



## Legislation Details (With Text)

**File #:** 21-1177 **Version:** 1 **Name:**  
**Type:** Consent Calendar **Status:** Filed  
**File created:** 8/24/2021 **In control:** Planning Commission  
**On agenda:** 9/22/2021 **Final action:** 9/22/2021  
**Title:** Action on Use Permit for ABC License Type 47 for Happy Hooligans restaurant at 1686 Lafayette Street

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Development Plans, 2. Resolution Approving a Use Permit, 3. Conditions of Approval, 4. Applicant Letter of Intent

Date	Ver.	Action By	Action	Result
9/22/2021	1	Planning Commission	Read into the record	Pass

## REPORT TO PLANNING COMMISSION

### SUBJECT

Action on Use Permit for ABC License Type 47 for Happy Hooligans restaurant at 1686 Lafayette Street

### REPORT IN BRIEF

Project: Use Permit to allow on-site sale and consumption of alcoholic beverages (ABC Type 47 License) for a new Happy Hooligans restaurant at 1686 Lafayette Street.

Applicant: Kevin Young

Property Owner: Anne Doan

General Plan: Very Low Density Residential

Zoning: Thoroughfare Commercial (CT)

Site Area: 1,100sf restaurant on a 11,451sf lot

Existing Site Conditions: Existing commercial space with and surface parking lot

Surrounding Land Uses:

North: Single-family residences

South: Residential uses

East: Industrial uses

West: Residential uses

Issues: Consistency with the City's General Plan and Zoning Ordinance

Staff Recommendation: Adopt the resolution approving the Use Permit, subject to conditions of approval

### BACKGROUND

The applicant is requesting a Use Permit to allow on-site sale and consumption of alcohol (ABC

License Type 47) in a new Happy Hooligans restaurant at 1686 Lafayette Street. The restaurant occupies a 1,100 square foot commercial space at the southwest corner of Lafayette Street and Reeve Street. The restaurant will provide 12 indoor seats.

Happy Hooligans restaurant is a full-service vegan restaurant. The proposed restaurant hours of operation, along with the sale and service of alcohol, are from 11:30 am to 8:30 pm daily. Happy Hooligans restaurant does not propose any live entertainment uses at this location.

## **DISCUSSION**

### *Consistency with the General Plan*

The subject property has a General Plan designation of Very Low Density Residential. This classification is intended for residential densities of up to ten units per gross acre. Development is typically single family in scale and character, with a prevailing building type of single family detached dwelling units. Development in this classification maintains a feeling of suburban living with setbacks between structures, parking, large landscaped yards and tree lined streets. Although the proposed use is non-residential, the use is occurring within an existing restaurant structure, and therefore would be compatible with the existing development. The proposed project is consistent with the following General Plan policies:

- 5.3.1-P29: Encourage design of new development to be compatible with, and sensitive to, nearby existing and planned development, consistent with other applicable General Plan policies.
- 5.3.3 P1: Provide a mix of retail and commercial uses to meet the needs of local customers and draw patrons from the greater region.
- 5.3.4-P11: Foster active, pedestrian oriented uses at the ground level, such as retail shops, offices, restaurants with outdoor seating, public plazas or residential units with front stoops, in mixed use development.

### *Zoning Conformance*

The zoning designation for the subject property is Thoroughfare Commercial (CT). This district is primarily designed to provide for those commercial uses that are appropriate to major commercial thoroughfare. Restaurants are permitted uses, while sales of alcohol are considered conditional uses.

After six months from obtaining the ABC license, the City will conduct an administrative review of ABC violations and police service calls and report any significant occurrences to the Planning Commission. The Planning Commission will also conduct a review of the Use Permit 12 months from the date the applicant obtains the ABC Type 47 license.

### *Circulation and Parking*

The site can be accessed from Lafayette Street or Reeve Street. Restaurant uses require one parking space for each 200 square feet of floor area or one parking space for each three seats, whichever is greater. The restaurant currently has 12 indoor seats. The site has a total of 7 parking spaces that is shared with the liquor store on the same lot. The parking spaces provided onsite are consistent with the City's parking regulations.

### *Conclusion*

The proposal is consistent with General Plan policies and the Zoning designation for the subject

property.

### **ENVIRONMENTAL REVIEW**

The action being considered is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Class I Existing Facilities, in that the activity consists of the permitting of a proposed use that will occur inside an existing building involving negligible or no expansion of use.

### **FISCAL IMPACT**

There is no cost to the City other than administrative staff time and expense for the typically covered by processing fees paid by the applicant.

### **COORDINATION**

This report was coordinated with the City Attorney's Office.

### **PUBLIC CONTACT**

A notice of public hearing of this item was posted in three conspicuous locations within 300 feet of the project site and mailed to property owners within 300 feet of the project site. Planning Staff has not received public comments for this application.

### **RECOMMENDATION**

Adopt a resolution approving a Use Permit for the sale and consumption of alcohol (ABC License Type 47) in a new Happy Hooligans restaurant located at 1686 Lafayette Street, subject to conditions of approval.

Prepared by: Tiffany Vien, Assistant Planner I

Reviewed by: Alexander Abbe, Assistant City Attorney

Approved by: Reena Brilliot, Planning Manager

### **ATTACHMENTS**

1. Development Plans
2. Resolution Approving the Use Permit
3. Conditions of Approval
4. Applicant Letter of Intent