

# County of Santa Clara

## Department of Planning and Development

County Government Center, East Wing, 7th Floor

70 West Hedding Street

San Jose, CA 95110

Phone: (408) 299-5700

www.sccplandev.org



October 2, 2023

NI 2265 LLC

Attn: Daniel Ni

2265 Stevens Creek Blvd

San José, CA, 95126

**\*\*\*via email\*\*\***

**FILE NUMBER:** PLN23-155

**SUBJECT:** Architecture and Site Approval

**SITE LOCATION:** 2265 Stevens Creek Boulevard, San José, CA, 95126 (APN: 274-41-068)

**DATE RECEIVED:** September 7, 2023

Dear Mr. Ni,

Your application for Architecture and Site Approval for a new restaurant was received on the above date and is deemed **incomplete**. For the application processing to resume, you must resolve the following issues and submit the information listed below.

Resubmittals are made by appointment over video chat with the Planning Division counter and must include all requested information along with a completed application form (which is used to track the resubmittal). Please contact me to schedule a virtual meeting at (408) 299-5706 or via email at [robert.cain@pln.sccgov.org](mailto:robert.cain@pln.sccgov.org). Once the information is submitted, the Planning Division will distribute the plans, reports and/or information to the appropriate staff or agency for review.

Submit revised electronic plans and a written response addressing the following items. All items must be addressed and included in the submittal. If you have any questions about the information being requested, you should first call the person whose name is listed as the contact person for that item. They represent a specialty or office and can provide details about the requested information.

### **PLANNING OFFICE**

Contact Robert Cain at (408) 299-5706 or [robert.cain@pln.sccgov.org](mailto:robert.cain@pln.sccgov.org) regarding the following comments:

#### *Project Description*

1. As requested in the pre-application letter (PLN22-199-PRE, dated December 14, 2022), please update the project description to include a business plan which describes hours of operations,

total number of employees (including on site management and food truck operations), whether the food truck will be separately contracted or be dedicated to this location, hours the food truck will be on site, whether there is any onsite food storage or equipment cleaning or maintenance on site. If the food truck is dedicated to this site, please indicate where food storage and preparation will occur, where cleaning of dishes and equipment will occur, and how waste from the truck will be disposed of (if handled by a contractor, please note this).

Note: The food truck will need either a permit or clearance from the Department of Environmental Health. **Project data has been updated on sheet G000. Business Plan has already been submitted**

#### *Floor Plan*

2. The current plans show the existing building as a “show room.” Please verify what the use of the existing structure will be, and whether the bathroom in the building will be accessible to the public or only to staff. **Existing Building will remain as a retail space. Bathroom in exiting building will upgraded to ADA, will be Unisex, and accessible to the public.**

#### *Parking*

3. The current proposal includes zero parking, other than for a food truck (which is proposed as the food preparation area). As noted in the pre-application letter (PLN22-199-PRE, dated December 14, 2022), Restaurants and Bars are required to provide one parking space per every three seats, plus five spaces for take-out service (if provided), plus one space per employee (§ 4.30.040). Based on current plans, this would require 31 parking spaces for dine-in customers, plus one space per employee (number of employees is currently unknown), plus it is not clear if take-out service (including third-party delivery services) will be provided, but if so five additional parking spaces are required. Please designate on the plans where parking will be provided, as well as property owner permission or proof of joint ownership if off-site parking is proposed. Alternatively, a reduction may be sought pursuant to § 4.30.100 of the County Zoning Ordinance. **Existing building will remain as Retail USE. New building will support the Retail USE and be a for Storage USE. One employee parking and one visitor parking will be provided.**

#### *Restroom facilities*

4. Pursuant to the County of Santa Clara Plumbing Code, assuming occupancy does not exceed 100 persons, the plans will need to provide at minimum one toilet, one urinal, and one sink in a men’s room and two toilets and one sink in a women’s room. Should occupancy be between 101 and 200 persons, one additional toilet is required in each restroom. This is in addition to accessibility requirements. Each establishment must also provide one service sink or laundry tray, and if the establishment is not providing water, one drinking fountain. Please refer to Table 422.1 for additional information. **New Storage USE building will have one new employee only Unisex accesible bathroom.**

#### *Lighting*

5. Please submit a lighting plan detailing existing and proposed lighting on site, including around the new structure. **See updated sheet A108**

#### *Signage*

6. Please provide a signage plan for any new signage or modification to existing signage. **No new signage or modifications to exiting signage.**

*Annexation/General Plan Conformity*

7. The General Plan Conformance and Contiguity / Annexation Statement is out of date. Such statements are only valid for six months, and this form was last completed on July 21, 2022 (with an additional signature on January 9, 2023). Submit the attached form to the City of San José prior to resubmittal. **Owner will be submitting**

**LAND DEVELOPMENT ENGINEERING**

Contact Darrell Wong at (408)-299-5735, [darrell.wong@pln.sccgov.org](mailto:darrell.wong@pln.sccgov.org) regarding the following:

8. Please provide a table of the estimated new and replacement impervious areas that are created as a part of the development. **See table on updated sheet G-000**
9. Show all of the existing and proposed utilities on the plans. **See updated sheet A100**
10. Please verify the scale provided on the plans. The scale noted doesn't appear to match the dimensions provided on the site plans. **See updated sheets**
11. Please verify the width of the property. The width shown on the site plan for the property boundary doesn't appear to match the dimensions shown on the recorded map. **See updated sheets**
12. Show the location of the trash enclosure on the plans. **See updated sheet A100**
13. Submit a completed San Francisco Bay/Central Coast Watershed Questionnaire (MRP 3.0) reflecting the revised plans. Based on the results of the Questionnaire, incorporate the applicable stormwater treatment measures in the plans. **See note on sheet G000**

**FIRE MARSHAL OFFICE**

Contact Alex Goff at (408) 299-5760 or [alex.goff@sccfd.org](mailto:alex.goff@sccfd.org) for information regarding the following items.

14. Provide a Response Letter addressing comments below. More comments may be made when more information is supplied.
15. Fire sprinklers are to be listed as a deferred submittal for the (N) structure. Plans are to clarify if the (E) structure has fire sprinklers. [CFC Section 903.2 and Santa Clara County Ordinance No NS-110.136 Section B7-9.d] **Exiting structure is not sprinkled. Note that new building will be sprinkled in on revised sheet G000**
16. Plans are to state the size of the structures, the occupancy type and the construction type. **See updated sheet G000**
17. Ensure all Site Plans are properly scaled. The scale appears to be off on sheet A-100 (2 of 26). **See updated sheets including A100**
18. Plans are to show a standard fire hydrant located within 400 ft. exterior path of travel to all portions of non-sprinklered structure. [CFC Section 507.5.1] **See note on updated sheet A100**

- a. Fire hydrant flow data was uploaded, it's currently not known what the required flow is as the structure size and construction type isn't shown. **See update project data on sheet G000**

19. Site Plan to clearly label any gates on sheet A-101 (3 of 26). All gates to be shown as manual or mechanical. **See updated sheet A101**

- a. Knox Key Switches are to be shown at mechanical gates. **See updated sheet A101**

20. Plans are to show a Knox Box on each structure. Knox Box to be shown as (N)new or (E)existing. **See updated sheet A101**

### **ENVIRONMENTAL HEALTH**

Contact Darrin Lee at (408) 299-5746 or [darrin.lee@cep.sccgov.org](mailto:darrin.lee@cep.sccgov.org) for information regarding the following items:

21. Obtain and provide a water will serve letter from the local water service provider, San Jose Water Company. **Owner will be proving letter**

22. Obtain and provide a sewer connection permit from Burbank Sanitation District.  
**Permit will be obtained and provided**

23. As there will be garbage, refuse, and food waste generated by the seated public, what happens to this generated material? How will the facility mitigate and prevent the accumulation of refuse?  
**There will be no food waste generated**

24. Clarify the operational hours for the proposed seating area (non-conditioned metal building).  
**There will be no proposed seating area**

Please make sure the requested changes are made for the revised plan sets and documents that are needed for the resubmittal. **Resubmittals are only accepted by appointment with the assigned project planner.** If the requested information is not submitted within **180 days**, you will be required to pay a fee of 10% of the application fee at the time the information is submitted. All requested information must be submitted no later than **one (1) year** from the date of this letter. **PARTIAL RESUBMITTALS WILL NOT BE PROCESSED.** Fees required at the time of resubmittal will be those in effect at that time.

Please note that the following types of applications have been charged a minimum fee and will be charged additional fees to continue processing when the initial payment is exhausted, which includes Architecture and Site Approval.

If you have questions regarding the application, please call (408) 299-5706 or email [robert.cain@pln.sccgov.org](mailto:robert.cain@pln.sccgov.org).

Warm regards,



Robert Cain

October 2, 2023  
File #PLN23-155  
2265 Stevens Creek Blvd (APN 274-41-068)

Associate Planner

**cc:** Samuel Gutierrez, Principal Planner  
Darrell Wong, Land Development Engineering  
Alex Goff, Fire Marshal's Office  
Darrin Lee, Department of Environmental Health  
Francisco Matos, Applicant