

ATTACHMENT F

DECISION LETTERS FOR EXISTING ENTITLEMENTS

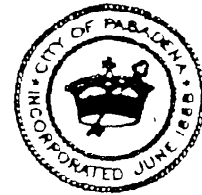
CONDITIONAL USE PERMIT #2051, 11/3/1989

CONDITIONAL USE PERMIT #2421, 10/22/1991

MINOR CONDITIONAL USE PERMIT #2863, 6/16/1994

City of Pasadena

ONE HUNDRED NORTH GARFIELD AVENUE
P.O. BOX 715 PASADENA CA 91109 7215



ZONING AND SUBDIVISION
ADMINISTRATION
ROOM 102

November 3, 1989

Glory Days Bar & Grill Inc.
83 West La Sierra Drive
Arcadia, CA 91006
ATTN: Michael Mc Carthy

Re: Use Permit #2051

Dear Mr. Mc Carthy:

Your application for Use Permit for Alcohol Sales requirements of the Zoning Ordinance at 61 North Raymond Avenue, Zone CD-1, was considered by the Zoning Hearing Officer on November 1, 1989. This was a petition requesting the following: **Conditional Use Permit -(Alcohol Sales):** Requests permission to offer alcoholic beverages for sale in conjunction with the operation of a restaurant use. Conditional use permit approval is required for alcohol sales in the Central District. (P.M.C. 17.33.040).

After careful consideration of this application, and with full knowledge of the property and vicinity, the Zoning Hearing Officer made the findings as shown on Attachment A to this letter.

Based upon these findings, it was decided that the Use Permit be granted in accordance with submitted plans. The conditions listed in Attachment B were made a part of the approval.

In accordance with Section 17.88.090 of the Pasadena Municipal Code, the exercise of the right granted under this petition must be commenced within one year from the effective date of the petition, unless otherwise specified in the conditions of approval. The right granted by this approval may be revoked if the entitlement is exercised contrary to the conditions of approval, or if it is exercised in violation of the Zoning Code.

You are hereby notified that, pursuant to Pasadena Municipal Code Section 17.104, any person affected or aggrieved by the decision of the Zoning Hearing Officer has the right to appeal that decision. Appeals must be filed by the close of business (4:30 p.m.), seven days from the date stamped at the bottom of the last page of this letter. If the seventh day falls on a holiday, the deadline shall be the close of business the following business day.

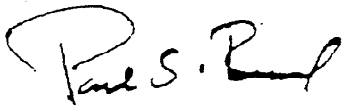
USE PERMIT #2051
NOVEMBER 3, 1989
PAGE 2

This petition only authorizes the deviation from the Zoning Code or zoning entitlement you have requested. Granting of this approval is conditioned upon the project meeting all applicable requirements of the building and fire codes of the City of Pasadena and shall not be construed to grant a waiver of any provision contained therein. The applicant should contact both the Building and Development Services division and the Fire Department in order to obtain information about the building and fire codes and to obtain a building permit, if necessary. Failure to obtain a building permit shall be grounds for revoking this entitlement. Approval of this application does not guarantee an allocation under the Growth Management Initiative.

Any permits which are necessary may be issued to you by the Building Division on or after the effective date, which is the next working day following the appeal deadline. You should call the Zoning Office (818) 405-4152 to find out if any appeal has been filed before you come to get your building permits. A copy of this letter must be attached to all plans submitted for building permits.

A Negative Declaration for this project was approved on November 1, 1989 and no Environmental Impact Report will be required.

Sincerely,



PAUL S. BEARD
Pasadena Zoning Hearing Officer

PSB:ewj

Enclosures

xc: City Clerk, Bldg. Div., Public Works (2),
County Assessor, Power Div., Water Div.,
Zoning Enforcement, File

NG ADMIN.

W 89 13: 05

ATTACHMENT A

FINDINGS OF FACT FOR USE PERMIT #2051

1. The proposed location of the conditional use is in accord with the special purposes of this title and the purposes of the district in which the site is located because the subject development is located in an area zoned Central District which permits alcohol sales through the conditional use permit process.
2. The proposed location of the conditional use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan and environmental performance standards of Section 17.64.260 and will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of such use, nor injurious to properties or improvements in the vicinity because the development is located in a Central District which permit the land use proposed in this application. Additionally, the sale of alcoholic beverages would be conducted in accordance with environmental performance standards of section 17.64.260.
3. The proposed conditional use will comply with the provisions of this title, including any specific condition required for the proposed conditional use in the district in which it would be located in that conditions of approval will ensure the continued compliance with all provisions of this title.
4. The proposed location of the conditional use will not adversely affect the general welfare of the surrounding property owners in that alcoholic beverages would be sold in conjunction with food items consequently reducing the potential for adverse impact to adjacent land uses resulting from public intoxication.
5. The proposed location of the conditional use will not result in an undesirable concentration of premises for the sale of alcoholic beverages, including beer and wine in the area because the development proposed by the applicant would be design and operated in a manner to attract a professional clientele, in the age range of 30 years to 50 years of age. Alcohol sales in conjunction with a restaurant use has not been an undesirable land use in Old Town Pasadena in the past.
6. The proposed location of the conditional use will not detrimentally affect the nearby surrounding area after giving consideration to the proximity and nature of the proposed use with respect to residential structures, churches, schools, public playgrounds, places of public assembly which attract minors and other similar uses, and other establishments offering alcoholic beverages (including beer and wine) for sale for consumption on-site or off-site. Alcohol served in conjunction with a restaurant use has not in the past adversely impacted adjacent land uses in the Central District. The sale of alcoholic beverages at the proposed site would have no significant impact to adjacent land uses because the site is in a commercial zone and there are no residential uses or churches located within a 300 foot radius.

Findings for CUP #2051

November 3, 1989

Page 2

7. The proposed location of the conditional use will not aggravate existing problems created by the sale of alcoholic beverages such as loitering, public drunkenness, sale to minors, noise, and littering because restaurant uses located in Old Town Pasadena that do not provide live entertainment typically do not attract a clientele susceptible to public drunkenness, noise, and littering.

ATTACHMENT B

CONDITIONS OF APPROVAL FOR USE PERMIT #2051

1. No customer waiting shall be permitted outside of the restaurant.
2. No live entertainment shall be provided unless an additional use permit is obtained.
3. The applicant shall meet the conditions of all other City Departments.
4. The applicant shall provide evidence to the satisfaction of the Zoning Administrator that all parking requirements are met.
5. The hours of operation shall not be later than 11:00 P.M. Sunday through Thursday and not later than midnight on Friday and Saturday.

City of Pasadena

ONE HUNDRED NORTH GARFIELD AVENUE
P.O. BOX ONE PASADENA, CALIFORNIA 91103



ZONING AND SUBDIVISION
ADMINISTRATION
ROOM 102

October 22, 1991

Michael K. McCarthy, President
Glory Days Bar and Grill, Inc.
dba McCarthy's Bar and Grill
61 North Raymond Avenue
Pasadena, California 91103

RE: Conditional Use Permit #2421

Dear Mr. McCarthy:

Your application for a Conditional Use Permit for the Live Entertainment and Alcohol Sales requirements of the Zoning Ordinance at 61 North Raymond Avenue, Zone CD-1, was considered by the Zoning Hearing Officer on October 16, 1991. This was an application requesting the following: **Conditional Use Permit - (Live Entertainment):** To establish live entertainment in an existing restaurant. A conditional use permit is required to establish live entertainment in the CD-1 zoning district (Section 17.33.040 PMC). **Conditional Use Permit - (Alcohol Sales):** To expand the hours of operation granted under Conditional Use Permit #2051 which established alcohol sales from the premises. A conditional use permit is required to expand alcohol sales in the CD-1 zoning district (Section 17.33.040 PMC).

After careful consideration of this application, and with full knowledge of the property and vicinity, the Zoning Hearing Officer made the findings as shown on Attachment A to this letter.

Based upon these findings, it was decided that the Conditional Use Permit be granted in accordance with submitted plans stamped October 16, 1991. The conditions listed in Attachment B were made a part of the approval.

In accordance with Section 17.88.090 of the Pasadena Municipal Code, the exercise of the right granted under this application must be commenced within one year from the effective date of the approval, unless otherwise specified in the conditions of approval. A one year extension of your approval can be granted by the Zoning Administrator. Such a request must be received not

CONDITIONAL USE PERMIT #2421
October 22, 1991
Page 2


less than 30 days before expiration and not more than 60 days before expiration. The right granted by this approval may be revoked if the entitlement is exercised contrary to the conditions of approval, or if it is exercised in violation of the Zoning Code. Approval of this application does not guarantee an allocation under the Growth Management Initiative. You are advised that application for a building permit is not sufficient to vest the rights granted herein. The building permit must be issued and construction diligently pursued within one year before the expiration of this application.

You are hereby notified that, pursuant to Pasadena Municipal Code Section 17.104, any person affected or aggrieved by the decision of the Zoning Hearing Officer has the right to appeal that decision. This decision becomes effective on the eighth day (October 30, 1991) after the date stamped on the bottom of the last page of this letter. Prior to such effective date, a member of the City Council or Planning Commission may stay the decision and request that it be called up to the Board of Zoning Appeals for review. In addition, as the applicant, you may appeal this decision to the Board of Zoning Appeals up until 4:00 P.M., on November 6, 1991, by filing an appeal with the City Clerk and paying the appeal fee.

Any permits which are necessary may be issued to you by the Building Division on or after the effective date, which is the next working day following the appeal deadline. You should call the Zoning Office (818) 405-4152 to find out if any appeal has been filed before you submit your building permit application. A copy of this letter must be attached to all plans submitted for building permits.

A Negative Declaration for this project was approved on October 16, 1991 and no Environmental Impact Report will be required.

Sincerely,


David B. Mercer
Pasadena Zoning Hearing Officer

DBM/jw

Enclosures: Attachment A, Attachment B

xc: City Clerk, Bldg. Div., Public Works (4),
County Assessor, Power Div., Water Div.,
Urban Conservation, Hearing Officer, Nancy Key,
Mattie Henderson, Zoning Enforcement, Council (7), File

REC'D - APPLIC.

OCT 21 1991

ATTACHMENT A
FINDINGS OF FACT FOR CONDITIONAL USE PERMIT #2421

SPECIFIC FINDINGS:

Live Entertainment

1. The proposed location of the conditional use is in accord with the specific purposes of Title 17 of the Municipal Code and the purposes of the district in which the site is located in that the purposes of the Central District encourage the development of retail and entertainment areas oriented to pedestrian activities. The proposed live entertainment would provide a unique type of entertainment, traditional and folk style Irish music, in the Old Pasadena area. Raymond Avenue, on which the subject site fronts, is designated for pedestrian oriented nonresidential development. The proposed live entertainment use would be consistent with these purposes.
2. The proposed location of the conditional use and the conditions under which it would be operated or maintained will be consistent with the General Plan and environmental performance standards of Section 17.64.260 and will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the neighborhood of such use or injurious to properties or improvements in the vicinity in that the land use objectives of the General Plan include establishing land use patterns resulting in a mixture of land uses where such mixture adds to the interest and vitality of an area and incorporating land uses which contribute to the social, economic, and cultural diversity of the community. The proposed live entertainment would add to the interest of the Old Pasadena area and would enhance the cultural diversity of the community since the proposed music would be traditional and folk style Irish music not commonly performed in the region. Although the music would be amplified, the volume of amplification would not exceed a level which would be disturbing to conversation within the restaurant and would be subject to the regulations of Chapter 9.36 of the Municipal Code, the Noise Ordinance.
3. The proposed conditional use will comply with the provisions of Title 17 of the Municipal Code, including any specific condition required for the proposed conditional use in the district in which it would be located in that any violation of the regulations of Title 17 or the conditions of approval of this application would be grounds for the revocation of this entitlement and the termination of the use.

Alcohol Sales

4. The proposed location of the conditional use permit will not adversely affected the general welfare of the surrounding property owners in that the proposed use is a commercial use similar to other commercial uses in the vicinity. A waiting area

must be provided as a condition of approval of the previous application, Use Permit #2051, to ensure that the use will not impact neighboring uses.

5. The proposed location of the conditional use will not result in an undesirable concentration of premises for the sale of alcoholic beverages, including beer and wine, in the area in that alcoholic beverage sales have already been established at the restaurant and the extension of the existing hours does not affect the previous approval.

6. The proposed location of the conditional use will not detrimentally affect the nearby surrounding area after giving consideration to the proximity and nature of the proposed use with respect to residential structures, churches, schools, hospitals, public playgrounds, places of assembly which attract minors and other similar uses, or other establishments offering alcoholic beverages (including beer and wine) for sale for consumption on-site or off-site in that the proposed use is a restaurant which would offer the service of alcoholic beverages for on-site consumption with the sale of meal items.

7. The proposed location of the conditional use will not aggravate existing problems created by the sale of alcohol, such as loitering, public drunkenness, sales to minors, noise and littering in that a waiting area for restaurant patrons must be provided within the restaurant use to ensure that loitering would not occur.

ATTACHMENT B

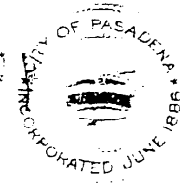
CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT #2421

1. The sales of alcoholic beverages shall be considered subsidiary to the sales of food.
2. The live entertainment shall be limited to traditional and folk style Irish music performed by groups of not more than four members.
3. The music shall be amplified to a level which could be heard throughout the restaurant but not disturbing to conversation. Amplification of the music shall comply with the regulations of Chapter 9.36 of the Municipal Code.
4. The business hours of operation shall be 11:00 a.m. until 11:00 p.m. on Sundays through Thursdays and from 11:00 a.m. until 1:00 a.m. (the following day) on Fridays and Saturdays. Live entertainment may occur on not more than four days per week.
5. Loitering outside the restaurant shall not be permitted.
6. Any signs erected to advertise live entertainment must comply with the regulations of Section 17.33.070{P} of the Municipal Code. Signs advertising the sale of any alcoholic beverage shall not be visible from any location off the subject site unless the sign is exempt from the regulations under Section 17.33.070{P2} of the Municipal Code.
7. Parking for the use shall be located in the parking structure located at 48 North Raymond Avenue. The number of parking credits allowed under Variance #10956 shall not be exceeded.
8. The operator of the use shall comply with all of the conditions of Use Permit #2051 except as modified herein.
9. The applicant shall meet the applicable code requirements of all other City Departments.

City of Pasadena

100 NORTH GARFIELD AVENUE
P.O. BOX 7115, PASADENA, CA 91109-7215

FILE COP



ZONING AND BUILDING DIVISION
ADMINISTRATION
ROOM 102

June 16, 1994

Jennette Plessis
La Bamba Restaurant
61 N. Raymond Ave.
Pasadena, CA

Re: Minor Conditional Use Permit #2863
61 North Raymond Avenue

Dear Ms. Plessis:

Your application for a Minor Conditional Use Permit for the proposed live entertainment request at 61 North Raymond Avenue, zone CD-1, was considered by the Zoning Administrator on June 15, 1994. This was a petition requesting permission for the following:

MINOR CONDITIONAL USE PERMIT-(Live Entertainment): To allow live entertainment with dancing in conjunction with an existing restaurant which serves alcoholic beverages. This is a modification of Conditional Use Permit #2421 granted on October 16, 1991. A minor conditional use permit is required whenever it is proposed to modify a live entertainment permit in the CD-1 zoning district (PMC §17.33.040).

After careful consideration of this application, and with full knowledge of the property and vicinity, the Zoning Administrator made the findings as shown on Attachment A to this letter.

Based upon these findings it was decided that the application be **granted** in accordance with the plans submitted. The conditions listed in Attachment B were made a part of the approval.

You are hereby notified that pursuant to Pasadena Municipal Code Section 17.04, any person affected or aggrieved by the decision of the Zoning Administrator has the right to appeal that decision prior to the effective date of this decision. This decision becomes effective on the eighth day (June 23, 1994) following the date stamped on the bottom of the last page of this letter.

Prior to the effective date, a member of the City Council or Planning Commission may stay the decision and request that it be called up for review to the Board of Zoning Appeals. Appeals must be filed before the effective date.

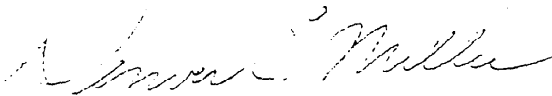
In accordance with Section 17.88.090 of the Pasadena Municipal Code, the exercise of the right granted under this entitlement must be commenced within one year from the effective date of the approval unless otherwise specified in the conditions of approval. A one year time extension of your approval may be granted by the Zoning Administrator. A request for an extension must be received by the Current Planning Office before the expiration. The applicant is advised that application for a building permit is not sufficient to vest the rights granted herein. The building permit must be issued and construction diligently pursued within one year of the effective date of this application.

The right granted by this approval may be revoked if the entitlement is exercised contrary to the conditions of approval or if it is exercised in violation of the Zoning Code.

Any permits which are necessary may be issued to you by the Building Division on or after the effective date, which is the next working day following the appeal deadline. You should call the Current Planning Office at (818) 405-4152 to find out if any appeal has been filed before you submit your building permit application. A copy of this letter must be attached to all plans submitted for building permits.

This project has been determined to be Categorically Exempt from environmental review (Class 1) pursuant to the guidelines of the California Environmental Quality Act.

Sincerely,



Denver E. Miller
Zoning Administrator

DEM:LL

xc: City Clerk, Public Works and Transportation, County Assessor, Water and Power Division, Police Department (Special Investigations Unit), Historic Preservation, Mattie Henderson, Zoning Enforcement, File.

Enclosures: Attachment A, Attachment B

ATTACHMENT A
FINDINGS FOR MINOR CONDITIONAL USE PERMIT #2863

1. The proposed location of the conditional use is in accord with the special purposes of Title 17 and the purposes of the district in which the site is located in that the subject site is located in the Old Pasadena Central District which is intended to provide entertainment areas oriented to pedestrian activity. The proposed live entertainment would be consistent with these purposes since the site is in the Old Pasadena Central District at the intersection of two pedestrian-oriented streets and the proposed use would allow dancing to enhance an existing live entertainment use entitled under Conditional Use Permit #2421.

2. The proposed location of the conditional use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan and environmental performance standards of Section 17.64.260 and will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the neighborhood of such use, nor injurious to properties or improvements in the vicinity in that the land use objectives of the General Plan promote economic vitality and pedestrian oriented commercial centers. The project will encourage the continued success of the existing restaurant with live entertainment by providing incidental dancing. The project will have a negligible impact upon the environment since the existing use is existing and has operated with an entertainment permit for several years. The Police Department has reviewed this application and is not opposed to the proposed modification to the existing entertainment license.

3. The proposed conditional use will comply with the provisions of Title 17, including any specific condition required for the proposed conditional use in the district in which it would be located in that any violation of the regulations of Title 17 or the conditions of approval of this application would be grounds for revocation of this entitlement and the termination of the use. The project has met all the applicable development standards of the revised Zoning Ordinance.

ATTACHMENT B
CONDITIONS OF APPROVAL FOR MINOR CONDITIONAL USE PERMIT #2663

1. All conditions of approval imposed under Conditional Use Permit #2421 shall remain in effect, except as modified herein.
2. Live entertainment shall be limited to dancing with amplified music and disc jockeys, live musical acts performed by groups of not more than four members, and other similar activities subject to the review and approval of the Zoning Administrator.
3. The use shall be maintained as a bonafide eating establishment and shall remain open for the lunch and dinner clientele. Food service shall be made available during all hours of business operation.
4. Establishment of the dance floor area shall substantially conform to the plans submitted for this application. Any proposed modification to the size or location of the dance floor area shall be subject to the review and approval of the Zoning Administrator.
5. The applicant shall meet the applicable code requirements of all other City Departments.