



**CITY OF SUNNYVALE
REPORT
Administrative Hearing**

May 28, 2008

SUBJECT: **2008-0341: La Ronda Nite Club** [Applicant] **Maple Leaf Invs Ii LLC** [Owner]: Application for a Special Development Permit. The property is located at **927 E. Duane Avenue** (in Fair Oaks Plaza Shopping Center) in a C-1/PD (Neighborhood Business/Planned Development) Zoning District. (APN: 205-12-001)

Motion Special Development Permit to allow an existing nightclub to expand into a 534 square foot tenant space for a total of 3,534 square feet.

REPORT IN BRIEF

Existing Site Conditions Existing business and adjacent vacant space within a shopping center (Fair Oaks Plaza)

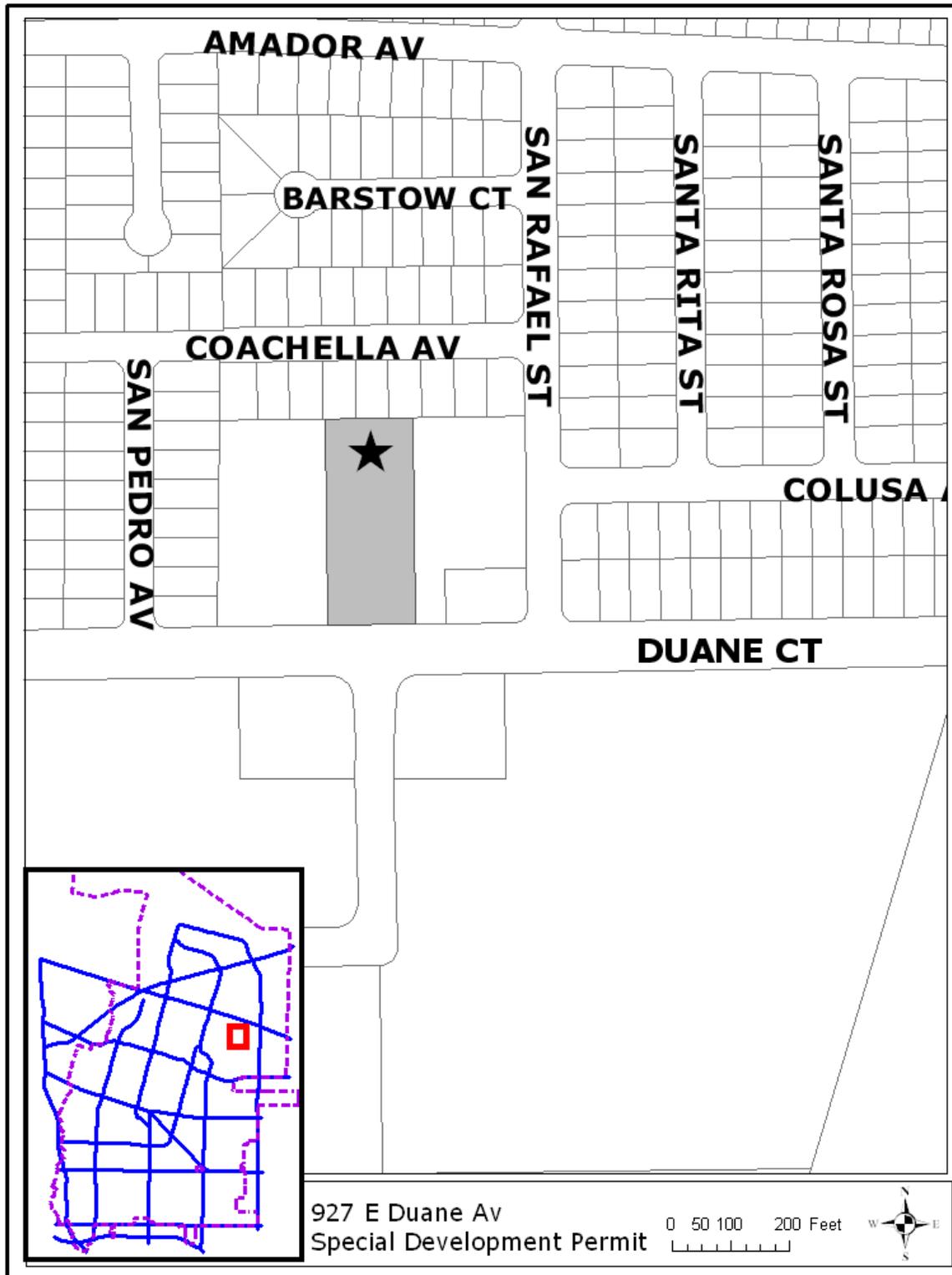
Surrounding Land Uses

North	Single-family residential
South	Multi-family residential (townhomes currently under construction across Duane Ave.) and Office/Industrial
East	Single-family residential (across San Rafael St.)
West	Single-family residential

Issues Public Safety
Neighborhood Compatibility
Noise

Environmental Status A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

Staff Recommendation Deny



927 E Duane Av
Special Development Permit

PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Commercial Neighborhood Shopping	Same	Commercial Neighborhood Shopping
Zoning District	C-1/PD	Same	C-1/PD
Lot Size (s.f.)	173,192	Same	N/A
Gross Floor Area (s.f.)	46,400	Same	60,617
Gross Floor Area of Tenant	3,000	3,534	N/A
No. of Buildings On- Site	4	Same	N/A
Parking			
Total Spaces	262	Same	232 (Using 1 space/200 s.f.)
Accessible Spaces	4	6	Per California Building Code Requirements

ANALYSIS**Description of Proposed Project**

The applicant is proposing to expand an existing business (La Ronda Nite Club) which occupies a 3,000-square foot tenant space to include an adjacent 534-square foot vacant tenant space for a total of 3,534 square feet. The project includes the creation of a second bar, additional seating areas and upgrades to interior décor. Some exterior painting would also be done. The subject business operates as a nightclub with full liquor service and live entertainment (no restaurant component), and is located within the Fair Oaks Plaza shopping center. The current hours of operation are 2:30 p.m. – 1:30 a.m., Sunday through Thursday, and noon – 1:30 a.m., Friday and Saturday.

Background

This application is a result of a complaint made with the Neighborhood Preservation Division on November 16, 2007 for unpermitted construction expanding the subject business into the adjacent vacant space. Since the complaint, Neighborhood Preservation staff has met with residents of the San

Miguel neighborhood who expressed additional concerns about the loud music that can be heard in the parking lot and the residential area behind the shopping center, and the public disturbances that have been caused by patrons of La Ronda Nite Club. Neighborhood Preservation staff has been working with the Department of Public Safety (DPS) and the business owners to obtain all of the necessary permits for the expansion and to address other ongoing public safety issues.

Previous Actions on the Site: The Fair Oaks Plaza shopping center was built in the 1950s. The following table summarizes previous planning applications related to the subject tenant space.

File Number	Brief Description	Hearing/Decision	Date
2002-0128	SDP to allow live entertainment (karaoke/DJ/band) at 927 E. Duane Ave. (currently La Ronda Nite Club)	Staff/Approved	03/13/2002

The original Special Development Permit (2002-0128) was to allow live entertainment at a restaurant with full liquor service. Although there were no limits to the type of live entertainment allowed in the conditions of approval, the live entertainment proposed and discussed in the staff report was described to include karaoke, disc-jockeys and live bands. Hours of operation were limited to 11:30 a.m. – 2 a.m. Tuesday through Saturday, and 11:30 a.m. – midnight Sunday and Monday with live entertainment allowed to occur any day beginning at 5 p.m.

Environmental Review

A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines. Class 1 Categorical Exemptions include minor alterations or additions to existing facilities.

Special Development Permit

Site Layout: The Fair Oaks Plaza shopping center is comprised of three separate lots with shared parking and four contiguous buildings situated along the north and west perimeter. The shopping center is bound by Duane Ave. on the south side, by San Rafael St. on the east side, and by single-family residences on the north and west sides. There are three access points from Duane Ave. and two from San Rafael St. The main parking lot is located between the buildings and the public streets. There is a smaller parking lot

located at the northwest corner of the property, but is gated off from public use.

The subject business is located at the north end of the site, next to what is currently Arteaga’s Supermarket (see Attachment C). The building is about 65 feet from the adjoining residential properties. No modifications to the site are proposed with this application.

Floor Plan: The existing floor plan consists of a stage and dance floor at the front of the space, seating areas along the sides and rear, a bar along the eastern side and restrooms, storage rooms and office at the rear. The proposed expansion would create more seating and include a second bar.

Parking/Circulation: The site contains two parking lots. The main parking lot that is open for public use contains 221 spaces. The smaller parking lot at the rear of the property contains an additional 41 spaces, but has been closed off from public use by security gates. Special Development Permit 2008-0194 was approved with the condition that the rear parking lot be open for use by shopping center employees.

Parking requirements for shopping centers are based on a flat rate for all uses in the center, and not by describing each use in the center individually, unless the shopping center has a high concentration of uses with similar peak hours of operation. Currently, the shopping center is approximately 30% restaurant. Because of this high concentration, parking requirements could be calculated using the restaurant ratios for the restaurant uses and then the standard shopping center rate for all other uses. However, La Ronda Nite Club has peak hours in the evening and late night when most businesses are closed, and not during lunch hours when the shopping center is at its busiest. Also, Sunnyvale Municipal Code (SMC) §19.46.020 (b) states that any one use occupying 10% or less of the total floor area shall be treated as though it were part of the major uses of the property. The subject space represents about 7.6% of the total floor area, so the standard shopping center rate can be used to calculate parking requirements.

The following table shows the required number of spaces at the shopping center:

Type of use	Size (sq. ft.)	Required Parking per SMC 19.46.050 (space/sq. ft.)	Required Number of Spaces
Shopping Center	46,400	1/200	232
Total Required Spaces			232
Spaces Provided			262

The total spaces provided on the site exceed the amount of spaces required, and the subject business operates during non-peak hours of the other uses.

The applicant is also proposing to stripe additional accessible parking spaces. If the project is approved, staff has recommended a condition to re-stripe the parking lot to be brought into conformance with accessible parking space requirements of the California Building Code.

Public Safety and Noise: Staff has referred this application to DPS for review and comments. DPS provided data related to La Ronda Nite Club regarding calls for service and noise generated by the business (Attachment E). From December 21, 2007 to April 21, 2008, 44 calls for service were made related to La Ronda Nite Club. DPS also took noise level measurements of the music on several occasions at the front and back of the building and at the fence line adjacent to the abutting residential properties. The noise levels that DPS had measured at midnight at the fence line ranged up to 60 dBA, which has the subjective impression to be moderately loud, i.e. 10 feet away from a vacuum cleaner. In addition to the noise produced by the music, neighboring residents have also complained of noise caused by patrons.

DPS has strong concerns about the expansion of the use as problems currently exist and have not been resolved. If the project is approved, staff is recommending several conditions of approval to address these problems which include installing additional soundproofing materials, limiting noise levels during night time hours as measured from the rear property line and working with DPS to reduce crime and public nuisances at the site.

Compliance with Development Standards/Guidelines: The proposed project complies with all current development standards. No further improvements are required at this time.

Expected Impact on the Surroundings: Staff believes that the proposed expansion would have a negative impact to the site and the surrounding residential neighborhood. The current use has had a history of noise disturbances and public safety problems. Expansion of this use may result in increased problems for the shopping center and the surrounding residential neighborhood.

Fiscal Impact

No fiscal impacts other than normal fees and taxes are expected.

Public Contact

Staff received a phone call from one of the residents whose property is directly behind the subject business. The resident stated concerns about the proposed expansion as the business currently produces high noise levels at late hours and has not had control of unruly patrons. Staff has been in contact with the San Miguel Neighborhood Association who stated that the business has had a history of public nuisance including music and bass reverberating to the residential areas and intoxicated patrons creating unreasonable noise and other disturbances. No written statements have been submitted at the time of the staff report.

Notice of Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none"> • Published in the <i>Sun</i> newspaper • Posted on the site • 55 notices mailed to property owners and residents adjacent to the project site 	<ul style="list-style-type: none"> • Posted on the City of Sunnyvale's Website • Provided at the Reference Section of the City of Sunnyvale's Public Library 	<ul style="list-style-type: none"> • Posted on the City's official notice bulletin board • City of Sunnyvale's Website

Conclusion

Findings and General Plan Goals: Staff is recommending denial for this project because the Findings (Attachment A) were not made. Although staff recognizes the need for a thriving business to expand, the current use has had a history of incompatibility with the abutting residential neighborhood. The original SDP for live entertainment was approved based on the findings that the proposed use would provide a conveniently located place of live entertainment and dining services for neighboring industrial and residential areas. At that time, the existing industrial area has been converted to multi-family residential and the business occupying the space did not have a record of noise nuisances. The existing use operates as a nightclub with full liquor service and no restaurant component. Staff believes that the expansion of the current use may result in increased noise and problems concerning public safety at the shopping center and for the neighboring residential properties. However, if the Administrative Hearing Officer is able to make the required findings, staff is recommending the Conditions of Approval (Attachment B).

Conditions of Approval: Conditions of Approval are located in Attachment B.

Alternatives

1. Deny the Special Development Permit.
2. Approve the Special Development Permit with the attached conditions.
3. Approve the Special Development Permit with modified conditions.

Recommendation

Alternative 1.

Prepared by:

Rosemarie Zulueta

Project Planner

Reviewed by:

Andrew Miner

Principal Planner

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Site and Architectural Plans
- D. Letter and Project Description from the Applicant
- E. DPS Comments

Recommended Findings - Special Development Permit

Goals and Policies that relate to this project are:

Land Use and Transportation Element

Policy N1.1 – Protect the integrity of the City’s neighborhoods; whether residential, industrial or commercial.

Action Statement N1.1.1 – Limit the intrusion of incompatible uses and inappropriate development into city neighborhoods.

Policy C4.3 – Consider the needs of business as well as residents when making land use and transportation decisions.

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale. *(Finding not met.)*

Although nightclubs and bars are conditionally permitted in a C-1 zoned property, staff finds that the nightclub and bar use may be inappropriately located at such close proximity to residential properties due to a history of negative noise impacts and public nuisances. Staff believes that the proposed expansion may result in an intensification of existing problems and continue to negatively impact the adjoining residential properties.

2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either the orderly development of, or the existing uses being made of, adjacent properties. *(Finding not met.)*

The project does not propose any significant modifications to the exterior of the building or to the site, so no visual impact to the surrounding area is anticipated. However, staff is concerned that the proposed expansion of the use may increase noise and other problems that currently exist, which would continue to negatively impact the adjoining residential properties.

Recommended Conditions of Approval - Special Development Permit

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

1. GENERAL CONDITIONS

- A. Execute a Special Development Permit document prior to issuance of the building permit.
- B. Project shall be in conformance with the plans approved at the public hearing(s). Minor changes may be approved by the Director of Community Development. Major changes may be approved at a public hearing.
- C. The Conditions of Approval shall be reproduced on a page of the plans submitted for a Building permit for this project.
- D. The Special Development Permit for the use shall expire if the use is discontinued for a period of one year or more.
- E. The Special Development Permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date.
- F. The existing and proposed areas (3,534 square feet) and uses must comply with all requirements of previously approved Special Development Permit 2002-0128, unless modified herein.
- G. The noise level generated by the facility shall not create a nuisance to occupants or customers of adjacent commercial establishments. The noise or sound level shall not exceed 45 dBA measured at the property line shared by the adjoining residential properties.
- H. Install sound proofing materials to mitigate noise and vibration impacts on neighboring properties and adjoining tenant spaces.
- I. The hours of operation shall be limited to the following:
 - Sunday – Thursday: 2:30 p.m. to midnight
 - Friday – Saturday: 12 p.m. to 1:30 a.m.
- J. All exterior doors, especially the rear door, shall have a self-closing mechanism and shall be kept closed when not in use.
- K. Install sound proofing materials in tenant space walls to mitigate noise and vibration impacts on neighboring properties and adjoining tenant spaces.
- L. Employees shall park in the rear parking lot located at the northwest corner of the property.

- M. Patrons shall be restricted from the rear area adjacent to neighboring properties at all times.
- N. Tenant is responsible for ensuring customers comply with smoking regulations, per California State law.
- O. Obtain approval from the Crime Prevention Division of the Department of Public Safety for crime and public nuisance prevention measures appropriate to the proposed development prior to issuance of a Building Permit.

2. COMPLY WITH OR OBTAIN OTHER PERMITS

- A. Comply with all ABC regulations and license requirements. Failure to comply with all ABC regulations is grounds for revoking this permit.

3. PARKING

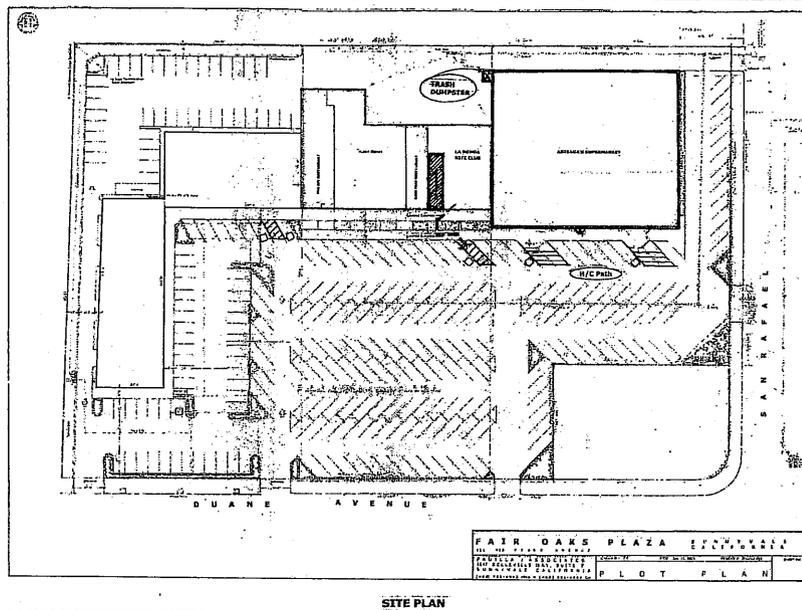
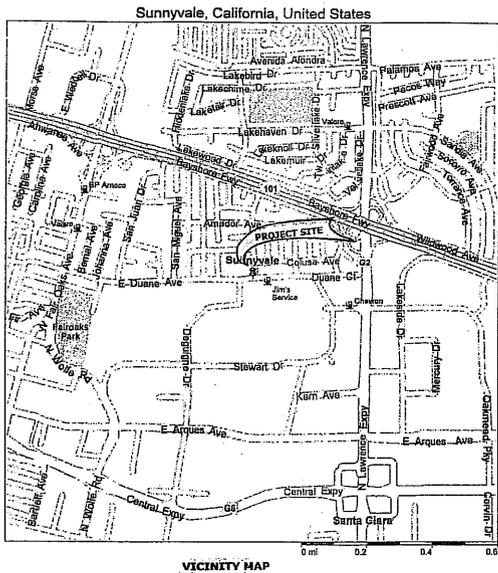
- A. The parking lot shall be re-stripped and brought into conformance with accessible space requirements of the California Building Code.
- B. Submit a revised parking plan to the Director of Community Development for review and approval prior to issuance of a Building Permit.

4. RECYCLING AND SOLID WASTE

- A. All exterior recycling and solid waste shall be confined to approved receptacles and enclosures at all times. Containers shall not be placed in parking spaces or landscaped areas at any time.
- B. Submit plans for a new trash enclosure to the Director of Community Development for review and approval prior to issuance of a Building Permit. The enclosure shall be of masonry construction and shall match the exterior design, materials and color of the main building.
- C. The property shall remain clean and free of debris and garbage.

5. SIGNS

- A. All existing/new signs shall be in conformance with the Master Sign Program established for the shopping center and the Sunnyvale Municipal Code.
- B. Obtain building permits for any new signs.



PROJECT SCOPE
Proposed project involves addition of an adjacent 534 sf vacant tenant space to an existing 3,000 sf of La Ronda Nite Club. Subject space is fully conditioned as a retail space and was formally used as a Beauty Salon.

Project entails the demo of existing non-weight bearing walls, and relocation of an existing electrical distribution panel. Conditioning the new additional space will be minimal. Work to be done includes cleanup, painting, new carpeting and associates floor finishes, and minor work associated with the relocation of the electrical panel.

New Addition -
The new space measures 44'-6" x 12'-0" for a total of 534 sf of new usable space. This area will be used as follows:

- o Bar Counter: 2'-0" X 9'-3" = 18.50 sf
- o Public Seating & Access - balance 515.50 sf

Total New Addition 534.00 sf.

Structural changes -
No structural changes are planned or required for this project.

SCOPE OF MECHANICAL WORK
No plumbing or mechanical work is planned or required for this project.

APPLICABLE CODES
All work shall be compliant with City of Sunnyvale Municipal Codes, and the 2001 Editions of CBC, CMC, CPC and 1999 NEC Codes.

In compliance with ADA the existing rear bar has a 34" high service counter; and recently added a new H/C Parking space in front of site, and a curb-cut access ramp.

Occupancy Load

Area	Occupancy Group	Occupant Load Factor	Square Footage	Occupant Load
Front Bar	A-3	-	280.25	2
Rear Bar	"	-	171.00	2
Walk-In Cooler/Ice Mach	"	-	117.00	-
Store Room	"	-	108.00	-
Office	B	100	81.00	1
Men's Room	B	100	87.50	2
Women's Room	B	100	71.50	2
Dance Floor	A-3	7	408.00	58
Public Seating/Access	A-3	15	2,209.75	147
TOTAL			3,534.00	214

PROJECT DATA

PROJECT DATA: **LA RONDA NITE CLUB**
927 E. Duane Avenue
Sunnyvale, CA 94086

OWNER: **Rogelio Arreola**
927 E. Duane Avenue
Sunnyvale, CA 94086

ASSESSOR'S PARCEL: 205 - 12 - 003
ZONING: C - 1
BUILDING TYPE: Type V-N
SPRINKLERED: No
NUMBER OF STORIES: One
OCCUPANCY GROUP: A - 3
EXISTING BLDG. USE: Retail - Nite Club
TENANT SQUARE FEET: 3,000 s.f.
ALTERATION AREA: 534 s.f.
GROSS TENANT AREA: 3,534 s.f.
PROPOSED USE: Retail - Nite Club

FIRE PROTECTION PLANS
A licensed Fire Protection Contractor shall submit 3 sets of shop drawings/ calculations to the Sunnyvale One-Stop Permit Center for review/ permit.

Verify Coverage

I N D E X

COVER & DATA SHEET	A - 1
FLOOR PLAN DETAIL	A - 2
DETAIL SITE PLAN	B - 3

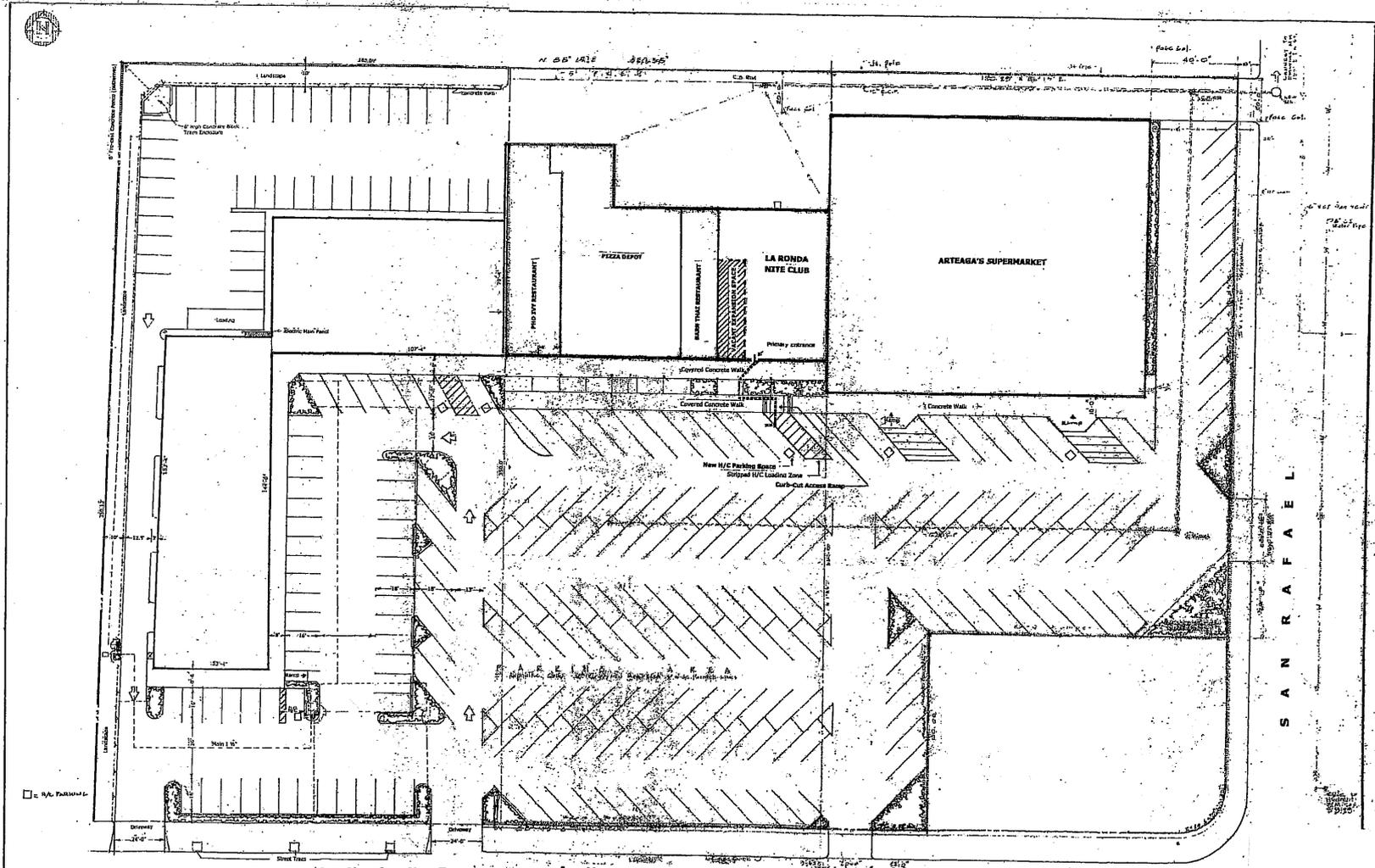
REVISIONS	BY

LA RONDA NITE CLUB
927 E. Duane Avenue
Sunnyvale, California 94086

TI - Addition of Space COVER & DATA SHEET

DRAWN

ATTACHMENT
Page 1 of 3



SAN RAFAEL

DUANE AVENUE

FAIR OAKS PLAZA		SUNNY CALIF	
911 - 953 DUANE AVENUE			
PADILLA / ASSOCIATES		DRAWN BY: YIP	DATE: 1 October 25, 2007
1607 BELLEVILLE WAY, SUITE F		PROJECT 07	
SUNNYVALE, CALIFORNIA		P L O T P L	
TEL: (408) 738-4002 FAX: (408) 561-0526			

ATTACHMENT C
 Page 2 of 3

PADILLA/ASSOCIATES
Design & Management Consultants
1647 Belleville Way, Suite F
Sunnyvale, CA 94087
408/ 738-4002 Office o 408/561-0656 Cell
padillassoc@AOL.com

March 20, 2008

City of Sunnyvale
Department of Community Development
456 W. Olive Avenue
Sunnyvale, CA 94088

SUBJECT: LA RONDA NITE CLUB - 927 E. Duane Ave, Sunnyvale 94085
Re: USE PERMIT/SPECIAL DEVELOPMENT PERMIT JUSTIFICATIONS

Gentlemen:

The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale as the project complies with these goals and is a permitted use under current C-1 zoning of this Shopping Center.

Proposed project makes excellent use of the recently vacated 534 s.f. space to expand and improve the adjacent 3,000 s.f. LA RONDA NITE CLUB. An improvement which serves to improve and revitalize this neighborhood shopping center.

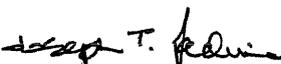
The subject vacant tenant space is currently classified as Type B, Retail. Whereas, the LA RONDA NITE CLUB is Classified as Type A-3, Public Assembly. So a change of use from a Type B to Type A-3 classification is required for this project.

As shown on the attached Project Plans, proposed addition would serve to balance the Club's layout by providing patron seating on three sides around the dance floor. Currently, patron seating is limited to two sides with the band stand on one end. New arrangement provides improved ease and convenience allowing dancers to seat closer to the dance floor. Improved accessibility is extremely important as Club caters to mature couples and promotes dancing to live music.

Additionally, as part of the proposed expansion program, the Club's interior decor is being upgraded including a new blue paint scheme and matching carpeting. Overall the planned improvements will provide better accessibility and improved architectural appeal, esthetics, and ambiance. These welcome changes should also improve Club's economic viability.

The proposed use ensures that the general appearance of proposed structure, and the uses of this site, will not impair either orderly development of, or the existing uses being made of, adjacent properties. As Planners know, this is the old RAVENS BAR site that catered to rough bar and motorcycle gang type patrons. Site has been cleaned and revitalized by the Club's owner using his own private capital. These planned interior decor improvements plus exterior clean up and painting will further improve the property's appearance and use.

Sincerely,


Joseph T. Padilla
Director

PADILLA/ASSOCIATES

Design & Management Consultants
1647 Belleville Way, Suite F
Sunnyvale, California 94087

[408] 738-4002 [Office/FAX] o [408] 561-0656 [CELL] o padillassoc@AOL.com

April 21, 2008

City of Sunnyvale
Dept. Of Community Development
456 West Olive Avenue
Sunnyvale, CA 94088

ATTN: Rosemarie Zuleta - Project Planner

SUBJECT: EXPANSION OF EXISTING NIGHT CLUB [LA RONDA] INTO VACANT TENANT SPACE

Re: Response to PRC Meeting of 04/07/06 - Planning Comments

PROPOSED USE OF VACANT TENANT SPACE [CLUB ADDITION]

1. As indicated on PLANS - SHEET A-1, submitted with the application, the vacant 534 s.f. tenant space will be used as an addition to an existing 3,000 s.f. La Ronda Night Club. Reference PROJECT SCOPE on subject SHEET A-1. The subject vacant tenant space is a fully conditioned retail space that was formerly used as a beauty salon. This requires a change from a Type B to an A-3 use.

USE OF SPACE -

- Bar Counter 2.0' x 9'-3"	= 18.50 s.f.	5 seats/bar stools
- Public Seating & Access aisles - balance of space	= <u>515.50 s.f.</u>	<u>72 seats/chairs</u>

TOTAL New Addition Space	<u>534.00 s.f.</u>	<u>80 seating</u>
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Reference PLANS - SHEET A-2, which provides details on bar and seating into this new area. The Bar and Seating Plan Layout has been inspected by Sunnyvale Public Safety Officers/ Arson/Fire Cause Investigators Wally McVey [now retired], Robert Rullan and his Supervisor and found to be compliant with current local codes.

HOURS OF OPERATION:

The La Ronda Night Club operates seven days a week. Hours of operation are:

- Sunday thru Thursday	2:30 pm to 1:30 am
- Friday, Saturday	12:00 pm to 1:30 am

ENTERTAINMENT:

La Ronda Night Club is an entertainment venue catering to a more mature hispanic clientele. The club offers live Latin American music and dancing from 9:00+ pm to 1:00 am. Club's live music features known bands specializing in all current latin-beat music. Different bands are booked and rotated as available to meet customers demand.

The La Ronda Night Club is known for its clean operations, great ambiance, excellent music and emphasis on the safety of its patrons. Club has on-going contract with M&M Private Security Association, a professional armed & unarmed guards company, to provide 4-5 unarmed uniform guards to check IDs and potential problems before persons are admitted in the Club. Guards also monitor restrooms, customer control inside premises and outside parking lot. Checking at door avoids entry by under-aged, intoxicated, or other potential problem patrons.

This basically covers the PLANNING Comments. However, please call me if you have other comments or concerns.

Sincerely,



Joseph T. Padilla
Director

PADILLA/ASSOCIATES

Design & Management Consultants
1647 Belleville Way, Suite F
Sunnyvale, California 94087

[408] 738-4002 [Office/FAX] o [408] 561-0656 [CELL] o padillassoc@AOL.com

April 22, 2008

City of Sunnyvale
Dept. Of Community Development
456 West Olive Avenue
Sunnyvale, CA 94088

ATTN: Rosemarie Zuleta - Project Planner

SUBJECT: EXPANSION OF EXISTING NIGHT CLUB [LA RONDA] INTO VACANT TENANT SPACE

Re: SUPPLEMENTAL DATA - FLOOR LAYOUT/SEATING/EXITS, ETC.

The attached PLAN : SHEET A -2, shows the LA RONDA CLUB's current floor layout and seating arrangement for the entire club - including the new 534 s.f. addition. Note that the new addition definitely serves to improve the sites serviceability by centralizing seating around the dance floor. SHEET A-2 is to scale and shows:

1. **New Addition** - 2.0'x 9'-3" service bar counter & 5 bar stools
16 tables & 1 round counter with seating for 72
and access aisles
2. Existing Club Area Layout
All areas are labeled
Seating Arrangement is shown
Service bars, band stand, dance floor, restrooms, office, storage shown
Entry/Exits are shown
Emergency EXIT lites at all doorways is shown
Exit/egress paths are indicated

Basically PLAN : SHEET A - 2, serves to address many of the commets posed by several parties in the PRC. A more detail response can be drafted later. PLAN : SHEET A -1, provided with original application showed the square footage by area.

Regarding FIRE PREVENTION issues please be advised that ROBERT RULLAN, Public Safety Officer, Arson/Fire Cause Investigator and Fire Prevention Inspector has inspected the facilities and found the site to be compliant with current Sunnyvale Fire Department regulations. Last and final inspection was made Wednesday - 4/2/08.

I shall continue my research and will provide other data later.

Sincerely,



Joseph T. Padilla
Director



USE PERMIT/SPECIAL DEVELOPMENT PERMIT JUSTIFICATIONS

ATTACHMENT 12
PAGE 4 of 5

One of the two following findings must be made in order to approve a Use Permit or Special Development Permit application.

The Sunnyvale Municipal code states that at least one of the following two justifications must be met before granting the Use Permit or Special Development Permit. Please provide us information on how your project meets at least one of the following criteria.

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale as the project complies with these goals and is a permitted use under current C-1 zoning of this Shopping Center.

Proposed project makes excellent use of the recently vacated 534 s.f. space to expand and improve the adjacent 3,000 s.f. LA RONDA NITE CLUB. An improvement which serves to improve and revitalize this neighborhood shopping center.

The subject vacant tenant space is currently classified as Type B, Retail. Whereas, the LA RONDA NITE CLUB is Classified as Type A-3, Public Assembly. So a change of use from a Type B to Type A-3 classification is required for this project.

As shown on the attached Project Plans, proposed addition would serve to balance the Club's layout by providing patron seating on three sides around the dance floor. Currently, patron seating is limited to two sides with the band stand on one end. New arrangement provides improved ease and convenience allowing dancers to seat closer to the dance floor. Improved accessibility is extremely important as Club caters to mature couples and promotes dancing to live music.

2. The proposed use ensures that the general appearance of proposed structure, and the uses of this site, will not impair either orderly development of, or the existing uses being made of, adjacent properties. As Planners know, this is the old RAVENS BAR site that catered to rough bar and motorcycle gang type patrons. Site has been cleaned and revitalized by the Club's owner using his own private capital. These planned interior decor improvements plus exterior clean up and painting will further improve the property's appearance and use.

Additionally, as part of the proposed expansion program, the Club's interior decor is being upgraded including a new blue paint scheme and matching carpeting. Overall the planned improvements will provide better accessibility and improved architectural appeal, esthetics, and ambiance. These welcome changes should also improve Club's economic viability.

NOTE: Joseph T. Padilla, Design & Management Consultant is working with both La Ronda and Arteaga's Market to help revitalize this area using private capital.

PROJECT JUSTIFICATION STATEMENT

Proposed use of space attains the objectives and purposes of the General Plan of the City of Sunnyvale as the project complies with these goals and is a permitted use under Shopping Center's current C-1 zoning.

The proposed project makes good use of a recently vacated 534 s.f. space to expand and improve the adjacent 3,000 s.f. La Ronda Night Club. An improvement which serves to continue to revitalize this 1950's era neighborhood shopping center.

The proposed project requires a change of use. Available vacant tenant space is currently classified as Type B:Retail. Whereas, use as part of the La Ronda Nite Club requires change in classification to Type A-3: Public Assembly.

As indicated on the attached Project Plans, the proposed addition would serve to balance the Club's floor layout by providing patron seating around the dance floor. Currently, the patron seating is limited to two sides, with the band stand on one end. New addition would provide seating on three sides, band stand on the 4th side. with the dance floor in the middle. Layout provides patrons improved ease and convenience by allowing dancers to seat closer around the dance floor. Improved accessibility is extremely important inasmuch as the Club caters to mature couples who enjoy dancing.

In addition to improved accessibility, the new addition serves to improve Clubs architectural layout. As part of the current expansion program the Club's interior decor was upgraded. This included a new blue paint scheme and carpeting. This improves Club's esthetics and ambiance, and should serve to improve the Club's economic viability. Which will allow the operators to continue to make further improvements ... soundproofing, better sound system et cetera to minimize sound emissions.

As Planners know, this is the site of the old RAVEN'S BAR that catered to a rough motorcycle gang type crowd, pool room environment, and lingerie luncheons. Site has been cleaned and revitalized by the Club's owners ... a husband and wife ...using their own funds. This site is now a beautiful and safe quality entertainment venue. This is an excellent example of redevelopment using private capital.

The proposed use ensures that the general appearance of proposed structure, and the uses of this site, will not impair either orderly development of, or the existing uses being made of, adjacent properties.

NOTE: Joseph T. Padilla, Design & Management Consultant is working with both La Ronda and the adjacent Arteaga's Market to help revitalize this area using private capital.

Rosemarie Zulueta - LaRonda

From: James Davis
To: Zulueta, Rosemarie
Date: 4/21/2008 4:39 PM
Subject: LaRonda

April 21, 2008

Dear Rosemarie,

I went to dispatch and had them pull all the calls for service related to Club LaRonda. They were able to give me statistics back to 12-21-08. This is what the calls for service look like.

Calls for Service	44
Arrests Made	4
Field Interviews	5
Disturbance Calls	15
Security Checks	11
Suspicious Activity	5
Pedestrian Stops	3
Fights	2
No Other Classification	2
Drunk Driver	1
Warrant Arrest	1
Accident	1
Traffic Stop	1
Flagged Down	1

This represents a significant number of calls related to one address in just 6 months.

I was involved in the gathering of the information regarding the decibel readings at Club Ronda. The results were as follows:

Readings at LaRonda on Saturday February 16, 2008. The readings directly in front of the buildings measured at 0011 Hrs. was 60 to 70 DCB's with the door closed. At the front of the business with the door open the readings were 70 to 76 DCB's.

Directly to the rear of the business the readings at the fence line were 50 to 56 DCB's. Directly at the back door of the business the DCB's were 60 to 70.

Thursday February 21, 2008 - From in front of 922 Coachella could hear the bass. Readings of 40 to 42 dbs. At the fence line to the rear the readings were 54-58 Dbs. At the rear door the readings were 60 to 64 Dbs. Standing on the sidewalk in front of the business the Dbs. were 54 to 58 Dbs. When the door was opened the range went to 70 to 74 Dbs.

Tuesday February 26, 2008 - To the front. Ranged from 50-55 dbs. To the rear on Coachella just under 50 dbs.

Saturday March 1, 2008 - Reading from in front of 40 dbs. Could hear the bass. Parking lot to the rear 49.5 to 55.6 dbs. Directly at the back door the level was 58.0 to 79.1 dbs. On the sidewalk in front of the club the level was 60.0 - 88.8 dbs.

The decibel readings indicate that LaRonda has problems taking care of the noise that they are currently responsible for let alone any new noise generated by an expansion.

Until Club LaRonda can show that it can handle the current problems surrounding their business I do not believe they should be allowed to expand and create new problems.

Jim Davis
Neighborhood Resource Officer
Sunnyvale Dept. of Public Safety
(408) 730-7145