



CITY OF SUNNYVALE ADMINISTRATIVE HEARING

MINUTES
Wednesday, April 16, 2008

2008-0265 - Coolicious Creamery [Applicant] **Cheng & Niemen Assoc. LP** [Owner]: Application for a Use Permit to allow a new ice cream shop in a 728 square foot tenant space in an existing retail complex. The property is located at **520 Lawrence Expressway** (at Titan Way) in an M-S/POA (Industrial & Service/Place if Assembly) Zoning District. (APN: 216-44-119) RZ

In attendance: Dean Du, Applicant; Gerri Caruso, Administrative Hearing Officer; Rosemarie Zulueta, Project Planner; Luis Uribe, Staff Office Assistant.

Ms. Gerri Caruso, Administrative Hearing Officer, on behalf of the Director of Community Development, explained the format that would be observed during the public hearing.

Ms. Caruso announced the subject application.

Rosemarie Zulueta, Project Planner, stated that the applicant proposes to use an existing 728 square foot tenant space (#310) within the Lawrence Commercial Center as a fast food restaurant serving frozen desserts, snacks and beverages. The business would be open from 10 a.m. to 10 p.m., Mondays through Sundays. No outdoor seating, expansion of the existing building or significant modification of the building exterior are proposed. Staff did not receive any written comments.

A Use permit is required for all restaurants in the M-S/POA zoning district.

Ms. Caruso opened the public hearing.

Dean Du, Applicant, received and reviewed a copy of the staff report. Mr. Du had questions regarding the conditions of approval in regards to parking and disposal of solid waste. Ms. Caruso explained the conditions to the applicant.

Ms. Caruso closed the public hearing.

Ms. Caruso approved the application subject to the findings and conditions of approval located in the staff report.

Ms. Caruso stated that the decision is final unless appealed to the Planning Commission with payment of the appeal fee within the 15-day appeal period.

The meeting was adjourned at 2:19 p.m.

Minutes approved by:

Gerri Caruso

Principal Planner