

RESOLUTION NO. 1996-07

**RESOLUTION OF THE SAUSALITO PLANNING COMMISSION
APPROVING CONDITIONAL USE PERMIT APPLICATION NO. UP 96-27
TO CONVERT AN EXISTING BAKERY USE INTO AN EIGHT (8) SEAT
EATING AND DRINKING ESTABLISHMENT WITHIN A MULTIPLE-USE
COMMERCIAL COMPLEX KNOWN AS 1001 BRIDGEWAY**

WHEREAS, an application for a Conditional Use Permit has been filed by Cheryl Sarkisian, pursuant to Sausalito Municipal Code Section 10.935 requesting approval to convert an existing bakery use into an eight (8) seat eating and drinking establishment within a multiple use commercial complex known as 1001 Bridgeway (Assessor's Parcel No. 65-161-01, 02, & 03); and

WHEREAS, the Sausalito Planning Commission has reviewed and considered the project as depicted on the submitted floor plan titled "1001 Bridgeway, Suite 1; The Champs Elysees" dated March 20, 1995 and the project description dated April 16, 1996; and

WHEREAS, the Sausalito Planning Commission conducted a duly noticed public meeting commencing on April 24, 1996 and concluding on May 8, 1996, in the manner prescribed by local ordinance, at which time all interested persons were given an opportunity to be heard,

WHEREAS, the Planning Commission has received and considered oral and written testimony on the subject application and obtained evidence from site visits;

NOW, THEREFORE, PLANNING COMMISSION HEREBY FINDS AND DETERMINES that it is able to make the requisite findings to approve the requested Conditional Use Permit No. UP 96-27 to allow the new eating and drinking establishment use.

THE PLANNING COMMISSION FURTHER FINDS:

Section 1: Required Determinations and Permits.

1. CEQA.

It has been determined that this project is not subject to review under the guidelines of the California Environmental Quality Act (CEQA) per Section 15301 and 15061 b.(3).

2. Conformance with General Plan

The project site is located within the Mixed Residential & Commercial land use designation as specified under the Land Use and Growth Control Element of the General Plan. The General Plan seeks to maintain and encourage resident-serving commercial uses within the Caledonia Street Residential Commercial area. This project is consistent with this objective, as the project would provide for a variety of food service needs more attractive to local residents and workers. Although visitors may wander

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towards the complex, such a use does not appear to specifically attract tourists. The market demand for high quality prepared foods has increased dramatically in recent years and this use, like others in the Caledonia Street area, will provide for that need.

The Planning Commission finds that the proposed use remains consistent with the intent of the Mixed Residential & Commercial Land Use Designation for the Caledonia Street area.

3. Conformance with Zoning

The applicant is proposing only interior modifications to support the new use. By utilizing a small customer area with only eight (8) seats, the use will not increase the two (2) car parking requirement. The two spaces are provided in the parking area below the structure. No additional parking is required.

The Planning Commission has determined that the proposed use is consistent with the zoning requirements for an eating and drinking establishment as specified under Section 10.603 of the Municipal Code.

4. Findings for Grant of Conditional Use Permit

In order to grant a Conditional Use Permit to allow the conversion of a retail bakery into an eating and drinking establishment use, the Planning Commission must first make the following findings set forth in Section 10.935 governing the Conditional Use Permit procedures:

- (a) **The proposed use and facility is properly located in relation to the community as a whole and to land uses and transportation and service facilities in the vicinity.**
- (b) **The site for the proposed use is adequate in size and shape to accommodate the proposed use and all yards, open spaces, walls and fences, parking loading, landscaping, and such features as may be required by this Title or in the opinion of the Commission may be needed to assure that the proposed use will be reasonably compatible with the land uses normally permitted in the surrounding area.**
- (c) **That the site for the proposed use will be served by streets and highways of adequate width and pavement type to carry the quantity and kind of traffic generated by the proposed use.**
- (d) **The proposed use will not adversely affect abutting property or the permitted use thereof.**

It is likely that the use will not create a substantial amount of traffic to exceed the intensity of the previous use. Although the previous use was permitted only as a bakery, sandwiches and other prepared items have been served by the former bakery operator at that location without any notable impact. Although the site, as designed, has relatively poor parking and circulation, it is unlikely that the use will increase the demand to a substantial degree.

Assuming that the business is successful, there remains much on-street parking along the entry of Caledonia Street, which is normally vacant during the course of the workday. The Planning Commission anticipates that the use will generally attract foot traffic such as employees from the surrounding business and residents who are running other errands in the area.

The Planning Commission finds that the proposed use is consistent with the findings required for grant of a Conditional Use Permit as specified in Section 10.935 of the Municipal Code.

Section 3. Conclusion and Decision.

THE PLANNING COMMISSION THEREFORE CONCLUDES, based on the above findings, that it can approve the Conditional Use Permit application as proposed. The project Conditional Use Permit No. UP 96-27 is hereby approved subject to the following conditions:

1. Conditional Use Permit UP 96-27 is approved to permit conversion of an existing bakery use into an eight (8) seat eating and drinking establishment as generally depicted on project plans titled "1001 Bridgeway, Suite 1; The Champs Elysees" dated March 20, 1995 and the project description dated April 16, 1996.
2. This use is limited to no more than eight (8) customers seats.
3. No outside seating, dining, or service shall be provided by the proposed use.
4. The proposed exterior modifications resulting from the amended proposal shall be subject to Architectural and Site Plan Review per the guidelines of Section 10.912 of the Municipal Code.

MOTION TO APPROVE per the above referenced findings and conditions at the regular meeting of the Planning Commission on the 24th day of April, 1996, by the following vote:

AYES:	Commissioners:	Philips, Werner, Williams, Chairman Sears
NOES:	Commissioners:	None
ABSENT:	Commissioners:	None

PASSED AND ADOPTED at the regular meeting of the Sausalito Planning Commission on the 8th day of May, 1996, by the following vote:

AYES:	Commissioners:	Chairman Sears, Werner, Phillips
NOES:	Commissioners:	None
ABSENT:	Commissioners:	Williams



CHAIRMAN, SAUSALITO PLANNING COMMISSION