



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 15-0406, **Version:** 1

REPORT TO THE ZONING ADMINISTRATOR

File #: 2015-7044

Location: 1220 Oakmead Parkway (APN: 216-44-048)

Applicant / Owner: Edward F. Caropepe (applicant) / TW Ireland (owner)

Proposed Project:

USE PERMIT to allow general alcohol sales at an existing pizza restaurant that currently allows sale of beer and wine.

Reason for Permit: A Use Permit is required for a restaurant that have on sale general alcohol beverage service.

Project Planner: Jonathan Caldito, (408) 730-7452, jcaldito@sunnyvale.ca.gov

Issues: Parking

Recommendation: approve with conditions

PROJECT DESCRIPTION

	Existing	Proposed
Zoning District	MS, Industrial and Service	Same
General Plan	Industrial	Same
Lot Sq. Ft.	40,314	Same
Building Sq. Ft.	5,515	Same
Parking	50	Same

Previous Planning Projects related to Subject Application:	2012-7871-To allow beer and wine; 1993-0207-To convert bank into restaurant
Neighborhood Preservation Complaint	No
Deviations from Standard Zoning Requirements	No

Background

The existing 5,515 square foot restaurant was converted from a bank in 1993(1993-0207) and an application for limited alcohol sales of beer and wine was approved in 2012 (2012-7871). The proposal is for an addition of a bar area and to have general alcohol sales. The bar will serve as an area that is separated with half walls but will not serve as stand-alone bar. Food would be served in the bar area.

There are no proposed changes to the exterior of the building. The subject application for the general alcohol sales are targeting customers that want to come into the restaurant to watch sports events and to eat and drink.

Under the current Sunnyvale Municipal Code, the parking standards for a restaurant without a bar or entertainment require a minimum of 9 spaces and a maximum of 11 spaces per 1,000 square feet of building space. The current restaurant has 50 spaces which meets the parking standard but, with the addition of a bar area, the parking standards are raised to a minimum of 13 spaces and a maximum 18 spaces per 1,000 square feet of building area.

Use Description

The proposal is for an existing pizza restaurant to serve general alcohol along with beer and wine that was previously approved. The applicant wants to add the general sale of alcohol to the menu for customers that come into the restaurant to watch sports while they eat and drink. There will be a “relaxed” bar area that will be visually identified with half walls around the area but tables in the area will have the same service as the rest of the restaurant. The bar area will not have specialized treatment and the food and drink menu will be the same throughout the entire restaurant. Customers that sit in other parts of the restaurant will have the same food and drinks available to them. The restaurant’s hours of operation are from 10:30 am to 11:30 pm Monday through Sunday. The hours are not changing due to the addition of general alcohol.

Neighborhood Impacts / Compatibility

Staff finds that the proposed full liquor license for the existing restaurant would not have a negative impact to the site or its surrounding uses. The restaurant currently has a license for onsite sale and consumption of beer and wine. There are no pending complaints with the Department of Public Safety or Neighborhood Preservation Division regarding the existing restaurant and uses.

The Sunnyvale Municipal code has different parking standards when a restaurant has a bar and does not have a bar. The existing restaurant has 50 parking spaces which meet the current standard but with the addition of a bar, a restaurant would typically need to add parking. In this case the increase would be an additional 21 spaces or 71 total parking spaces instead of 50.

The city has applied the additional parking requirement in cases where restaurants have a fully separate bar that generates its own clientele that is not integrated into the restaurant function. Staff finds that the proposed plan to only visually indicate a bar area that is still part of the restaurant does not require additional parking. The current number of parking spaces can be maintained without impact to the parking provisions. Staff does not anticipate the proposed addition of the bar to have negative impact on parking on a daily basis. The bar will be treated as part of the restaurant and not a stand-alone unit.

Public Contact: 167 notices were sent to surrounding property owners and residents adjacent to the subject site in addition to standard noticing practices, including advertisement in the Sunnyvale Sun Newspaper and on-site posting. No letters or calls were received from the public by staff.

Environmental Determination: A Categorical Exemption Class 1 (minor alterations to existing

structure) relieves this project from CEQA provisions.

FINDINGS

In order to approve the Use Permit the following findings must be made:

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale.

Policy LT-4.7 Support the location of convenient retail and commercial services (e.g., restaurants and hotels) in industrial areas to support businesses, their customers and their employees.

The existing business, as conditioned in a previous approval, has not attracted public nuisances and there are no complaints filed with the Department of Public Safety. The addition of general alcohol sales to increase sales revenue as customers can order more than beer and wine with their meal while having an option to watch sporting events.

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

The addition of a bar and the general sale of alcohol at an existing restaurant will not interfere or be detrimental to the surrounding neighborhood. The addition of a bar and full service alcohol would provide an additional service and parking would not be affected.

ALTERNATIVES

1. Approve the Use Permit with recommended Conditions in Attachment 2.
2. Approve the Use Permit with modifications.
3. Deny the Use Permit.

RECOMMENDATION

Alternative 1. Approve the Use Permit with recommended Conditions in Attachment 2.

Prepared by: Jonathan Caldito, Project Planner

Approved by: Gerri Caruso, Principal Planner

ATTACHMENTS

1. Vicinity and Noticing Maps
2. Standard Requirements and Recommended Conditions of Approval
3. Site and Architectural Plans
4. Letter from the Applicant