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Planning Commission Date: September 10, 2003 Item No.

MILPITAS PLANNING COMMISSION AGENDA REPORT

Category: Public Hearing Report prepared by: Staci Pereira

Public Hearing: Yes: __X__ No: _____

Notices Mailed On: 8-29-03 Published On: 8-28-03 Posted On: 8-29-03

TITLE:	**USE PERMIT NO. P-UP2003-29**
Proposal:	Request for a new, 48-seat restaurant (Hai Noodle) without providing seven (7) required parking.
Location:	275 West Calaveras Boulevard (APN 22-25-042)
RECOMMENDATION:	**Approval with conditions.**
Applicant:	Hai Ho, 7 Heath Street, Milpitas, CA 95035
Property Owner:	Lisa (Fong) Lo, P.O. Box 5161, Redwood City, CA 94063
Previous Action(s):	"S" Zone approval and amendments, use permits approvals and amendments
Environmental Info:	Exempt
General Plan Designation:	General Commercial
Present Zoning:	General Commercial
Existing Land Use:	Shopping center
Agenda Sent To:	Applicant and property owner
Attachments:	Site plans, letter of description from the applicant
PJ No.	2336

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BACKGROUND

The Calaveras Plaza development was granted "S" Zone approval by the Planning Commission in 1976. Since then, amendments to the approval have been obtained, including modifications to architectural elevations, sign, parking lot re-striping and gates. In 1995, the Planning Commission approved a parking lot re-striping that resulted in 431 parking spaces. A more recent re-striping reduced the parking supply to 418 spaces and the approval of Use Permit No. P-UP2003-24 approved the removal of 2 parking spaces for a new trash enclosure resulting in 416 total parking spaces on-site. Numerous use permits have also been approved for various projects within the plaza and more recently for the expansion of several restaurants that included parking reductions.

Site Description

The Calaveras Plaza is a neighborhood shopping center with two relatively large tenants (Save Mart and Kinko's) along with several smaller retail tenants, restaurants and two freestanding buildings (Burger King and Citibank). The 7.63-acre site contains approximately 75,000 square feet of retail space and is situated on four parcels. The site is located north of West Calaveras Boulevard and west of Butler Street. To the north and west of the shopping center are single-family residential uses. To the south is the Serra Center and other retail uses. The tenant space is located in the former bank (Cal-Fed, Citibank) building that fronts Calaveras Boulevard.

In the past there have been noise, odor and garbage problems associated with various restaurants in the shopping center. Past problems included improper food disposal, improper storage of garbage, odor problems and noise from garbage pickup and truck deliveries. Have been taken to rectify the problem including the installation of an "Odorestor" device to control odors and construction of a new fence to help suppress noise. More recent approvals have required new trash enclosures that will also assist in controlling the odor and garbage issues.

THE APPLICATION

The application is submitted pursuant to Section 19.03-36 (General Commercial, Conditional Uses, Restaurants), Section 57.02-18 (Conditional Uses, Permit the modification of automobile parking space requirements), and Section 57 (Use Permits) of the Milpitas Zoning Ordinance.

The applicant is requesting approval to convert 2,078 square feet tenant space (formally occupied by a bank) into a 48-seat restaurant (Hai Noodle Restaurant). The restaurant would offer all types of noodles, vegetables, seafood and beverages, including coffee and tea. No alcoholic beverages would be served. The hours of operation proposed are from 9:00 AM to 10:00 PM, Monday through Sunday. The layout for the proposed restaurant would include a kitchen, restrooms, an office and storage facilities at the southwest end of the space with a dining area consisting of 48 seats at the north and northwest side of the tenant space.

Conformance with the General Plan

The proposed project complies with the City's General Plan in terms of land use. The proposed use does not conflict with any General Plan Principles and Policies, and is consistent with Implementing Policy 2.1-I-3, which encourages economic pursuits that will strengthen and

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promote development through stability and balance. It is also consistent with Policy 2.a-I-6, which endeavors to maintain a balanced economic base that can resist downturns in any one economic sector.

Conformance with the Zoning Ordinance

The proposed project is located in the General Commercial Zoning "C2" District. The project is consistent with the district's purpose and intent in that it complements the essential residential character of the area and provides the day-to-day shopping needs of the residential neighborhood by providing a restaurant within close proximity to homes and in that the district permits such uses with a Use Permit.

ISSUES

Parking

When the building was constructed, parking was provided at a ratio of 1 space per 200 square feet given a retail use. Based on the proposed tenant space size of 2,078 square feet, this space has 10 parking spaces allocated to it. The proposed project requires 16 spaces for the 48 seats (1 space per 3 seats) plus an additional space for employees (10 % of total spaces required). Therefore, the 17 spaces required for the project exceeds the 10 spaces allotted to the tenant space and a parking reduction of 7 spaces would be necessary.

A parking study performed by PH Associates in February 2003 revealed that during the highest peak period (12-2 PM) the shopping center had 140 vacant parking spaces. The Planning Commission recently approved parking reductions for restaurant expansions to Anh Hong Saigon (9), King Crab (25), and Tofu House (6) and the removal of 2 spaces for a new trash enclosure for bank building in the shopping center. Since none of the above-mentioned expansions have occurred the occupancy of the parking lot can be assumed to be the same when the study was performed. Therefore, with 42 parking approved for reduction, staff concludes that there is currently enough capacity (approximately 98 vacant spaces) to accommodate the 7-space parking reduction for the proposed project.

Odors & Solid Waste

The building that the tenant proposes to locate in does not currently have access to a nearby garbage enclosure. When the space was used for a bank, garbage was stored in the building and then moved out for pickup. The Planning Commission recently approved a use permit for a restaurant (Lee's Sandwiches) in the western half of the subject building which required the construction of a new trash enclosure. The applicant of the proposed project would be required to construct this trash enclosure should Lee's Sandwiches fail to do so. ***Staff recommends*** a condition of approval to ensure that a trash enclosure is constructed and fully operable at the time of the applicant's certificate of occupancy.

Conformance with the Midtown Specific Plan

The proposed project triggers Midtown Design Standards and Guidelines as it is expanding the existing tenant spaces' parking by more than 50% (10 allocated, 17 required). However, the

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King Crab building expansion approved by the Planning Commission on June 11, 2003 was conditioned to provide exterior building and site upgrades to the entire shopping center that are consistent with the Midtown Design Standards and Guidelines. The applicant for King Crab has recently submitted building permit plans to the City for the upgrades, which are currently being reviewed by staff. However, to ensure these improvements are constructed (e.g. King Crab withdraws their proposal to expand), ***staff recommends*** a condition of approval requiring the site upgrades below to be constructed prior to issuance of the applicant's certificate of occupancy. Once these improvements are installed the proposed project would be in conformance with the Midtown Specific Plan for an existing development.

- **Section A.3.a (Parking Areas):** Trees for surface parking lots should be installed at a ratio of 1 tree for every 3 perimeter spaces and 1 tree for every 6 interior parking spaces.

- **Section A.3.j (Parking Areas):** Broadleaf and deciduous trees should be used.

- **Section C.3.a (General Planting Guidelines):**
  - Use of native and drought-tolerant plant materials.
  - Mulched planting beds as a replacement for turf areas, including the use of bark chips, wood grinding or leaves.
  - Landscape plantings shall be grouped according to water needs.
  - An automatic water system utilizing low volume drip, spray or bubbler emitters will be installed to efficiently water landscape areas.

- **Section D.3.d (Large Floorplate retail):** Continuous sidewalks should be provided from the primary street directly to the doorway. The applicant has designed and implemented a new pedestrian path that leads from Calaveras Boulevard to the King Crab entrance. The new walkway will include special concrete stamping to identify it as a walkway.

Conformance with CEQA

The proposed project is categorically exempt from further environmental review pursuant to Class 1, Section 15301 ("Existing Facilities"—"... permitting, ... licensing ... of existing ... private structures ... involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination") of the California Environmental Quality Act (CEQA) Guidelines.

Neighborhood/Community Impact

The proposed restaurant is expected to have a positive community impact by providing a complementary use to the existing retail uses currently located in the shopping center. In addition, the project will incorporate revisions that will minimize any solid waste or odor concerns that may arise. Staff concludes that the restaurant as conditioned, will not negatively impact the surrounding neighborhood.

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RECOMMENDATION

Close the Public Hearing. Approve the Use Permit No. P-UP2003-29, based on the Findings and Special Conditions of Approval listed below.

FINDINGS

1. The proposed project is consistent with the General Plan in terms of land use and Policies 2.a-I-6 and 2.1-I-3, which encourage economic pursuits that strengthen and promote development and that can resist downturns in any one economic sector.
2. The proposed project, as conditioned, is consistent with the intent of the General Commercial "C2" District in that it complements the essential residential character of the area and provides the day-to-day shopping needs of the residential neighborhood by providing a restaurant within close proximity to homes and in that the district permits such uses with a Use Permit.
3. The proposed project, as conditioned, is consistent with the applicable Midtown Design Guidelines and Development Standards in terms of landscaping and pedestrian connection site improvements.
4. The proposed use, as conditioned, is not expected to generate an increase in noise levels and, as conditioned, is not anticipated to affect parking and traffic, or generate odors or health and safety hazards impacting the surrounding area or nearby residential neighborhoods and therefore will not be detrimental or injurious to the public health, safety and general welfare.
5. The proposed project is categorically exempt from further environmental review pursuant to Class 1, Section 15301 (Existing Facilities) of the State CEQA Guidelines.

SPECIAL CONDITIONS

1. Use Permit No. P-UP2003-29 is for an approximate 2,078 square foot, 48-seat restaurant without providing 7 additional parking spaces as shown on approved plans dated September 10, 2003, except as may be otherwise modified by these conditions of approval. Modifications to the proposed use may require review and approval by the Planning Commission of an amendment to this Use Permit. (P)
2. The maximum approved seating for this restaurant is 48 indoor seats unless it is determined at time of building permit review that the Building and Life Safety Codes allow fewer seats. Prior to issuance of a certificate of occupancy for this use, a sign measuring at least 8½ inches by 11 inches, with a lettering height of at least 3 inches, shall be placed in a conspicuous location near the restaurant front entrance stating "Maximum dining room seating: 48, as per Use Permit No. P-UP2003-24 granted by the Planning Commission on September 10, 2003." (P)
3. All roof-top equipment shall be shielded from view in a manner to the approval of the Planning Commission or its designee as specified in Section XI-10-42.10-2 of the Milpitas Municipal Code. Prior to the issuance of any permit for any roof-top equipment which projects above the height of any existing parapet wall or screen, detailed architectural plans

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for the screening of this equipment and/or line-of-sight view analysis demonstrating that the equipment will not be visible from surrounding view points shall be reviewed and approved as specified in Section XI-10-42.10-2 of the Milpitas Municipal Code, in order to assure the screening of said equipment is in keeping with and in the interest of good architectural design principles. (P)

4. This use shall be conducted in compliance with all appropriate local, state and federal laws and regulations. (P)

5. Prior to building permit issuance, the applicant shall submit tenant improvement plans that incorporate a scrubber or carbon filter, or similar equipment, on the roof or vent to control odors. The equipment shall be screened from view to the approval of the Planning Division and reflected on the tenant improvement plans. (P)

6. Should the applicant propose a new trash enclosure (per Condition of Approval No. 18), Planning staff shall review plans to ensure the proper location and that the enclosure complements the architecture and colors of the existing building. (P)

7. During any construction, the developer/applicant shall adhere to the following Best Management Practices (BMPs) as suggested in the Santa Clara Valley Non-point Source Pollution Control Program's "Best Management Practices for Industrial Storm Water Pollution Control": (P)

   a. Store building materials under cover or in enclosed areas.

   b. Before painting, spread a ground cloth to collect paint.

   c. Mix paint indoors before starting work.

   d. Keep paint buckets away from contact with storm water.

   e. Capture any paint spills before they flow into a storm drain.

   f. During painting cleanup use proper procedures and prevent paint from flowing into storm drains.

9. The business owner shall hold training sessions to instruct their employees on the proper procedures in the handling and disposal of food items; the general maintenance and use of the compactor and any other procedures that would assist the business in complying with all state and local health and sanitation standards (refer to the County of Santa Clara Department of Environmental Health at (408) 729-5155 for their guidelines). (P)

10. The business owner shall post signs (in English and in Vietnamese, Chinese, Filipino or Spanish) inside the premises for all employees, which identify procedures for the food delivery and disposing of garbage prior to the issuance of a certificate of occupancy. (P)

11. The preparation and storage of food is not permitted outside of the establishment. (P)

12. Washing of containers, equipment, and floor mats shall be conducted in the kitchen area so that wash water may drain into the sanitary sewer in perpetuity. (P)

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13. Prior to issuance of a certificate of occupancy, the business owner shall submit a report detailing a program assigning restaurant staff perpetual responsibility for complying with the following guidelines (P)

    g. Keep garbage dumpsters clean inside and out; replace dirty or leaking dumpsters with new, clean ones.

    h. Double or triple bag waste to prevent leaking.

    i. Place, do not drop or throw, waste-filled bags, to prevent leaking.

    j. Keep the ground under and around the garbage dumpsters swept.

    k. Sprinkle the ground lightly after sweeping with a mixture of water and a little bleach.

    l. It is expected that Best Management Practices for solid waste handling will advance over time, thus it is the expectation that the applicant will modify their practices in accordance with future standards.

14. Prior to certificate of occupancy issuance, the following Midtown improvements for landscaping and the pedestrian connection shall be constructed and in place. Should they fail to be constructed by King Crab, the applicant shall submit plans for review and approval by City staff for the following which must be approved and in place prior to the issuance of a certificate of occupancy: (P)

    - **Section A.3.a (Parking Areas):** Trees for surface parking lots should be installed at a ratio of 1 tree for every 3 perimeter spaces and 1 tree for every 6 interior parking spaces.

    - **Section A.3.j (Parking Areas):** Broadleaf and deciduous trees should be used.

    - **Section C.3.a (General Planting Guidelines):**
      - Use of native and drought-tolerant plant materials.
      - Mulched planting beds as a replacement for turf areas, including the use of bark chips, wood grinding or leaves.
      - Landscape plantings shall be grouped according to water needs.
      - An automatic water system utilizing low volume drip, spray or bubbler emitters will be installed to efficiently water landscape areas.

    - **Section D.3.d (Large Floorplate retail):** Continuous sidewalks should be provided from the primary street directly to the doorway. The applicant has designed and implemented a new pedestrian path that leads from Calaveras Boulevard to the King Crab entrance. The new walkway will include special concrete stamping to identify it as a walkway.

15. If at the time of application for building permit there is a project job account balance due to the City for recovery of review fees, review of permits will not be initiated until the balance is paid in full. (P)

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16. If at the time of application for a certificate of occupancy there is a project job account balance due to the City for recovery of review fees, a certificate of occupancy shall not be issued until the balance is paid in full. (P)

17. The issuance of building permits to implement this land use development will be suspended if necessary to stay within (1) available water supplies, or (2) the safe or allocated capacity at the San Jose/Santa Clara Water Pollution Control Plant, and will remain suspended until water and sewage capacity are available. No vested right to the issuance of a building permit is acquired by the approval of this land development. The foregoing provisions are a material (demand/supply) condition to this approval. (E)

18. Prior to occupancy permit issuance, a trash enclosure large enough to serve the proposed and any future tenants of the building shall be constructed and operable. Should Lee's Sandwiches fail to construct the trash enclosure, the applicant shall submit plans for review and approval by City staff prior to building permit issuance. The enclosure shall be designed per the Development Guidelines for Solid Waste Services. The proposed enclosure as shown on the plan is not acceptable; the enclosures doors must open up to the on-site vehicular travel path (E)

19. Property owner/manager shall be responsible for the trash collection and recycling services account for all the tenants of this property. Prior to occupancy permit issuance, the property owner/manager shall submit evidence to the City that the following minimum refuse and recycling services have been subscribed with BFI for commercial services:

    A. An adequate level of service for trash collection.

    B. An adequate level of recycling collection.

    C. Applicant shall maintain a tallow account inside the enclosure and keep the tallow bins clean, unless it is determined by the Engineering Utility Section not to be required. Please contact Leslie Stobbe at (408) 586-3352.

    After the applicant has started its business, BFI commercial representative shall determine the adequacy of the solid waste level of services. If services found to be inadequate, the property owner/manager shall increase the service to the level determined by the evaluation. For general information, contact BFI at (408) 432-1234, x-264. (E)

20. The applicant shall submit a Sewer Needs Questionnaire and/or Industrial Waste Questionnaire with the building permit application and pay the related fees prior to Building Permit issuance by the Building Division. Contact the Land Development Section at (408) 586-3329 to obtain the form(s). (E)

Planning Division = (P)
Engineering Department = (E)

NOTES TO THE APPLICANT

The following notes pertain to administration of the City codes and ordinances that are not part of the Zoning Ordinance regulations. The applicant shall not consider these notes as approval

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from any Department. Additional requirements may be made prior to permit issuance. These notes are provided to assist in the permit process if approval is granted.

BUILDING DIVISION [For further information regarding the following notes please contact Veronica Valenti at (408) 586-3241]

1. It is mandated to obtain a business license and certificate of occupancy prior to operating a business.
2. Dining room shall be classified Group A, Division 3 occupancy per 2001 CBC, Section 303.1.1. In the assembly occupancy doors shall swing in the direction of exit per 2001 CBC, Section 1003.3.1.5. Exit doors from the assembly occupancy shall be provided with panic hardware per Section 1007.2.5 and exit signs per Section 1003.4.3.
3. For people with disabilities accessible parking shall be provided per 2001 CBC, Section 1129.B.1. Accessible parking spaces shall be dispersed and located closest to the accessible entrances. One in every eight accessible parking spaces shall be " van accessible ", but not less than one per Section 1129 B.4.2.
4. Accessible route of travel shall be provided to all entrances and ground floor exits.
5. Accessibility signs shall be provided at every primary public entrance, at every major junction along or leading to an accessible route of travel and at building entrance that are accessible per 2001 CBC, Section 1127B.3.
6. All primary entrances and required exit doors shall be accessible to people with disabilities per 2001 CBC, Section 1114.B.1.3.
7. Food preparation areas shall be accessible to people with physical disabilities per 2001 CBC Section 1104B.5.8 and food services aisles and tableware areas per Section 1104B.5.5 and Section 1104B.5.6, accordingly.
8. All sanitary facilities to be used for public-use and common use shall be fully accessible to people with disabilities per 2001 CBC, Section 1115B.2. The number of plumbing fixtures shall be per 2001 CBC appendix, Chapter 29, Table A-29-A and California Plumbing Code, Table 4-1(water closet, lavatory, urinary and drinking fountain).
9. Counters provided for the public and in general employee area must be accessible at least 5%, but not less than one counter (36 in. long) and no more than 28 to 34 inches high per 2001 CBC, Section 1122B.
10. Submit plans to the Santa Clara County Department of Public Health, San Jose, CA, (phone 408-265-2600) for review and approval. Plans must also be submitted by the applicant to the County Water Pollution Control for review and approval prior to issuance of a building permit, San Jose, CA (phone 408-945-5300).

ENGINEERING DIVISION [For further information regarding the following notes please contact Robert Wang at (408) 586-3327]

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1. It is the responsibility of the applicant to obtain any necessary encroachment permits from affected agencies and private parties. Copies of these approvals or permits must be submitted to the City of Milpitas Engineering Division.
2. If necessary, the applicant shall obtain required industrial wastewater discharge approvals from San Jose/Santa Clara Water Pollution Control Plant (WPCP) by calling WPCP at (408) 942-3233.
3. If the existing services (water, sewer and storm) are not adequately sized to serve this additional development, plans showing new services must be submitted and approved prior to building permit issuance.
4. Prior to building permit issuance, the applicant must pay all applicable development fees, including but not limited to, plan check and inspection deposit.
5. The developer shall call Underground Service Alert (U.S.A.) at (800) 642-2444, 48 hours prior to construction for location of utilities.
6. The U.S. Environmental Protection Agency (EPA) has empowered the San Francisco Bay Regional Water Quality Control Board (RWQCB) to administer the National Pollution Elimination Discharge System (NPDES) permit. The NPDES permit requires all dischargers to eliminate as much as possible pollutants entering our receiving waters. Contact the RWQCB for questions regarding your specific requirements at (800) 794-2482. For general information, contact the City of Milpitas at (408) 586-3329.
7. The Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) under the National Flood Insurance Program shows this site to be in A Special Flood Hazard Area, Zone AE. The proposed work to the existing structure is considered a non-substantial improvement and the zone designation is given for information only.
8. Per Chapter 200, Title V of Milpitas Municipal Code (Ord. No. 48.7) solid waste enclosures shall be designed to limit the accidental discharge of any material to the storm drain system. The storm drain inlets shall be located away from the trash enclosures (a minimum of 25 feet). This is intended to prevent the discharge of pollutants from entering the storm drain system, and help with compliance with the City's existing National Pollution Discharge Elimination System (NPDES) Municipal permit.
9. Any proposed grease traps shall be located outside of the City right-of-way and easement.

FIRE DEPARTMENT [For further information regarding the following notes please contact Jaime Garcia at (408) 586-3369]

1. Submitted drawings are not reviewed nor approved for fire permits and construction. These notes are provided to assist with the Fire Department permit process.
2. Fire safety during construction, alteration or demolition of the building shall meet the requirements of Article 87, California Fire Code (CFC).

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3. Portable fire extinguishers shall be installed in occupancies and locations as set forth in the code, California Code of Regulations Title 19, Division 1, and Chapters 1 and 3 and as required by the Milpitas Fire Chief. Section 1002.1, CFC.
4. A ventilating hood and duct fire extinguishing system shall be provided in accordance with the Mechanical Code for commercial-type food heat-processing equipment that produces grease-laden vapors. Section 1005, CFC.
5. An approved automatic fire-extinguishing system shall be provided for the protection of commercial-type cooking equipment. Section 1005.2, CFC.
6. A fire extinguisher listed and labeled for Class K fires shall be installed within 30 feet of commercial food heat-processing equipment, as measured along an unobstructed path of travel, in accordance with California Code of Regulations, Title 19, Division 1, Chapter 3. Section 1005.2.7, CFC.
7. Shop drawings shall be submitted for the hood and duct fire suppression system (by a licensed installer) to the Fire Department for review and approval prior to start of installation. Section 1001.3, CFC.
8. Alterations to the automatic fire sprinkler system and/or the fire detection system requires drawings to be submitted to the Fire Department for review and approval prior to alteration. Section 1001.3, CFC.
9. For new trash enclosure, combustible rubbish kept or accumulated within or adjacent to a building shall be stored in approved containers or in rooms or vaults constructed of noncombustible materials. Section 1103.2.1.2, CFC.
10. For new trash enclosure, dumpsters and containers with an individual capacity of 1.5 cubic yards or more shall not be stored in buildings or places within 5 feet of combustible walls, openings or combustible roof eave lines unless area is protected by an approved automatic sprinkler system. Section 1103.2.2, CFC.
11. The use of candles and other open-flame decorative devices in places of assembly and drinking or dining establishments shall be in accordance with Section 1109.8, CFC.
12. Drapes, hangings, curtains, drops, and other decorative material, including Christmas trees, that would tend to increase the fire and panic hazard, shall be made from material which is not flammable material or shall be treated and maintained in a flame-retardant condition by means of flame-retardant solution or a process approved by the chief. Section 2501.5, CFC.
13. When required by the Chief, a plan indicating the seating arrangement, location and width of exit ways and aisles shall be submitted for approval, and an approved copy of the plan shall be kept on display on the premises. Section 2501.14, CFC.
14. A building housing Group A occupancies shall front directly on a public street or an exit discharge not less than 20 feet in width. The exit discharge to the public street shall be a minimum 20-feet-wide right-of-way, unobstructed and maintained only as access to the public street. Provide a clean and unobstructed 20 feet wide exit discharge from the main entrance to the public street. No parking is permitted in the area designated as exit discharge. Section 303.3, California Building Code.

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15. Required means of egress shall be provided with a continuous, unobstructed and undiminished path of exit travel from any occupied point in a building to a public way. Section 1001.1, California Building Code.
16. The minimum clear aisle width shall be 36 inches where seats, tables, counters, furnishings, displays and similar fixtures or equipment are placed on one side of the aisle only and 44 inches when such fixtures or equipment are placed on both sides of the aisle. Section 2501.9.2, CFC.
17. Exit doors from Group A occupancies shall not be provided with a latch or lock unless it is panic hardware. Section 2501.8.2, California Fire Code.
18. Any room (or area) having an occupant load of 50 or more where fixed seats are not installed, and which is used for assembly purpose, shall have the capacity of the room posted in a conspicuous place on an approved sign near the main exit from the room. Posting shall be by means of a durable sign having contrasting color from the background to which it is attached. Section 2501.16, CFC.
19. Exit doors shall swing in the direction of exit travel when serving any hazardous area or when serving an occupant load of 50 or more. Section 1207.2, CFC.
20. Provide exit signs. Exit signs conforming to the requirements of the California Building Code shall identify the path of exit travel to and within exits in a building. Section 1212, CFC.
21. Graphics, illuminations, and power supply of exit signs shall be in accordance with Sections 1212.3, 1212.4, 1212.5, CFC.
22. The means of egress shall be illuminated at any time the building is occupied with light intensity of not less than 1-foot candle at the floor level. In the event of a failure, illumination shall be automatically provided from an emergency system such as storage batteries or on-site generator set and should be installed in accordance with the National Electrical Code. Sections 1003.2.9.1 and 1003.2.9.2 California Building Code, and Section 1211, CFC.
23. The maximum flame-spread class of finish materials used on interior walls and ceilings shall be per Section 804.1, California Building Code.
24. No approval for any hazardous materials under this review.
25. Complete plans and specifications for all aspects of Fire-Protection systems shall be submitted to the Fire Department for review and approval prior to system installation. Section 901.2.2 and 1001.3, California Fire Code.

PROJECT DESCRIPTION

Hai noodle restaurant is requesting use permit approval for the use of a restaurant at an existing bank building located at 275 West Calaveras Blvd. The area of the space is 2,078 square feet, will seat approximately 48 people, the menu includes, all types of noodle soup, plate rice with beef, mixed vegetables, and sea food, etc., coffee and tea and soft drinks will also be served. The hours of operation will be from 9am to 10 pm and will be open 7 days a week.

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CERTIFICATE OF COMPLIANCE — Part 1 of 2 — ENV-1

LEE'S SANDWICH	7-7-2003
275 CALAVERAS BLVD., MILPITAS, CA	Building Permit #
EDDY SHEN	(408)745-6531
L.R.S	(408)745-6531

7-7-2003 — 2,078 SQ.FT.

BUILDING TYPE: ☒ NONRESIDENTIAL ☐ HIGH RISE RESIDENTIAL ☐ HOTEL/MOTEL GUEST ROOM

TYPE OF CONSTRUCTION: ☐ NEW CONSTRUCTION ☐ ADDITION ☒ ALTERATION ☐ UNCONDITIONED (Go Area)

TYPE OF BUILDING: ☐ COMPLIANCE ☐ OVERALL ENVELOPE ☐ PERFORMANCE

This Certificate of Compliance lists the building features and performance specifications needed to comply with Title 24, Parts 1 and 6 of the California Code of Regulations. This certificate applies only to building envelope requirements.

The documentation preparer hereby certifies that the documentation is accurate and complete.

EDDY SHEN		C-13717	

The Principal Envelope Designer hereby certifies that the proposed building design represented in this set of construction documents is consistent with the other compliance forms and worksheets, with the specifications, and with any other calculations submitted with this permit application. The proposed building has been designed to meet the envelope requirements contained in sections 110, 116 through 118, and 140, 141, 143 or 148 of Title 24, Part 6.

Please check one:

- ☒ I hereby affirm that I am eligible under the provisions of Division 3 of the Business and Professions Code to sign this document as the person responsible for its preparation; and that I am licensed in the State of California as a civil engineer, mechanical engineer, or I am a licensed architect.
- ☐ I affirm that I am eligible under the exemption in Division 3 of the Business and Professions Code by Section 5537.2 or 6737.3 to sign this document as the person responsible for its preparation; and that I am a licensed contractor performing this work.
- ☐ I affirm that I am eligible under Division 3 of the Business and Professions Code to sign this document because it pertains to a structure or type of work described as exempt pursuant to Business and Professions Code Sections 5537, 5538 and 6737.1.

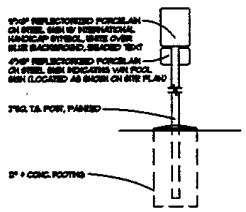
EDDY SHEN		C-13717	

Indicate location on plans of Note Block of Mandatory Measures: N/A

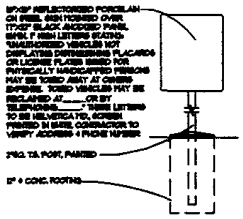
For detailed instructions on the use of this and all Energy Efficiency Standards compliance forms, please refer to Residential Manual published by the California Energy Commission.
ENV-1: Required on plans for all submittals. Part 2 may be incorporated in schedules on plans.
ENV-2: Used for all submittals, choose appropriate version depending on method of envelope compliance.
ENV-3: Optional, this if detail U-factors are not used. Choose appropriate version for assembly U-factors to be calculated.

Prescriptively Compliant Form — January 2001

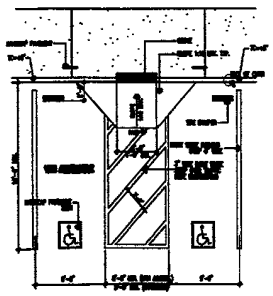
ENVELOP COMPLIANCE — NTS 2



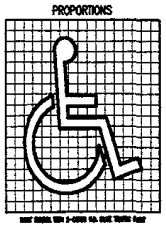
HANDICAP PARKING SIGN (E) — NTS 8



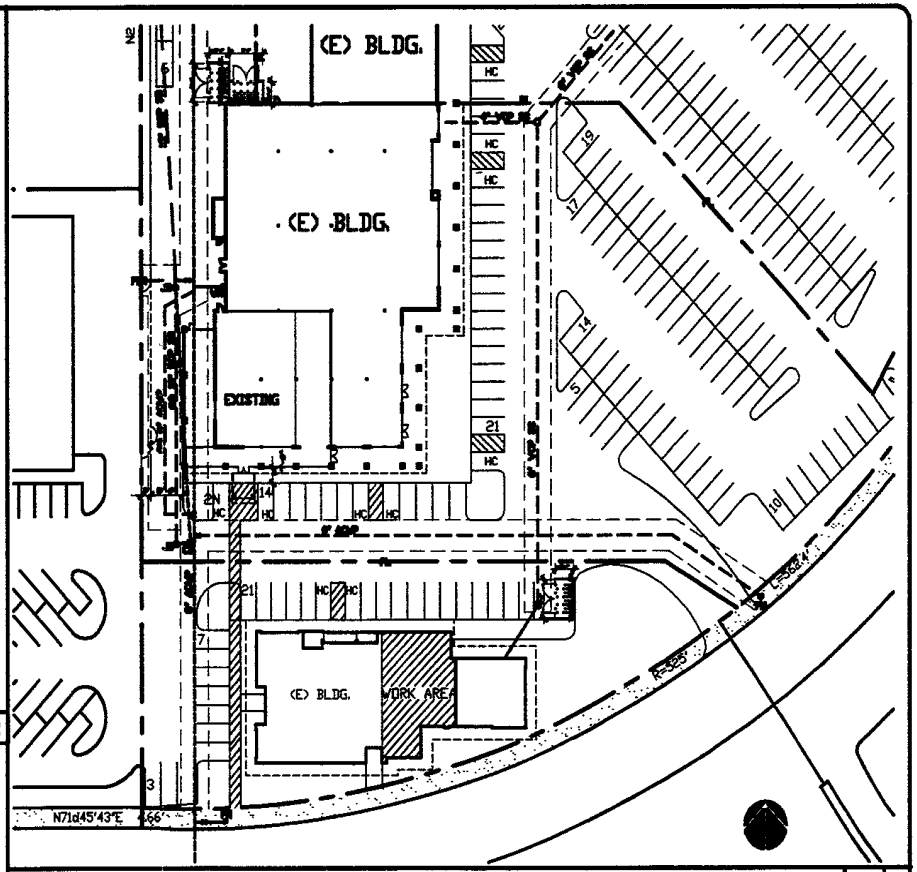
TOW-AWAY SIGNAGE (E) — NTS 6



HANDICAP PARKING (E) — NTS 9



HC SIGN (E) — NTS 7



SITE PLAN — 30' 1

SCOPE OF WORK:

TENANT IMPROVEMENT FOR SANDWICH SHOP

SITE AREA:	4.45 / 38,000	ACRES / SQ. FT.
BUILDING AREA: 1.		SQ. FT.
2.		SQ. FT.
TOTAL	7,035	SQ. FT.
AREA OF THIS IMPROVEMENT:	2,078	SQ. FT.
BUILDING COVERAGE:		%
PARKING REQUIRED:	(E)28	CARS
PARKING PROVIDED	(E)28	STANDARD STALLS
	2	HANDICAP STALLS
	–	COMPACT STALLS
TOTAL		STALLS
PARKING RATIO:	(E)1/227	%
PAVED AREA:	[illegible]	SQ. FT.
PAVING COVERAGE	[illegible]	%
LANDSCAPE AREA:	[illegible]	SQ. FT.
LANDSCAPING COVERAGE:	[illegible]	%
TYPE OF CONSTRUCTION:	VB	
OCCUPANCY	B	
USE ZONE	[illegible]	
FIRE SPRINKLER SYSTEM	[illegible]	
U.B.C	[illegible]	
U.F.C	[illegible]	
U.P.C	[illegible]	
U.M.C	[illegible]	
TITLE 24 HANDICAP CODE	[illegible]	
UMC	2000	UMC-2001

TABULATION — NTS 5

1. Dimensions marked * are flexible and can change as required to fit. Dimension not so marked shall take precedence over dimensions.
2. Report any discrepancies in dimensions to Architect for clarification.
3. All areas to be sprinklered, dump ℄, ordinary hazard, (NFPA) piping plans to be submitted to City for approval by sprinkler contractor.
4. Exit doors shall be operable from the inside without the use of a key or any special knowledge or effort, etc. If the door is readily distinguishable as leading to a hazardous area, it shall be provided with a durable, conspicuous sign with at least 1" lettering stating "this door to remain unlocked during business hours."
5. All walls not attached to roof structure shall be braced to roof structure at 8'-0" o.c. with metal clips at 48" centers.
6. Do not connect to, or suspend any hvac from roof diaphragm unless approved by Architect.
7. Exits shall be illuminated at all times when the building is occupied. Signs shall have a light level of not less than one foot candle at floor level.
8. Exit signs and exit illuminations shall be on separate circuits, in which each shall be controlled independently.

GENERAL NOTES — NTS 3

DRAWING INDEX — NTS 4

ARCHITECTURAL

A-1 SITE PLAN, TABULATION, NOTES, VICINITY MAP, & DETAILS
A-2 FLOOR PLAN & EQUIPMENT SCHEDULES

REVISIONS

HAI NOODLES

275 WEST CALAVERAS BLVD.
MILPITAS, CALIFORNIA 95035

LRS ASSOCIATES
ARCHITECTURE AND PLANNING
[illegible] CALIFORNIA [illegible] (408) [illegible]
FAX (408) [illegible]

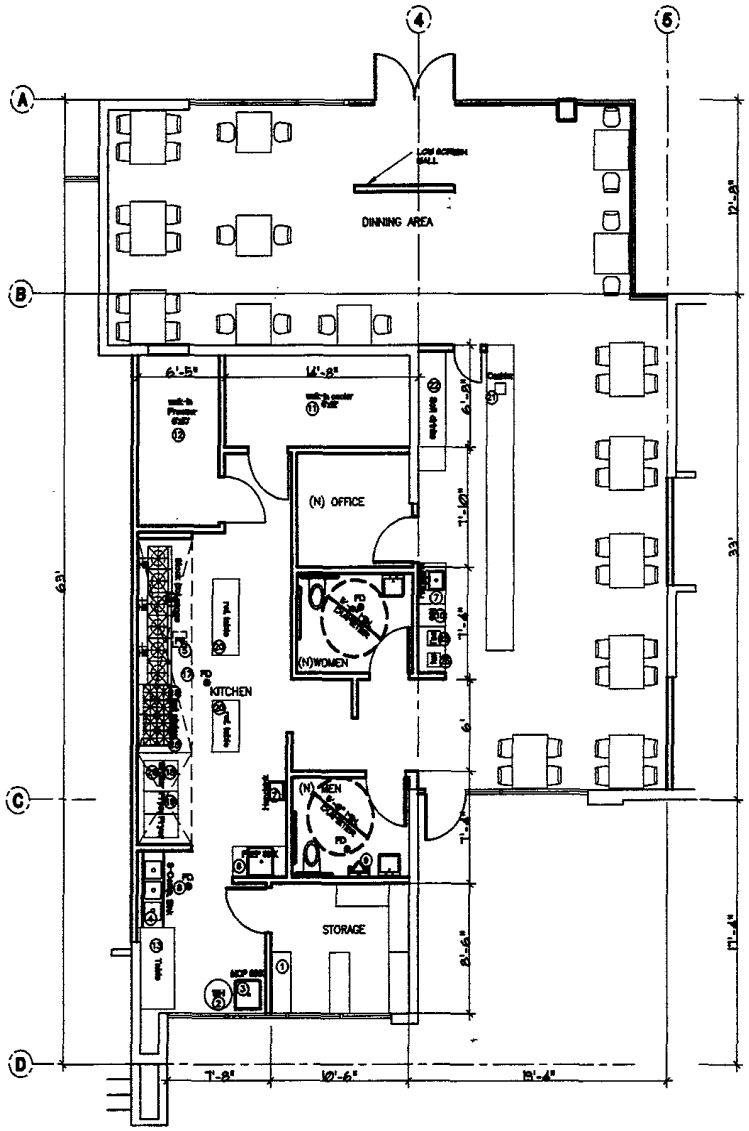
ARCHITECT

DATE: 7-2-03 — PROJECT NO.

SCALE: As Shown — DRAWN: JW

SHEET: A-1

OF [illegible]



EQUIPMENT PLAN | 1/8" | 2

	Description	Mfg.	Model	Power	Amp/BTU	HW	CW	Waste	Comments
1	DRY STORAGE (WIRE SHELVING)								
2	WATER HEATER								
3	MOP SINK								
4	3-COMPARMENT SINK								
5	FLOOR SINK								
6	FOOD PREP SINK								
7	HAND SINK								
8	FLOOR DRAIN								
9	WALL-HUNG LAVATORY								
10	ICE MAKER								
11	WALK IN COOLER								
12	WALK IN FREEZER								
13	STAINLESS STEEL TABLE								
14	STOCK POT RANGE	AMERICAN RANGE	ARSF-18		90,000				
15	HOT PLATE RANGE	AMERICAN RANGE	ARHP24-4		128,000				
16	HOT PLATE STAND								
17	HOOD								
18	BOILER	AMERICAN RANGE	ARRB-24		90,000				
19	FRYER	AMERICAN RANGE	AF-45						
20	REFRIGERATOR WORKTOP UNIT								
21	CASH REGISTER								
22	SOFT DRINKS								
23	HOT TEA								
24	GREASE TRAP								
25	HOT WATER								
26	BOILER STAND								

ALL EQUIPMENT SHALL BE NSF APPROVED OR EQUIVALENT.

EQUIPMENT LIST | NTS | 1

REVISIONS

HAI NOODLES

276 WEST CALAVERAS
MILPITAS, CALFORNIA 95035

LRS ASSOCIATES
ARCHITECTURE AND PLANNING

ARCHITECT

DATE 7-7-03 | PROJECT NO.

SCALE 1/8"=1'-0" | DRAWN JB

SHEET

A-2

OF

D:\JoyceW\HaiHonoodle\HaiHoplan.dwg Mon Jul 14 10:29:06 2003