

# 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