

# STAFF REPORT

## SAUSALITO ZONING ADMINISTRATOR

**Project** Thai Tanic / 1001 Bridgeway, Suite B1  
Minor Use Permit MUP 17-192

**Meeting Date** July 12, 2017

**Staff** David Chursenoff, Assistant Planner

### **REQUEST**

The request is for a Minor Use Permit to allow for the sale of beer and wine for a restaurant, Thai Tanic, at 1001 Bridgeway, Suite B1.

### **PROJECT INFORMATION**

**Applicant** Jack Chaisirikun

**Owner** Paradise Properties

**Location/Parcel Size** 1001 Bridgeway, Suite B1; APN 065-061-01  
2,526 square feet

**General Plan** Mixed Residential and Commercial

**Zoning** Commercial Residential (CR)

**Authority** The sale of beer and wine in the CR Zone requires a Minor Use Permit pursuant to Section 10.44.210.C. of the Zoning Ordinance

**CEQA** The project consists of a negligible expansion of use beyond that existing and is categorically exempt pursuant to Section 15301(a) (Interior or Exterior Alterations) of the CEQA Guidelines.

### **PROJECT DESCRIPTION**

#### **SITE LOCATION**

The project site is located within the New Town Neighborhood on the south corner of Bridgeway and Johnson Street (**Exhibit B** – Vicinity Map). The surrounding neighborhood consists of mixed Commercial and Residential, Public Institutional and Commercial Waterfront uses. The site is zoned Commercial Residential (CR) and is immediately adjacent to other properties with the same zoning designation. The site is a two-story commercial building named Bridgeway Terrace with retail spaces on the first floor and office spaces on the second floor. Twenty-one (21) on-site parking spaces are provided to these commercial spaces from an underground parking lot. Two (2) of these 21 spaces are allocated to Thai Tanic.

#### **PROJECT DESCRIPTION**

The applicant is requesting a Minor Use Permit to allow for the sale of beer and wine on site. The space is permitted to operate as an eight (8) seat eating and drinking establishment per Planning Commission Resolution 1996-07 (**Exhibit C**).

### **STRUCTURE AND LAND USE**

On June 13, 2017, the applicant was approved to operate a Thai restaurant in the 700 square foot suite under Occupational Use Permit #17-156. Use of this space will largely continue in the same manner as the suite's prior occupant, a Thai restaurant under the name Thai Terrace, as laid out in the applicant's floor plan (**Exhibit D**). Thai Tanic inherited the conditional use permit granted to Thai Terrace. However, the on-site sale of beer and wine is not authorized under the property's existing conditional use permit and is permitted per the approval of a Minor Use Permit pursuant to Municipal Code 10.44.210.C.

### **PROJECT ANALYSIS**

#### **GENERAL PLAN CONSISTENCY**

The project site is located within the Mixed Commercial Residential General Plan Land Use Designation. The General Plan describes this land use designation as "a local/resident-serving area with a mix of residential and commercial uses." To approve the proposed project, the Zoning Administrator must determine that the project is consistent with all applicable General Plan policies. Staff has identified the following policies of the Land Use and Growth Management Element as most relevant to the proposed project:

- ***Policy LU-2.13. Neighborhood Commercial Uses: Promote only those uses that will increase the diversity and economic viability of local neighborhood commercial areas that serve immediate neighborhoods as described in Table 2-1, General Plan Land Use Categories, and shown on the General Plan Land Use map GP-4.***

The Caledonia Street and Bridgeway corridors are lined by various local, non-formula retail eating establishments which contribute to a diverse mix of ground floor commercial and retail activity within the New Town neighborhood. Allowing for the sale of beer and wine makes the site more attractive to residents and visitors and therefore bolsters the diversity of dining experiences and economic viability of this mixed use area of town.

#### **ZONING ORDINANCE CONSISTENCY**

The Zoning Administrator must review the proposed project for its conformance with all applicable regulations of the Zoning Ordinance. Restaurants are conditionally-permitted uses within the CR zone per SMC 10.24.030 and the serving of beer and wine is conditionally-permitted per SMC 10.44.210.C.

#### **MINOR USE PERMIT FINDINGS**

Pursuant to the Zoning Ordinance Section 10.58 (Minor Use Permits), the permit must be approved based on the following findings:

- A) The proposed use is allowed with issuance of a Minor Use Permit, pursuant to Chapters 10.20 through 10.28 (Zoning District Regulations), Chapter 10.44 (Specific Use Requirements) or any other applicable section of this Title 10.

*Pursuant to Section 10.44.210.C, Alcoholic Beverages, of the Zoning Ordinance, establishments in the CR Zone are permitted to serve beer and wine only by way of a Minor Use Permit.*

- B) The proposed use is consistent with the General Plan and the purposes of the Zoning Ordinance, and the purposes of the applicable zoning district.

*The intended sale of beer and wine is consistent with the intent and purpose of the General Plan and Zoning District by providing for a more attractive indoor dining environment which will contribute to the diversity of local and resident-serving commercial activities occurring along Bridgeway and Caledonia Street. The sale of beer and wine will not intensify the existing use of the site but simply enhance the on-site experience of an existing permitted use.*

- C) The proposed use, together with the applicable conditions, will not be detrimental to the public health, safety, or general welfare of the City.

*The on-site sale of beer and wine provides additional beverage options for customers, similar to other restaurants within the vicinity. The sale of beer and wine will not be detrimental to the public health, safety, or general welfare of the City.*

- D) The proposed use complies with all of the applicable provisions of the Zoning Ordinance.

*As stated in Finding A, establishments in the CR Zone are permitted to serve beer and wine only by way of MUP.*

- E) The proposed use or facility is properly located relative to the community as a whole and to land uses and transportation and service facilities in the vicinity.

*Thai Tanic is one of several restaurants that are located along the ground floor street frontage of Bridgeway and Caledonia Street. Bus, ferry, and pedestrian (sidewalk) service facilities are nearby.*

- F) The size and shape of the subject property is adequate to provide features needed to ensure reasonable compatibility with land uses normally permitted in the surrounding area. Features may include but not be limited to yards, open spaces, walls and fences, parking, loading, landscaping, and such features as may be required by this Title or the Commission.

*The on-site sale of beer and wine will be located within the existing restaurant and does not impact existing features. No exterior changes are proposed as part of the proposed use.*

- G) Public utilities and facilities are or will be adequate to serve the proposed use, including streets and highways paved (and of adequate width) for the quantity and type of traffic it will generate.

*The on-site sale of beer and wine will be located within the existing restaurant and the public utilities or facilities will be adequate to serve the proposed use.*

- H) The proposed use will not materially adversely affect nearby properties or their permitted uses.

*The applicant will serve beer and wine in association with the existing restaurant and will not materially adversely affect nearby properties or their permitted uses.*

- I) Findings required by Chapter 10.44 (Specific Use Requirements) for the approval of specific uses are made.

*Not applicable, as there are no specific use requirement findings.*

## **PUBLIC NOTICE AND CORRESPONDENCE**

- June 30, 2017 – Notices of a public hearing were mailed out to all property owners within 300 feet of the project site.
- No correspondence was submitted by any members of the public during the application's public commentary period.

## **RECOMMENDATION**

Staff recommends the Zoning Administrator approve the attached draft resolution (**Exhibit A**) which approves a Minor Use Permit to allow for the serving of beer and wine only at 1001 Bridgeway, Suite B1 (MUP 17-192).

Alternatively, the Zoning Administrator may:

- Approve the Minor Use Permit with modifications; or
- Deny the Minor Use Permit and direct Staff to return with a Resolution of Denial.

## **EXHIBITS**

- A. Draft Resolution
- B. Vicinity Map
- C. Planning Commission Resolution 1996-07
- D. Site and Floor Plan, date-stamped June 20, 2017

**SAUSALITO ZONING ADMINISTRATOR  
RESOLUTION NO. 2017-XX**

**APPROVAL OF A MINOR USE PERMIT FOR SERVING BEER AND WINE  
AT 1001 BRIDGEWAY, SUITE B1  
(MUP 17-192)**

---

**WHEREAS**, on June 20, 2017 an application was filed by Jack Chaisirikun, Owner of Thai Tanic, requesting Zoning Administrator approval of a Minor Use Permit to allow for serving beer and wine at 1001 Bridgeway, Suite B1 (APN 065-061-01); and

**WHEREAS**, the Zoning Administrator conducted a duly-noticed public hearing on July 12, 2017, at which time all interested persons were given an opportunity to be heard; and

**WHEREAS**, the Zoning Administrator has reviewed and considered the project application date-stamped received on June 20, 2017; and

**WHEREAS**, the Zoning Administrator has received and considered all oral and written testimony on the subject application; and

**WHEREAS**, the Zoning Administrator has reviewed and considered the information contained in the staff report for the proposed project dated July 12, 2017; and

**WHEREAS**, the Zoning Administrator finds that, as conditioned herein, the proposed project is consistent with the General Plan and complies with the Zoning Ordinance requirements as described in the staff report; and

**WHEREAS**, approval of the proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(a), Interior or Exterior Alterations.

**NOW, THEREFORE, THE ZONING ADMINISTRATOR HEREBY RESOLVES AS FOLLOWS:**

1. The project is exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15301(a), Interior or Exterior Alterations.
2. The Minor Use Permit to allow for serving beer and wine only is approved based upon the attached findings (Attachment 1), subject to the attached conditions of approval (Attachment 2), and as shown in the project plans date-stamped June 20, 2017, (Attachment 3).

\_\_\_\_\_  
Date

\_\_\_\_\_  
Danny Castro  
Zoning Administrator

**ATTACHMENTS**

- 1- Findings
- 2- Conditions of Approval
- 3- Project application date-stamped received June 20, 2017

**SAUSALITO ZONING ADMINISTRATOR  
RESOLUTION NO. 2017-XX  
JULY 12, 2017  
MUP 17-192  
1001 BRIDGEWAY, SUITE B1**

**ATTACHMENT 1: FINDINGS**

**1. MINOR USE PERMIT FINDINGS**

Pursuant to the Zoning Ordinance Section 10.58 (Minor Use Permits), the permit is approved based on the following findings:

- A) The proposed use is allowed with issuance of a Minor Use Permit, pursuant to Chapters 10.20 through 10.28 (Zoning District Regulations), Chapter 10.44 (Specific Use Requirements) or any other applicable section of this Title 10.

*Pursuant to Section 10.44.210.C, Alcoholic Beverages, of the Zoning Ordinance, establishments in the CR Zone are permitted to serve beer and wine only by way of a Minor Use Permit.*

- B) The proposed use is consistent with the General Plan and the purposes of the Zoning Ordinance, and the purposes of the applicable zoning district.

*The intended sale of beer and wine is consistent with the intent and purpose of the General Plan and Zoning District by providing for a more attractive indoor dining environment which will contribute to the diversity of local and resident-serving commercial activities occurring along Bridgeway and Caledonia Street. The sale of beer and wine will not intensify the existing use of the site but simply enhance the on-site experience of an existing permitted use.*

- C) The proposed use, together with the applicable conditions, will not be detrimental to the public health, safety, or general welfare of the City.

*The on-site sale of beer and wine provides additional beverage options for customers, similar to other restaurants within the vicinity. The sale of beer and wine will not be detrimental to the public health, safety, or general welfare of the City.*

- D) The proposed use complies with all of the applicable provisions of the Zoning Ordinance.

*As stated in Finding A, establishments in the CR Zone are permitted to serve beer and wine only by way of MUP.*

- E) The proposed use or facility is properly located relative to the community as a whole and to land uses and transportation and service facilities in the vicinity.

*Thai Tanic is one of several restaurants that are located along the ground floor street frontage of Bridgeway and Caledonia Street. Bus, ferry, and pedestrian (sidewalk) service facilities are nearby.*

- F) The size and shape of the subject property is adequate to provide features needed to ensure reasonable compatibility with land uses normally permitted in the surrounding area. Features may include but not be limited to yards, open spaces, walls and fences, parking, loading, landscaping, and such features as may be required by this Title or the Commission.

*The on-site sale of beer and wine will be located within the existing restaurant and does not impact existing features. No exterior changes are proposed as part of the proposed use.*

- G) Public utilities and facilities are or will be adequate to serve the proposed use, including streets and highways paved (and of adequate width) for the quantity and type of traffic it will generate.

*The on-site sale of beer and wine will be located within the existing restaurant and the public utilities or facilities will be adequate to serve the proposed use.*

- H) The proposed use will not materially adversely affect nearby properties or their permitted uses.

*The applicant will serve beer and wine in association with the existing restaurant and will not materially adversely affect nearby properties or their permitted uses.*

- I) Findings required by Chapter 10.44 (Specific Use Requirements) for the approval of specific uses are made.

*Not applicable, as there are no specific use requirement findings.*

**SAUSALITO ZONING ADMINISTRATOR  
RESOLUTION NO. 2017-XX  
JULY 12, 2017  
MUP 17-192  
1001 BRIDGEWAY, SUITE B1**

**ATTACHMENT 2: CONDITIONS OF APPROVAL**

These conditions of approval apply to the project application, date-stamped received on June 20, 2017:

**General Items**

1. This approval is limited to the operation of a sit-down eating establishment with no more interior and exterior seating than that which is permitted by the parcel's applicable Conditional Use Permit (PC Resolution 1996-07). Sale of beer or wine shall be incidental to the primary use as a sit-down restaurant. No take-out of beer or wine shall be permitted.
2. This Minor Use Permit authorizes the service of beer and wine at 1001 Bridgeway, Suite B1 in accordance with the necessary license from the Alcohol and Beverages Commission. If this site is out of compliance with the conditions of this Minor Use Permit, or other City Regulations, the City of Sausalito will notify the Alcoholic Beverages Commission.
3. This permit allows beer and wine to be served only to patrons who are also ordering food.
4. If, at any time in the future, it is determined by the Community Development Director that alcohol service is causing neighborhood disruption, the Director may modify the approval.



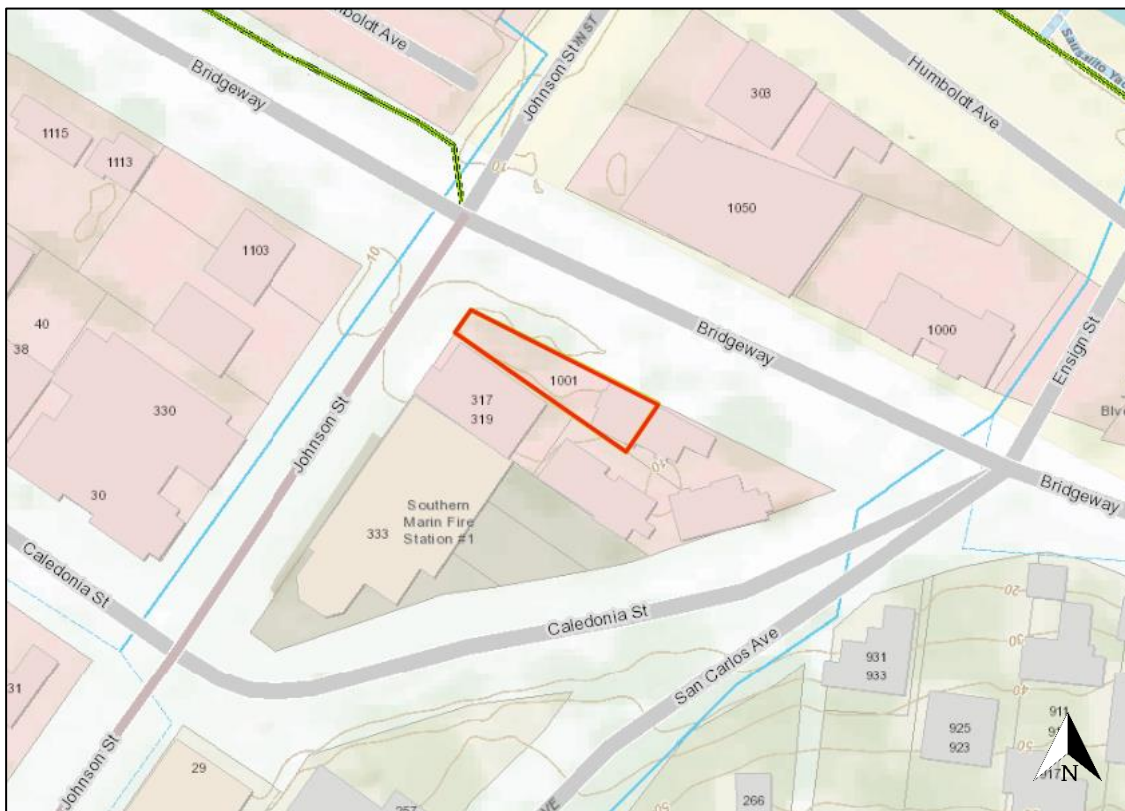
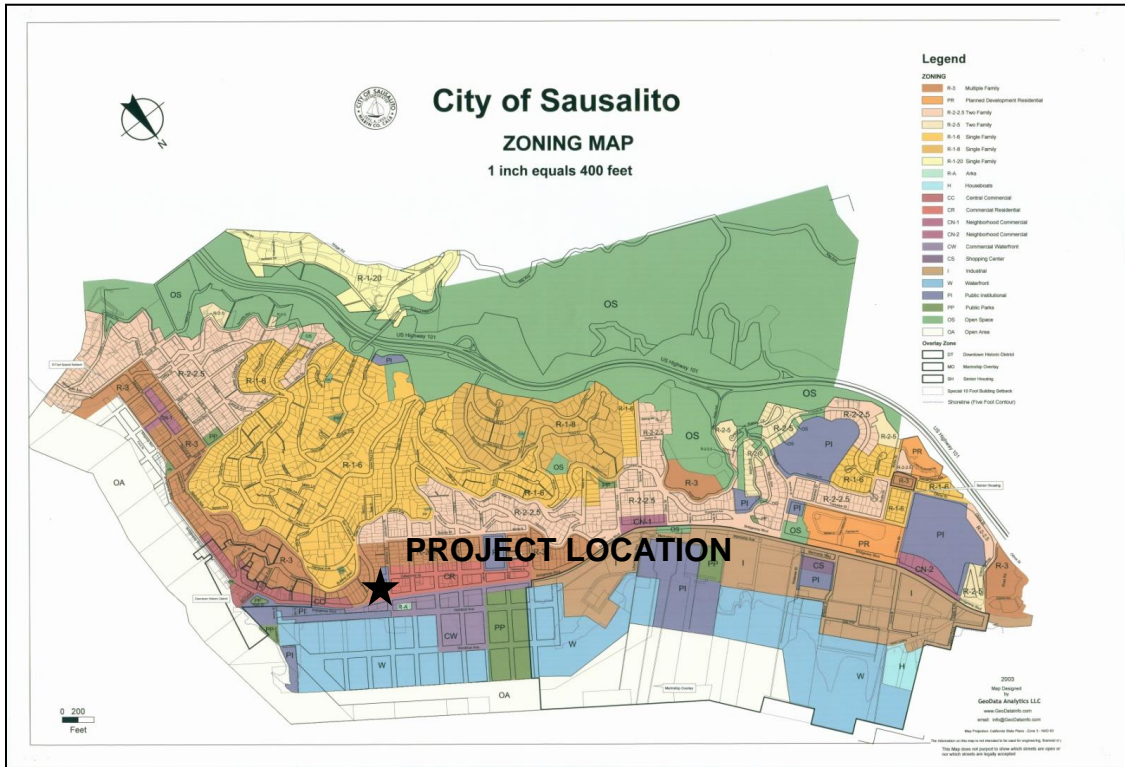
**ZONING ADMINISTRATOR RESOLUTION  
JULY 12, 2017  
MUP 17-192  
1001 BRIDGEWAY, SUITE B1**

**ATTACHMENT 3: PROJECT PLANS**

BLANK

# VICINITY MAP

1001 BRIDGEWAY (MUP 17-192)



## EXHIBIT B

BLANK

**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

**EXHIBIT C**

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 24<sup>th</sup> 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

BLANK

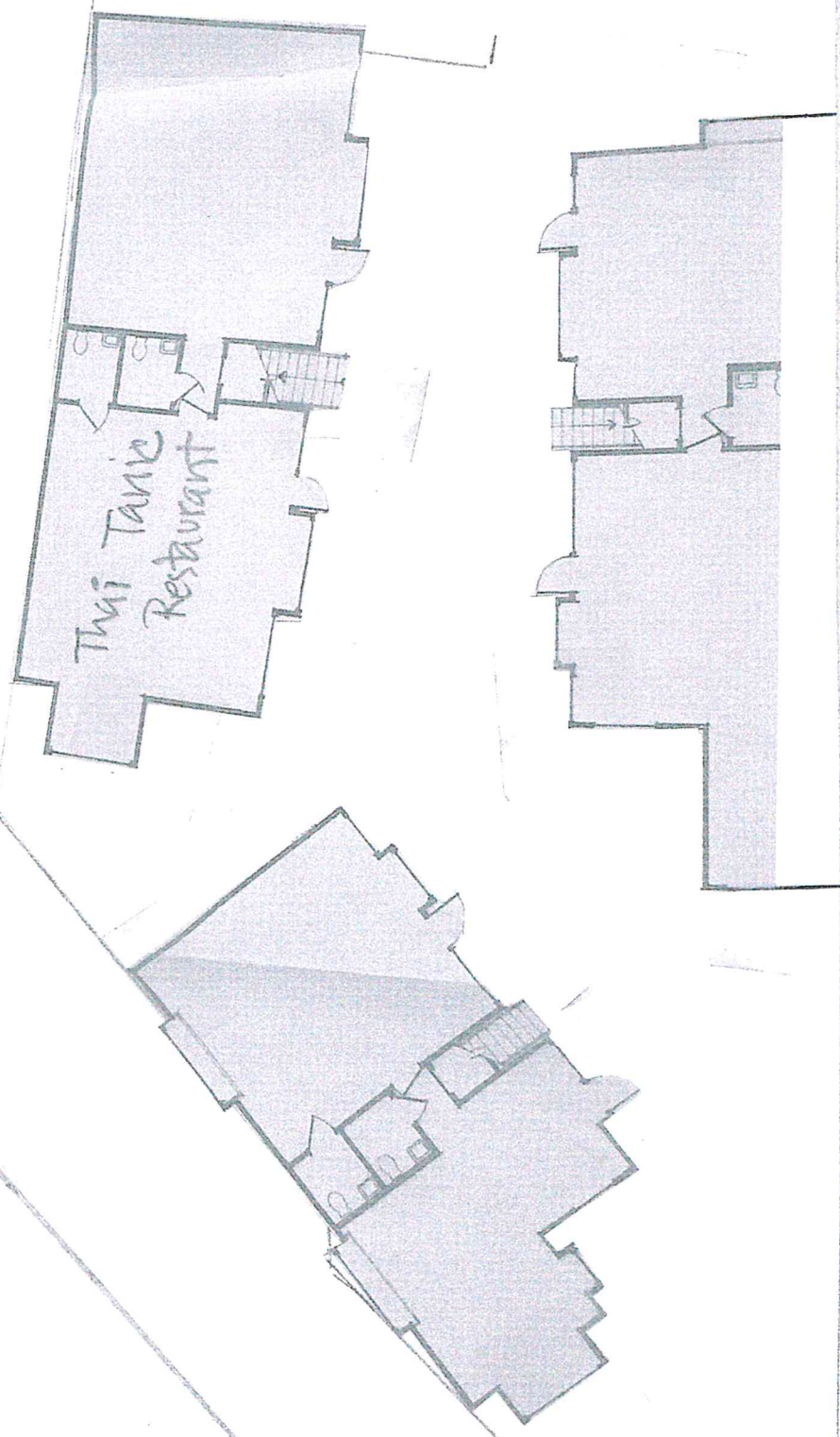


Johnson st.

upper level plan

Caledonia st

Bridgenway



RECEIVED

JUN 20 2017

CITY OF SAUSALITO  
COMMUNITY DEVELOPMENT DEPT

EXHIBIT D



Johnson St.

LOWER LEVEL PLAN

RECEIVED

JUN 20 2017

CITY OF SAUSALITO  
COMMUNITY DEVELOPMENT DEPT

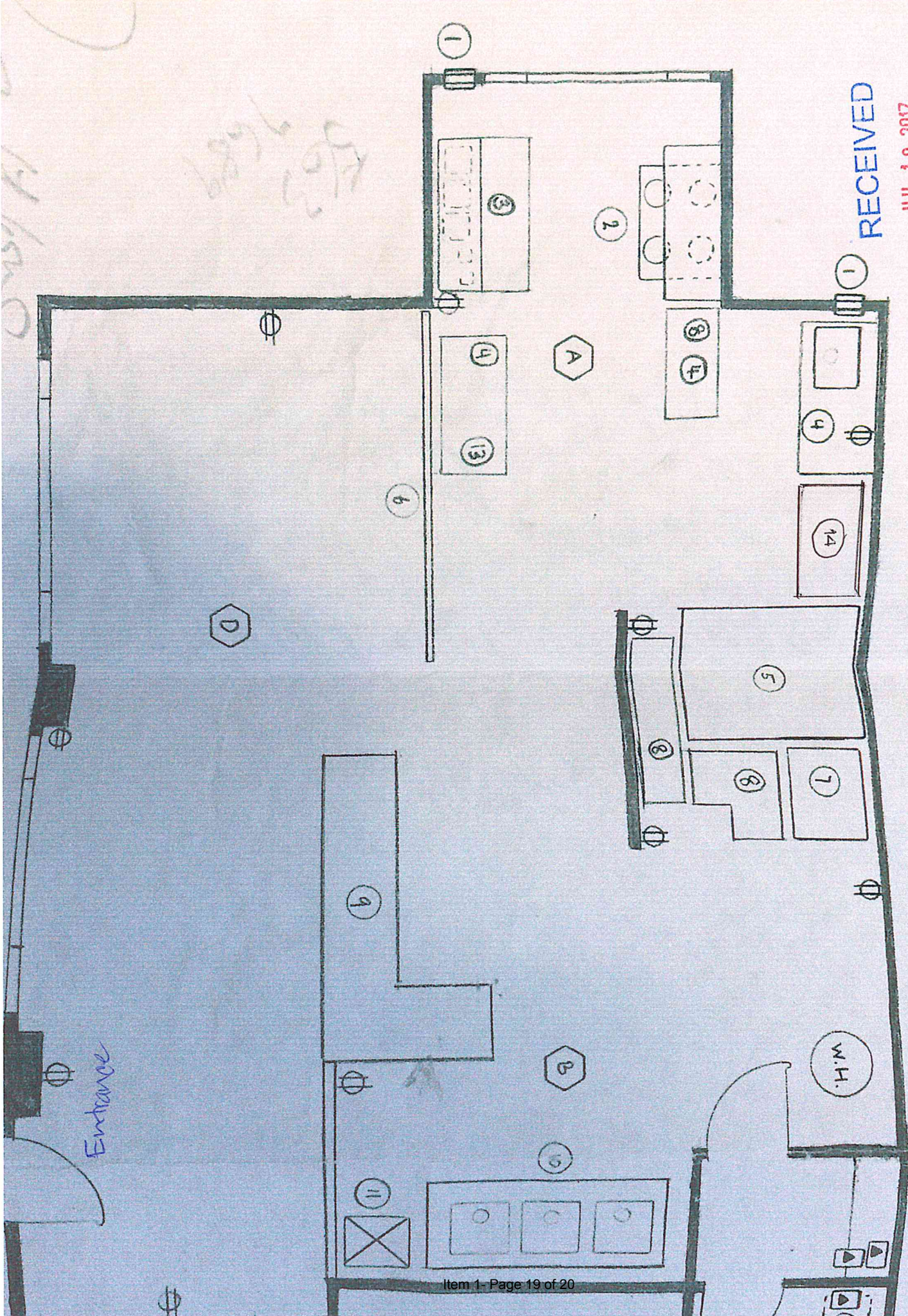
Calderon St.

Thai Tanie  
Thai Tanie

Bridgeway







RECEIVED

JUL 10 2017

CITY OF SAUSALITO  
COMMUNITY DEVELOPMENT DEPT

Thai Tonic Restaurant  
1001 Bridgeway Suite B.1. Sausalito CA 94965



RECEIVED

JUL 10 2017

CITY OF SAUSALITO  
COMMUNITY DEVELOPMENT DEPT

## Layout Plan & Details

- 1 Exhaust Fan
- 2 Cooking Stove
- 3 Prep Refrigerator
- 4 Prep Tables
- 5 Walk- in Cooler
- 6 Existing Wall
- 7 Mop Sink
- 8 Shelf
- 9 Cashier
- 10 Three compartment Sink
- 11 Shelf
- 12 Electric Panel
- 13 Freezer
- 14 Alcoholic Beverage Refrigerator