

**SAUSALITO PLANNING COMMISSION
RESOLUTION NO. 2023-19**

**APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOW ON-SALES OF BEER AND
WINE FOR ON-SITE CONSUMPTION IN ASSOCIATION WITH SUZETTE AT 633
BRIDGEWAY
APN: 065-132-01
PROJECT ID: 2023-00122**

WHEREAS, an application has been filed by the applicant, Susannah Souvestre, requesting Planning Commission approval of a Conditional Use Permit to allow on-sales of beer and wine for on-site consumption at a restaurant at 633 Bridgeway (APN: 065-132-01); and

WHEREAS, the proposed use is located within the General Plan Commercial Land Use Designation and the Central Commercial Zoning District; and

WHEREAS, a Conditional Use Permit is required to sell alcohol for on-site consumption in restaurants in the Central Commercial Zoning District per Sausalito Municipal Code Table 10.44-2; and

WHEREAS, the Planning Commission has reviewed and considered the information contained in the staff report as well as any and all oral and written testimony on the proposed Project; and

WHEREAS, the Planning Commission finds that the proposed use, as conditioned herein, is consistent with the General Plan and complies with the requirements of the Zoning Ordinance as described in the staff report; and

WHEREAS, the Planning Commission finds that the requisite findings for approval set forth in SMC 10.60.050 A-I can be made;

NOW, THEREFORE, THE PLANNING COMMISSION HEREBY RESOLVES AS FOLLOWS:

1. The approval of this Project and this action is Categorically exempt from the California Environmental Quality Act (CEQA), in accordance with CEQA Guidelines Section 15301 related to permitting of existing facilities, and Section 15061, in that CEQA only applies to projects which have the potential for causing significant effect on the environment.
2. Conditional Use Permit 2023-00122 is approved to allow on-sales of beer and wine for on-site consumption in association with the restaurant at 633 Bridgeway based upon the attached findings (Attachment 1), and subject to the attached conditions of approval (Attachment 2).

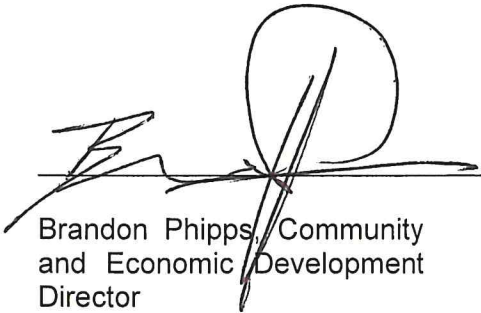
RESOLUTION PASSED AND ADOPTED, at the regular meeting of the Sausalito Planning Commission on the 11th day of October 2023, by the following vote:

AYES: Commissioner: Luxenberg, Feller, Graef, Saad

NOES: Commissioner:

ABSENT: Commissioner: Junius

ABSTAIN: Commissioner:



Brandon Phipps, Community
and Economic Development
Director

ATTACHMENTS

1. Findings
2. Conditions of Approval

**SAUSALITO PLANNING COMMISSION
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CUP 2023-00122
633 BRIDGEWAY**

ATTACHMENT 1: FINDINGS

The Planning Commission may issue a Conditional Use Permit if all the following findings in SMC 10.60.050 A-I can be made:

- A. The proposed use is allowed with issuance of a conditional use permit, pursuant to Chapters 10.20 through 10.28 SMC (Zoning Districts Regulations), or SMC 10.46.040 (Conditional uses), Chapter 10.44 SMC (Specific Use Requirements) or any other applicable section of this title.**

Restaurants are a permitted in the Central Commercial (CC) zoning district per SMC Table 10.24-1; however, any alcohol service for on-site consumption within the CC zone requires a CUP per SMC Table 10.44-2. The applicant has already obtained a Minor Use Permit and Sidewalk Dining Encroachment Agreement for food and beverage service in the public parklet adjacent to 633 Bridgeway under permit 2023-00074.

- B. The proposed use is consistent with the general plan, the purposes of the Zoning Ordinance, and the purposes of the applicable zoning district.**

Restaurants are a permitted use in the Central Commercial (CC) zoning district and the request for a CUP for on-sale alcohol is required by Table 10.44-2 of the Zoning Ordinance. The proposed use is consistent with policies and programs of the general plan that seek to promote and enhance economic and commercial diversity in the City's downtown area. These include Policy LU-2.1 Downtown Land Use; Policy LU-2.2: Downtown Economic Diversity; Policy LU-2.4: Visitor Serving Uses in Downtown; and Policy LU-2.5: Commercial/Residential Compatibility.

- 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 proposed use is compatible with the surrounding commercial area, which features numerous restaurants and eating establishments that serve alcohol to patrons, and will not be detrimental to the public health, safety, or general welfare of the City.

- D. The proposed use complies with each of the applicable provisions of the Zoning Ordinance.**

The proposed restaurant use is permitted in the Central Commercial (CC) zoning district per SMC Table 10.24-1 and the applicant is seeking a CUP for alcohol service for on-site consumption within the CC zone per SMC Table 10.44-2. The applicant has already obtained a Minor Use Permit and Sidewalk Dining Encroachment Agreement for food and

beverage service in the public parklet adjacent to 633 Bridgeway under permit 2023-00074 pursuant to SMC 10.44.220 (C).

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.

The proposed restaurant is properly located in the Central Commercial zone near several other restaurants and is less than 0.3 miles from city owned parking lots 1-3 and the ferry landing.

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 restaurant will occupy a ground-floor business space at 633 Bridgeway that is 638 square feet. It will also make use of seating in the the public parklet adjacent to the restaurant as permitted under project 2023-00074. The tenant will not alter the footprint of the building and will occupy a space previously used by a restaurant tenant (Bridgeway Café). As such, the size and shape of the subject property is adequate to ensure compatibility with the surrounding businesses.

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 proposed use is located on Bridgeway promenade, which is a main thoroughfare in Sausalito, and is of adequate size and width to serve this business. There are three public parking lots located less than 0.3 miles from the proposed use and street parking is also available along Bridgeway and nearby Princess Street.

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

The proposed use is in the Central Commercial (CC) zoning district and is surrounded by multiple restaurants and retail establishments of similar character. Restaurants are a permitted use in the CC and all the surrounding restaurants also provide on-sale alcohol for on-site consumption to their patrons. As such, the proposed use will not materially adversely affect nearby properties or their permitted uses.

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

Not applicable. There are no additional specific findings required for a CUP to sell alcohol at a restaurant in the CC.

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ATTACHMENT 2: CONDITIONS OF APPROVAL

General Conditions

1. Alcohol may be sold for indoor on-site consumption during the operating hours of 7:00 AM to 11:00 PM, Monday through Sunday. Alcohol service shall not be sold for on-site consumption outside of restaurant hours.
2. Pursuant to SMC Section 10.44.220 C (5), consumption of alcoholic liquor or other alcoholic beverages on any public sidewalk or street shall require City Council approval. At such time when the City Council authorizes the outdoor consumption of alcoholic beverages in the outdoor dining area adjacent to 633 Bridgeway, alcohol may be sold for on-site consumption in the approved outdoor dining area during the restaurant operating hours.
3. The applicant shall obtain and hold the appropriate license required by the Department of Alcohol Beverage Control and comply with all applicable requirements for alcohol sales imposed by the Department of Alcohol Beverage Control.
4. All Conditions of Approval associated with the previously approved Permit 2023-00074 and Zoning Administrator Resolution 2023-01 associated with 633 Bridgeway shall also apply.