



# City of Sunnyvale

## Agenda Item-No Attachments (PDF)

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File #: 20-0903, Version: 1

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### REPORT TO THE ZONING ADMINISTRATOR

#### **SUBJECT**

##### **Proposed Project:**

**SPECIAL DEVELOPMENT PERMIT:** to allow general alcohol service at an existing restaurant (10 Butchers Korean BBQ) that currently allows beer and wine.

**Location:** 595 E El Camino Real (APN: 211-01-039)

**File #:** 2020-7475

**Zoning:** C-2

**Applicant / Owner:** Allfo One Korea, LLC (applicant) / Hon Management Inc (owner)

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

**Project Planner:** Betty Avila, 408-730-7419, [bavila@sunnyvale.ca.gov](mailto:bavila@sunnyvale.ca.gov)

#### **BACKGROUND**

The project site is located in the El Camino Real Precise Plan area in the Community Center node, and zoned C-2, Highway Business. This area has been a main area for commercial uses with a variety of shopping centers, restaurants, and businesses. The current restaurant, 10 Butchers Korean BBQ, opened in 2019. Under MPP #2017-7068, there was an architectural review for the current restaurant, and Use Permit #2005-1197 for a restaurant use with a full liquor service, which was transferred from the previous restaurant. Since there was a lapse of the Business License for more than one year, the full liquor service use has not been allowed.

#### **Description of Proposed Project**

The proposed project is to allow full alcoholic beverage service at an existing restaurant, 10 Butchers Korean BBQ. 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- Thursday 11:30 A.M. to 2:30 P.M. and 5:00 P.M. to 9:00 P.M.
- Friday 11:30 A.M. to 2:30 P.M. and 5:00 P.M. to 10:00 P.M.
- Saturday 11:30 A.M. to 10:00 P.M.
- Sunday 11:30 A.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 and Attachment 2 for the Data Table of the project.

### **Previous Actions on the Site**

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

- Miscellaneous Planning Permit (2017-7068): Architectural review for 10 Butchers Korean BBQ. Transfer the approved Use Permit #2005-1197 for full liquor service use.
- Miscellaneous Planning Permit (2005-1202): Repaint metal siding on roof, remove landscaping for handicapped ramp.
- Use Permit (2005-1197): Full liquor at a new Japanese restaurant going into Carrow's Building
- Special Development Permit (1978-0342): Develop small shopping center

### **ENVIRONMENTAL REVIEW**

A 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.

### **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 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 El Camino Precise Plan area.

El Camino Real receives high traffic and has a variety of restaurants which have full alcoholic beverage sale and food service. Therefore, staff finds that the requested service expansion meets the required Special Development Permit findings, as the use complies with the General Plan and El Camino Real Precise Plan goals and policies that promote an attractive and functional commercial environment. See Attachment 3 for the required Special Development Permit findings.

### **NEIGHBORHOOD IMPACTS/COMPATIBILITY:**

The existing restaurant is located at the Community Center node around the intersection of El Camino Real and Fair Oaks Avenue. This intersection includes a variety of uses, such as large shopping centers, free-standing restaurants, auto dealerships, a fast food restaurant, and multi-family residential. 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 in the area. The Department of Public Safety has previously reviewed the proposed application for the prior Use Permit allowing full alcohol service and did not find any concerns. Therefore, the neighborhood impact from the requested full alcoholic beverage service would be minimal.

### **PUBLIC CONTACT**

174 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.

### **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.

Prepared by: Betty Avila, Assistant Planner

Approved by: Momoko Ishijima, Senior Planner

### **ATTACHMENTS**

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