proposed location of the site for the Conditional Use Permit would not aggravate existing problems created by the sale of alcohol (e.g., littering, loitering, noise, public drunkenness, and sales to minors).* The incidental sale of alcohol, in conjunction with the proposed bona-fide restaurant, is not considered a problematic use and will not contribute to an aggravation of existing problems in the vicinity. The Police Department did not express concerns in regards to the proposal of alcohol for on-site consumption. With this approval, the project is subject to the City's Condition Mitigation Monitoring Program. Noncompliance with any of the conditions of approval or any of the provisions of the Zoning Code may result in the revocation of the Conditional Use Permit.
4. *The proposed use is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.* As conditioned, the proposed use is consistent with General Plan Land Use Element Policy 12.1, (Vital Commercial Districts). The on-site sale and consumption of full alcohol (beer, wine, and distilled spirits) will occur within the restaurant tenant space. Along with the implementation of the conditions of approval, the proposed restaurant with limited live entertainment, and ancillary on-site sale and consumption of full alcohol will enhance the commercial district by creating a quality dining experience and promotes pedestrian activity compatible with nearby residential uses. In addition, the project is consistent with the Land Use Element Policy 11.1 (Business Expansion and Growth), which supports the growth and success of businesses that create new job opportunities and productive and satisfying employment for Pasadena residents. The restaurant will bolster a diverse economy base and will be a long-term economic contribution to the City, which encourages a full range of retail, and service businesses.

Conditional Use Permit: Extended Hours of Operation

1. *The proposed use is allowed with a Conditional Use Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Code.* A Conditional Use Permit is required to permit a business, that is located within 150 feet of a residential zoning district, to operate between the hours of 10:00 p.m. and 7:00 a.m. A single-family residential zoning district is located beyond the site's surface parking lot and across the alley, approximately 20 feet to the north of the subject site. The proposed hours are 7:00 a.m. to 12:00 a.m. for the restaurant. The request for extended hours of operation complies with all applicable provisions in the Zoning Code.
2. *The location of the proposed use complies with the special purposes of this Zoning Code and the purposes of the applicable zoning district.* The purpose of the CL zoning district is to provide sites for businesses serving the daily needs of nearby residential areas while establishing development standards that prevent significant adverse effects on residential uses within and adjoining a CL district. The proposed hours of operation for the restaurant will serve the nearby residential areas by providing dining and entertainment spaces within walking distances of their residences. Therefore, the proposed use is consistent with the intent

and purpose of the CL zoning district. As a result, with strict adherence to the conditions of approval, the proposed use will be in conformance with the purposes of the zoning district.

3. *The proposed use is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.* As conditioned, the proposed use is consistent with General Plan Land Use Element Policy 12.1, (Vital Commercial Districts). Along with the implementation of the conditions of approval, the proposed restaurant with limited live entertainment, with extended hours of operation will enhance the commercial district by creating a quality dining experience and promotes pedestrian activity compatible with nearby residential uses. In addition, the project is consistent with the Land Use Element Policy 11.1 (Business Expansion and Growth), which supports the growth and success of businesses that create new job opportunities and productive and satisfying employment for Pasadena residents. The restaurant will bolster a diverse economy base and will be a long-term economic contribution to the City, which encourages a full range of retail, and service businesses.
4. *The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.* The proposed operation of a restaurant with the extended hours of operation until 12:00 a.m. would not be detrimental to the health, safety, or general welfare of persons residing or working in this neighborhood. The restaurant operations occur entirely within the existing building, located adjacent to other commercial uses. Additionally, the restaurant is separated by a parking lot and Wells Alley. Thus, reducing the potential negative noise impacts generated from restaurant patrons to the adjacent residential uses, during the operating hours between 10:00 p.m. and 12:00 a.m. Additionally, conditions of approval have been included restricting the operations of the business to be limited to a restaurant with limited live entertainment and to discontinue the sales of alcohol half an hour prior to close or 11:30 pm, whichever is earlier. These conditions of approval will ensure that the establishment, maintenance, and operation of the use would not be detrimental to the health, safety, or general welfare of persons residing and working in the neighborhood. As such, the proposed use as described and conditionally approved would not be injurious to property and improvements in the area.
5. *The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.* As conditioned, the extended hours of operation for the restaurant will provide the nearby residents with convenient dining options. Further, the project will be conditioned to comply with the Noise Ordinance regulations (PMC Section 9.36), so there is minimal negative impacts on the neighbors. Through conditions of approval, measures have been taken to address the potential for concerns regarding the operation of the proposed use. As such, the proposed use as described and conditionally approved would not be injurious to property and improvements in the area.
6. *The design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection.* The project includes minimal exterior changes (building mounted business identification signage under separate permit) and will be located in an existing tenant suite formerly occupied by a restaurant use. There are no changes in land use or the size of the restaurant use. There is no change in terms of aesthetic values, character, scale, and view protection concerns, as there are limited exterior changes. The extended hours of operation of a restaurant are determined to have a negligible effect as

proposed. Conditions of approval are proposed to ensure that the restaurant will provide limited live entertainment only and will not expand to a nightclub or bar without requiring a modification to this Conditional Use Permit. Further, the project will be required to obtain all necessary approvals from other City Departments prior to construction and as conditioned, will be in harmony with the surrounding uses.

ATTACHMENT B
CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT #6820

The applicant or successor in interest shall meet the following conditions:

General

1. The site/floor plans submitted for building permits and/or future development shall substantially conform to the site/floor plans stamped "Approved at Hearing, May 20, 2020," except as modified herein.
2. The right granted under this application must be enacted within 48 months from the effective date of approval. It shall expire and become void, unless an extension of time is approved in compliance with Section 17.64.040.C of the Zoning Code.
3. The approval of this application authorizes the on-site sale of full alcohol (beer, wine, and distilled spirits) and extended hours of operation in conjunction with the operation of a 3,000-square-foot restaurant, as depicted in the approved floor plan.
4. The Zoning Administrator, at any time, can call for a review of the approved conditions at a duly noticed public hearing. These conditions may be modified or new conditions added to reduce any impacts of the use. The Hearing Officer may revoke the Conditional Use Permit if sufficient cause is given.
5. Any change to these conditions of approval or expansion of the use shall require the modification of this Conditional Use Permit or a new Conditional Use Permit.
6. The applicant or successor in interest shall meet the applicable code requirements of all other City Departments.
7. The final decision letter and conditions of approval shall be incorporated in the building plans as part of the building plan check process.
8. The proposed project, Activity Number **PLN2020-00050**, is subject to a **Final Zoning Inspection**. A Final Zoning Inspection is required for the project prior to the issuance of a Certificate of Occupancy. Contact the Planning Case Manager, Alison Walker at (626) 744-6742 to schedule an inspection appointment time.

Planning Division

9. The primary use shall be a bona fide restaurant with ancillary alcohol sales for on-site consumption. The sale of alcoholic beverages shall be in conjunction with food sales. Food service along with a full food menu shall be made available during all hours of business operation.
10. The on-site sale and consumption of full alcohol (beer, wine, and distilled spirits) shall be indoors only.
11. The provision of a bar or counter used for preparing and serving alcoholic beverages within the establishment shall require a modification to this Conditional Use Permit or a new Conditional Use Permit.

12. The last alcoholic beverage shall be served no later than one-half hour before closing or 11:30 p.m., whichever is earlier.
13. The premises shall operate under Type 47 (On-Sale General Eating Place) alcohol license and be maintained as a bona-fide eating establishment. The premises shall not obtain any other public premises type licenses without the approval of a Conditional Use Permit and/or Expressive Use Permit.
14. The dollar sales of alcoholic beverages shall not exceed the dollar amount of food and non-alcoholic beverages in a quarterly basis to ensure the primary use of the premises as a restaurant. The sales record shall be maintained at the premises at all times and be presented to the City agencies for review upon request.
15. The off-site sale and/or consumption of alcohol is strictly prohibited.
16. Alcoholic beverages shall not be served in disposable containers.
17. The restaurant establishment shall allow patrons of all ages, at all times.
18. Limited live entertainment shall be limited to 75 square feet of floor area. Dancing by customers shall be prohibited at all times.
19. No live entertainment beyond what is allowed for 'Restaurants with Limited Live Entertainment' shall be allowed.
20. No live entertainment or amplified music shall be allowed in any outdoor areas.
21. No cover charges, entry fees, or minimum drink orders shall be charged/required of patrons. There shall be no restrictions on the age of customers.
22. Promoter-produced parties or events shall be prohibited. These events include private parties that involve with third persons who profit from organizing and/or drawing attendees to the events.
23. Customized lighting and sound system conducive of a nightclub atmosphere shall be prohibited at all times.
24. Amplification of music shall comply with the regulations of Chapter 9.36 of Pasadena Municipal Code (Noise Ordinance).
25. Signs advertising brands and types of alcohol or the availability of alcohol for sale at the subject site shall not be visible from the exterior of the premises.
26. The following preventive measures shall be undertaken to reduce the potential for alcohol related problems:
 - a. Food service shall remain available during all hours of operation;
 - b. Rideshare service phone numbers shall be posted in a conspicuous location at all times in the area(s) where alcohol is served to customers;

- c. All employees selling or serving alcohol shall be required to participate in an alcohol training program offered by the Alcoholic Beverages Control prior to the operation of selling/serving alcohol;
 - d. The availability of a variety of non-alcoholic beverages shall be made known and offered to customers, and
 - e. No more than four video games shall be permitted.
27. These conditions of approval must be posted in a conspicuous location for public viewing within the restaurant on a continuous basis for the life of this Conditional Use Permit beginning on the date the alcohol sales commence.
28. The site and surrounding area shall be maintained in a litter and graffiti free manner. Any graffiti that should appear on the site shall be removed within 48 hours.
29. Compliance with the City of Pasadena Refuse Storage regulations, see Section 17.40.120 of the Pasadena Municipal Code, shall be maintained at all times.
30. Truck loading, unloading, and trash pick-up for the premises are allowed only between the hours of 7:00 a.m. to 9:00 p.m., Monday through Friday, and between 9:00 a.m. to 5:00 p.m. on Saturdays. No truck loading, unloading, or trash pick-up is allowed on Sundays, as specified in Section 17.40.070.C. (Limited Hours of Operation) of the Zoning Code. Loading and unloading activities shall be within the permitted hours and shall not continue afterwards.