



Via FedEx Delivery

REVISED December 21, 2018

July 10, 2018

Ms. Noren Caliva-Lepe
Community Development Department
City of Sunnyvale
P.O. Box 3707
Sunnyvale, CA 94088

Re: Whole Foods Market, 150 E. McKinley Avenue, Suite #100, Sunnyvale, CA

Dear Ms. Caliva-Lepe:

I'm writing on behalf of Whole Foods Market ("WFM") to request a Special Development Permit ("SDP") and a Miscellaneous Plan Permit ("MPP") for the alcoholic beverage services proposed at the new grocery store located at 150 E. McKinley Avenue.

Plans for the new store include a restaurant that will provide freshly prepared foods and alcoholic beverages to customers seated in the dining room and outside patio. Instructional wine-tasting events are also being proposed for the main shopping area to improve customers' understanding of food and wine pairings. Both proposed alcoholic beverage services shall comply with the State Alcoholic Beverage Control ("ABC") License Types 47 and 86, respectively.

On June 21, 2017, the City of Sunnyvale approved MPP (2017-7478) for general alcohol sales for off-site consumption. This approval did not include approval for on-site consumption activities (Type 47, 86). Therefore, the accompanying application is to secure the balance of land use approvals to allow for on-site alcohol consumption including:

1. SDP for on-site consumption of beer, wine, and spirits in the dining areas plus instructional wine tasting in the main grocery sales area.
2. MPP for Public Convenience or Necessity approvals for all on-site consumption.

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Project Description

WFM is proposing to operate a 47,673-square-foot grocery store located at 150 E. McKinley Avenue at the corner of Murphy Avenue. The new store will include a 5,065-square-foot restaurant in the northwest corner of the building that will serve full-course meals, along with beer, wine and spirits. The restaurant consists of a full kitchen, food preparation facilities, service areas, and seating for customers in the inside dining room and outdoor patio. The current plan is designed to accommodate ~~253~~**218** total seats, with ~~163~~**142** seats located in the dining room and ~~90~~**76** seats located on the patio. The restaurant will operate daily between the hours of 7:00 a.m. and 11:00 p.m. Food and alcoholic beverage service will be available in both the interior and exterior dining areas and will comply with ABC Type 47 requirements and conditions. While the dining areas are available to all customers regardless of age, only adults over 21 years old will be allowed to consume alcohol.

Separate from the restaurant, instructional wine, beer, and spirit tastings are being proposed for the main shopping area. The purpose of the instructional tastings is to allow store customers to learn more about beer, wine, and spirits directly from growers and producers. Tasting events will be scheduled and announced in advance and will take place between the hours of 10:00 a.m. and 9:00 p.m. Areas of the store that will be used for instructional tastings will be separated by barriers to restrict access to customers twenty-one years and older. Customers will not be allowed to take alcohol outside of the store. All instructional tastings shall comply with the guidelines set forth in the State ABC Type 86 Industry Advisor publication included in this application package.

Required Findings

We believe the alcoholic beverage services being proposed at the new WFM are desirable for the public interest. Moreover, the proposal is consistent with Sunnyvale Municipal Code (SMC) Sections 19.90.050 and 19.82.050 pertaining to findings for approval of a Special Development Permit (SDP) and Miscellaneous Plan Permit (MPP) 19.82.040, respectively. The required findings appear in regular typeface; the applicant's responses appear in ***bold italic typeface*** below:

1. The SDP will attain the objectives and purposes of the general plan, specific plan, precise plan, or other specialized plan of the City of Sunnyvale.

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The proposed restaurant serving full-course meals, along with beer, wine located within Whole Foods Market will help create a mix of active and enjoyable uses in the downtown and surrounding areas. The ability to shop for high-quality food and beverage products and also consume these products within the store restaurant will encourage shopping in a well-designed and well-served pedestrian environment.

2. The SDP amendments ensure that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either the orderly development of, or the existing uses being made of, adjacent properties.

The proposed alcoholic beverage services will not change the previously approved architectural design; therefore, the surrounding development and adjacent properties will not be impaired.

3. Ensure that the proposed use is desirable, and will not be materially detrimental to the public welfare or injurious to the property, improvements, or uses within the immediate vicinity and within the zoning district.

Whole Foods Market is a national food retailer with a superb record of safe and responsible food and beverage handling. Due the training of store team members and strict compliance with the ABC regulations, the on-site consumption of alcoholic beverages will not be detrimental to the public welfare in the store's immediate vicinity.

Sincerely,



Dwane J. Kennedy

cc Ryan Bissett, Whole Foods Market
Adam Smith, Whole Foods Market

Encl.