

PLANNING AND PERMITTING DEPARTMENT
PLANNING DIVISION

March 31, 2000

FILE COPY

Steven Dahl, AIA
408 South Pasadena Avenue #6
Pasadena, CA 91105

**RE: Conditional Use Permit # 3667
96-98 EAST COLORADO BOULEVARD**

Dear Mr. Dahl:

Your application for a **Conditional Use Permit at 96-98 East Colorado Boulevard, Zone CD-1**, was considered by the **Board of Zoning Appeals** on **March 29, 2000**. This was an application requesting the following:

CONDITIONAL USE PERMIT - (Alcohol Sales Beer and Wine): The applicant has filed a conditional use permit application to allow the establishment of alcohol sales (beer and wine) in conjunction with the establishment of a new restaurant (Hooters).

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

Based upon the findings, it was decided to **approve** the submitted plans stamped **March 29, 2000**. The conditions listed in Attachment B were made a part of the approval. The Public Works conditions attached were also made a part of the approval.

In accordance with Section 17.80.050 of the Pasadena Municipal Code, the exercise of the right granted under this petition that must be commenced within two years from the effective date of the approval, unless otherwise specified in the conditions of approval. The Zoning Administrator can grant a one-year extension of your approval. The Current Planning office should receive such a request at least 30 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

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7.A.(1)

Appeal of Conditional Use Permit # 3667
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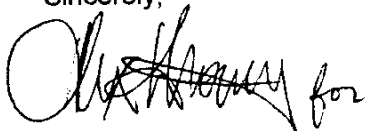
The applicant is advised that application for a building permit is not sufficient to vest the rights granted herein. The building permit must be issued before the expiration of this application.

This decision of the Board of Zoning Appeals is not subject to appeal, and will become effective on the eleventh day from the date of the decision. The effective date of this case will be **April 11, 2000**. However, prior to the effective date, a member of the City Council may stay the decision and request that it be called-up to the City Council for review.

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 626-744-6777 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.

This project was found to be categorically exempt, Class 1, from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 1 §15301, Existing Facilities).

Sincerely,

A handwritten signature in black ink, appearing to read "Denver E. Miller for".

Denver E. Miller
Pasadena Zoning Administrator

DEM:MH:jd

Enclosures: Attachment A, Attachment B, Public Works Comments

xc: Planning Commission (9), City Council, City Clerk,
Building Division, Public Works, Power Division, Water
Division, Design & Historic Preservation, Hearing Officer,
Zoning Enforcement, File-2

ATTACHMENT A
FINDINGS OF FACT FOR CONDITIONAL USE PERMIT # 3667

1. The proposed location of the conditional use permit will not adversely affect the general welfare of the surrounding property owners. The operation of a restaurant use with on-site beer and wine sales is consistent with the commercial activity of the surrounding commercial district. The proposed use will be conducted in accordance with the City's laws and ordinances ensuring the continuing compatible and coexistence of this use protecting the other businesses in the area from adverse impacts.

2. The proposed location of the conditional use will not result in an undesirable concentration of premises for the sale of alcoholic beverages in the area. The operation of the proposed restaurant with on-site beer and wine sales would provide for reasonable and responsible growth of a commercial business within Old Pasadena.

3. 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 uses and districts, religious assembly uses, private or public schools, hospitals, parks and recreation facilities, places of public assembly which attract minors and other similar uses. The subject site is not within close proximity to residential uses and districts, religious assembly uses, private or public schools, hospitals, parks and recreation facilities, places of public assembly which attract minors and other similar uses that would be considered detrimental to those uses.

4. 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. It has been determined that the addition of beer and wine sales in conjunction with the establishment of a new restaurant to the subject site would not contribute to an aggravation of existing problems in and around the project site based on the nature of the proposed restaurant use and the affirmation from the Police Department that this use can be served by the Police Department without the need to increase service or resources.

ATTACHMENT B
CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT # 3667

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

1. The site/floor plans submitted for building permits shall substantially conform to the site/floor plans dated February 16, 2000, and submitted with this application except as modified herein.
2. The approval of this application authorizes the on-site sales of beer and wine from the associated restaurant in conjunction with the sale of food (full menu) during all hours of operation. Any change from the approved use of the proposed restaurant would require a new public hearing review of this conditional use permit.
3. The hours of operation for the restaurant are limited from 9:00 a.m. to 1:00 a.m. seven days a week.
4. The last alcoholic beverage will be served no later than 12:30 a.m.
5. Alcoholic beverages shall be served in non-disposable containers.
6. The size of the bar area shall be as indicated on the floor plans submitted with this conditional use permit. The bar shall be limited to ten seats/bar stools.
7. A sidewalk dining application must be submitted to and approved by the City of Pasadena Public Works and Transportation Department.
8. There will be no dancing or amplified live entertainment.
9. Signs advertising brands of alcoholic beverages or the availability of alcohol for sale at the subject site shall not be visible from the exterior of the subject building.
10. 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. The subject use shall be maintained as a bonafide-eating establishment
 - b. Taxicab 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 management training program 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.
11. Video games or similar loitering attractions shall not be permitted.

12. Compliance of the City of Pasadena Refuse Storage regulations, see § 17.64.240 of the Pasadena Municipal Code, shall be attained prior to the date that alcohol sales commences.
13. The applicable code requirements of the zoning code and of all other City Departments shall be met at all times.
14. 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 the date the alcohol sales commences.
15. The applicant shall meet the conditions of approval and mitigation measures subject to monitoring by the City Condition Monitoring Coordinator. Required monitoring fees for setup and inspections shall be paid on or after the effective date of this permit but prior to the issuance of any building permits for tenant improvements.

**ALSO SEE THE ATTACHED COMMENTS FOR PUBLIC WORKS
AND TRANSPORTATION DEPARTMENT**