



EL SUR RESTAURANT USE PERMIT

ERICA ADAMS, PLANNING AND BUILDING

EL SUR USE PERMIT

The CMU-3 Zoning District requires a Use Permit to allow El Sur to add dine-in service to the existing catering kitchen and take out service.

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The Use Permit seeks approval of three elements

1. Dine in service
2. Off-Site Parking for the restaurant
3. A six-foot-high fence where a four-foot-high fence is required

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Granting of the Use Permit requires the following finding:

Per Section 8.126.050 of San Mateo County Ordinance Code, (Ordinance Code) a Use Permit issued by the Planning Commission must include a finding that the establishment, maintenance and/or conducting of the use will not, under the circumstances of the particular case, result in a significant adverse impact to coastal resources, or be detrimental to the public welfare or injurious to property or improvements in said neighborhood.

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Dine in service compliance with UP finding:

The use is consistent with the General Plan and zoning. The parcel is zoned of mixed-use development which allows commercial development to be near housing.

The hours of operation are consistent with the County Noise Ordinance and the project is consistent with other performance standards for a restaurant.

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Dine in service compliance with UP finding

The indoor dining, proposed at seven tables, would take place in the existing building, and has been reviewed by Environmental Health and by Menlo Park Fire for capacity standards, and has been approved with conditions.

Operation of the restaurant, as proposed, should not interfere with any of the surrounding businesses or uses.

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Dine in service compliance with UP finding

- Use is appropriate for site
- Use will not be detrimental to public welfare

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Off-Site Parking compliance with UP finding

- The combined uses in the restaurant, the catering kitchen, the take out service, and the dine in service, required 6 parking spaces. The applicant is providing 6 parking spaces on an adjacent parcel under common ownership.
- Parking demand for the catering services will involve early morning activity, and in most cases would not overlap with takeout or dine-in services. Peak take-out operations and dine-in services may have parking demands which overlap, but the length of time that parking is required by customers will vary, and it is anticipated that all parking demands would be met.

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Off-Site Parking compliance with UP finding

- The two parcels, are under common ownership and are operating in the same manner as if they were one parcel.
- The quantity and efficiency of the parking spaces is identical to what would be provided with on-site parking on a single parcel.
- The parking spaces are approximately 40-80 feet from the front door of the restaurant.
- There is no shared parking agreement with any other business with this proposal.

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Off-Site Parking compliance with UP finding

- The owner will sign an agreement with the County ensuring that the spaces remain dedicated to the use and acknowledging that any changes in ownership or access to the parking spaces may result in the termination of the Use Permit.

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Fence height compliance with UP finding

Per Section 8.332.040 of San Mateo County Ordinance Code, an exception to allow fences or hedges to exceed the height limits set forth in Section 8.332.010 by up to two (2) feet, can be granted provided that, following notification, no objection from the public is filed, public safety is not jeopardized, the fence enhances good design and site relationships, and is compatible with the neighborhood.

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Fence height compliance with UP finding

- The project includes an exception request to allow the 6-foot metal gate to remain around the parking area.
- The applicant stated the taller fence provides increased security, and the zoning-prescribed fence or wall could allow for graffiti and reduce safety associated with visibility for people going to their cars.

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Fence height compliance with UP finding

- The Department of Public Works has no concern about the existing fence along Middlefield Road, and staff has determined that the exception will be compatible with the neighborhood surrounding that parcel, as the fence does allow the public to see the parking area and is the fence will not be subject graffiti blight.



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