



CITY OF SUNNYVALE REPORT ZONING ADMINISTRATOR HEARING

March 27, 2013

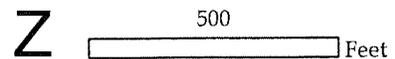
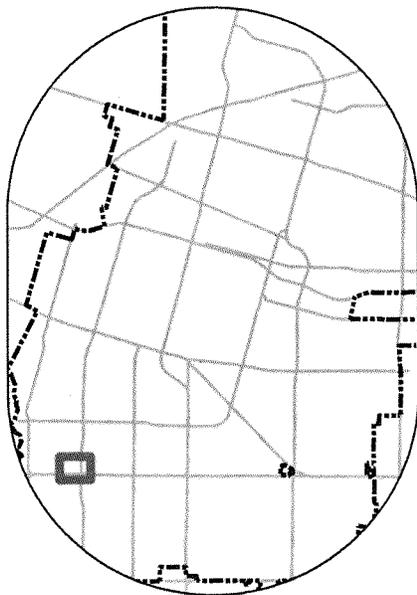
File Number: 2010-7696 **Permit Type:** Use Permit
Location: 925 W. Fremont Ave. (near S. Mary Ave.) (APN: 202-24-033)
Applicant/Owner: George Papoulias
Staff Contact: Mariya Hodge, Associate Planner, (408) 730-7659

Project Description: To allow beer and wine sales at an existing automobile service station with an expanded convenience store.

Reason for Permit: A Use Permit is required for beer and wine sales at an automobile service station.

Issues: Neighborhood Compatibility, Public Safety, Aesthetics

Recommendation: Approve with Conditions



PROJECT DESCRIPTION

	Existing	Proposed
General Plan:	Commercial Neighborhood Shopping	Same
Zoning District:	C-1	Same
Lot Area (sq. ft.):	12,846	Same
Floor Area (sq. ft.):	1,731	1,540
Parking:	4 uncovered + 3 service bays	6 uncovered
Setbacks		
Front:	73'	Same
Left Side:	1'	3'
Right Side:	3'	Same
Rear:	0'	Same
Landscaping		
Area (sq. ft.):	241	648
% of Lot Area:	1.9%	5.0%

Previous Planning Projects related to Subject Application A Miscellaneous Plan Permit was approved in 2008 to allow grocery sales at the service station's convenience store (#2008-0046). Per the City Council's policy on grocery sales at service stations, conditions were imposed to ensure site security, including lighting, security cameras, and a panic alarm. The site was also required to address all outstanding Code compliance issues at that time.	Yes
Neighborhood Preservation Complaints Neighborhood Preservation worked with the property owner in 2008 to ensure compliance with the conditions of MPP #2008-0046 described above. Since that time, there have been several complaints regarding graffiti on the utility box along the property's frontage but none on site conditions or operations.	Yes
Deviations from Standard Zoning Requirements	No

Proposed Use: The applicant proposes to eliminate existing vehicle repair areas within the service station and expand the existing convenience store. Retail sales of beer and wine within the convenience store are also proposed. The service station is currently operated 24 hours a day, 7 days a week. No change is proposed to the hours of operation.

Site Layout: The subject site is located along Fremont Avenue near Mary Avenue, and is surrounded on three sides by Westmoor Village Shopping

Center (separate parcels). Single-family residential uses are located to the south across Fremont Avenue and to the north and west behind the shopping center. There are no driveways on the subject site; site access is provided via easements over two of the adjacent shopping center's driveways. A single 2,200 square foot fuel canopy with eight fuel pumps is located near the front property line. A 1,731 square foot service station building is located along the rear property line. This building includes an office, a small convenience store, and a vehicle repair area with three service bays. There is a covered breezeway area along the east side of the building adjacent to an existing trash enclosure. Parking is provided in front of the service station building.

Exterior Modifications: The proposed project includes demolition of the office area on the west side of the building, thereby reducing the building area to 1,540 square feet. The service bay doors are proposed to be removed and replaced with brick material and windows to match the existing front façade. The existing pitched roof would be modified with a rectangular fascia which is proposed around the existing roofline. The existing trash enclosure will be replaced with a new enclosure meeting current standards. Additional landscaping is proposed in the area formerly occupied by the office, as well as along the property's frontage. Staff recommends several conditions of approval related to landscaping modifications (see Attachment A).

Interior Modification: The proposed project eliminates service bays and vehicle repair areas and replaces them with an expanded retail convenience store. The proposed cashier area will be located in the southeast corner of the store, similar to its current location. Shelves are proposed along the walls and in the center of the store, with refrigerators located at the rear of the store.

Parking: The proposed project was submitted in 2010. At that time, the Sunnyvale Municipal Code (SMC) required service station convenience stores to provide parking at the general retail rate (one space per 180 square feet of floor area). The applicant's initial proposal did not provide sufficient parking to meet this requirement and included a requested Variance for parking. Based on staff comments, the applicant placed the project on hold to explore redesign. Since that time the City Council has adopted revised non-residential parking requirements which took effect on February 7, 2013 (Ordinance 2988-12). Retail uses at automobile service stations currently require 2.5 parking spaces per 1,000 square feet of floor area. Parking is not required for fuel canopies. Based on the current requirements, the proposed 1,540 square foot convenience store would require a total of four parking spaces. The project provides six spaces in compliance with this requirement. As a result, the Variance request is no longer needed and was withdrawn. Staff recommends several conditions of approval related to parking striping and location (see Attachment A).

Public Contact: Fifty-seven notices were sent to surrounding property owners and residents adjacent to the subject site in addition to standard noticing practice. Staff received comments from two members of the public. Staff spoke by phone with the owner of a nearby business who stated he opposes the project. He expressed concern that patrons may be able to purchase alcohol without getting out of their cars by calling an attendant from the pumps. He also expressed general concern about the sale of alcohol from any store within the neighborhood. The applicant has confirmed that the purchase of alcohol from within a vehicle will not be offered at the service station; patrons will need to enter the convenience store to purchase any item. Staff also received written comments from a neighboring property owner who expressed concern that the project does not provide sufficient parking for the proposed sales (see Attachment E). He states that the service station currently uses the parking on his property without permission. As noted above, the proposed convenience store meets current SMC requirements for off-street parking. The applicant states that any parking problems in the area are associated with the Starbucks located on the shopping center property, whose patrons he has observed parking in drive aisles and fire lanes and behind the service station building.

Environmental Determination: A Categorical Exemption Class 1 (minor changes in use) relieves this project from CEQA provisions.

FINDINGS

In order to approve any Use Permit the following findings must be made:

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale.

Land Use and Transportation Chapter – Policy LT-4.1

Protect the integrity of the City's neighborhoods; whether residential, industrial, or commercial.

Land Use and Transportation Chapter – Policy LT-6.1

Maintain a diversity of commercial enterprises and industrial uses to sustain and bolster the local economy.

Community Character Chapter – Policy CC-1.6

Maintain City neighborhoods as safe, healthy places to live.

Staff is able to make this finding. The proposed addition of beer and wine sales would provide additional retail services for neighborhood residents, and is not expected to have a negative impact on surrounding properties or uses (see additional information below). The site is already required to meet security standards for retail sales at service stations per Miscellaneous Plan Permit #2008-0046.

- 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 the orderly development of, or the existing uses being made of, adjacent properties.**

Staff is able to make this finding. The proposed beer and wine sales would occur along with the currently permitted sale of other grocery items at the convenience store. Per the requirements of previously approved MPP #2008-0046, adequate lighting and security systems are required to ensure safety related to 24-hour convenience store operations on the site. As conditioned, measures would be taken to protect against the sale of beer and wine to, or theft of beer and wine by, persons under the age of 21. In addition, replacement of the existing vehicle repair use with a retail use is likely to reduce the potential for noise impacts and hazardous materials impacts on surrounding sites, including single-family residential properties. As a result, the proposed use is not expected to result in negative impacts on surrounding properties or uses.

The following additional findings are required for a Use Permit to allow the sale of beer and wine at automobile service stations:

- 3. The proposed site must be at least 500 feet from a use with off-site sales of alcohol, unless additional findings can be made that the proposed new sales:**
- a. will not adversely affect the peace, health, safety, morals or welfare of persons residing or working in the surrounding areas; and**
 - b. will not impair the value of property of other persons located in the vicinity of the area; and**
 - c. will not be detrimental to the public health, safety or welfare.**

There are two existing businesses within 500 feet of the subject site which offer off-site sales of alcohol: Liquor, Tobacco & More, and Smart and Final, both located within the adjacent shopping center. The proposed project would result in a total of three businesses selling alcohol within a 500-foot radius, requiring sub-findings a-c to be made. Staff is able to make these findings. The proposed off-site sale of beer and wine would occur along with the currently permitted sale of other grocery items at the convenience store. As conditioned, measures would be taken to protect against the sale of beer and wine to, or theft of beer and wine by, persons under the age of 21. The site will have security measures including lighting, clear visibility into and out of the store, and security cameras to discourage loitering, on-site consumption of alcoholic beverages, and other unpermitted activities. As a result, the proposed use would not negatively impact surrounding residents, would not impair surrounding property

values, and would not be detrimental to the public health, safety, or welfare.

- 4. The proposed site will not exceed a concentration of more than four businesses with off-site sales of alcohol within a 1,000-foot radius, unless the findings above (3.a - 3.c) can be made.**

There are two existing businesses located more than 500 feet from the subject site but within 1,000 feet of the subject site which offer off-site sales of alcohol: Fremont Gas & Mini-Mart at 860 West Fremont and European Gourmet Deli at 1334 South Mary Avenue. The proposed project would result in a total of five businesses selling alcohol within a 1,000-foot radius, requiring sub-findings a-c to be made. Staff is able to make these findings. The proposed off-site sale of beer and wine would occur along with the currently permitted sale of other grocery items at the convenience store. As conditioned, measures would be taken to protect against the sale of beer and wine to, or theft of beer and wine by, persons under the age of 21. The site will have security measures including lighting, clear visibility into and out of the store, and security cameras to discourage loitering, on-site consumption of alcoholic beverages, and other unpermitted activities. As a result, the proposed use would not negatively impact surrounding residents, would not impair surrounding property values, and would not be detrimental to the public health, safety, or welfare.

- 5. The proposed site shall not be located closer than 500 feet from any public park or public school unless the above findings (3.a - 3.c) can be made.**

Staff is able to make this finding. The subject site is not located within 500 feet of a park or school.

ALTERNATIVES:

1. Approve the Use Permit with the recommended Conditions in Attachment A.
2. Approve the Use Permit with modifications.
3. Deny the Use Permit.

RECOMMENDATION:

Alternative 1. Approve the Use Permit with the recommended Conditions in Attachment A.

Reviewed by:



Gerri Caruso
Principal Planner

Prepared By: Mariya Hodge, Associate Planner

Attachments:

- A. Standard Requirements and Recommended Conditions of Approval
- B. Site and Architectural Plans
- C. Site Photographs
- D. Applicant's Project Justifications
- E. Public Comments

**RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
March 27, 2013**

Planning Application 2010-7696

925 West Fremont Avenue

Use Permit to allow beer and wine sales at an existing automobile service station with an expanded convenience store.

The following Conditions of Approval [COA] and Standard Development Requirements [SDR] apply to the project referenced above. The COAs are specific conditions applicable to the proposed project. The SDRs are items which are codified or adopted by resolution and have been included for ease of reference, they may not be appealed or changed. The COAs and SDRs are grouped under specific headings that relate to the timing of required compliance. Additional language within a condition may further define the timing of required compliance. Applicable mitigation measures are noted with "Mitigation Measure" and placed in the applicable phase of the project.

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 and Standard Development Requirements of this Permit:

GC: THE FOLLOWING GENERAL CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SHALL APPLY TO THE APPROVED PROJECT.

GC-1. CONFORMANCE TO APPROVED PLANNING APPLICATION:

All building permit drawings and subsequent construction and operation shall substantially conform to the approved planning application, including: drawings/plans, materials samples, building colors, and other items submitted as part of the approved application. Any proposed amendments to the approved plans or Conditions of Approval are subject to review and approval by the City. The Director of Community Development shall determine whether revisions are considered major or minor. Minor changes are subject to review and approval by the Director of Community Development. Major changes are subject to review at a public hearing. [COA] [PLANNING]

- GC-2. USE EXPIRATION:
The approved use Permit for the use shall expire if the use is discontinued for a period of one year or more. [SDR] (PLANNING)
- GC-3. PERMIT EXPIRATION:
The 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 and is approved by the Director of Community Development. [SDR] (PLANNING)
- GC-4. COMPLIANCE WITH PREVIOUS PLANNING PERMIT:
The subject site shall comply with all conditions of approval and requirements of planning application #2008-0046 (Miscellaneous Plan Permit to allow grocery sales at the service station convenience store), including security measures. [PLANNING] [COA]
- GC-5. ALCOHOLIC BEVERAGE CONTROL (ABC):
The project applicant shall obtain all appropriate permits and/or licenses from the Department of Alcoholic Beverage Control prior to commencement of the use approved as part of this permit. [COA] [PLANNING]
- GC-6. USE AND ABC COMPLIANCE:
Non-compliance with the Conditions of Approval for this planning application or the requirements of the Department of Alcoholic Beverage Control at any time may trigger either reconsideration (discretionary review of new application) of the Use Permit and the imposition of additional Conditions of Approval or the initiation of the revocation process by the Director of Community Development. [COA] [PLANNING]
- GC-7. REMOVAL OF UNDERGROUND STORAGE TANKS:
A separate permit from the Department of Public Safety is required for removal of the existing underground lube oil tanks associated with the vehicle repair use, in accordance with applicable requirements of California Fire Code Chapter 34 and the locally enforced Underground Storage Tank System and Sump Closure Guidelines. A Department of Public Safety Inspector must be on-site prior to commencing closure operations. [SDR] [PUBLIC SAFETY]

GC-8. NO PARKING SIGNAGE:

Work with the owner of the adjacent shopping center property to explore adding “no parking” striping on the shopping center lot along the subject site’s northeast property line near the trash enclosure.
[COA [PLANNING]

PS: THE FOLLOWING SHALL BE MET PRIOR TO SUBMITTAL OF BUILDING PERMIT, AND/OR GRADING PERMIT.

PS-1. EXTERIOR MATERIALS REVIEW:

Final exterior building materials and color scheme are subject to review and approval by the Director of Community Development prior to submittal of a building permit. Plans submitted for building permits shall clearly identify all materials and colors. [COA] [PLANNING]

PS-2. LANDSCAPE PLAN:

Prior to submittal of a building permit, submit a detailed landscape and irrigation plan for new and rehabilitated landscaping. Landscape and irrigation plans are subject to review and approval by the Director of Community Development through the submittal of a Miscellaneous Plan Permit (MPP). The landscape plan shall include the following elements:

- a) Provide at least two new trees on the site with a minimum 15-gallon size. Trees should be sited in portions of the landscaping areas with dimensions of at least 4 feet in any direction.
- b) The landscaping planter adjacent to parking space #4 shall be extended to be at least 16 feet long as measured from the front of the parking space to provide improved protection from vehicles in the drive aisle.
- c) Ground covers shall be planted so as to ensure full coverage eighteen months after installation.
- d) A landscape maintenance plan shall be included identifying regular and periodic maintenance requirements to ensure long-term health.

[COA] [PLANNING]

PS-3. EXTERIOR LIGHTING:

Work with the owner of the adjacent shopping center to ensure adequate lighting in the area to the rear of the gas station. With the agreement of the adjacent owner, exterior wall lights should be provided along the rear wall of the convenience store with sufficient

number and illumination to provide a lighting level of at least 0.5 footcandles throughout the area within 20 feet of the building's rear wall. Prior to issuance of a building permit, submit a contour photometric plan identifying all existing and proposed lighting and the resulting light levels on the site and surrounding properties. The contour photometric plan shall clearly demonstrate there is sufficient lighting provided for safety and there is no glare on nearby residential properties. [COA] [PLANNING]

BP: THE FOLLOWING SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS SUBMITTED FOR ANY DEMOLITION PERMIT, BUILDING PERMIT, GRADING PERMIT, AND/OR ENCROACHMENT PERMIT AND SHALL BE MET PRIOR TO THE ISSUANCE OF SAID PERMIT(S).

BP-1. CONDITIONS OF APPROVAL:

Final plans shall include all Conditions of Approval included as part of the approved application starting on sheet 2 of the plans. [COA] [PLANNING]

BP-2. RESPONSE TO CONDITIONS OF APPROVAL:

A written response indicating how each condition has or will be addressed shall accompany the building permit set of plans. [COA] [PLANNING]

BP-3. NOTICE OF CONDITIONS OF APPROVAL:

A Notice of Conditions of Approval shall be filed in the official records of the County of Santa Clara and provide proof of such recordation to the City prior to issuance of any City permit, allowed use of the property, or Final Map, as applicable. The Notice of Conditions of Approval shall be prepared by the Planning Division and shall include a description of the subject property, the Planning Application number, attached conditions of approval and any accompanying subdivision or parcel map, including book and page and recorded document number, if any, and be signed and notarized by each property owner of record.

For purposes of determining the record owner of the property, the applicant shall provide the City with evidence in the form of a report from a title insurance company indicating that the record owner(s) are the person(s) who have signed the Notice of Conditions of Approval. [COA] [PLANNING]

- BP-4. BLUEPRINT FOR A CLEAN BAY:
The building permit plans shall include a "Blueprint for a Clean Bay" on one full sized sheet of the plans. The project shall remain in compliance with stormwater best management practices for general construction activity until the project is completed and final occupancy has been granted. [SDR] [BUILDING/PLANNING]
- BP-5. RECYCLING AND SOLID WASTE ENCLOSURE:
The building permit plans shall include details for the installation of a recycling and solid waste enclosure. The required solid waste and recycling enclosure shall:
- a) Match the design, materials, and color of the main building.
 - b) Be of masonry construction.
 - c) Have a minimum 10-foot wide door. [COA] [PLANNING]
- BP-6. RECYCLING AND SOLID WASTE CONTAINER:
All recycling and solid waste containers shall be metal or State Fire Marshall listed non-metallic. The building permit plans shall provide details illustrating compliance with this condition. [COA] [PLANNING]
- BP-7. VEHICLE IMPACT PROTECTION FOR EVR:
Provide vehicle impact protection bollards to protect the EVR Phase II equipment and vent risers located at the exterior of the trash enclosure in accordance with the prescriptive requirements of CFC Section 312. [COA] [PLANNING]
- BP-8. ROOF EQUIPMENT
Roof vents, pipes and flues shall be located behind parapets out of public view as per Title 19 of the Sunnyvale Municipal Code and shall be painted to match the roof. [COA] [PLANNING]
- BP-9. BEST MANAGEMENT PRACTICES - STORMWATER:
The project shall comply with the following source control measures as outlined in the BMP Guidance Manual and SMC 12.60.220. Best management practices shall be identified on the building permit set of plans and shall be subject to review and approval by the Director of Public Works:
- a) Storm drain stenciling. The stencil is available from the City's Environmental Division Public Outreach Program, which may be reached by calling (408) 730-7738.

- b) Landscaping that minimizes irrigation and runoff, promotes surface infiltration where possible, minimizes the use of pesticides and fertilizers, and incorporates appropriate sustainable landscaping practices and programs such as Bay-Friendly Landscaping.
- c) Appropriate covers, drains, and storage precautions for outdoor material storage areas, loading docks, repair/maintenance bays, and fueling areas.
- d) Covered trash, food waste, and compactor enclosures.
- e) Plumbing of the following discharges to the sanitary sewer, subject to the local sanitary sewer agency's authority and standards:
 - i) Discharges from indoor floor mat/equipment/hood filter wash racks or covered outdoor wash racks for restaurants.
 - ii) Dumpster drips from covered trash and food compactor enclosures.
 - iii) Discharges from outdoor covered wash areas for vehicles, equipment, and accessories.
 - iv) Swimming pool water, spa/hot tub, water feature and fountain discharges if discharge to on-site vegetated areas is not a feasible option.
 - v) Fire sprinkler test water, if discharge to on-site vegetated areas is not a feasible option. [SDR] [PLANNING]

BP-10. PARKING LOT STRIPING:

Plans submitted for building permits shall demonstrate that parking spaces will be marked in accordance with the Citywide Design Guidelines (revised 2/7/13). Parking spaces shall be marked with double lines which are four inches wide and located one foot apart as measured from centers of lines. Lines shall be 16 feet long with a rounded radius end. [COA] [PLANNING]

PF: THE FOLLOWING SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS AND/OR SHALL BE MET PRIOR TO RELEASE OF UTILITIES OR ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

PF-1. PRE-FIRE SURVEY MAPS:

Provide an electronic version of the site plan to assist with Fire Department "Pre-Fire Survey" maps in accordance with Public Safety Guidelines. [COA] [PUBLIC SAFETY]

- PF-2. HAZARDOUS MATERIALS BUSINESS PLAN:
Upon completion of work, electronically submit a revised Hazardous Materials Business Plan and Inventory Statement. [COA] [PUBLIC SAFETY]

AT: THE FOLLOWING CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SHALL BE COMPLIED WITH AT ALL TIMES THAT THE USE PERMITTED BY THIS PLANNING APPLICATION OCCUPIES THE PREMISES.

- AT-1. DELIVERY HOURS:
Delivery hours for the approved use shall comply with SMC 19.42.030. Delivery hours are limited to daytime only (from 7:00 a.m. to 10:00 p.m. daily). Nighttime delivery is prohibited. [SDR] [PLANNING]
- AT-2. RECYCLING AND SOLID WASTE:
All exterior recycling and solid waste shall be confined to approved receptacles and enclosures. [COA] [PLANNING]
- AT-3. LOUDSPEAKERS PROHIBITED:
Out-of-door loudspeakers are prohibited at all times. [COA] [PLANNING]
- AT-4. EXTERIOR EQUIPMENT:
All unenclosed materials, equipment and/or supplies of any kind shall be maintained within an approved enclosure area. Any stacked or stored items shall not exceed the height of the enclosure. [COA] [PLANNING]
- AT-5. LANDSCAPE MAINTENANCE:
All landscaping shall be installed in accordance with the approved landscape plan and shall thereafter be maintained in a neat, clean, and healthful condition. Trees shall be allowed to grow to the full genetic height and habit (trees shall not be topped). Trees shall be maintained using standard arboriculture practices. [COA] [PLANNING]
- AT-6. PARKING LOT MAINTENANCE:
The parking lot shall be maintained in accordance with the approved plans and as follows:
a) Maintain all parking lot striping and marking in good condition.

- b) Assure that adequate lighting is available in parking lots to keep them safe and desirable for the use.

[COA] [PLANNING]

- AT-7. DISPLAY NEAR FRONT DOOR (SERVICE STATIONS ONLY):
No beer or wine shall be displayed within 5 feet of the cash register or front door unless it is inside a permanently-affixed cooler. [SDR] [PLANNING]

- AT-8. DISPLAY AT MOTOR FUEL ISLANDS (SERVICE STATIONS ONLY):
No advertisement of alcoholic beverages shall be displayed at motor fuel islands. [SDR] [PLANNING]

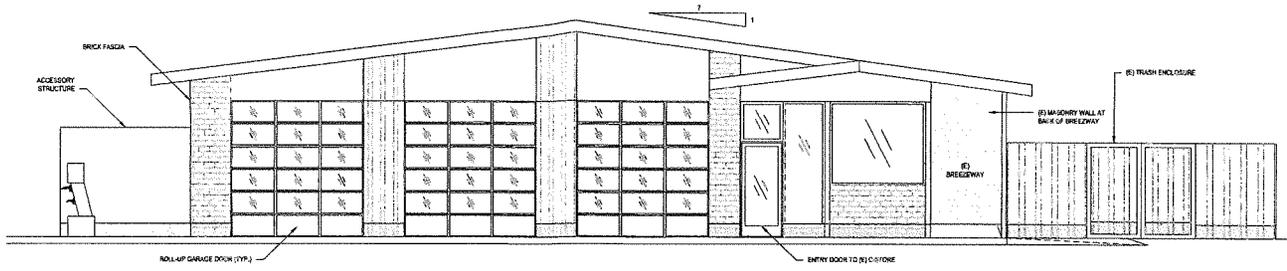
- AT-9. EMPLOYEE AGE (SERVICE STATIONS ONLY):
Employees on duty between the hours of 10:00 p.m. and 2:00 a.m. who sell beer or wine shall be at least 21 years old. [SDR] [PLANNING]

- AT-10. PROHIBITION OF SINGLE SERVINGS SALES (SERVICE STATIONS ONLY):
The sale of single servings of beer or wine is prohibited. For the purpose of this condition of approval, a single serving shall be defined as "less than 24 fluid ounces of beer or wine." [COA] [PLANNING]

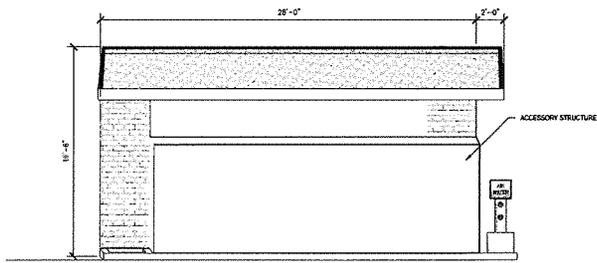
- AT-11. POSTED HOURS:
Convenience store hours shall be clearly posted at all times [COA] [PUBLIC SAFETY]

Attachment B

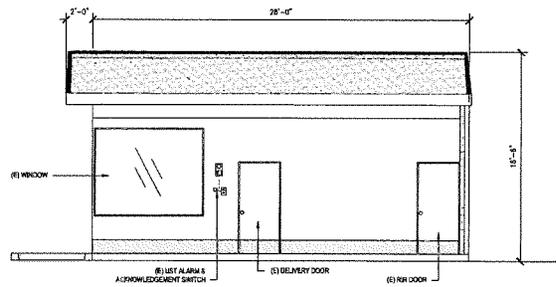
Site and Architectural Plans



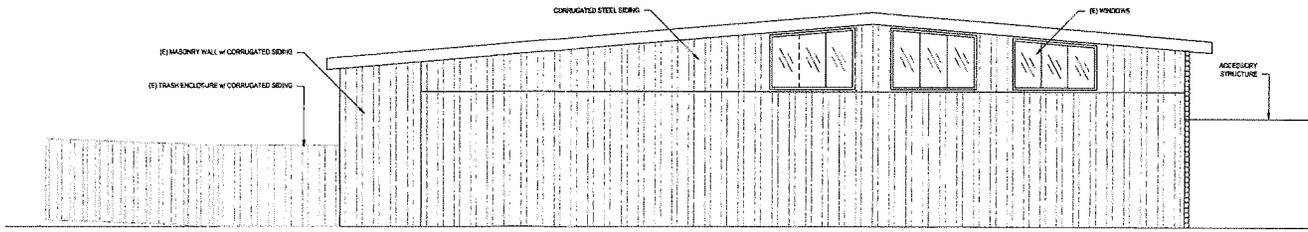
1 SOUTH ELEVATION
2 1/4" = 1'-0"



2 WEST ELEVATION
2 1/4" = 1'-0"



3 EAST ELEVATION
2 1/4" = 1'-0"



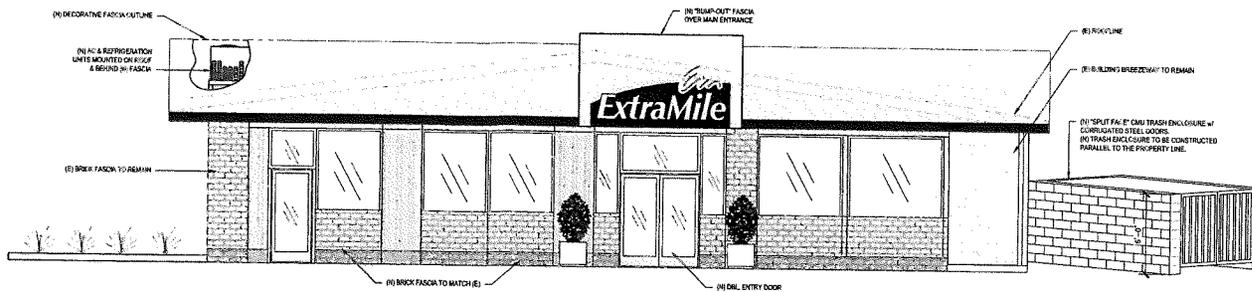
1 NORTH ELEVATION
2 1/4" = 1'-0"

NO.	DATE	BY	REVISION/ISSUE DESCRIPTION
1	5/20/2010	EDJ	REVISED FOR NET PARKING LAYOUT

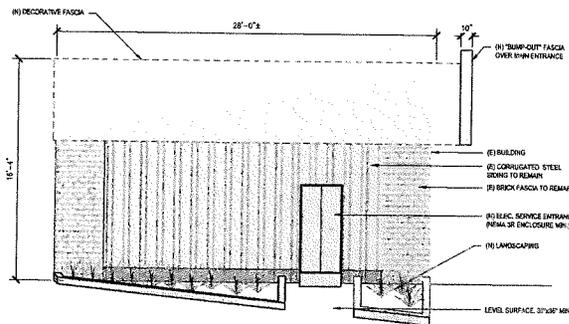
ELEVATIONS - EXISTING
C-STORE CONVERSION
GEORGE PAPOULIAS
925 WEST FREMONT AVENUE
SUNNYVALE, CA 94087

DRAWN BY: EDJ
REVIEWED BY: KRB
DATE: 5/20/2010
JOB NO: 568603

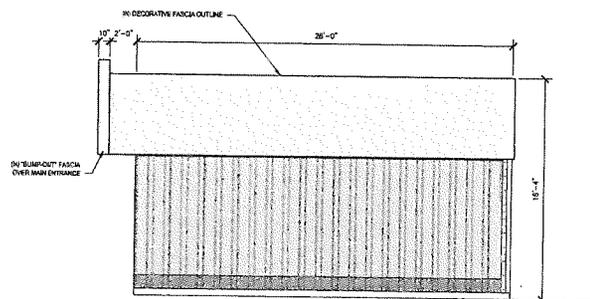
SHEET
2
OF 5 SHEETS



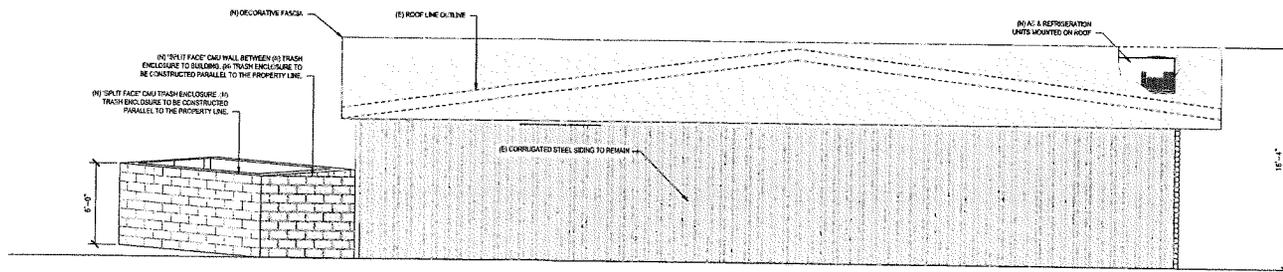
1 SOUTH ELEVATION
1/4" = 1'-0"



2 WEST ELEVATION
1/4" = 1'-0"



3 EAST ELEVATION
1/4" = 1'-0"



4 NORTH ELEVATION - FACES SHOPPING CENTER
1/4" = 1'-0"

Service Station Systems, Inc.
Able Maintenance, Inc.

NO.	DATE	BY	REVISIONS
1	1/15/2012	EDL	ISSUED FOR CITY COMMENTS
2	1/17/2012	EDL	REVISED FOR CITY COMMENTS
3	5/29/2012	EDL	ISSUED FOR NPA MARKING UPDATE
4			ISSUED FOR NPA MARKING UPDATE

ELEVATIONS - PROPOSED

C-STORE CONVERSION
GEORGE PAPAULIAS
925 WEST FREMONT AVENUE
SUNNYVALE, CA 94087

DRAWN BY: EDL
REVIEWED BY: RB
DATE: 9/13/2012
JOB NO: 588663

SHEET

4

OF 5 SHEETS

ATTACHMENT
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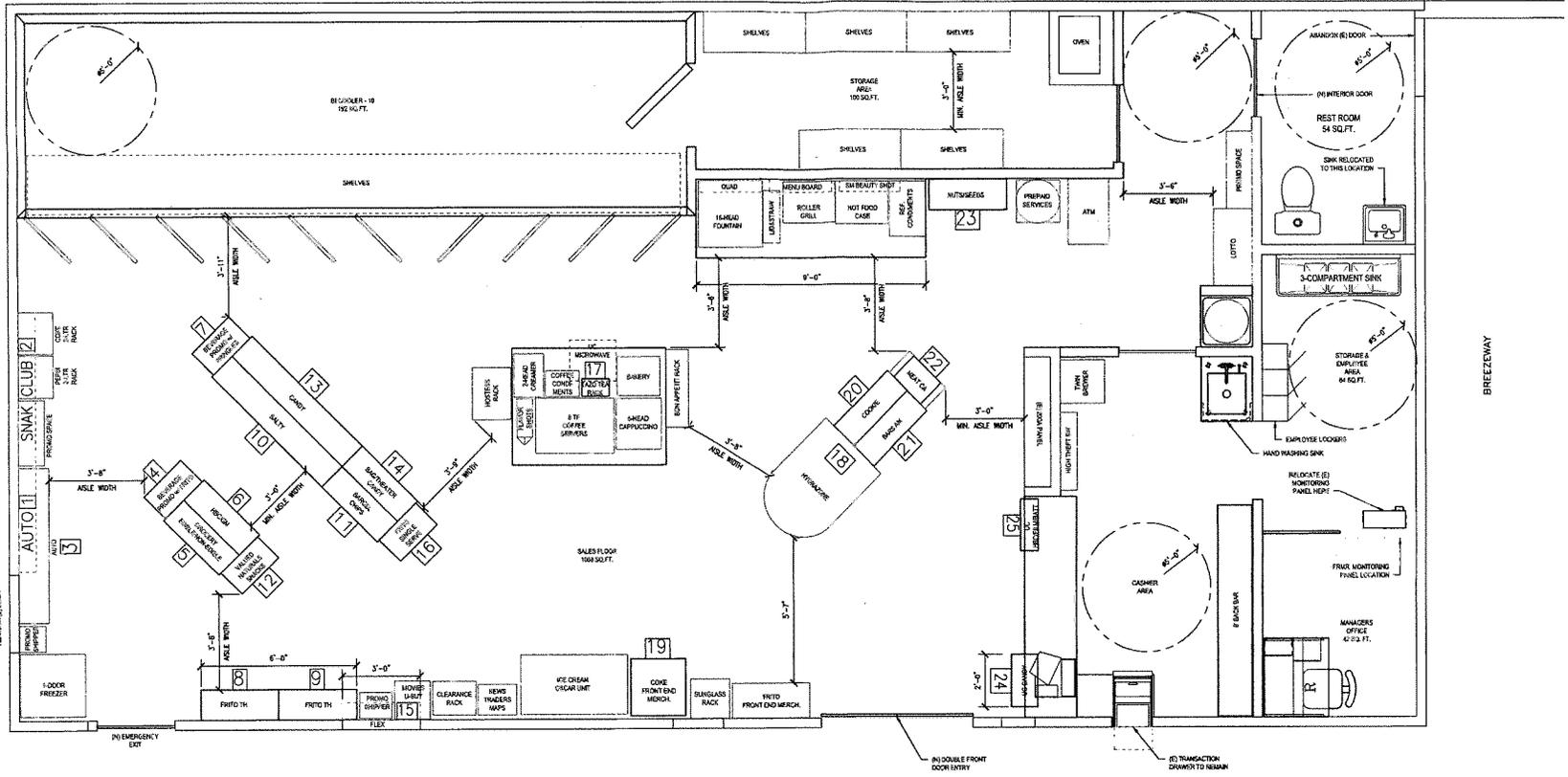
NO.	DATE	BY	REVISION/ISSUE DESCRIPTION

FLOOR PLAN - PROPOSED
C-STORE CONVERSION
GEORGE PAPOULIAS
975 WEST FREMONT AVENUE
SUNNYVALE, CA 94087

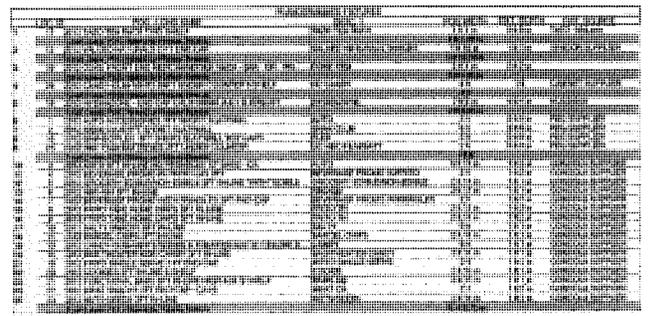
DRAWN BY: EDJ
REVIEWED BY: RB
DATE: 7/11/2012
JOB NO: 568603

SHEET
5
OF 5 SHEETS

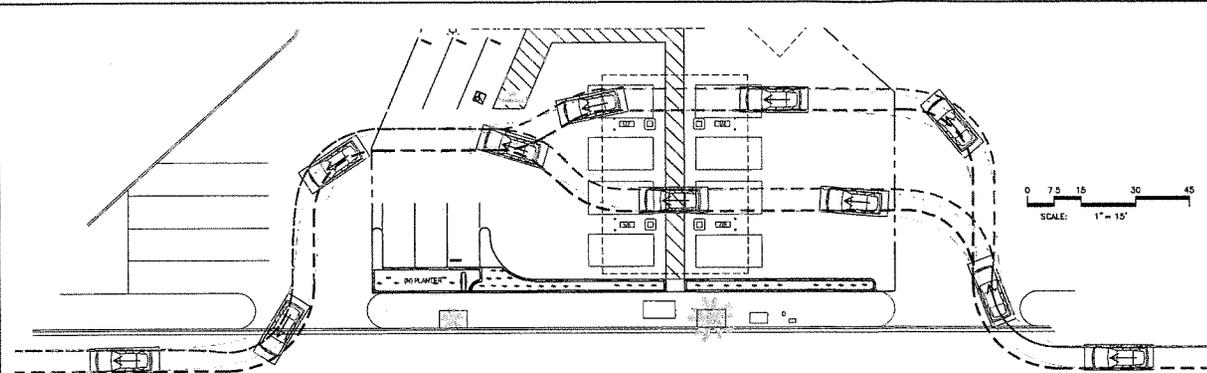
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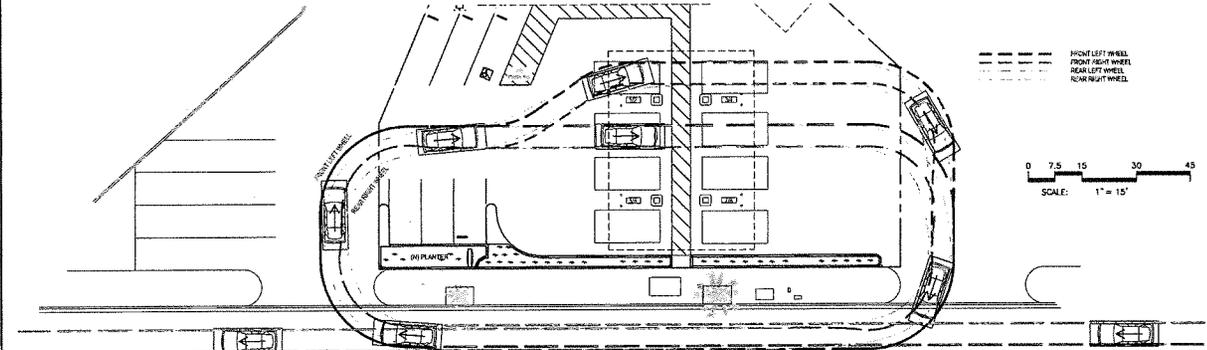
PROPOSED FLOOR PLAN
SCALE 1/2" = 1'-0"



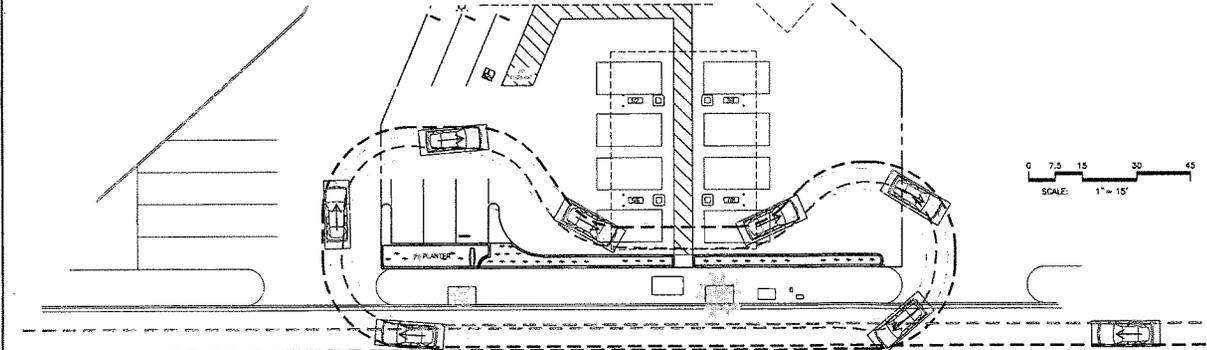
SALES FLOOR FIXTURES AND DISPLAYS		NAME		NAME		NAME	
DISP. #	NAME	DISP. #	NAME	DISP. #	NAME	DISP. #	NAME
		WIDTH	DEPTH	WIDTH	DEPTH	WIDTH	DEPTH
1	MEDIUM HZ. DRY DISH ONLY	7.1 in	4.4 in	1	SW 10 T	1	Planned
2	8' Back Bar	8.2 in	18.4 in	2	Center of Store	2	Planned
3	ATM	1.7 in	2.6 in	3	Center of Store	3	Planned
4	Center of Store	3.8 in	0.10 in	4	Center of Store	4	Planned
5	Center of Store	1.8 in	1.4 in	5	Center of Store	5	Planned
6	Center of Store	2.8 in	1.2 in	6	Center of Store	6	Planned
7	Center of Store	2.8 in	1.2 in	7	Center of Store	7	Planned
8	Center of Store	2.8 in	1.2 in	8	Center of Store	8	Planned
9	Center of Store	2.8 in	1.2 in	9	Center of Store	9	Planned
10	Center of Store	2.8 in	1.2 in	10	Center of Store	10	Planned
11	Center of Store	3.8 in	1.1 in	11	Center of Store	11	Planned
12	Center of Store	3.8 in	1.1 in	12	Center of Store	12	Planned
13	Center of Store	3.8 in	1.1 in	13	Center of Store	13	Planned
14	Center of Store	3.8 in	1.1 in	14	Center of Store	14	Planned
15	Center of Store	3.8 in	1.1 in	15	Center of Store	15	Planned
16	Center of Store	3.8 in	1.1 in	16	Center of Store	16	Planned
17	Center of Store	3.8 in	1.1 in	17	Center of Store	17	Planned
18	Center of Store	3.8 in	1.1 in	18	Center of Store	18	Planned
19	Center of Store	3.8 in	1.1 in	19	Center of Store	19	Planned
20	Center of Store	3.8 in	1.1 in	20	Center of Store	20	Planned
21	Center of Store	3.8 in	1.1 in	21	Center of Store	21	Planned
22	Center of Store	3.8 in	1.1 in	22	Center of Store	22	Planned
23	Center of Store	3.8 in	1.1 in	23	Center of Store	23	Planned
24	Center of Store	3.8 in	1.1 in	24	Center of Store	24	Planned
25	Center of Store	3.8 in	1.1 in	25	Center of Store	25	Planned
26	Center of Store	3.8 in	1.1 in	26	Center of Store	26	Planned
27	Center of Store	3.8 in	1.1 in	27	Center of Store	27	Planned
28	Center of Store	3.8 in	1.1 in	28	Center of Store	28	Planned
29	Center of Store	3.8 in	1.1 in	29	Center of Store	29	Planned
30	Center of Store	3.8 in	1.1 in	30	Center of Store	30	Planned



SCENARIO 'A' - DOMINANT TRAFFIC FLOW TO FUELING POSITIONS #1, #3, #5 & #7
SCALE: 1" = 15'-0"



SCENARIO 'B' - OVERSHOOT TRAFFIC FLOW TO FUELING POSITIONS #1, #2, #3 & #4
SCALE: 1" = 15'-0"



SCENARIO 'C' - OVERSHOOT TRAFFIC FLOW TO FUELING POSITIONS #6 & #8
SCALE: 1" = 15'-0"

PROPERTY INFORMATION

PROPERTY ADDRESS: 925 WEST FREMONT AVENUE, SUNNYVALE CA 94087
 OWNER: GEORGE PAPPOLIAS
 OWNER ADDRESS: 925 WEST FREMONT AVENUE, SUNNYVALE CA 94087
 APN: [REDACTED]
 ZONE: [REDACTED]

BUILDING CODES:
 010 CALIFORNIA BUILDING CODE
 020 CALIFORNIA MECHANICAL CODE
 030 CALIFORNIA PLUMBING CODE
 040 CALIFORNIA ELECTRICAL CODE
 050 CALIFORNIA FIRE CODE
 070 BUILDING ENERGY EFFICIENCY STANDARDS

TURN TEMPLATE NOTES

WHEEL PATH CALCULATIONS BASED ON AADOT STANDARD 3-ABE, PASSENGER VEHICLE.

LENGTH = 220' (19.00M)
 WIDTH = 84' (8.00M)
 FR OVERHANG = 20' (2.00M)
 WHEELBASE = 102' (9.00M)

CALCULATING FUEL/REDUCED FUEL CONSUMPTION: [REDACTED]

Service Station Systems, Inc.
Able Maintenance, Inc.

220/2013 DA
 11/23/2012
 [REDACTED]

VEHICLE PATH OF TRAVEL

C-STORE CONVERSION
 GEORGE PAPPOLIAS
 925 WEST FREMONT AVENUE
 SUNNYVALE, CA 94087

DRAWN BY: [REDACTED] ECU
 REVIEWED BY: [REDACTED] RS
 DATE: 11/23/2012
 JOB NO: 588563

SHEET
TE1
 of 2 SHEETS

PROPERTY INFORMATION

PROPERTY ADDRESS: 925 WEST FREMONT AVENUE, SUNNYVALE CA 94087
 OWNER: GEORGE PAPAULIAS
 OWNER ADDRESS: 925 WEST FREMONT AVENUE, SUNNYVALE CA 94087
 APN: [REDACTED]
 ZONE: [REDACTED]
 BUILDING CODES: 3910 CALIFORNIA BUILDING CODE, 3910 CALIFORNIA PLUMBING CODE, 3910 CALIFORNIA ELECTRICAL CODE, 3910 CALIFORNIA MECHANICAL CODE, 3910 CALIFORNIA FIRE CODE, 3910 CALIFORNIA ENERGY EFFICIENCY TRACED

TURN TEMPLATE NOTES

WHEEL PATH CALCULATIONS BASED ON MIGHTY STANDARD SAE1 WHEEL BODY TRUCK
 LENGTH: + 30' (CENTER)
 WIDTH: + 8' (CENTER)
 FR OVERHANG: + 4' (CENTER)
 WHEELBASE: + 30' (CENTER)
 STEERING LOCK ANGLE: + 27.7°
 CALCULATED PATH OF TRAVEL PREPARED USING TURNPLAN BY HEIL/EDC Engineering

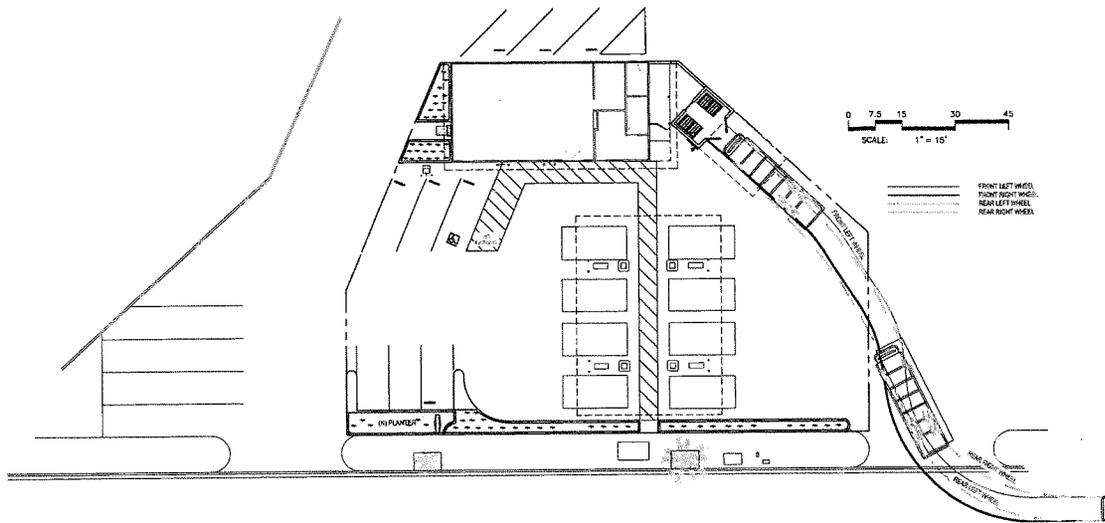
Service Station Systems, Inc.
 Able Maintenance, Inc.

NO.	DATE	BY	REVISION/ISSUE DESCRIPTION
1	2/6/2012	EDU	ISSUED FOR PER SITE LAYOUT

VEHICLE PATH OF TRAVEL - part 2
 C-STORE CONVERSION
 GEORGE PAPAULIAS
 925 WEST FREMONT AVENUE
 SUNNYVALE, CA 94087

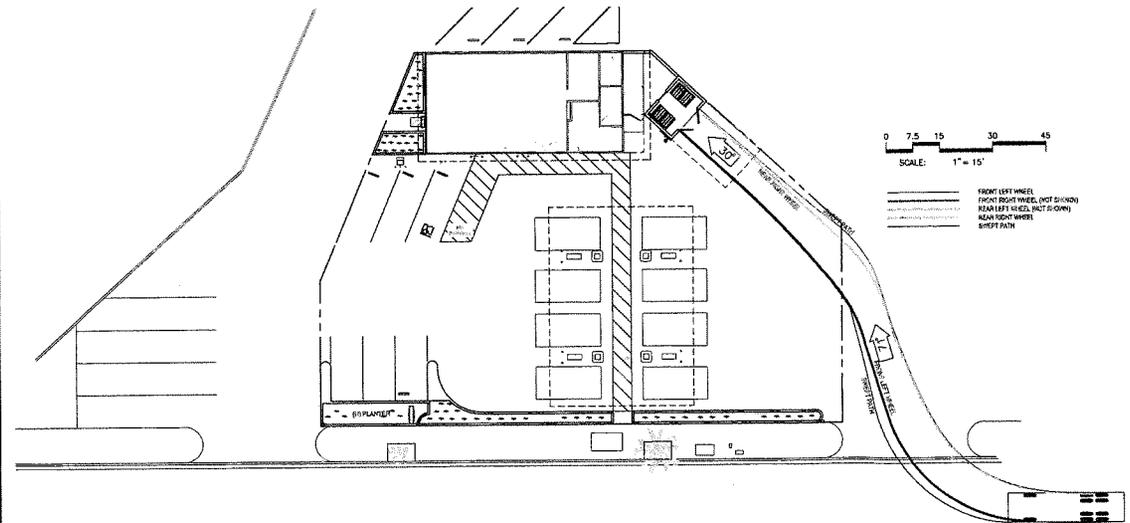
DRAWN BY: EDU
 REVIEWED BY: RB
 DATE: 12/11/2012
 JOB NO: 588503

SHEET
TE2
 OF 2 SHEETS



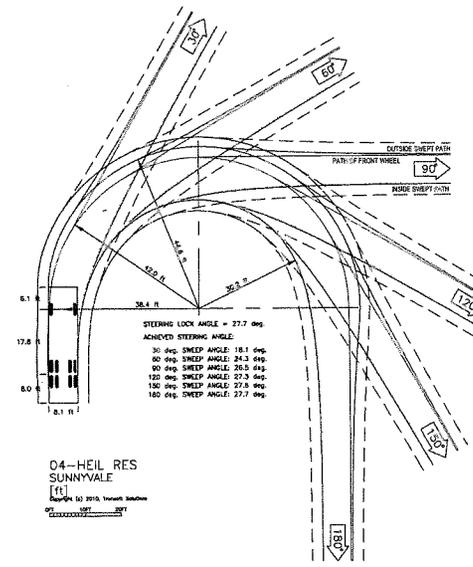
GARBAGE TRUCK APPROACH - CALCULATED PATH OF TRAVEL

SCALE: 1" = 15'-0"



GARBAGE TRUCK APPROACH - SUNNYVALE TURN TEMPLATE

SCALE: 1" = 15'-0"



SUNNYVALE TURN TEMPLATE

SCALE: 1" = 15'-0"

ATTACHMENT B
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Attachment C

Site Photographs







ATTACHMENT C
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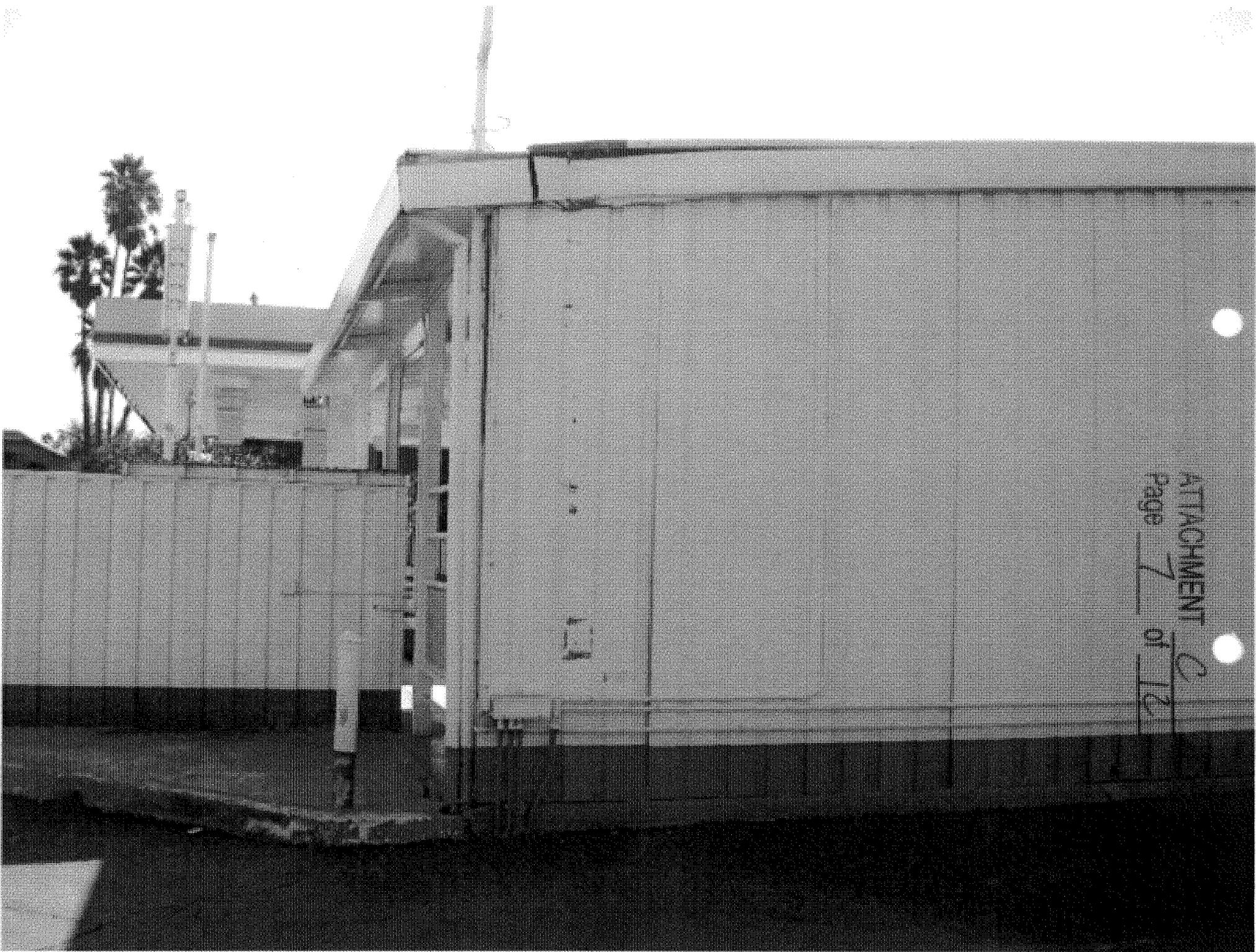


ATTACHMENT C
Page 4 of 12

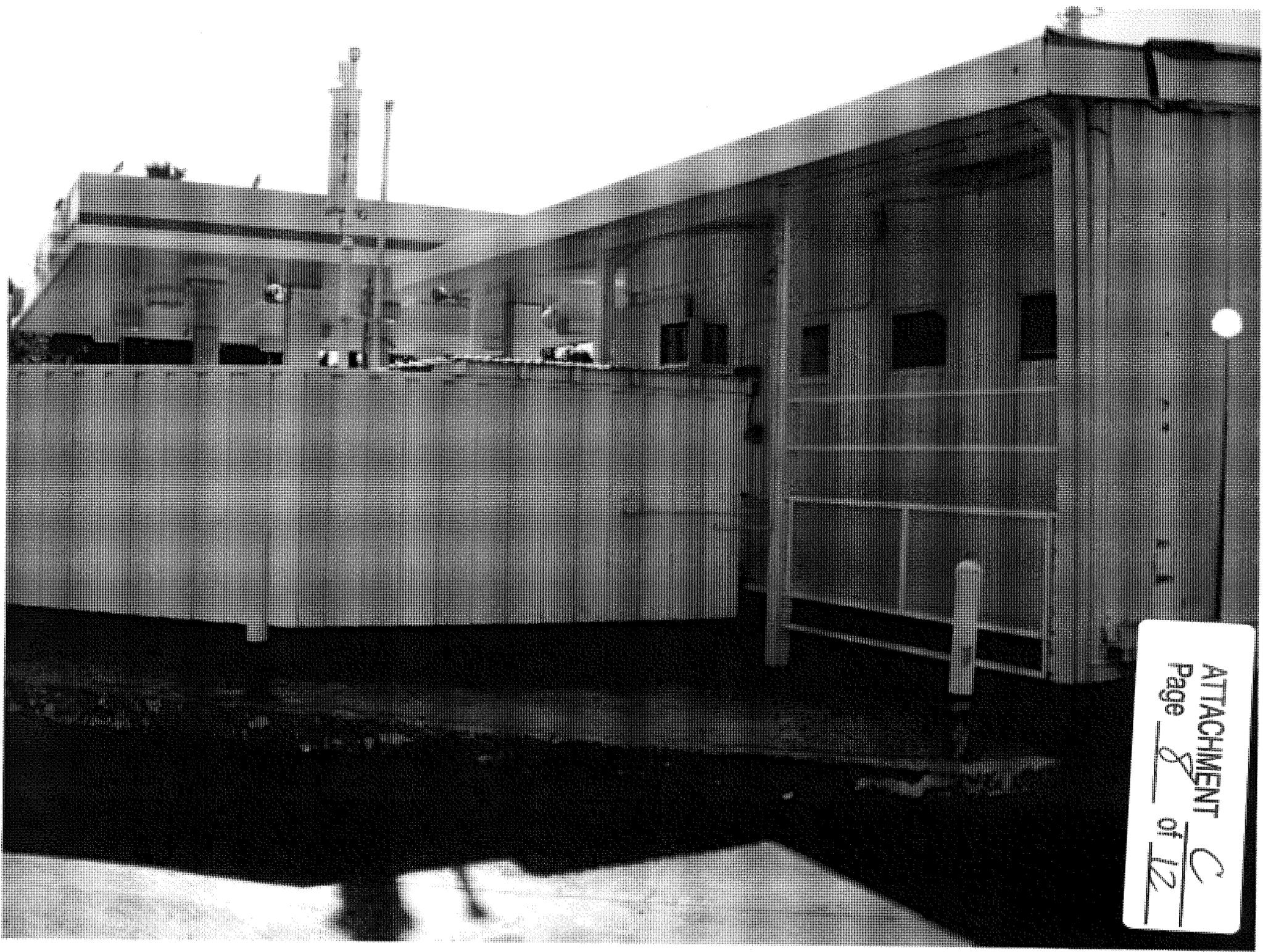




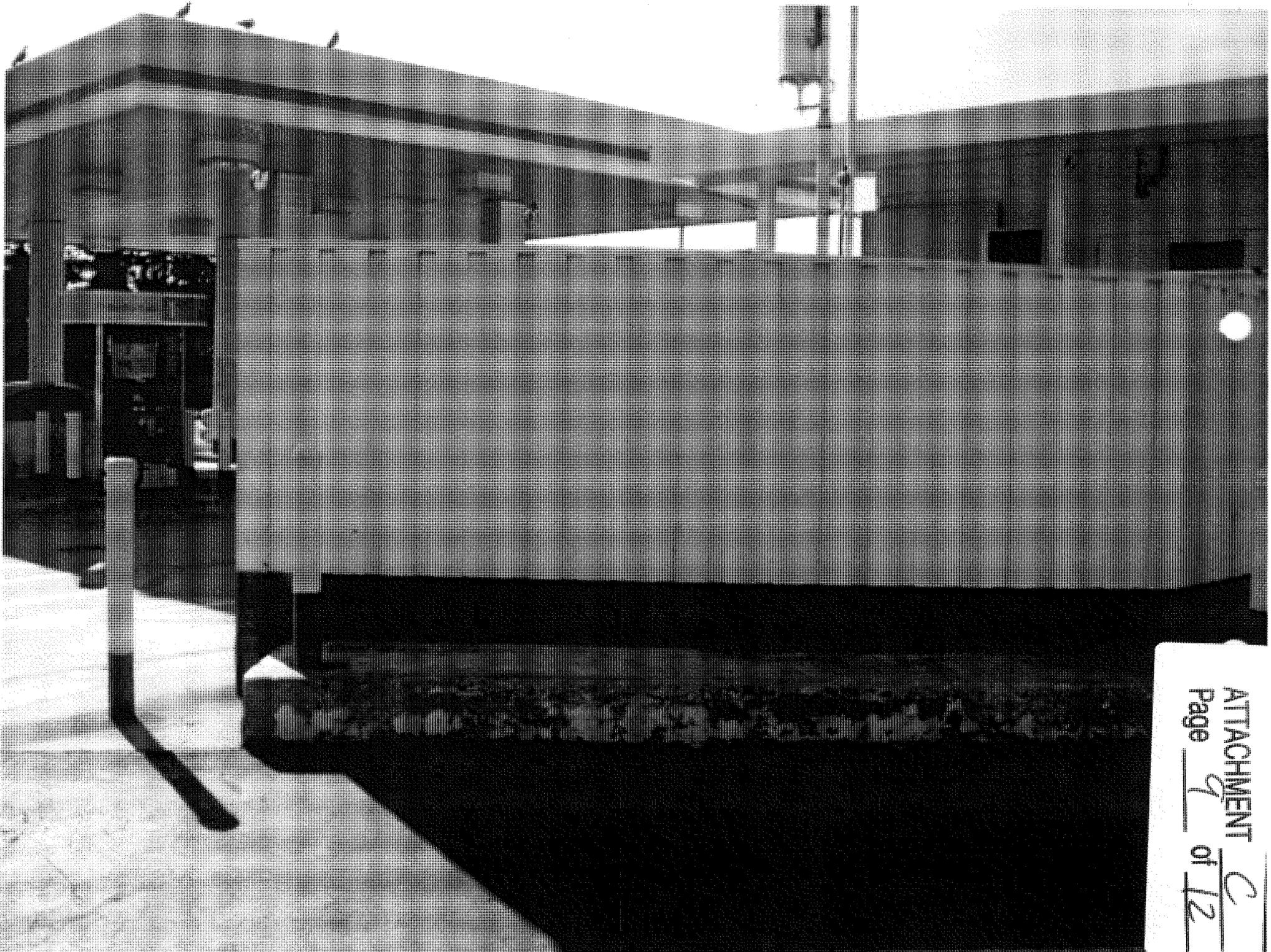
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ATTACHMENT C
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ATTACHMENT C
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ATTACHMENT C
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Attachment D

Applicant's Project Justifications



ABLE Maintenance Inc.

Specializing in Petroleum Construction and Maintenance

3224 Regional Parkway • Santa Rosa, CA 95403
General Contractor #312844

(707) 545-5522 • Fax (707) 545-5515

19 September 2012

Sunnyvale Community Development Department
One-Stop Permit Center/Hazardous Materials
456 West Olive
Sunnyvale, CA 94088
408-730-7444

Re: Use Permit/Special Development Permit Justifications
Chevron Service Station
925 West Fremont Avenue
Sunnyvale, California 94087
Job #588603

Planning Commission,

This letter has been prepared on the behalf of George Papoulias (owner) to provide the Use Permit/Special Development Permit Justifications for the property located at 952 West Fremont Street, Sunnyvale, California

The proposed project will convert an out-of-date auto service facility located at 925 W. Fremont Ave to a full-line ExtraMile convenience store. In addition to offering traditional convenience products, the store will carry grocery staples, fresh and prepared foods and beer and wine, all of which will help fill the gap left by the closure of the Albertsons across the street. The facility will continue to be operated on a 24-hours a day / 7 days a week basis to meet the needs of the neighborhood, however, the number of employees will increase from one per shift to two per shift. Additionally, security lighting and video surveillance cameras will be added to the interior, exterior and rear of the building.

The project will include remodeling of the existing building and the removal of an accessory storage structure on the west end of the building which will result in a slight reduction in square footage. The exterior vertical siding on the building will be maintained as it is complementary to the siding utilized in the neighboring shopping center. A vertical fascia will be added to the building to give it a more modern look and act as a screen for HVAC components and satellite communications equipment. The remodel will meet all "applicable" building codes.

An added benefit of this project will be the elimination of hazardous waste (solvents, battery acids, used motor oil, antifreeze, oil and fuel filters as well as used tires) generation from auto repairs being done at this site. Additionally, insulating all currently non-conditioned spaces and installing new HVAC equipment will result in a more energy efficient facility.

If you have any questions please contact Eric Janzen at (707) 293-2986:

Sincerely,


Eric Janzen
Code Compliance Officer
Able Maintenance Inc.

Attachment E

Public Comments

Mariya Hodge

From: [REDACTED]
Sent: Tuesday, March 19, 2013 2:41 PM
To: mhodge@sunnyvale.ca.gov
Cc: [REDACTED]
Subject: 925 W. Fremont Ave. - Applying Convenience Store
Attachments: Ltr_to_Owner_of_925_W_Fremont_Ave_Sunnyvale_07-26-2010.pdf; 2013-03-16_14.37.41.jpg; 2013-03-16_14.37.57.jpg; 2013-03-16_14.39.10.jpg; 2013-03-16_14.39.20.jpg; 2013-03-16_14.39.20.jpg; 2013-03-16_14.39.55.jpg

Dear Mariya:

I am the Owner of Westmoor Village Shopping Center, which located at 1211-1291 So. Mary Avenue. I am writing to notify you that I am opposing the application for the opening of a convenience store at 925 W. Fremont Avenue (including but not limited to allow beer and wine sales), on the basis that the Gas Station premises does not have sufficient parking to expand to a convenience store.

Attached are photos from the proposed location of the convenience store. As documented in the attached photo numbered 2013-03-16 14.39.55, the Gas Station only has 3 parking spaces in its lot. We have observed that the Gas Station already sometimes parks their customer's vehicles in our Center's parking spaces, in violation of relevant regulations and the rights of our customers. With the addition of a convenience store, we can only conclude that the number of Gas Station's customers parking in our Center's parking spaces will increase.

This notice serves as a formal complaint from your neighbor of the intended opening of a convenience store at the above-mentioned location. A letter dated July 26, 2010 which rejected Gas Station using our parking space also attached for your reference.

Sincerely,

James Liu, Leasing Manager
Westmoor Village, LLC

[REDACTED]
[REDACTED]
[REDACTED]

FINKELSTEIN & KAMALI, LLP

A LIMITED LIABILITY PARTNERSHIP
INCLUDING PROFESSIONAL CORPORATIONS

1528 SOUTH EL CAMINO REAL
SUITE 306
SAN MATEO, CALIFORNIA 94402

TELEPHONE (650) 353-4503
TELECOPIER (650) 312-1803

INFO@FKI.AVOFFICE.COM
WWW.FRLAWOFFICE.COM

ATTACHMENT E
Page 2 of 7

* LAW OFFICES OF
DAVID G. FINKELSTEIN, APC
* LAW OFFICES OF
KAMIN KAMALI, APC
* EMILY R. GLUCK

* DAVID G. FINKELSTEIN
ALSO ADMITTED IN NEW YORK
* EMILY R. GLUCK
ALSO ADMITTED IN FLORIDA AND
DISTRICT OF COLUMBIA

OF COUNSEL
BRUCE M. LUBARSKY
THOMAS J. BARGER

LEGAL ASSISTANTS
NICHELE V. JAUREGUI
KATHERINE M. ZURAWSKI

PARALEGAL
JOHN F. FARBSSTEIN

July 26, 2010

Via email: ktakaki70@gmail.com

Kyle Takaki

Re: Request to use four (4) tandem parking spaces at Westmoor Village Shopping Center for the benefit of the Shell Station at 925 W. Fremont Avenue, Sunnyvale

Dear Mr. Takaki:

The undersigned attorney represents Westmoor Village, LLC, and its principal Mr. James Liu in this matter.

In response to your email of July 20, 2010, requesting the use of four (4) tandem spaces belonging to and part of Westmoor Village Shopping Center, please be advised that my client does not consent to this use for the benefit of the prospective customers of a planned convenience store at the Shell Station that may compete with existing customers of the Westmoor Village Shopping Center.

Please take further notice that you and your customers and employees are not allowed to use the four (4) tandem parking spaces near the exit or any other parking spaces in the shopping center and if you do use them, the vehicles may be towed pursuant to signs that my client will be posting in the parking area within the next thirty (30) days.

Very truly yours,

FINKELSTEIN & KAMALI, LLP

By: 

David G. Finkelstein, Esq.

DGF/kmz

cc: Client via email



Chevron

ATTACHMENT E
Page 3 of 7



Westmoor Village
**CUSTOMERS
PARKING
ONLY**
Visitors Will Be
Towed Away
At Owners Expense
No Overnight
Parking Allowed

ATTACHMENT F
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Chevron

5HEK287

ATTACHMENT F
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ATTACHMENT E
Page 6 of 7

Westmoor Village

**CUSTOMERS
PARKING
ONLY**

Violators Will Be
Towed Away
At owners Expense
Pursuant to
CVC 22658
Police 408-730-7100

