



CITY OF SUNNYVALE ZONING ADMINISTRATOR HEARING

MINUTES
Wednesday, November 24, 2010

2010-7661: GS Group Holdings, LLC [Applicant] **George Smith** [Owner]. Special Development Permit to allow a nightclub within a 2,400 square foot tenant space in a multi-tenant commercial building located at **295 E. Washington Avenue**. (APN: 209-05-011) RK

In attendance: Genzo Selane, Applicant; Andy Kasik, Property Manager; Chong-Fang Fee, Neighbor; Paulah Wells, Neighbor; Carole Twing, Neighbor; Victor Ruder, Neighbor; Lavern LeVassey, Neighbor; Chaoren J., Neighbor; Connie Wang, Neighbor.

Ms. Gerri Caruso, Zoning Administrator 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.

Ryan Kuchenig, Project Planner, stated that staff submitted letters from members of the public after the report had been circulated.

Ms. Caruso opened the public hearing.

Genzo Selane, Applicant, received and reviewed a copy of the staff report. Mr. Selane stated that he has no questions or comments regarding the conditions of approval. Ms. Caruso asked for a description of the front of the building. The applicant stated that after speaking to neighbors and hearing that their main concern is noise, he has decided to construct a wall inside the building to act as a buffer. Ms. Caruso asked which entrance would be used and Mr. Selane stated that he is opened to suggestions but would like to use the back entrance as to minimize the noise for Plaza De Las Flores. Ms. Caruso asked staff if public safety had any concerns and Mr. Kuchenig stated that they had some concerns that were addressed in the conditions of approval but noted that they had none concerning the entrance.

Andy Kasik, Property Manager, introduced himself and stated that he was there as a representative for the owner of the building and he would help with any other questions Mr. Selane could not answer.

Chong-Fang Fee, Neighbor, stated that she is glad to hear that a buffer will be installed but it will not be enough since there will be more noise created by people talking while walking to their vehicles and will make it hard for the neighbors to sleep. Ms. Fee asked about the capacity and Ms. Caruso stated that 45 people are allowed at a time.

Paulah Wells, Neighbor, wanted to know about the location of pick up for garbage. Ms. Caruso stated that there are trash enclosures used by all tenants.

Carole Twing, Neighbor, stated that she doesn't believe this location is a good fit for this type of business.

Victor Ruder, Neighbor, stated that the parking lot is generally very full and stated that he is constantly awoken by people loitering in the parking lot.

Lavern Levassey, Neighbor, stated that during the summer on Murphy Street the "Sunnyvale Series Music & Market" is held every Wednesday with a live band and the noise carries to her condo. She is worried that the same will happen with this project.

Chaoren Ji, Neighbor, stated that even though only a few people from the senior living facility are in attendance, a lot of the residence are strongly opposed to the approval of this project.

Connie Wong, Neighbor, stated that she is in agreement with everyone else and is also concerned about parking overflowing into the street. Ms. Wong wanted to know if the applicant would be using neon signs to attract customers.

Genzo Selane, Applicant, stated that if there is a parking lot right in front of an entrance to an establishment most people will want to park in the parking lot. He also mentioned that they are categorized as a night club but they target an older crowd and he feels his business is more like a restaurant/lounge. Mr. Selane stated that 70% of the patrons he knows personally and that his clients are trying to avoid the issues that were brought up at the hearing. He also stated that they are relocating to the Washington location due to financial reasons. Also, that they are installing an ice machine and prep table and there will be no major cooking involved. He also mentioned that he does all their deliveries himself and that delivery trucks will never be used. Mr. Selane stated that he did meet with the residents of Plaza De Las Flores and went over the same issues that were discussed today. He added that after hearing about the current loitering issues, he is considering private security and installing security cameras for the safety of his patrons and staff.

Andy Kasik, Property Manager, stated that the building is located in the downtown district and feels that the public needs to realize that the dynamics of the district has changed. Also that this use has potential benefits with the added security that applicant will be installing.

Ms. Caruso closed the public hearing.

The Zoning Administrator took the item under advisement to consider modified Conditions of Approval that would help prevent late night noise impacts in the adjacent neighborhood. On Tuesday, November 30, 2010 given the requirements for conformance reviews at 6 month intervals during the first year, the option to require additional future conformance reviews, as well as the following:

- **Security cameras as determined necessary by Sunnyvale Public Safety;**

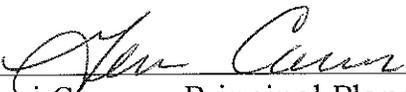
- **Using the rear door (parking lot facing) as the primary entrance;**
- **Limiting maximum occupancy to 30 persons at any one time, and;**
- **Working with staff on the appearance of the establishment from Washington Avenue;**

The Zoning Administrator approves the Special Development Permit making the findings provided in the staff report and subject to the modified Conditions of Approval dated November 30, 2010

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 2:56 p.m.

Minutes approved by:



Gerri Caruso, Principal Planner