



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 20-0175, Version: 1

REPORT TO THE ZONING ADMINISTRATOR

SUBJECT

Proposed Project:

SPECIAL DEVELOPMENT PERMIT: to allow general alcohol service at an existing restaurant (River Rock Tap Room) that currently allows beer and wine.

Location: 155 South Murphy Avenue (APN: 209-06-009)

File #: 2019-7951

Zoning: DSP-2 (Downtown Specific Plan Block 2)

Applicant / Owner: Venkaiah C. Jetty (applicant) / Nicholas and Sueanne Gera Trustee & Et Al (owner)

Environmental Review: Class 1 Categorical Exemption relieves this project from the California Environmental Quality Act (CEQA) provisions.

Project Planner: Momoko Ishijima, 408-730-7532, mishijima@sunnyvale.ca.gov

BACKGROUND

The project site is located mid-block on the west side of Murphy Avenue in the Downtown Specific Plan Area Block 2, which historically has been the main commercial and entertainment area of Sunnyvale. The existing building was constructed in the early 1990's and over the years has been used as restaurants and a nightclub. The current restaurant, River Rock Tap Room, opened in 2017.

Description of Proposed Project

The proposed project is to allow full alcoholic beverage service at an existing restaurant, River Rock Tap Room. The existing restaurant currently has beer and wine service.

The alcoholic beverages will be served during the existing restaurant's business hours, which are as follows:

- Monday - Tuesday 4:00 P.M. to 11:00 P.M.
- Wednesday - Thursday 3:00 P.M. to 12:00 A.M.
- Friday - Saturday 12:00 P.M. to 2:00 A.M.
- Sunday 12:00 P.M. to 9:00 P.M.

No changes to the interior space, outdoor dining area, and building exterior are proposed as part of the project. See Attachment 1 for a map of the vicinity and mailing area for notices.

Previous Actions on the Site

Other than permanent and temporary sign permit applications, the following Planning Permits have been approved for the subject property and related to the requested permit:

- Landmark Alternation Permit (1987-0498): Construction of a new two-story building.

- Special Development Permit (1994-0268): To allow live entertainment.
- Miscellaneous Plan Permit (2007-0026): Add second entrance to front with direct access to the 2nd floor
- Special Development Permit (2009-0881): New night club with full liquor service and live entertainment.
- Miscellaneous Plan Permit (2019-7130): Outdoor dining for restaurant (River Rock Tap Room)

Currently, there are no open Neighborhood Preservation cases on the property.

ENVIRONMENTAL REVIEW

The Class 1 Categorical Exemption (CEQA Guidelines, Section 15301, Existing Facilities) relieves this project from the California Environmental Quality Act (CEQA) provisions. The project proposes no changes to the existing building and site and involves negligible expansion of the existing use.

DISCUSSION

The existing restaurant requests for expansion of its alcoholic beverage service from beer and wine to full alcoholic beverage service. No changes to the interior space, outdoor dining area, and building exterior are requested as part of this application. Approval of a Special Development Permit is required for a restaurant that has on sale general alcoholic beverage service in the Downtown Specific Plan Block 2 (DSP-2) zoning district.

It is not uncommon to have full alcoholic beverage sale and service with food establishments like restaurants, especially on Murphy Avenue, which is designated as the City's entertainment district with a variety of restaurants and bars. Therefore, staff finds that the requested service expansion meets the required Special Development Permit findings, as the use complies with the General Plan and Downtown Specific Plan goals and policies that encourage offering of a region and citywide commercial and entertainment destination. See Attachment 3 for the required Special Development Permit findings.

NEIGHBORHOOD IMPACTS/COMPATIBILITY:

The existing restaurant is located mid-block on the west side of historic Murphy Avenue in the Downtown Specific Plan area. The area is designated as the City's entertainment district with a variety of other retail, restaurants, and bars. Staff believes this use will not have a negative impact to the surrounding uses with the incorporation of the recommended conditions of approval (Attachment 4). The conditions provide guidance to the applicant, as well as future business owners, and grant the City the right to modify or revoke the permit if the business operations begin to have negative impacts to the area. The Department of Public Safety reviewed the proposed application and found no concerns as well. Therefore, the neighborhood impact from the requested full alcoholic beverage service would be minimal.

PUBLIC CONTACT

335 notices were sent to surrounding property owners, tenants, and residents adjacent to the subject site in addition to standard noticing practices, including advertisement in the Sunnyvale Sun Newspaper and on-site posting. Staff has not received any letters or calls from the public regarding the proposed project.

CONCLUSION:

Staff is able to make the required Findings (Attachment 3) of the Special Development Permit. Staff recommends that the Special Development Permit be approved.

ALTERNATIVES

1. Approve the Special Development Permit with recommended Conditions in Attachment 4.
2. Approve the Special Development Permit with modifications.
3. Deny the Special Development Permit.

RECOMMENDATION

Alternative 1. Approve the Special Development Permit with recommended Conditions in Attachment 4.

Staff

Prepared by: Momoko Ishijima, Senior Planner

Approved by: Jay Lee, Senior Planner

ATTACHMENTS

1. Vicinity and Noticing Maps
2. Project Data Table
3. Recommended Findings
4. Recommended Conditions of Approval
5. Site and Architectural Plans
6. Letter from the Applicant