



Planning Commission Agenda Report

July 25, 2018
Item 5.a.

SUBJECT:	P18-0156
APPLICANT:	Todd Utikal, SideTrack Bar & Grill
PROPERTY OWNER:	Larry McColm, McColm Commercial Real Estate
PURPOSE:	Application for a Conditional Use Permit (CUP) to serve alcohol past 11 p.m. at a new restaurant (SideTrack Bar & Grill)
LOCATION:	30 W. Angela Street
GENERAL PLAN:	Retail/Highway/Service Commercial, Business and Professional Offices
SPECIFIC PLAN:	Downtown Specific Plan, Downtown Commercial Land Use Designation
ZONING:	C-C (Central Commercial), Downtown Revitalization, Core Area Overlay, Downtown Hospitality Central Core Area District
EXHIBITS:	A. Draft Resolution and Conditions of Approval B. Narrative, Sample Menu, Site Plan, and Floor Plan dated "Received June 25, 2018" C. Location and Notification Map

STAFF RECOMMENDATION

Staff recommends the Planning Commission approve Conditional Use Permit (CUP) Case No. P18-0156 based on the findings and subject to the draft conditions of approval in Exhibit A.

EXECUTIVE SUMMARY

The applicant requests CUP approval to serve alcohol until 1 a.m. on Thursdays, Fridays, and Saturdays at a new restaurant, SideTrack Bar & Grill located at 30 W. Angela Street, within downtown. A restaurant serving alcohol past 11 p.m. requires Planning Commission review and approval of a CUP. As such, the CUP application is before the Planning Commission for consideration. As proposed, staff believes this use is consistent with the objectives of the Specific Plan, Downtown Hospitality Guidelines and zoning district and will be compatible with the surrounding uses. Conditions of approval have been included which will ensure that the safety and general welfare of the surrounding area, and the City in general, is maintained.

BACKGROUND

The subject building was constructed in 1968 and originally functioned as an Alameda County Court building. Over the years, the building has been occupied by a variety of uses including City Council Chamber in the 1970's, and most recently a restaurant. On February 8, 2017, the Planning Commission approved Design Review application P16-1771 to remodel the existing 3,120-square-foot building for a new restaurant including two new outdoor dining areas totaling approximately 996 square feet. The building and restaurant improvements are currently under construction with anticipated completion in late August.

The subject site is located within downtown and is zoned C-C (Central Commercial) District. Pursuant to the Pleasanton Municipal Code (PMC), restaurants serving alcohol past 11 p.m. are conditionally allowed within the C-C District with the approval of a CUP. Additionally, the City has adopted Downtown Hospitality Guidelines aimed at enhancing the vitality of the commercial district through concepts such as providing more service establishments for residents and more choices of places to go at night, creating an inviting ambiance that is pedestrian friendly and provides an atmosphere where people want to meet and gather, and nightlife opportunities reflective of the community composition. These guidelines provide specific performance standards (hours of operation, noise, music and entertainment, alcohol service, etc.) for proposed uses but also reflect the CUP requirements contained in the PMC for restaurants that wish to serve alcohol beyond 11 p.m. Establishments that conform to these standards are to receive expedited application processing and review including placement on the consent calendar of the first available Planning Commission agenda. Accordingly, the CUP application with recommended conditions of approval is before the Planning Commission for review and action, as a consent item.

SITE AND AREA DESCRIPTION

The project site is an approximately 15,389-square-foot parcel located on the south side of West Angela Street, between Main Street and First Street. The former railroad right-of-way, known as the "Transportation Corridor" and now used for public parking, abuts the southeast side of the parcel. The single-story, 3,120-square-foot commercial building occupies the northeast corner of the property. The building was partially demolished and is currently under renovation as shown in Figure 1. The renovated building will be tan colored with brown trim and brick accents and include a new brick-clad tower at the front corner of the building to add architectural interest and define the front entry. A driveway on West Angela Street accesses the 26 on-site parking spaces. Landscaped planters are located around the parking lot along the perimeter of the site. Mature Monterey Pine trees are located in the adjacent planter to the east.

Figure 1: Current Building Under Construction



Adjacent Properties

Properties adjacent to this site include a parking lot to the south shared by Heritage Bank (300 Main Street) and a commercial building at 310 Main Street; a two-story multi-tenant commercial building to the west (350 Main Street); a two-story multi-tenant commercial building across the street to the north (55 W. Angela Street); and a City-owned parking lot on the former railroad right-of-way to the east. Figure 2 is an aerial photo showing the project site and surroundings.

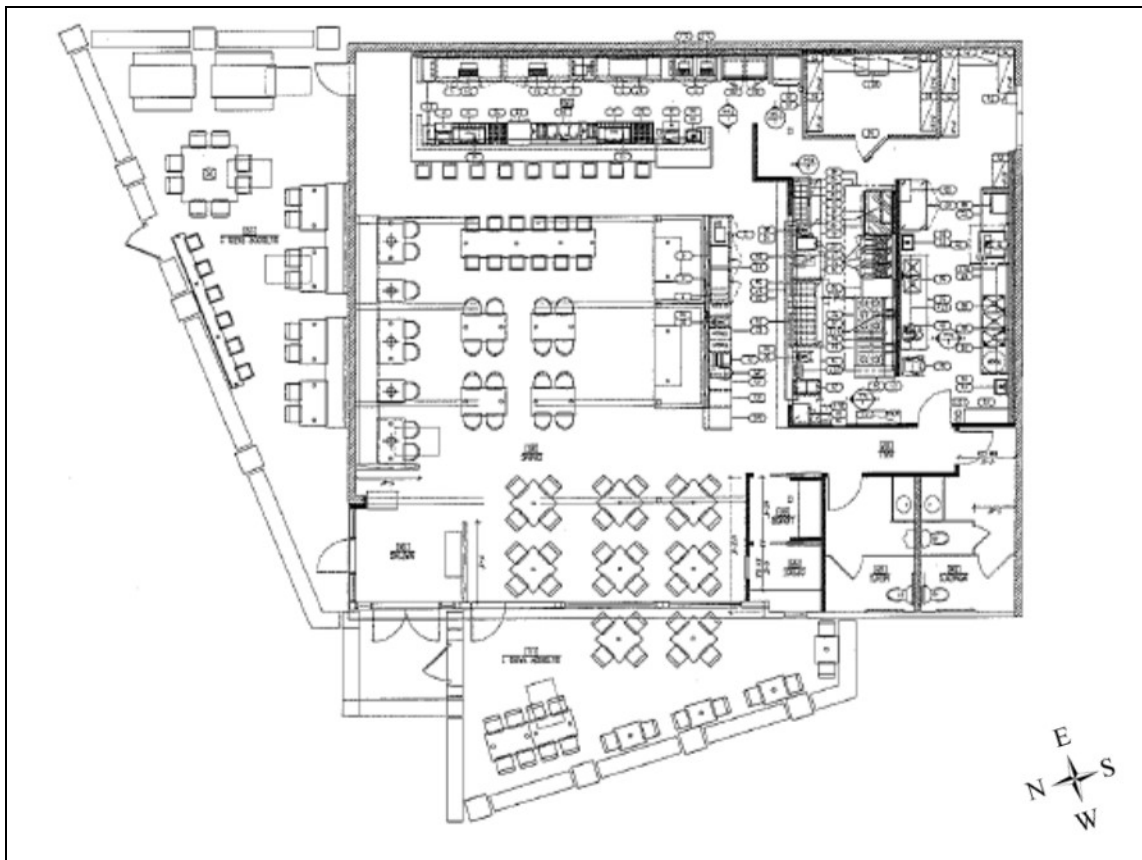
Figure 2: Project Site and Vicinity



PROPOSED PROJECT

The proposed hours of operation for both the indoor and outdoor seating for the restaurant would be: Monday through Wednesday 11 a.m.–11 p.m., Thursday and Friday 11 a.m.–1 a.m., Saturdays 10 a.m.–1 a.m., and Sundays 10 a.m.–9 p.m. The restaurant would also be open until 1 a.m. up to 10 times throughout the year for holidays and special occasions such as New Year's Eve or St. Patrick's Day that may not fall on a Thursday, Friday, or Saturday. The floor plan (Figure 3) illustrates the proposed seating. There would be approximately 90 seats indoors and 60 seats outdoors in the two outdoor dining areas. Food would be served during all hours of operation with a more limited menu offered after 10 p.m. (see Exhibit B for the menu). No music is proposed as part of this application.

Figure 3: Floor Plan



Please see the attached site plan, floor plan, and narrative (Exhibit B) for additional information on the proposed use.

ANALYSIS

Conditional uses are those uses which, by their nature, require special consideration so that they may be located properly with respect to the objectives of the Municipal Code and their effects on surrounding properties. In order to achieve these purposes, the Planning Commission is empowered to approve, conditionally approve, or deny applications for use permits. As noted, the Downtown Hospitality Guidelines are intended to minimize the impacts

of the proposed use on neighboring uses; with compliance allowing for expedited CUP application processing and review.

Land Use

The proposed use is located in a commercially zoned area of downtown Pleasanton, containing mixed land uses including retail, office, hotel, and residential uses. The closest residentially zoned property is located approximately 290 feet east across First Street and is separated from the proposed restaurant by a City parking lot, a two-story commercial building, and First Street itself. Because many existing residences are located in or near the commercially zoned part of downtown, there is sensitivity to the potential for land use conflicts. In particular, commercial uses may have “spill-over” effects on neighboring residents due to parking, hours of operation, noise, and similar issues. A proposed conditional use must be in accord with the objectives of the Zoning Ordinance, which include to “promote the stability of existing land uses that conform to the General Plan and to protect them from inharmonious influences and harmful intrusions.”

The Downtown Hospitality Guidelines were crafted with consideration of the specifics of restaurant and bar operations, and seek to achieve a balance between maintaining the quality of life for downtown residents, and the objective of having a vibrant downtown, with businesses and activities that draw people to the area both during the day and at night. A key strategy to achieve that balance is the Guidelines’ operational standards for restaurants or bars serving alcohol after 11 p.m., or using music, compliance with which allows for expedited review and approval. The proposed project would be required to comply with these various standards, which are incorporated into the recommended conditions of approval for this application (Exhibit A). In addition, the application has also been reviewed by the Pleasanton Police Department which has included additional security conditions of approval to ensure public safety.

Noise

At this time, the applicant is not proposing any music as part of the restaurant operations. Therefore, patrons’ voices would be the main noise source at the subject site. As outlined above, both indoor and outdoor areas would operate Monday - Wednesday from 11 a.m.–11 p.m., Thursday and Friday 11 a.m.–1 a.m., Saturdays 10 a.m.–1 a.m., and Sundays 10 a.m.–9 p.m. The restaurant could stay open until 1 a.m. on up to ten other days throughout the year.

The proposed use would be subject to conditions of approval prescribed by the Downtown Hospitality Guidelines, such as keeping windows and doors closed when not being used for ingress/egress. In addition, as conditioned, the proposed use would need to comply with the city’s noise regulations. Given these requirements, and the relatively large distance between the restaurant and the nearest residential uses, staff believes that noise from the bar would not negatively impact adjacent uses.

Parking

For property zoned C-C and located within the Downtown Revitalization District, the Municipal Code does not require any additional parking for a change in use or extended hours of operation. Parking for the restaurant is provided in the subject site’s parking lot, and on-street parking is also available. In addition, the subject site is directly adjacent to the public parking

lot within the former railroad right-of-way. Staff believes that the subject site’s 26-space parking lot, adjacent public parking lot, and nearby on-street parking would provide adequate parking for the proposed use. Should parking-related problems occur, staff has included a condition of approval which allows the Director of Community Development to refer the CUP back to the Planning Commission for possible mitigation measures.

ALTERNATIVES

As outlined in the above analysis, staff believes the use, as proposed and conditioned, would be compatible with the surrounding businesses and would not detrimentally affect the surrounding uses or properties and recommends the Planning Commission approve the project. However, alternatives to the proposal that could be considered by the Planning Commission include:

1. Denial of the application. Such an action would not preclude the establishment of a new restaurant, but would preclude the applicant from serving alcohol past 11 p.m.; or
2. Approval of the application with modifications. The Planning Commission could approve the CUP, but with modified hours of operation, or with other changes to the proposal.

SUMMARY OF PROS/CONS OF PROJECT

PROS	CONS
Allows increased vitality in a manner compatible with downtown residents and allowing for adequate public safety.	May create additional traffic, parking, and noise at or near the project site, but impacts would not be adverse.
Adds to the business mix downtown and provides more opportunities for nightlife that’s reflective of the community’s desire.	
Consistent with Downtown Hospitality Guidelines	

PUBLIC NOTICE

Notice of this application was sent to surrounding property owners and tenants within a 1,000-foot radius of the site. Staff has provided the location and notification map as Exhibit C for reference. In addition, the proposal was referred to the Pleasanton Downtown Association for review. The PDA passed a motion supporting the subject application. At the time this report was published, staff received no comments or concerns.

ENVIRONMENTAL ASSESSMENT

This project is categorically exempt (Section 15301, Existing Facilities, Class 1) from the requirements of the California Environmental Quality Act (CEQA). Therefore, no environmental document accompanies this report.

CONCLUSION

Staff believes that the required CUP findings for the project can be met if the project is approved as conditioned. Conditions of approval have been included which will ensure that the safety and general welfare of the surrounding area is maintained, while minimizing spillover effects related to noise and parking. Staff is of the opinion that the proposed restaurant would enhance the

vitality of the downtown with a new dining option offering later opening hours for downtown patrons, in an appropriate location.

Staff Planner: Jennifer Hagen, Associate Planner, 925-931-5607 or jhagen@cityofpleasantonca.gov

Reviewed/Approved By:

Steve Otto, Senior Planner

Ellen Clark, Planning Manager

Gerry Beaudin, Director of Community Development