

STAFF REPORT
PLANNING COMMISSION

FILE NO.: CP11-011

Submitted: February 4, 2011

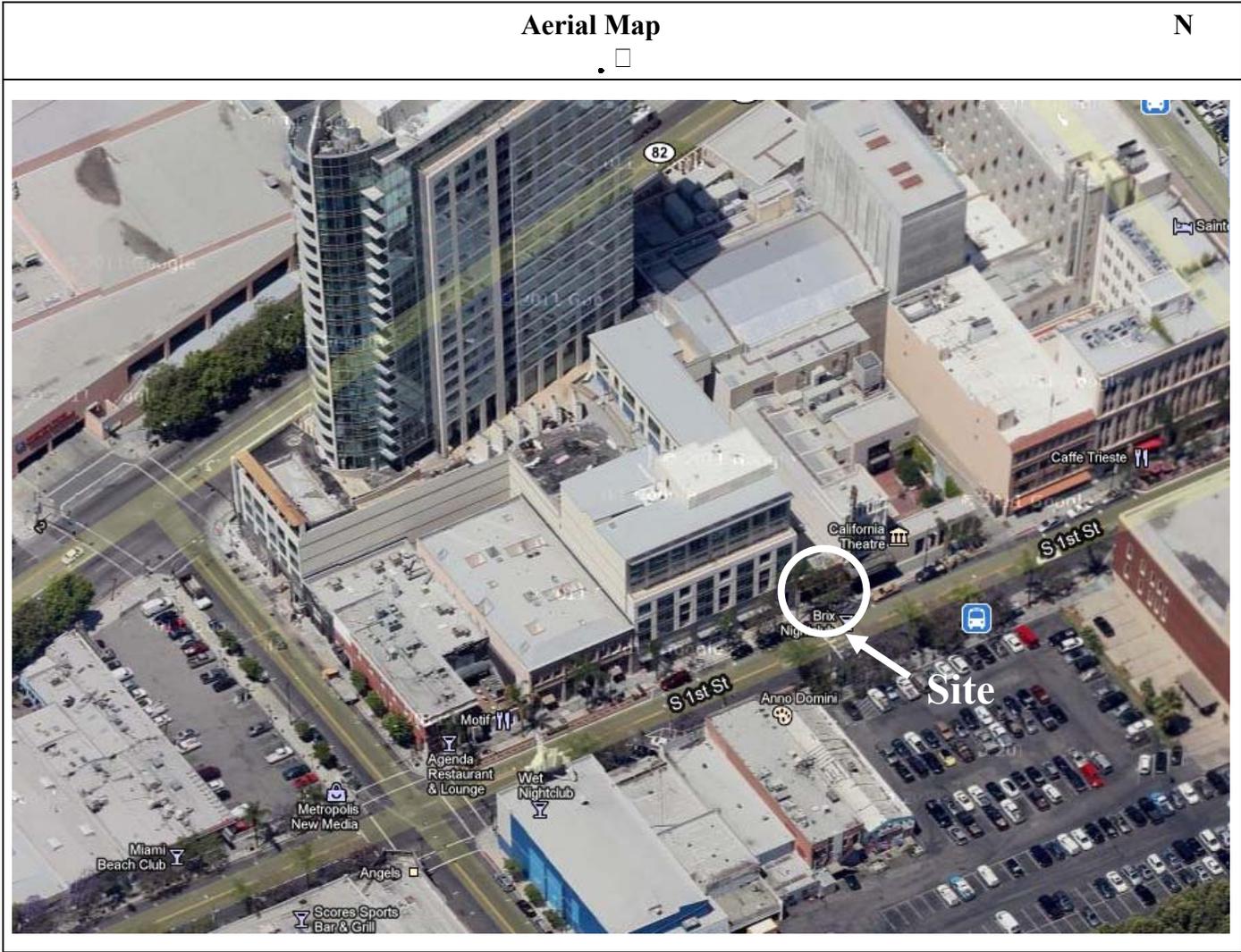
PROJECT DESCRIPTION:

Renewal of a Conditional Use Permit to allow for the continued operation of an existing drinking establishment with late night use until 2:00 a.m. including an outdoor patio on a 0.10 gross acre site.

LOCATION:

West side of S.1st Street, approximately 280 feet southerly of E. San Carlos Street (349 South First Street).

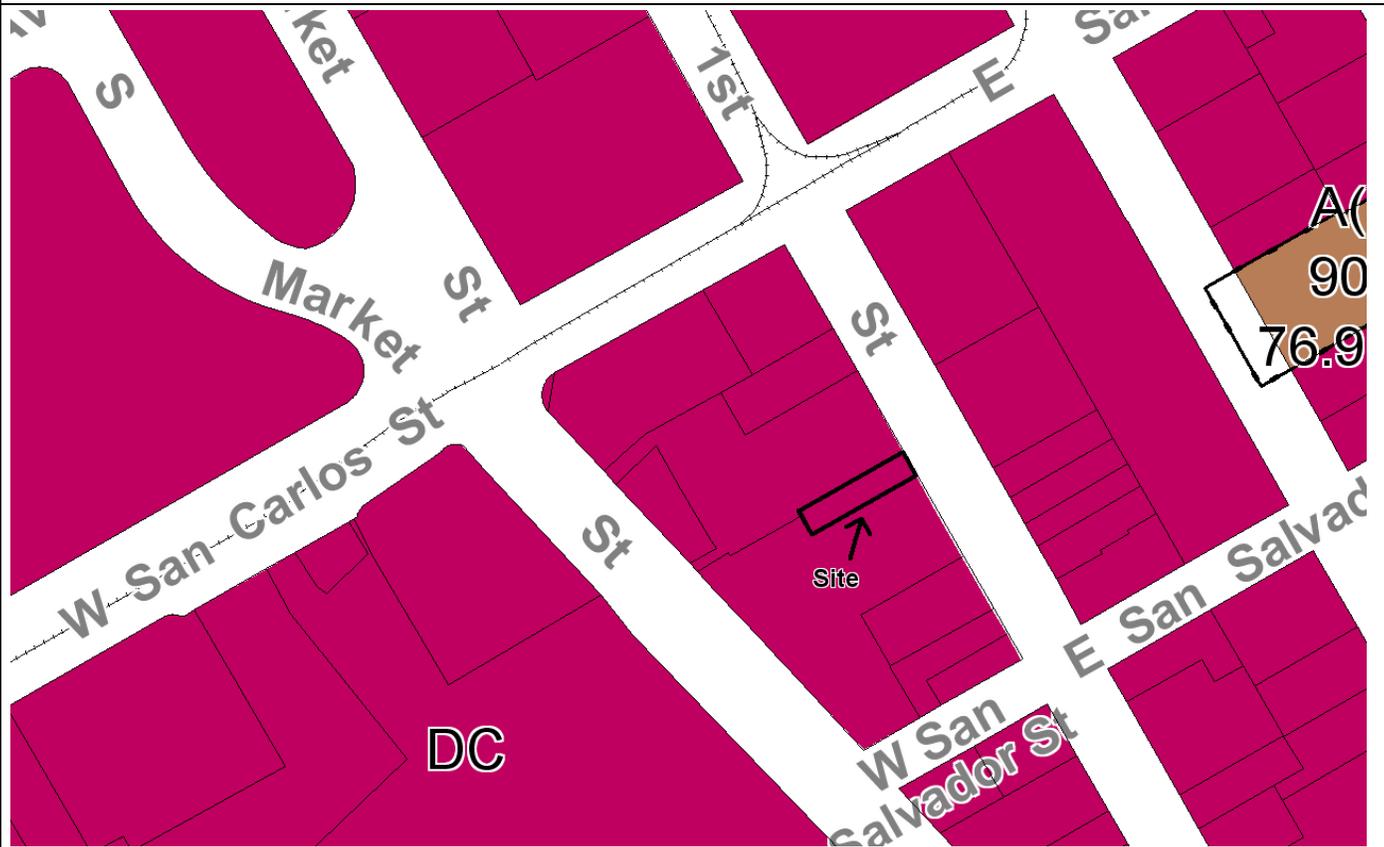
Zoning	DC Downtown Core
General Plan	Core Area
Council District	3
Annexation Date	March 27, 1850 (Original City)
SNI	NA
Historic Resource	Structure of Merit
Redevelopment Area	Market Gateway
Specific Plan	NA



GENERAL PLAN



ZONING



RECOMMENDATION

Planning staff recommends the Planning Commission approve the proposed Conditional Use Permit on the subject site for the following reasons:

1. The subject Conditional Use Permit Renewal is consistent with the San Jose 2020 General Plan and its goals and policies, specifically:
 - a. The use is consistent with site's the Land Use/Transportation Diagram land use designation of Core Area in that, entertainment and commercial uses, such as drinking and entertainment establishments, are intended uses under this designation.
 - b. The project furthers the Downtown Revitalization Major Strategy by promoting a mix of uses and attracting visitors to the downtown.
2. The project conforms to Council Policy 6-23, Guidelines for Evaluation of Nightclubs and Bars.

BACKGROUND & DESCRIPTION

On February 4, 2011, Mr. Rod Schisler, of Brix Nightclub, applied for the renewal of a Conditional Use Permit on the subject site to allow for the continued operation of the Brix Nightclub and bar with late night use until 2:00 a.m. The site is located in the DC - Downtown Core Zoning District. This District requires a Conditional Use Permit (CUP) for a drinking establishment and late night use between 12:00 midnight and 6:00 a.m. The DC Zoning District does not require parking for the said use.

The Planning Commission approved the Conditional Use Permit, File Number CP06-003, for a term of five years on May 24, 2006. The permit is set to expire on May 24, 2011. This application is a timely application for renewal, as defined by the Zoning Ordinance, which is more than 90 days, and no greater than 180 days, prior to the date of expiration.

The proposed Conditional Use Permit is for the continued operation of a use permitted through an existing Conditional Use Permit, File No. CP06-003, for a drinking and entertainment establishment with late night use until 2:00 a.m. daily, known as the Brix Nightclub. The Brix Nightclub occupies the entire 0.10 gross acre site. It offers nightly entertainment in the form of dancing, TV's, karaoke, and music. The general hours of operation are from 9:00 p.m. to 2:00 a.m. Monday to Wednesday, 6:00 p.m. to 2:00 a.m. Thursday to Saturday, and 4:00 pm to 2:00 a.m. on Saturday. The applicant is not proposing any change in use from that previously approved by Conditional Use Permit CP06-003.

Site and Surrounding Uses

The subject site is located approximately 280 feet south of E. San Carlos Street adjacent to the California Theater, a City Landmark, and abuts the mixed-use residential project known as 360 Residences. The subject building is listed as a Structure of Merit on the City of San Jose's Historic Resource Inventory. The site is surrounded with a mixture of commercial, entertainment, and restaurant uses in the SoFA District. A surface parking lot is located across 1st Street to the east.

ANALYSIS

The proposed rezoning was analyzed with respect to: 1) conformance with the San Jose 2020 General Plan, 2) conformance with City Council Policy 6-27 for the Evaluation of 24-Hour Uses, and 3) conformance with City Council Policy 6-23 Guidelines for the Evaluation of Nightclubs and Bars.

San Jose 2020 General Plan Conformance

The subject site is designated Core Area on the San José 2020 General Plan Land Use/Transportation Diagram. The intent of the designation is to support a vibrant ‘24-hour’ activity center for the City of San José that serves both as an employment center and as a focal point for cultural and recreational activities. The Core Area designation allows office, retail, residential, and entertainment uses. The proposed use is consistent with the Core Area designation in that entertainment and commercial uses, such as a drinking establishment, are intended uses under this designation.

The proposed use also furthers the General Plan Downtown Revitalization Major Strategy. This Strategy encourages new investment in, and around, the Downtown to create a prominent and attractive place with a vibrant mix of uses. The Brix Nightclub, a drinking and entertainment establishment is located in a Structure of Merit as listed on the City of San Jose’s Historic Resource Inventory. The use of this historic structure continues to promote variety and physical and social vitality in the downtown.

City Council Policy 6-27: Evaluation of 24-Hour Uses

The City Council Policy, Evaluation of 24-Hour Uses, is intended to assure compatibility of uses operating between 12:00 midnight and 6:00 a.m. with surrounding land uses. In regard to nightclubs and bars, the Policy states that uses under this category should meet the City Council Policy on the Guidelines for Evaluation of Nightclubs and Bars and that if they conform to Council Policy 6-23 then they are in conformance with Council Policy 6-27.

City Council Policy 6-23: Guidelines for Evaluation of Nightclubs and Bars

The City Council Policy, Guidelines for Evaluation of Nightclubs and Bars, is intended to facilitate the evaluation process for individual permit applications by identifying the needed project characteristics that are necessary for approval. The applicable project characteristics required by the policy are inserted in italics below. Since the approval of CP06-003, the City approved an amendment to the Zoning regulation eliminating Entertainment as a regulated use, therefore, the only land use consideration for this permit is the bar use and the 24-hour operation. Staff has identified the appropriate provisions in Council Policy 6-23 relevant in light of the recent Zoning changes.

1. It is the responsibility of the Chief of Police to evaluate all bar and nightclub proposals to ensure the safety and security of both patrons and citizens. Conditions may be imposed to monitor bars and nightclubs and to discourage nuisance activities. These conditions may include such requirements as interior or exterior security guards, additional lighting, limited occupancy, and modifications or controls or procedures to increase effective law enforcement.

The Police Department indicates it is neutral toward this Conditional Use Permit renewal. The Police Department is responsible for monitoring bars and nightclubs and may impose conditions to discourage nuisance activities as stated above.

2. Nightclub and bar operators should provide daily cleaning of the public right-of-way up to 200 feet from the property lines of the site of the facility. This cleaning should occur before 8:00 a.m. each day. Mechanical equipment used for outside maintenance, including blowers and street sweepers, etc., should not be used between 10:00 p.m. and 6:00 a.m. if the clean up occurs within 500 feet of existing residential uses.

The Draft Resolution contains a condition that requires the operator of the proposed use to clean the public right-of-way immediately adjacent to the subject site before 8:00 a.m. each day. The Property Business Improvement District (PBID) now in effect downtown provides sidewalk-cleaning services for the neighborhood in the vicinity of the project site, so cleaning of the public right-of-way, other than the immediately adjacent frontage, is no longer required.

3. Amplified sound, amusement games, and pool/billiard tables may be restricted based on potential incompatibility with adjacent uses.

The site is adjacent to 360 Residences, a mixed-use residential high rise development. This development has condominiums with open terraces that are located on the fifth level adjacent to the ground level outdoor patio for the bar. To avoid conflict with residential uses, the Draft Resolution contains a condition prohibiting activities that can be heard with normal human hearing in the outdoor patio between the hours of 10:00 p.m. and 2:00 a.m. Relative to all other activity that will occur indoors, the draft resolution contains a condition which states that “any noise generated from the use between the hours of 10 p.m. and 12 midnight that is audible by normal hearing within a residential unit with their windows closed shall be reduced to a level such that it is no longer audible, or it will constitute a nuisance.” In addition, the applicant must apply to the Police Department for and comply with an Entertainment Permit and any other requisite permits or licenses.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Under the provisions of Section 15301 (Existing Facilities) of the State Guidelines for Implementation of the California Environmental Quality Act, this project is found to be exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended, in that no expansion of the existing use is proposed.

PUBLIC OUTREACH/INTEREST

The property owners and occupants within a 500-foot radius were sent public hearing notices for the Planning Commission and City Council hearings. This staff report has been posted on the City’s web site. Signage has been posted at the site to inform the public about the proposed change. Staff has been available to discuss the proposal with interested members of the public.

Project Manager: Lesley Xavier **Approved by:**  **Date:** 4/20/11

<u>Owner/Applicant:</u>	<u>Attachments:</u>
<p><u>Owner:</u> Mark Cardosa 603 Morse Street San José, CA 95126</p> <p><u>Applicant:</u> Brix Nightclub c/oRod Schisler 5636 Creekview Meadow Lane San Jose, CA 95135</p>	

RESOLUTION NO.

Resolution of the Planning Commission of the City of San José granting, subject to conditions, a Conditional Use Permit to use certain real property described herein for the purpose of a drinking establishment with late night use between 12:00 midnight and 2:00 a.m. seven days a week on a 0.10 gross acre site located at 349 South First Street.

FILE NO. CP11-011

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN JOSÉ:

WHEREAS, pursuant to the provisions of Chapter 20.100 of Title 20 of the San José Municipal Code, on February 4, 2011, an application (File No. **CP11-011**) was filed for a renewal of a Conditional Use Permit for the purpose of allowing the continued operation of a public drinking establishment with late night use until 2:00 a.m. seven days a week, on that certain real property (hereinafter referred to as "subject property"), situate in the DC Downtown Core Zoning District, located at 349 South First Street, San José, and

WHEREAS, the subject property is all that real property described in Exhibit "A," which is attached hereto and made a part hereof by this reference as if fully set forth herein; and

WHEREAS, pursuant to and in accordance with Chapter 20.100 of Title 20 of the San José Municipal Code, this Planning Commission conducted a hearing on said application, notice of which was duly given; and

WHEREAS, at said hearing, this Planning Commission gave all persons full opportunity to be heard and to present evidence and testimony respecting said matter; and

WHEREAS, at said hearing this Planning Commission received and considered the reports and recommendation of the Director of Planning, Building and Code Enforcement; and

WHEREAS, at said hearing, this Planning Commission received in evidence a development plan for the subject property entitled, "Brix Nightclub, San Jose" dated April 18, 2011. Said plan is on file in the Department of Planning, Building and Code Enforcement and is available for inspection by anyone interested herein, and said development plan is incorporated herein by this reference, the same as if it were fully set forth herein; and

WHEREAS, said hearing was conducted in all respects as required by the San José Municipal Code and the rules of this Planning Commission;

NOW, THEREFORE:

After considering evidence presented at the Public Hearing, the Planning Commission finds that the following are the relevant facts regarding this proposed project:

1. On February 4, 2011, Mr. Rod Schisler, of Brix Nightclub, applied for the renewal of a Conditional Use Permit on the subject site to allow for the continued operation of the Brix Nightclub and bar with late night use until 2:00 a.m.
2. The existing building and use occupies all of the 0.10 gross acre site.
3. The subject building is listed as a Structure of Merit on the City of San Jose's Historic Resource Inventory.
4. The subject site is located in the DC - Downtown Primary Commercial Zoning District.
5. The DC Downtown Primary Commercial Zoning District requires a Conditional Use Permit (CUP) for a drinking establishment and late night use between 12:00 midnight and 6:00 a.m.
6. The Zoning Ordinance requires no parking for a drinking and entertainment establishment in the DC Downtown Primary Commercial Zoning District and the project provides no parking on site.
7. The subject site is located 349 South First Street, approximately 280 feet south of E. San Carlos Street adjacent to the California Theater, a City Landmark, and abuts a mixed-use residential project known as 360 Residences.
8. The site is surrounded with a mixture of commercial, entertainment, and restaurant uses in the SoFA District. A surface parking lot is located across 1st Street to the east.
9. The Planning Commission approved the Conditional Use Permit, File Number CP06-003, for a term of five years on May 24, 2006. The permit is set to expire on May 24, 2011. This application is a timely application for renewal, which is more than 90 days, and no greater than 180 days, prior to the date of expiration.
10. The proposed Conditional Use Permit is for the continued operation of a use permitted through an existing Conditional Use Permit, File No. CP06-003, for a drinking establishment with late night use until 2:00 a.m. daily, known as the Brix Nightclub.
11. The general hours of operation are from 9:00 p.m. to 2:00 a.m. Monday to Wednesday, 6:00 p.m. to 2:00 a.m. Thursday to Saturday, and 4:00 pm to 2:00 a.m. on Saturday.
12. The applicant is not proposing any change in use from that previously approved by Conditional Use Permit CP06-003.
13. The subject site is designated Core Area on the San José 2020 General Plan Land Use/Transportation Diagram. The proposed use is consistent with the Core Area designation in that entertainment and commercial uses, such as a drinking establishment, are intended uses under this designation.
14. The primary policies applicable for the review and analysis of this project are City Council Policy 6-27 for the Evaluation of 24-Hour Uses, and City Council Policy 6-23 Guidelines for the Evaluation of Nightclubs and Bars. Planning staff has reviewed this proposal for consistency with the relevant sections of these policies.
15. The historic building on the site was built with zero setbacks; therefore, there is no space on-site for patron queuing.

16. The Draft Resolution contains a condition that requires patron queuing to be maintained at a maximum of two persons in width and not exceed the edge of the property. Stanchions are to be used to contain the queue and keep the walkway clear.
17. The proposed nightclub should be generally compatible with the surrounding commercial and residential uses adjacent to the site.
18. To avoid conflict with residential uses, the Draft Resolution contains a condition prohibiting activities that can be heard with normal human hearing in the outdoor patio between the hours of 10:00 p.m. and 2:00 a.m.
19. The Police Department indicates it is neutral toward this Conditional Use Permit renewal. The Police Department is responsible for monitoring bars and nightclubs and may impose conditions to discourage nuisance activities as stated above.
20. The Draft Resolution contains a condition that doors and windows will be required to remain closed during operating hours to reduce any impact of noise on the adjacent residential uses. In addition, the applicant must apply to the Police Department for and comply with an Entertainment Permit and any other requisite permits or licenses.
21. Under the provisions of Section 15301 of the State Guidelines for Implementation of the California Environmental Quality Act, this project is found by the Director of Planning to be exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended, in that no expansion of the existing use is proposed.
22. Notices of the public hearing for this project were sent to all tenants and property owners within 500 feet of the subject property.
23. The Planning Commission Agenda is posted on the City of San José website, which includes a copy of the staff report. Staff has been available to discuss the project with members of the public.

This Planning Commission concludes and finds, based upon an analysis of the above facts that:

1. The proposed project conforms to the City's General Plan.
2. The proposed project complies with all applicable provisions of the Zoning Ordinance.
3. The proposed project is in compliance with the California Environmental Quality Act.
4. The proposed project conforms to the intent of Council Policy 6-23 Guidelines for Evaluation of Nightclubs and Bars and Council Policy 6-27 Evaluation of 24-Hour Uses.

Finally, based upon the above-stated findings and subject to the conditions set forth below, the Planning Commission finds that:

1. The proposed use at the location requested will not:
 - a. Adversely affect the peace, health, safety, morals or welfare of persons residing or working in the surrounding area; or
 - b. Impair the utility or value of property of other persons located in the vicinity of the site; or
 - c. Be detrimental to public health, safety or general welfare; and

2. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features in this title, or as otherwise required in order to integrate said use with the uses in the surrounding areas; and
3. The proposed site is adequately served:
 - a. By highways or streets of sufficient width and improved as necessary to carry the kind and quality of traffic such use would generate; and
 - b. By other public or private service for facilities as are requested.

In accordance with the findings set forth above, a Conditional Use Permit to use the subject property for said purpose specified above and subject to each and all of the conditions hereinafter set forth is hereby granted. This Planning Commission expressly declares that it would not have granted this permit except upon and subject to each and all of said conditions, each and all of which conditions shall run with the land and be binding upon the owner and all subsequent owners of the subject property, and all persons who use the subject property for the use conditionally permitted hereby.

CONDITIONS

This Conditional Use Permit shall have no force or effect and the subject property shall not be used for the hereby permitted uses unless and until all things required by the below-enumerated precedent conditions shall have been performed or caused to be performed and this Resolution has been recorded with the County Recorder.

1. **Acceptance of Permit.** Per Section 20.430.290(B), should the permittee fail to file a timely and valid appeal of this Permit within the applicable appeal period, such inaction by the permittee shall be deemed to constitute all of the following on behalf of the applicant:
 - a. Acceptance of the Permit by the permittee; and
 - b. Agreement by the permittee to be bound by, to comply with, and to do all things required of or by the permittee pursuant to all of the terms, provisions, and conditions of this permit or other approval and the provisions of Title 20 applicable to such Permit.
2. **Permit Expiration.** This Conditional Use Permit shall automatically expire two years from and after the date of adoption of the Resolution by the Planning Commission, or by the City Council on appeal, granting this Permit, if within such two-year period, the proposed use of this site has not commenced, pursuant to and in accordance with the provisions of this Conditional Use Permit. The date of adoption is the date the Resolution granting this Conditional Use Permit is approved by the Planning Commission. However, the Director of Planning may approve a Permit Adjustment to extend the validity of this Permit pursuant to Title 20 of the San José Municipal Code. The Permit Adjustment must be approved prior to the expiration of this Permit.
3. **Use Authorization.** This Conditional Use Permit authorizes the following uses to be implemented on the property subject to the terms of this permit
 - a. A public drinking establishment.
 - b. After midnight hours until 2:00 a.m.
4. **Patio Use.** No activities that can be heard at a distance of 50 feet or more from the property line with normal human hearing are allowed on the outdoor patio between the hours of 10:00 p.m. and 2:00 a.m.

5. **Noise.** Any noise generated from the use between the hours of 10 p.m. and 12 midnight that is audible by normal hearing within a residential unit with their windows closed shall be reduced to a level such that it is no longer audible, or it will constitute a nuisance.
6. **Conformance with Plans.** The use of this property shall conform to approved plans entitled, “**Brix Nightclub, San Jose**” dated April 18, 2011 on file with the Department of Planning, Building and Code Enforcement.
7. **Conformance with Municipal Code.** No part of this approval shall be construed to permit a violation of any part of the San José Municipal Code.
8. **Hours of Operation.** The subject drinking establishment is allowed to operate between the hours of midnight and 2 a.m. seven (7) days a week including the outdoor patio.
9. **Alcohol Service.** Alcohol service shall be limited to those hours and areas allowed and specified in the State Department of Alcoholic Beverages license for this site and use.
10. **Maximum Occupancy.** The project operator shall comply at all times with the occupancy limit provided by the San José Fire Department.
11. **Fire Safety.** The applicant shall meet all requirements of the Fire Department at the Building Permit stage, including but not limited to the maximum occupancy of the facility.
12. **Nuisance.** This use shall be operated in a manner that does not create a public or private nuisance. Nor shall the use adversely affect the peace, health, safety, morals or welfare of persons residing or working in the surrounding area or be detrimental to public health, safety or general welfare. Any such nuisance must be abated immediately upon notice by the City.
13. **Anti-Graffiti.** The applicant shall remove all graffiti from buildings, fences, and wall surfaces within 48 hours of defacement.
14. **Anti Litter.** The site and surrounding area shall be maintained free of litter, refuse, and debris.
15. **Changes to the Structure.** Any exterior changes shall require approval by the Director of Planning, Building, and Code Enforcement.
16. **Sign Approval.** No new signs are approved at this time. All proposed signs shall be subject to approval by the Director of Planning, Building, and Code Enforcement.
17. **Permittee Responsibility.** The permittee shall ensure that the uses authorized by this Permit are implemented in conformance with all of the provisions of this Permit.
18. **Discretionary Review.** The Director of Planning maintains the right of discretionary review of requests to alter or amend structures, conditions or restrictions of this Conditional Use Permit incorporated by reference in this Permit in accordance with the San José Municipal Code.
19. **Patron Parking.** The project operator shall identify and publicize to its patrons the location and availability of parking facilities within the vicinity of the project site.
20. **Queuing.** The nightclub operator shall use stanchions to contain the queuing line for its entire length. The queuing operation for the facility shall not disrupt pedestrian movements on the sidewalk. Patron queuing must be contained within an identified area and is to be maintained at a maximum of two persons in width and not exceed the edge of the property.

21. **Additional Permits.** Prior to the commencement of the proposed use the applicant shall obtain all applicable permits required per the San José Municipal Code including, but not limited to, an entertainment permit from the Police Department and an amusement device permit from the Treasury Department.
22. **Revocation, Suspension, Modification.** This Conditional Use Permit may be revoked, suspended or modified by the Planning Commission, or by the City Council on appeal, at any time regardless of who is the owner of the subject property or who has the right to possession thereof or who is using the same at such time, whenever, after a noticed hearing in accordance with Part 2 of Chapter 20.430 of Title 20 of the San José Municipal Code, it finds:
- a. A violation of any conditions of the Conditional Use Permit was not abated, corrected or rectified within the time specified on the notice of noncompliance; or
 - b. A violation of any City ordinance or State law was not abated, corrected or rectified within the time specified on the notice of violation; or
 - c. The use as presently conducted creates a nuisance.

ADOPTED and issued this **4th day of May 2011**, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson

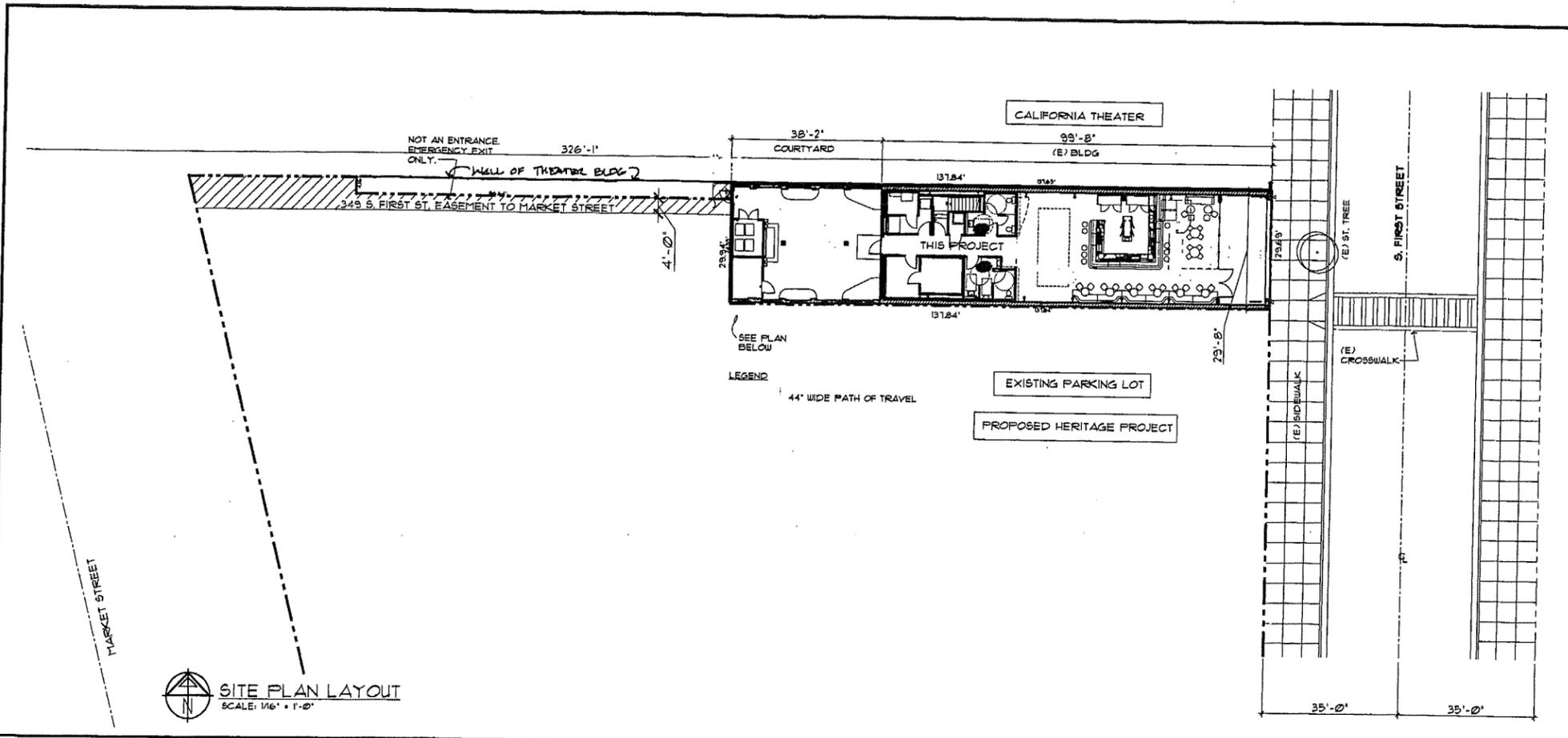
ATTEST:

Joseph Horwedel, Secretary

Deputy

NOTICE TO PARTIES

The time within which judicial review must be sought to review this decision is governed by the provisions of the California Code of Civil Procedure Section 1094.6.



- GENERAL NOTES**
- | | |
|---|--------------|
| 1 | NOTE NUMBER |
| 2 | SHEET NUMBER |
- NOTE AND DETAIL DRAWING NUMBERS ON THIS SHEET WILL INCLUDE SHEET NUMBERS ONLY WHEN REFERENCED TO DRAWINGS AND NOTES ON OTHER SHEETS.
- SEE LANDSCAPE PLANS FOR PATIO PAVING MATERIALS, LAYOUT ETC.
 - PAINT EXISTING PRECAST CONCRETE WALLS AT PATIO INTERIOR. PATCH SPALLS, CRACKS AND OTHER DEFECTS AND PROPERLY PREP PRIOR TO PAINTING.
 - ALL BUILDING AND BUILDING LOCATION DIMENSIONS ARE TO FACE OF CONCRETE OR FORM UNLESS NOTED OTHERWISE.
 - SEE ELECTRICAL PLANS FOR LIGHTING LAYOUT.
 - IRRIGATION POINT OF CONNECTION WITH (PR) BACKFLOW PREVENTION DEVICE. SEE IRRIGATION PLAN FOR CONNECTION.
 - CUT NEW OPENING AT EXISTING WALL FOR NEW DOOR.
 - PROVIDE LEVEL LANDINGS AT ACCESSIBLE BUILDING ENTRANCES WITH MINIMUM DIMENSIONS OF 6'0" x 6'0" UNLESS NOTED OTHERWISE INCLUDING 24" CLEAR TO STRIKE SIDE OF DOOR. 'LEVEL' IS DEFINED AS A MAXIMUM SLOPE IN ANY DIRECTION OF 1/8" PER FOOT.
 - ALL SEATING IS REMOVABLE.

JOB No. **0586.2**
DATE **10 OCTOBER 2006**

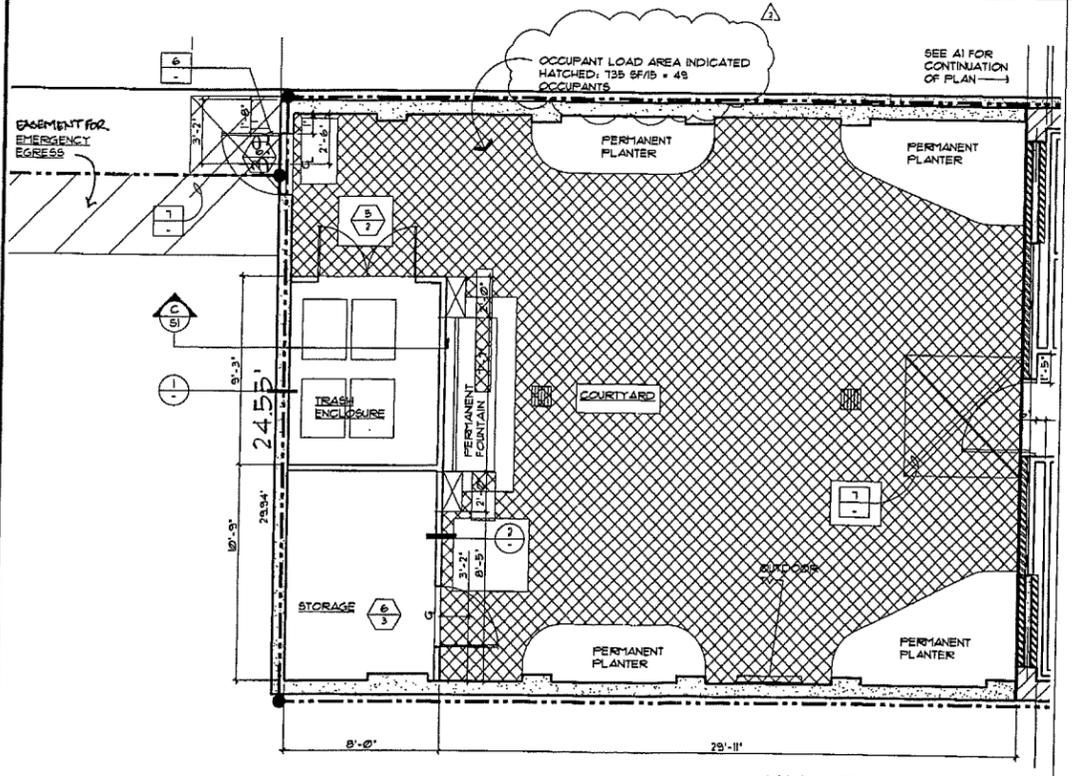
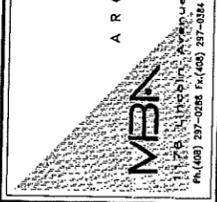
DESCRIPTION	DATE	REV.
CITY PLN CHECK	10/25/06	△
PLN CHECK 2	11/14/06	△
COORD EASEMENT	12/12/06	△

CP 11-011

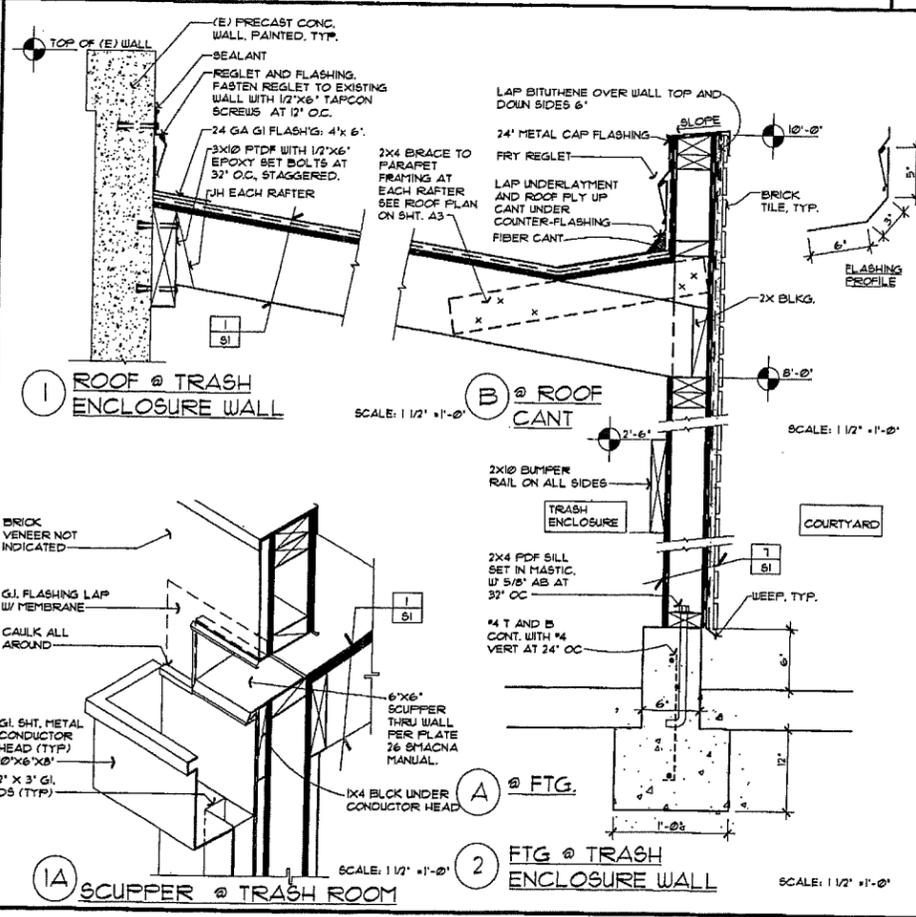
349 S. First Street
San Jose, CA

ARCHITECTS

San Jose, CA
95125



- WALL LEGEND**
- (E) CONC. WALL TO REMAIN
 - (N) 2X4 WALL
 - (E) BRICK MASONRY WALL
 - (N) BRICK INFILL WALL



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SHEET TITLE
SITE PLAN

SCALE AS SHOWN
CAD FILE 05862-G1.dwg

SHEET
G1
9 OF SHEETS

HARDWARE SCHEDULE

HARDWARE FINISH SHALL ALL BE SATIN BRASS 606. US4, EXCEPT AS NOTED. ENTRANCE LOCK MEANS KEY OPERATED FROM EXTERIOR, INTERIOR ALWAYS UNLOCKED.

GROUP 1: COURTYARD GATE

- 1 PANIC HARDWARE
- 1 1/2 FR BUTTS

GROUP 2: TRASH ROOM PAIR DOORS

- 3 FR BUTTS
- 1 LOCKSET, ENTRANCE LOCK FUNCTION
- 2 STOPS
- 2 HOLDOPEN
- 4 KICKPLATE BOTH SIDES X 30" TALL

GROUP 3: OUTDOOR STORAGE

- 1 1/2 FR BUTTS MCKINNEY/TA2714 4 1/2 X 4 1/2
- 1 LOCKSET, ENTRANCE LOCK FUNCTION
- 1 STOP
- 2 KICKPLATE BOTH SIDES X 30" TALL

GROUP 4: REAR EXIT

- 1 1/2 FR BUTTS MCKINNEY/TA2714 4 1/2 X 4 1/2
- 1 PANIC HARDWARE
- 1 STOP
- 2 KICKPLATE BOTH SIDES X 12" TALL
- 1 THRESHOLD (MAX 1/2" HIGH)

GROUP 5: STORAGE 1/2 AND JANITOR UTILITY

- 1 1/2 FR BUTTS MCKINNEY/TA2714 4 1/2 X 4 1/2
- 1 LOCKSET, ENTRANCE LOCK FUNCTION
- 1 STOP
- 2 KICKPLATE BOTH SIDES X 12" TALL

GROUP 6: TOILETS

- 1 1/2 FR BUTTS
- PUSH/PULL PLATE EACH SIDE
- 1 DEADBOLT, KEY FUNCTION ONLY FROM HALL SIDE, (CYLINDER LOCK)
- 1 STOP
- 2 KICKPLATES X 12" CLOSER

GROUP 7: ENTRY STOREFRONT DOORS: FINISH TO MATCH STOREFRONT

- 3 FR BUTTS
- 1 SET PUSH/PULL PER DOOR
- 13-POINT DEADLOCK WITH CONTROLLER FOR SECOND LEAF
- 2 CLOSERS
- 1 THRESHOLD

GROUP 8: STAIRWELL

- 1 1/2 FR BUTTS
- 1 LOCKSET ENTRANCE FUNCTION
- 1 STOP

GROUP 9: OFFICE

- 1 1/2 FR BUTTS
- 1 LOCKSET ENTRANCE FUNCTION
- 1 STOP

GENERAL NOTES

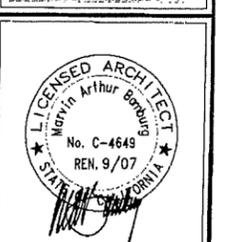
- ALL DIMENSIONS ARE TO FACE OF STUD, UNLESS NOTED OTHERWISE.
- PROVIDE INSULATION AT CEILING AND EXTERIOR WALLS OF ALL CONDITIONED SPACES, UNLESS NOTED OTHERWISE.
- ALL WALLS SHALL BE CONSTRUCTED WITH UD STUDS @ 16" O.C. WITH 1/2" GYPBOARD EA SIDE UNLESS NOTED OTHERWISE.
- VERIFY SIZE OF CONCRETE DEPRESSION WITH OWNER'S LED DANCE FLOOR EQUIPMENT. **OMIT**
- OWNER WILL INSTALL ONLY ONE LED DANCE FLOOR AT THIS TIME. SIZE OPENING OF SECOND DANCE FLOOR DEPRESSION FOR FUTURE INSTALLATION OF LED DANCE FLOOR. INSTALL NEW HARDWOOD FLOOR OVER SLEEPERS AT THIS TIME. **OMIT**
- LOWERED BAR TOP AREA FOR ACCESSIBLE SEATING. SEE (A) (A6)

JOB No. 0586.2
DATE 10 OCTOBER 2006

DESCRIPTION	DATE	REV.
CITY PLN CHECK	10/25/06	A
CITY PLN CHECK	12/12/06	A

CP 11-011

ARCHITECTS
MBA ARCHITECTS
349 S. First Street
San Jose, CA 95125
(408) 297-0887 FAX (408) 297-1884



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SHEET TITLE
FLOOR PLAN

SCALE AS SHOWN
CAD FILE 05862-Aldag

SHEET
A1
10 OF SHEETS

ATTIC AREA TO BE VENTILATED
SEE ALSO 2001 CALIFORNIA BUILDING CODE
SHT. 11-1

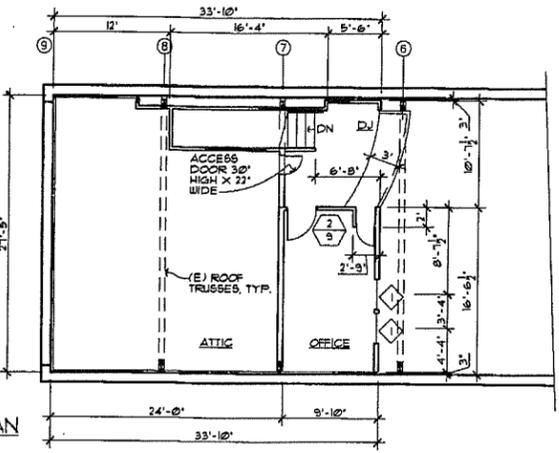
1506.3 Ventilation. Where determined necessary by the building official (for DSUAS, DSHPO, 1, 2 & 4) enforcement agency due to atmospheric or climatic conditions, enclosed areas and conditioned spaces formed where ceilings are applied directly to the underside of roof rafters shall have cross ventilation for each separate space by ventilating openings protected against the entrance of rain and snow. The net free ventilating area shall not be less than 1/150 of the area of the space ventilated.

EXCEPTIONS: 1. The opening area may be 1/200 of the area of the space ventilated provided 50 percent of the required opening area is provided by roof vents located at the upper portion of the space to be ventilated at least 3 feet (914 mm) above eaves or eaves vents with the balance of the required ventilation provided by eaves or eaves vents.

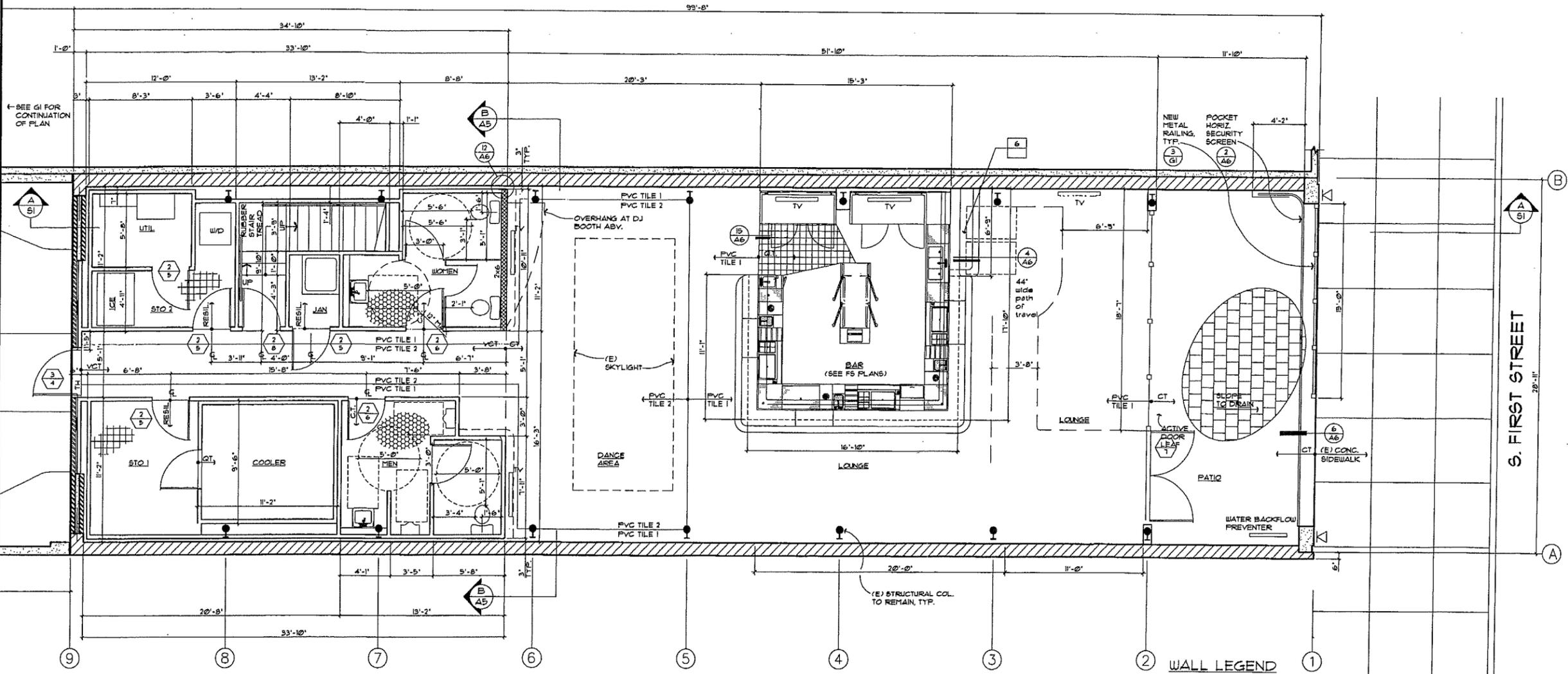
2. The opening area may be 1/100 of the area of the space ventilated provided a vapor barrier not exceeding 1 perm (5.7 x 10⁻¹¹ kg(H₂O) x m²) is installed on the lower side of the attic insulation. Where eaves or eaves vents are installed, insulation shall not block the free flow of air. A minimum of 1 inch (25 mm) of air space shall be provided between the insulation and roof sheathing.

Openings for ventilation shall be covered with corrosion-resistant metal mesh with mesh openings of 1/4 inch (6.4 mm) in dimension.

Smoke and heat venting shall be in accordance with Section 906.



MEZZANINE PLAN
SCALE: 1/8" = 1'-0"



WALL LEGEND

(E) MASONRY WALL TO REMAIN
(E) CONC. WALL TO REMAIN
(N) 2X4 WALL, UNO.
(N) 2X6 WALL
(E) BRICK MASONRY WALL
(N) BRICK INFILL WALL

GROSS FLOOR AREA:
BUILDING : 2984 SF
MEZZANINE : 246 SF
COURTYARD : 143 SF

FLOOR 1 PLAN
SCALE: 1/4" = 1'-0"